



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**The combined third and fourth periodic reports of  
States parties due in 2007**

**DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA\***

[10 December 2007]

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\* This document contains the consolidated third and fourth periodic reports of the Democratic People's Republic of Korea.

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## **Introduction**

1. The second periodic report of the Democratic People's Republic of Korea (the DPRK) on the implementation of the Convention on the Rights of the Child for the period 1995-2000 (CRC/C/65/Add.24) was considered on 1 June 2004 by the Committee on the Rights of the Child at its 965th and 966th meetings (CRC/C/SR.965 and SR.966).
2. The present report which covers the period 2001-2007 contains the third and fourth periodic reports has been prepared pursuant to article 44, paragraph 1 (b) of the Convention and in consideration of paragraph 68 of the concluding observations (CRC/15/Add.239) of the Committee on the Rights of the Child.
3. The period under review was a period in which the DPRK went through a harsh trial due to the unfavourable developments that gravely threatened the security of the country. It was also a period of exciting events in which the Korean people under the leadership of the Government ushered in the dawn of the great prosperous powerful nation, braving all kinds of difficulties, full of fresh confidence and optimistic spirit. The persevering and devoted efforts of the people have resulted in the securing of a springboard for a fresh leap forward in economic construction, which in turn has contributed to opening up a brighter prospect for the protection and promotion of children's rights and satisfying their material and cultural requirements.
4. The Government has invariably maintained the principle that children represent the future of the country and are the king of the country, and accordingly, the protection of children's rights and promotion of their welfare has continued to draw the attention and interest of the country and society as a whole.
5. During the period under review, the DPRK acceded to the WHO Framework Convention on Tobacco Control in April 2005, and the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 in August 2007.

### **I. GENERAL MEASURES OF IMPLEMENTATION (arts. 4, 42 and 44, para. 6)**

#### **A. Measures to harmonize national laws with the provisions of the Convention**

6. The DPRK acceded to the Convention on the Rights of the Child in September 1990 without any reservations. The Government, ever since its foundation in September 1948, has maintained the policy of attaching great importance to child-related matters, the core of which is that bringing up children to be independent and creative and intellectually, morally and physically balanced is a matter of great significance decisive for the future and prosperity of the nation. The present report has demonstrated once again, that the child-related policies of the Government of the DPRK, over the period covered, remain generally in line with the principles and requirements of the Convention.

7. The Government made it an integral part of its work for the implementation of the Convention to ensure the fullest possible conformity of national laws with the provisions of the Convention.
8. New laws were adopted and the existing laws amended and supplemented with a view to giving more practical effect to the Government's commitments to the Convention.
9. The Inheritance Law was adopted on 13 March 2002. The law provides that heirs shall be guaranteed equal rights, and the interest of a person without an independent living capacity should be of prime consideration in matters related to inheritance (arts. 3 and 4); the right of an incompetent person to inheritance or donation shall be exercised on his behalf by his or her agent (art. 10); that the prescription of inheritance shall be set (art. 14); the inheritance should be effected in the following order: the deceased person's spouse, children, adopted children, stepchildren, unborn child, parents, foster parents and step-parents. If the aforementioned do not exist, the inheritance should be distributed in the order of: grandchildren, paternal grandparents, maternal grandparents, blood brothers and sisters, adopted brothers and sisters, and brothers and sisters of half blood (art. 17). At the time of the partitioning of the estate, reservation should be made for the share of an unborn child (art. 48), in cases where the inheritance is distributed without making reservation for the share of an unborn child, the beneficiary should return the share in question, and if the baby is stillborn, his or her share should be inherited to the person next in order (art. 49). In this way the law concretized the inheritance system that was formerly a part of the Family Law, and clearly defined matters related to inheritance by children.
10. The Law on the Protection of Persons with Disabilities was adopted on 18 June 2003, and contains the fundamentals of the law, rehabilitation, education, cultural life and work and employment of children with disabilities, as well as matters related to persons with responsibility for guidance and control. In particular, this law provides on a broad basis the general principles and specific rules for the protection of persons with disabilities including ensuring respect for the personal dignity of persons with disabilities, provision of their rights, freedoms and interests on an equal basis with others (art. 2), systematic increase of investments for the protection of persons with disabilities (art. 3), ensuring social benefits to persons with disabilities (art. 7), etc. By the adoption of this Law, a legal basis of practical significance was laid for the protection of children with disabilities and promotion of their welfare.
11. The Law on the State Budgetary Revenue was adopted on 6 July 2005. This Law provides for sources of State revenue such as profits from State-owned enterprises and cooperative organizations, depreciation, real estate rent, social insurance premium, proceeds from the sale of property and price margin and other revenues, which has created another legal condition for the increase of State budgetary expenditure for the protection and promotion of children's rights and welfare.
12. The Law on Tobacco Control was adopted on 20 July 2005. This law stipulates that the sale of tobacco products to minors shall be prohibited (art. 32), students shall not be permitted to smoke and schools and universities shall sensitize the students about the harmful effects of smoking (art. 33), smoking at nurseries, kindergartens, schools, hospitals and clinics shall be

prohibited (art. 35) and public health institutions, mass media and institutions concerned shall conduct awareness-raising campaigns on the harmful effects of smoking in various forms and ways (art. 36), which has provided legal guarantee for the protection of children's health from smoking.

13. The Law of the DPRK Red Cross Society was adopted on 10 January 2007. This Law stipulates that the DPRK Red Cross Society is an independent health and relief organization based on voluntary commitment of citizens (art. 2); the State shall attach importance to activities of the Red Cross, and grant priority in passage and service to those engaged in emergency relief operations (art. 4); the Society may establish the Society's branch organizations in the provinces, cities and counties (art. 7), and the Society has as its duties to work to rescue the disaster victims, stabilize their lives and remove the after-effects of disasters, to give emergency medical service and disseminate health and hygienic knowledge to prevent communicable and other diseases and assist the State health institutions, to conduct such activities among the youth and children, such as the dissemination of health and hygienic knowledge and training in the rescue of disaster victims (art. 8). The enforcement of this Law will be substantial to the protection and stabilization of the lives of people including children, and will eventually be conducive to the implementation of the Convention.

14. The Criminal Law was extensively amended and supplemented on 29 April 2004 in an effort to abolish the application of punishment by inference, containing 303 articles as compared to 161 articles in the former law. However, the principle of the Government of giving preferential treatment to and protecting children in the administration of criminal justice remains unchanged, and accordingly, no change has been made with regard to the provisions concerning the children, which are: the age for criminal responsibility (art. 11); prohibition of execution of death penalty against a minor (art. 29); extenuating the crime committed by a minor (art. 40); and passing a heavier punishment for getting a minor to work (art. 191); violating the regulations related to taking care and protection of children (art. 207); instigating a minor to commit an offence (art. 260); neglecting by a person of his or her duty to protect the child (art. 271); kidnapping or concealing a child (art. 289), and having sexual intercourse with a minor (art. 295).

15. The Family Law was amended and supplemented on 7 December 2004. The law provides for affording special protection to mothers and their children, provision on a priority basis of conditions for the healthy upbringing and educating of children (art. 6), deciding custody in consideration of the best interests of the child in the event of divorce (art. 22), obliging the party not supporting the child to provide maintenance, determining the amount of maintenance for each child within the range of 10 to 30 per cent of his or her monthly income (art. 23) with a child born out of wedlock having the same status as the child born in legal marriage (art. 25). The law further provides that the child shall adopt the surname of his or her father and failing that, the mother's surname, the child whose parents cannot be traced may have his or her name given by the population administration organ (art. 26), the relations between step-parents and stepchildren shall have the same status as that between biological parents and their children (art. 29), citizens may foster the children of other people and a person who has been deprived of the right to elect, who has suffered from an illness that may be injurious to the health of a child

or one who has no ability to nurse and bring up a child shall not be permitted to adopt a child (art. 30), a citizen who wishes to adopt a child must obtain consent from his or her biological parents or guardian (in case the adoptee is over 6 years of age, his or her consent shall be obtained) (art. 31), and a minor who has no one to support him or her shall be taken into the care of the State (art. 38).

16. The principles and requirements of the Convention were fully taken into consideration while amending and supplementing the Education Law (7 December 2005), the Narcotic Drugs Control Law (13 December 2005), the Civil Procedure Law (25 October 2005), the Foodstuff Sanitation Law (13 December 2005), the Law on Prevention of Communicable Diseases (13 December 2005), the Criminal Procedure Law (26 July 2005) and the Environmental Protection Law (19 April 2005), thereby contributing to further perfecting the legal system for the protection and promotion of children's rights.

17. During the period under review, the National Coordinating Committee for the Implementation of the Convention on the Rights of the Child (NCRC) conducted a comprehensive review of the existing laws and regulations to find that the requirements of the Convention are reflected in the national laws either to the letter or in substance.

18. A new system of work was established during the period under review, under which legislative and regulation-making bodies regularly receive the suggestions and recommendations of the NCRC. Under this system, the officials of the Presidium of the Supreme People's Assembly, regulation-making bodies under the Cabinet, law enforcement officials of judicial organs and relevant national institutions meet once a quarter to be informed of the activities of the NCRC and accept its recommendations so that formulation of national laws and regulations and the implementation of the Convention can be conducted in close coordination. This new work system constituted a constructive measure in further facilitating the implementation of the Convention.

## **B. Comprehensive strategy for the implementation of the Convention**

19. Following the signing of the Declaration of the World Summit for Children the Government developed the Ten year National Programme of Action for the Survival, Protection and Development of the Child. With the major objectives of the National Programme of Action attained, the Government formulated, as a further measure, a comprehensive National Programme of Action for the Well-being of Children (2001-2010) to further promote the well-being of children and women and the protection of their rights. Having a different form of description and layout, this programme mostly reflects the Millennium Development Goals, "A World Fit for Children" and the contents of the resolutions recently adopted at the General Assembly and other international conferences on child-related matters.

20. The Government, with a view to further promoting the right of the child to education and providing equal opportunity for all, developed in 2002 the National Plan of Action on Education for All (2003-2015) in accordance with the Dakar Framework of Action for Education for All and has been pursuing its implementation.



21. The Strategy of the DPRK for the Promotion of Reproductive Health (2006-2010) was worked out in May 2006 with the aim of protecting and promoting the health of children and women, especially mothers. This strategy contains specified goals for decisively reducing the maternal and child mortality rates, meeting the people's demands for family planning service and raising its quality, improving women's nutrition, and reducing diseases that cause maternal deaths, and ways for the realization of these goals. This plan will contribute to the full realization of the Government's policy to protect and promote the highest attainable standards of reproductive health.
22. A work programme for 2008-2010 of the Central Committee of the Korean Federation for Protection of Persons with Disabilities is now being drafted under the guidance of the Cabinet, the core of which is to further reinforce the economic foundation of prosthetic factories and surgery for enhancing the level of rehabilitation of persons with disabilities, equip the educational and boarding facilities of blind, deaf and dumb children on modern lines and build barrier-free houses satisfying international standards.
23. In addition to the aforementioned programmes, the Primary Health Care Strategy, the Medicine Strategy and other sector-specific strategies for 2008-2012 are being implemented, with stress laid on health care of mothers and children.
24. These comprehensive strategies will facilitate fuller implementation of the Convention in the DPRK, thereby contributing to further enjoyment by children of their rights.

### **C. Coordinating mechanism for the implementation of the Convention**

25. During the period under review, the Government took positive measures to further strengthen the functions and expand the scope of activities of the NCRC that have been active since April 1999. Upon receipt of the concluding observations of the Committee in June 2004, and in reaction to paragraph 12 (b), the NCRC met to seriously discuss the need for establishing a single governmental body for the purpose of coordinating, monitoring and evaluating the implementation of child-related strategies and programmes of action. After several rounds of discussion, the NCRC reached the conclusion that, as a body exclusively responsible for the implementation of the Convention, it would be more conducive to the implementation of the Convention to further enhance the role of the officials of the competent ministries under the NCRC rather than modify the existing mechanism and relevant responsibilities. Accordingly, the NCRC took measures to further enhance the role and responsibilities of the members of the NCRC, who are the senior officials and officials of the relevant departments of the Presidium of the Supreme People's Assembly, the Ministry of Education, the Ministry of Public Health, and the Central Statistics Bureau and other relevant ministries. The NCRC invited them to submit at its regular or special plenary session or other consultative meetings, the status of their activities for and with children, the obstacles encountered in the process of monitoring and coordinating activities in the areas within their mandate, and recommendations and suggestions, and took follow-up measures. Along with this, the NCRC ensured that the Convention, the recommendations contained in the concluding observations of the Committee, and child-related resolutions adopted at the General Assembly and other international conferences are satisfactorily implemented at the national level. The NCRC also organized training courses and

workshops on several occasions in view of the fact that it has relatively young members, thus promoting fuller understanding of the principles and requirements of the Convention and enabling them to fulfil their responsibilities and roles appropriately.

26. The NCRC distributed the concluding observations of the Committee through the State administration system from the centre to the province (municipality directly under the central authority), city (district), county or *ri*, enquired into the obstacles and difficulties encountered in the process and forwarded suggestions and recommendations aimed at overcoming them, and ensured that these recommendations are satisfactorily put into effect.

27. The NCRC strengthened cooperation with other National Coordinating Committees such as the ones for UNICEF, UNFPA and UNESCO, the Central Committee of the DPRK Red Cross Society and the Central Committee of the Korean Federation for the Protection of Persons with Disabilities, presenting opinions and recommendations with a view to ensuring that they devote primary attention to the implementation of the Convention in their activities. For example, the NCRC ensured that these institutions strictly maintain the principle of the best interests of the child in their activities related to international assistance by ensuring that children enjoy priority in receiving food, nutritional foodstuffs and medications. When many areas of the country were seriously affected by flooding in August 2007, the NCRC met in an emergency session to dispatch its members to the affected areas to take urgent measures, in collaboration with the officials of the local power organs, for the rescue and relief of the children.

28. Social organizations and institutions such as the youth league, Women's Union, research institutes of education and health, the Korean Association for Family Planning and Maternal and Infant Health, the Teachers' Union, the Council of Medical Science, and other interested scholars and parents played their respective roles creditably in the implementation of the Convention.

29. In response to the concluding observations of the Committee, the NCRC reviewed the status of settlement by relevant institutions, enterprises and organizations of complaints lodged by children. As was specifically stated in the second periodic report, the DPRK has a network of complaints mechanisms that includes institutions, enterprises and organizations from the centre down to the lowest local unit. Where a unit does not have a complaints department, a full-time or a concurrent official is designated for the handling of complaints. All complaints are registered on the day they are lodged and in cases where a complaint does not fall under the jurisdiction of the department in question, it is referred to the relevant institution, enterprise or organization. This is to ensure that all complaints lodged by minors, even when they are ignorant of the relevant procedures, find their way to the competent complaint mechanism without fail. Minors may lodge complaints either directly or through his or her guardian or representative. In cases where a petitioner does not agree with the terms of settlement of the complaint, he/she may lodge the complaint again. Every institution, enterprise and organization has a complaints box for petitioners, in compliance with the requirement of the law on providing facilities to the petitioners. Complaints are considered on the "Day of Complaints Settlement" by the institutions at central, provincial, city and county level, or at the consultative meeting of senior officials of other smaller units, and the inquiry and handling of complaints is deemed completed only when the result of settlement of a complaint in question is notified to the petitioner. Where a complaint is transferred to the relevant institution in compliance with the law, the result of the complaint settlement is notified to the institution that had first received the complaint to be registered in the

registrar of complaints receipts. This well-defined complaints mechanism ensures that none of the complaints lodged by children is ignored or handled inappropriately. Article 250 of the Criminal Law provides that any ignorance of the complaint and petition of a citizen will lead to disciplining through labour of less than two years.

30. As the DPRK has a well-arranged State administration system from the central down to the grass-roots level, the Convention will be successfully implemented if the NCRC enhances its role and responsibility, availing itself of the existing system and placing importance on collaboration with child-related bodies and institutions.

#### **D. Mobilization of resources**

31. During the period under review, a large share of the State budget was allocated for social and cultural measures despite the persisting blockade and pressure of outside forces and difficulties resulting from natural disasters. The indicator for the State budgetary expenditure related to the welfare of children in the DPRK is included within the expenditure on the welfare of people, which include expenditure on science, education, culture, health, physical culture and sport, social insurance and social security. The expenditure on the welfare of people during the period under review is shown in table 1.

**Table 1**

#### **Annual budgetary expenditure on the welfare of people**

Year	Expenditure on the welfare of people (%)
2002	40.3
2003	40.5
2004	40.8
2005	42.4
2006	41.7

32. As can be seen in the table, the Government appropriated a large share of budget for the welfare of children, despite the demands for investment arising from the unprecedented tense political and military situation and difficult economic situation facing the country. This fact alone serves a testimony to the consistent policy of the DPRK which regards children as the king of the country.

33. In August and September 2007 vast areas of the country were again seriously affected by flooding. In the sector of public health 466 hospitals, 1,402 clinics, and 5,928 nurseries were completely or partially destroyed or submerged, and in the education sector 316 schools were again completely or partially destroyed, with the result that 35,040 pupils had no place to study and hundreds of people lost their lives or were injured. The total value of damage to education and public health was no less than tens of millions of dollars. However, the Government and people turned out as one in the efforts to address the after-effects of the flood, with primary attention devoted to rebuilding the destroyed nurseries, kindergartens and schools and stabilize the lives of children.

### **E. International cooperation**

34. The Government strengthened international cooperation pursuant to the guidelines of the Convention and, in particular, paragraphs 21 and 22 of the concluding observations of the Committee on the Rights of the Child on the second periodic report of the DPRK. Much effort has been directed for the successful promotion of international cooperation since the appeal of the Government in 1995 for the first time in its history. The assistance from the United Nations agencies including United Nations Children's Fund (UNICEF), World Food Programme (WFP), World Health Organization (WHO) and United Nations Population Fund (UNFPA), International Federation of Red Cross and Red Crescent Societies, EU and other individual countries proved valuable for the promotion of the well-being of children.

35. The Government has consistently maintained the principle of "Best things for children" in matters related to international assistance. Every possible measure was taken to ensure that aid materials were provided to children who belong to the most vulnerable groups.

36. Priority was given to surveys and assessments that constitute the essential part of the international cooperation process. Periodic assessment of children's nutritional status was conducted jointly with the relevant international organizations or independently by the relevant local institutions. In October 2007, a pilot census was undertaken in collaboration with the UNFPA for the all-Korean population census to be conducted in October 2008.

37. Local areas were mainly selected for the intensive international assistance, for which access was provided to for international organizations for monitoring. Where any area or unit is affected by an unforeseen natural disaster, necessary measures were also taken to provide emergency aid with the monitoring of the relevant international organizations.

38. With a view to ensuring that international assistance proves its merit on a sustained basis, measures were adopted to specify and broaden the items of aid given by the international organizations. For example, the UNICEF provided paediatric essential paediatric drugs, nutritional foodstuffs for treating child malnutrition, and necessary facilities and equipment for the production of oral rehydration salts, and the construction of gravity-fed water supply system for the provision of clean drinking water. WHO provided paediatric medicines including polio vaccines and antibiotic medicines for children under five, and vital medical equipment and instruments for the operating and first aid rooms at the provincial paediatric hospitals, which contributed to effecting substantial improvement in the promotion of the welfare of children. In addition, some international organizations rendered valuable support in organizing several workshops and practical training at international and national levels on such themes as the integrated management of child disease, the prevention and treatment of poliomyelitis, and the assessment of academic achievements and methods for improvement of the quality of education.

39. The DPRK will continue to cooperate with the international organizations and individual countries, while rejecting any attempt or tendency to politicize humanitarian assistance. Appreciation was extended by the Government and people for the messages of consolation and for the aid materials received from many countries, and the humanitarian assistance received from the United Nations and other international organizations following the recent flood damage.

## **F. Dissemination of the Convention**

40. Positive measures were taken to ensure the widespread dissemination of the principles and requirements of the Convention. As the demand increased for the Korean version of the Collection of Child-related International Instruments and the Convention on the Rights of the Child, the NCRC ensured that they were published in larger numbers and disseminated to the relevant institutions and individuals.

41. The NCRC disseminated the text of the Convention and raised awareness of its provisions and principles through its regular plenary sessions, special sessions, consultative meetings, and governmental meetings dealing with child-related matters. The Ministry of Education, the Ministry of Public Health, the Central Committee of the Korean Federation for Protection of Persons with Disabilities, the Central Committee of the DPRK Red Cross Society and other National Coordinating Committees were encouraged to disseminate the Convention in various ways and means suitable to their characteristics. Through radios, television, newspapers and periodicals wide publicity was given to the Convention particularly on International Women's Day, International Children's Day, the anniversary of the adoption of the Convention, the anniversary of the DPRK accession to the Convention, Human Rights Day and many other occasions for a total of 150 times during the period covered by the present report. Of special significance during the period under review was the wide dissemination of the general comments adopted by the Committee through governmental meetings and workshops and seminars of social organizations, thus promoting awareness of educational and health workers, as well as legislative, judicial, and administrative officials.

42. With a view to making the Convention better known to children, contents of the Convention were incorporated into subjects like Socialist Morality, and Socialist Morality and Law that were introduced respectively into the curriculum of primary and secondary schools in 2005, as a result of positive measures taken by the NCRC.

43. The NCRC is planning to compile a collection of the Convention on the Rights of the Child, child-related declarations and resolutions adopted at international conferences, and general comments of the Committee with, if possible, the assistance of international organizations and non-governmental organizations.

## **G. Availability of the report**

44. To prepare the present report, the Government created a Report Drafting Group consisting of officials of the Presidium of the Supreme People's Assembly, the Cabinet, the Central Court, the Ministry of Education, the Ministry of Public Health, the Ministry of Foreign Affairs and the Central Statistics Bureau, researchers from the Academy of Pedagogical Science, the Institute of Public Health Administration, the Research Institute of Child Nutrition and other child-related research institutes and the officials from youth league, women's union, and the Central Committee of Korean Federation for Protection of Persons with Disabilities. The Group comprehensively surveyed the status of the implementation of the Convention, progress achieved, and obstacles encountered in the relevant sectors, with the assistance of the governmental organs at all levels, social organizations, parents, youths, students and children,

and drafted the report on the basis of the survey. Special consideration was given to the guidelines for the periodic report and the recommendations contained in the concluding observations of the Committee on the second periodic report.

45. Pursuant to paragraph 16 of the concluding observations of the Committee, efforts were strengthened to encourage inputs by the Research Institute of Human Rights, the Lawyers' Association, the Medical Association, the Korean Association of Family Planning and Maternal and Infant Health, the Population Research Institute, the Law Research Institute and other non-governmental organizations, interested scholars, parents, doctors and teachers into the preparation of the present report.

46. The present report was considered at the consultative meeting of the Presidium of the Supreme People's Assembly, the Cabinet, and central administrative organs and made available to local government organs, social organizations and non-governmental organizations. It will be translated into English for submission to the United Nations and the Korean version will be distributed to the relevant institutions across the country.

47. In response to the recommendations contained in paragraph 67 of the concluding observations of the Committee on the second periodic report, the NCRC ensured that 1,000 copies containing the second periodic report, replies to the written questionnaire, concluding observations and the summary records of the Committee were published in Korean and made available to the concerned institutions and the public at large to promote, debate, receive suggestions and recommendations and reflect them in the present report. However, sufficient numbers of copies were not published because, despite efforts to mobilize all possible domestic resources, paper that is essential for the publication is still in short supply.

48. The NCRC is planning to compile a collection of the previous periodic reports of the DPRK and the concluding observations adopted by the Committee through the mobilization of domestic resources and in close cooperation with international organizations.

## **II. DEFINITION OF THE CHILD**

### **(art. 1)**

49. For the difference between national legislation and the Convention on the definition of the child, the minimum legal age for legal and medical counselling, the minimum legal age for the end of compulsory education and admission to employment and work, see paragraphs 51, 52, and 53 of the second periodic report.

50. *The minimum legal age for marriage.* In response to paragraph 25 of the concluding observations of the Committee, the NCRC consulted the relevant officials and scholars in connection with the minimum age of marriage. Article 9 of the Family Law which provides for the minimum age for marriage is by no means in conflict with sexual equality or with article 2 of the Convention and the Convention on the Elimination of All Forms of Discrimination against Women, but rather a consideration of the physiological feature of Korean women and a legalization of the traditional practice whereby women married men who are older than they are. In reality, girls marry in their late twenties, thus indicating that the age of marriage stipulated in

the Family Law is only the minimum standard. This being a reality, the NCRC submitted a recommendation to the competent authorities with a view to harmonizing the minimum age of marriage with the requirements of the Convention. This recommendation is currently under consideration by the competent legislative, administrative and judicial organs.

51. *The minimum legal age for voluntary enlistment in and conscription into the armed forces and participation in hostilities.* The DPRK is still in the state of armistice. Therefore, the Government regards it as the supreme national task to defend the country and the lives and property of the people. The Constitution stipulates that national defence is the supreme duty and honour of citizens (art. 86). This is to stipulate by law that the sacred duty of citizens is to defend the country, as one of their fundamental duties and not the imposition of military service by law. Military service in the DPRK is on a voluntary basis and there is no system of forced conscription, which is why the word “conscription” is unfamiliar to young people (see paragraph 55 of the second periodic report).

52. *The minimum legal age for criminal responsibility.* In accordance with the recommendations contained in the concluding observations of the Committee, the NCRC reviewed, with the assistance of the legislative and judicial bodies, the status of child-related provisions in the Criminal Law that was extensively amended and supplemented on 29 April 2004. The Criminal Law retains the provisions of imposing criminal responsibility only on a person over 14 years of age at the time he or she commits a crime, prohibiting the execution of the death penalty against a minor, and extenuating crimes committed by a minor, and that a person who employs a minor, seriously violates the regulations related to taking care of children, instigates a minor to commit an offence, kidnaps or conceals a child or has sexual intercourse with a minor shall be committed to reform through labour of less than 2 years, less than 3 years, up to 7 years, less than 3 years, and up to 10 years respectively. All of the provisions for imposing heavier punishments for child-related crimes are retained intact.

53. Minors in conflict with the law are committed to public education in accordance with article 49 of the Criminal Law, which reads: “In case where it is believed that a minor or a major who committed a crime can be reformed through public education in light of the degree of his or her repentance and the gravity of the crime, he or she may be committed to public education”, and the following provisions of the Criminal Procedure Law:

#### **Article 62**

Public education measures shall be applied in the following cases:

- (a) In case of a crime committed by a person above 14 and under 17 years of age;
- and
- (b) In case where it is believed that the person concerned can be reformed through education without being punished;

### **Article 63**

For the reasons stipulated in article 62 of this law, the public prosecutor and court may do as follows:

(a) The public prosecutor may decide on reformation of the examinee through public education with the approval of a higher prosecutor's office; and

(b) The court may pass a judgement or a verdict on reformation of the accused through public education.

### **Article 64**

The examinee or the accused in custody shall be released as soon as a decision, judgement or award is made on his or her reformation through public education.

### **Article 66**

A person who had been committed to public education shall be treated like other persons who have not committed any crime.

### **Article 67**

Responsibility for the education of a person committed to public education shall be assumed by the institution, enterprise, or organization to which he or she belongs, or *ri* (town, district or *dong*) in which he or she resides.

54. The aforementioned public education measures are applicable to juvenile offenders. The decision of the public prosecutor and the judgement or award of the court specifies the decision on committing the juvenile offender to public education, and the units (school, children's union, or youth league) to be responsible for his or her public education. Upon receipt of the decision of the public prosecutor, or judgement or award of the court, the school, children's union or youth league concerned pay special attention to the education of the juvenile offender in question in collaboration with his or her parents, while reporting the status of education to the relevant public procurator's office or the court. Where his or her parents and the school, children's union and youth league assigned responsibility for his or her public education believe that the juvenile offender has been satisfactorily educated, they will report to the public prosecutor or the court concerned to that effect, and the process of public education ends. According to the survey conducted by the NCRC, the number of cases of public education applied to juvenile offenders in the first half of 2006 stood at four.

55. For the minimum legal age for giving testimony in court, for lodging complaints and seeking redress before a court, for giving consent to change of identity, for creating or joining associations and for choosing a religion or attending religious school teaching, see paragraphs 57 and 58 of the second periodic report.

56. *The minimum legal age for consumption of alcohol and other controlled substances.* The Law on Control of Tobacco Products was adopted during the period under review, making it a legal obligation to control the smoking by children, which had formerly been controlled only in



the form of awareness-raising at the societies or families, thereby creating legal conditions for the healthy growth and care of children. As a result, smoking out of curiosity or just for fun among children is very rare, and the reaction of parents, education and health institutions, and children's and youth organizations to the adoption of this law has been very positive. As a further measure, the NCRC is planning to recommend to the relevant institution the drafting of a law on the control of alcoholic drink.

### **III. GENERAL PRINCIPLES**

#### **A. Non-discrimination (art. 2)**

57. The DPRK recognizes that the aim of article 2 of the Convention lies in providing the rights for children to enjoy an independent and happy life on an equal basis with adults. The socialist system in the DPRK is the one where exploitation of man by man is non-existent, and a country of people and children that provides legal guarantee for their independent and creative life.

58. The Constitution stipulates the fundamental rights and duties of citizens; the State shall effectively guarantee genuine democratic rights and liberties to all citizens (art. 64), citizens shall enjoy equal rights in all spheres of State and public activity (art. 65), citizens are guaranteed freedom of speech, the press, assembly, demonstration and association (art. 67), freedom of religious beliefs (art. 68), right to submit complaints and petitions (art. 69), right to work (art. 70), right to relaxation (art. 71), right to free medical care (art. 72), right to education (art. 73), freedom to engage in scientific, literary and artistic pursuits (art. 74), freedoms of residence and travel (art. 75) and sexual equality (art. 77). The sector-specific laws under the Constitution provide for systems and orders for the effective provision of Constitutional rights to the citizens, which contain no discriminatory provisions with regard to social origin, occupation, gender, age and place of residence.

59. As was stated in the second periodic report, the DPRK is a homogeneous nation and a socialist State where the root cause of exploitation of man by man was eliminated. Therefore, such issues as legal or practical discrimination based on race and colour of the child and his or her parents or guardian, or issues concerning minority people do not arise (see paragraph 65 of the second periodic report).

60. The equality between sexes was legalized in the DPRK 60 years ago, the details of which were described in paragraph 40 of the initial report. Gender equality has been effectively ensured for the past 60 years by virtue of the Constitution and sector-specific laws without any distinction as to age or other reasons. Therefore, women in the DPRK seldom face discrimination either at home or in their public activities.

61. For measures taken to collect statistical data on different groups of children, prevention of any tendency to incite racism and xenophobia, and measures taken to protect children in accordance with article 2 of the Convention, see paragraphs 68 to 70 of the second periodic report.

62. Development of State policies and formulation of laws and regulations are not always accompanied by the achievement of their full realization. With regard to non-discrimination of children, there remain some problems to be addressed. With the disparities between towns and rural areas in terms of spirit and culture still existing, the distinctions between the industrial and agricultural labour persisting, and national economy still in the process of development, there still exist problems in matters relating to the satisfaction of the spiritual and material requirements of children, which is not due to the lack of laws and policies. The Government is making its best efforts to eliminate these differences in the near future.

### **B. Best interests of the child (art. 3)**

63. The Constitution and sector-specific laws contain the fundamental principles and requirements of article 3 of the Convention on giving primary consideration to the best interests of the children in all activities affecting them.

64. The Constitution provides that the State defends and protects the interests of workers, peasants, working intellectuals and all other working people who are the masters of the State and society (art. 8) and that the State regards the steady improvement of the material and cultural standards of people as the supreme principle of its activities, the increasing material wealth of society is used entirely to promote the well-being of the working people and the State shall provide all the working people with every condition for obtaining food, clothing and housing (art. 25). The Law on the Nursing and Upbringing of Children stipulates that the State takes every possible care so that all children may grow up happily wanting for nothing under the best, up-to-date conditions for their nursing and upbringing. This benefit is firmly guaranteed by the splendid socialist system established in our country, the solid foundation of the independent national economy, and the socialist policy of the Government that considers it the supreme principle of its activity to elevate steadily the material and cultural standards of the people (art. 7). The Education Law stipulates that the State shall systematically increase investment in education, provide satisfactory education amenities and ensure strengthened support for the educational sector (art. 7), that institutions, enterprises and organizations shall provide conditions necessary for education according to national economic plans (art. 37).

65. In compliance with the provisions of the Constitution and the sector-specific laws, all State organs, social organizations and institutions working for and with children strictly adhere to the principle of the best interests of the child in all their activities. During the period covered by the present report, the county (district) people's courts handled 600 divorce cases, and the population administration institutions in the counties (districts) dealt with 191 cases of adoption and 14 cases of annulment of adoption, in which the principle of the best interests of the child was given priority.

66. The principle of the best interests of the child finds application in the family life and activities of schools and civil societies. The third National Meeting of Mothers was held in November 2005, in which more than 20 mothers spoke about their good experiences in nursing, upbringing and educating their children, greatly influencing and stimulating all the women across the country. This meeting served as an important occasion to encourage women to learn from the good examples of the speakers at the meeting, who do their best to bring up their

children in a healthy and spiritually and physically sound manner. Moreover, the role and sense of responsibility on the part of dry nurses, teachers at kindergartens, primary and secondary schools further enhanced, creating an atmosphere of further progress in the nursing and upbringing of children.

67. The principle of the best interests of the child was given preferential consideration in the allocation of State and local budgets, development of plans and programmes, adoption, immigration, administration of juvenile justice, and in the activities of child-care institutions (see paragraphs 31, 176, 15, 232, 72 and 65 of the present report).

68. A large number of childcare facilities were destroyed or submerged in August and September 2007 due to unprecedented floods and hailstorms, causing great financial and material loss, but the Government gave priority to stabilizing the lives of affected children, thus restoring their previous living conditions in the shortest period possible.

69. Living conditions at orphans' nurseries, kindergartens and schools remarkably improved during the period under review. In spite of the shortage of electric power supply people's committees at all levels and other people's power organs and social organizations like the Women's Union ensured that the amounts of electricity and coal envisaged in the yearly supply plan were provided without fail to the orphans' nurseries, kindergartens and schools, thus bringing about a substantial improvement of heating conditions and living amenities. The Ministry of Education and the Ministry of Public Health further strengthened their system of holding regular meetings on a quarterly, half-yearly and yearly basis to review exclusively the matters related to the provision of living conditions for the orphans, with the result that relevant measures were taken, the process of their implementation was monitored and follow-up measures were taken. As a result, the orphans are provided with 100 per cent of monthly nutritional food and 25 kinds of daily necessities. The orphans' kindergartens in Pyongyang, Nampho, Kangwon Province and south Hamgyong Province were selected to create models and equipped with modern facilities satisfying the desired standard, and now they have all the features of model units.

70. Efforts were made during the period under review by the relevant ministries and people's committees at all levels to fully meet the demand for equipment and facilities from schools, orphans' nurseries and kindergartens, children's libraries, children's wards and other child-related institutions in compliance with the standards established by the State and to satisfy the staffing standards with regard to the number of teachers, nurses or nursery teachers per a certain number of children, and other conditions. The Ministry of Public Health supplied medicines and medical appliances to school clinics in accordance with the plan, and the Ministry of City Management and people's committees at all levels gave a new appearance to children's parks by furnishing them with more facilities, so that they can be conducive to the spiritual and physical development of children.

71. Although the full realization of the best interests of the child is still impeded by the insufficient financial and material investments, the officials and institutions concerned are working hard to find ways for their solution (see paragraph 77 of the second periodic report).

72. The principles of the Convention and the requirements of the State policy on ensuring the best interests of the child, and the contents of the Convention and the relevant national laws are fully reflected in the curricula and teaching programmes of the law colleges of universities, universities of education, teacher training universities, and other training centres operated by the Women's Union and youth organizations. This makes it possible for the students to have a full understanding of the principle of the best interests of the child and other practical knowledge for their future work for and with children (see paragraph 78 of the second periodic report).

### **C. The right to life, survival and development of the child (art. 6)**

73. During the period under review the education and public health-care system of the DPRK which legalized the policy on the right of the child to life, survival and development were further consolidated with the amendment and supplement to the Education Law, the Family Law, the Law on Prevention of Communicable Diseases, the Law on Foodstuff Hygiene and the Law on Environmental Protection.

74. The child mortality rate remarkably declined during the period covered by the present report, thanks to the measures taken and the hard efforts of the Government and the health officials.

**Table 2**

#### **Mortality rate of infants and children under-5 (per 1,000)**

Indicator	2000	2002	2004	2005
Infants	21.8	21.0	21.0	20.0
Under-5	47.6	47.0	45.5	40.0

The main cause of death in children is acute respiratory tract infections and diarrhoeal diseases.

### **D. Respect for the views of the child (art. 12)**

75. The rights of the child to express his or her views freely and the requirement of the Convention on ensuring respect for the views of the child are stated in the Constitution and sector-specific laws.

76. The Constitution stipulates that all citizens who have reached the age of 17 have the right to elect and to be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliation, political views or religion (art. 66), citizens are guaranteed freedom of speech, the press, assembly, demonstration and association (art. 67), citizens have freedom of religious beliefs (art. 68) and citizens are entitled to submit complaints and petitions (art. 69). The law on Complaints and Petitions stipulates that submission of complaints is an action aimed at preventing infringement on the rights and interests of the complainer or at requesting to restore the rights or interests that have been infringed, submission of petitions is an action aimed at remedying undesirable practices of institutions, enterprises, organizations or individual officials. The State shall effectively ensure the right of citizens to submit complaints or petitions (art. 2), and inquiry into complaints or petitions lodged shall be conducted by a

meeting at the locality in question or at a suitable place the complainer, the person against whom the complaint was lodged, witnesses and the relevant official. No one shall interfere with the inquiry or misrepresent the result of inquiry (art. 27).

77. The Nationality Law provides that the nationality of a minor over 14 years of age shall be decided by consulting the intention of his/her parents and obtaining the consent of the minor concerned, and in default of the parents, by consulting the intention of the guardian and obtaining the consent of the minor concerned, and if the intention of a minor differs from that of his or her parents, the former shall prevail (art. 7). The nationality of a minor who is over 14 and less than 16 years of age shall be altered subject to the intention of the parents and the consent of the minor concerned, and if parents do not express their intention or their intention is different from that of the minor, the latter shall prevail (art. 9). The Family Law provides that where the person to be adopted is over 6 years of age, his or her consent shall be obtained (art. 31).

78. The aforementioned provisions serve as legal guarantee for children to express their views freely and have them respected.

79. Measures were taken during the period under review to ensure the rights of children to express their views freely (see paragraph 82 of the second periodic report). News boards were created in classrooms or at schools for children to express more freely their views concerning their campus life. Collection of literary products and fine arts works created collectively or individually by children were published in large numbers and distributed, and children's newspapers and magazines such as *Saenal Sinmun*, *Chongnyonjonwi*, *Adongmunhak* and *Chongnyonmunhak* had an increasing number of children writing for them. Children organized by themselves presentations of their compositions, picture shows and oratorical contests, making their views known in a manner consistent with their evolving capacities and abilities.

80. The right of the child to make his or her views heard or be a party to legal settlement is provided for in the Criminal Procedure Law to the following effect: The questioning of a witness under the age of 14 shall be attended by a teacher, parent, guardian or other protector (art. 232); witnesses shall be called to the box for questioning one by one. The presiding judge shall inform him or her that any commission of perjury will lead to criminal responsibility and allow him or her to give testimony (art. 311); when a witness finishes giving testimony, the presiding judge shall allow the person who has asked for a cross examination to question the witness first (art. 312). The presiding judge shall allow the accused to question the witness. One may again cross-examine, in the presence of other witnesses, a witness who has already been given a hearing, question several witnesses, making them face one another, or question a witness, making him or her confront the accused. The procedure for the cross-examination of a witness less than 14 years of age shall be based on article 232 of this Law. No appeal or complaint was submitted during the period under review with respect to the execution of the aforementioned provisions.

81. Children may directly take part in the decision-making process of the local administrative institutions or make their views reflected in the decisions affecting them through school meetings, meetings organized by the youth league or the children's union and social and other cultural activities. They may also be represented in the local people's assemblies or local people's committees. The youth league in the DPRK has a well-regulated network of its

organizations from the central level to the province, city and county and down to every institution, enterprise and organization where children and youth are working, and as their representative, plays an important role in the work to protect and promote their rights.

82. The NCRC, with the collaboration of youth organizations, women's unions and other local power organs, encouraged children to exercise their rights to freedom of expression (see paragraph 85 of the second periodic report). More hours were allotted annually for child development courses provided for child-related professionals. The annual hours of child development courses provided for child-related staff are shown in table 3 below. The annual courses on the Convention included in the curriculum of educational institutions are shown in table 4 below.

**Table 3**

**Annual hours of child development courses**

Judges	10 hours
Public prosecutors	10 hours
People's security officers	10 hours
Teachers	16 hours
Health workers	16 hours
Other professionals	10-16 hours

**Table 4**

**Annual courses on the Convention**

Law College of University	30 hours
University of Education	30 hours
University of People's Security Officers	30 hours
University of Medical Studies	20 hours
Nurses' Training Schools	16 hours
Dry Nurses' Training Schools	16 hours

83. The NCRC made sure that the views of the children expressed directly by them or obtained through survey of public opinion, consultations, and complaints lodged were taken into consideration in the work of the relevant national institutions and ministries. As a result, legislation bodies, people's power organs at all levels, judicial organs, people's security organs that are directly related to the protection and promotion of children's rights incorporated in their yearly work plan the work for children under their mandate and review the results of work on a yearly basis. For example, the views of children obtained through surveys of opinion, consultations and other channels were given due weight while adopting and considering the Law on Control of Tobacco Products and the Law on the DPRK Red Cross Society and their implementation regulations, and in the work of the judicial authorities, people's security organs, educational institutions, public health institutions and other institutions concerned with children (see paragraph 86 of the second periodic report).

#### **IV. CIVIL RIGHTS AND FREEDOMS**

##### **A. Name and nationality (art. 7)**

84. The procedures for birth registration are provided for in the Law on Registration of Citizens. Under this law, birth registration is compulsory, the parents or guardian of a child should register the birth of the child within 15 days of the date of birth with the relevant people's security office after which the latter should issue a birth certificate specifying the name, sex, date and place of birth, parents' names and nationality. The birth certificate of a child is the only document that certifies his or her being a citizen of the DPRK. Children in the DPRK are accorded all sorts of social benefits only when their births are registered. Hence, there has been no report of evading birth registration so far.

85. The Nationality Law provides that a person born to DPRK citizens, to a citizen residing in the territory of the DPRK and a citizen of a foreign country or a stateless person and to stateless persons residing in the territory of the DPRK, and a person born in the territory of the DPRK but whose parents cannot be identified shall acquire the nationality of the DPRK (art. 5). Therefore, there are no legal grounds for children born in the DPRK to be stateless. Hence, no report of stateless persons.

##### **B. Preservation of identity (art. 8)**

86. In the DPRK the identity of a citizen (including a child) cannot be changed without legal process. In case it has to be changed for unavoidable reasons, any unlawful interference is deemed violation of the law. The Law on Registration of Citizens stipulates that the name, sex, place and date of birth registered in the birth certificate, citizen's certificate and Pyongyang citizen's certificate shall not be changed, and in case they need to be changed for unavoidable reasons, application shall be submitted to the people's security organ, which shall examine the application responsibly (art. 17). According to this provision, matters related to change of a child's identity are dealt with very seriously.

87. The people's security organ is currently conducting preparatory work to amend and supplement the Law on Registration of Citizens, in response to the recommendation of the NCRC on reviewing this law and the relevant implementation regulation and concretizing them in the light of the requirements of the Convention.

##### **C. Freedom of expression (art. 13)**

88. Freedom of speech, press, and assembly and the right to complaint and petition provided for in articles 67 and 69 of the Constitution constitute fundamental rights of all citizens including children. While taking legislative measures to ensure the freedom of expression, the Government directed due attention to providing conditions for children to express their views in families, at schools, and through children's unions and youth leagues (see paragraphs 67-71 of the initial report).

89. The DPRK is still in the state of armistice and under constant threat and pressure from outside hostile forces. Therefore, freedom of expression in the DPRK does not mean absolute freedom without any restrictions, which are provided for in the Criminal Law. The law places

restrictions on the freedom of expression which is prejudicial to the interests of the people by defining as crimes those acts that abuse freedom of expression to perform anti-State propaganda and agitation (art. 61), to cause social disturbance by making or spreading false rumours that might discredit the State (art. 222) and to insult others and impairing their honour (art. 292).

#### **D. Freedom of thought, conscience and religion (art. 14)**

90. As was stated in paragraphs 79 and 80 of the initial report and paragraphs 61 and 96 of the second periodic report, the Government guarantees the freedom of citizens to religious belief in accordance with article 68 of the Constitution. Christian churches, Catholic churches and Buddhist temples are regularly performing religious ceremonies and other activities. No child is deprived of the right to religious belief. During the period covered by the present report Pongsu Christian Church and Ryongtong Buddhist Temple in Kaesong were rebuilt and the Singye Temple in Mt. Kungang and Popun Temple in Mt. Ryongak were restored to their original state. Foreigners are also guaranteed the freedom of religious belief. A Russian Orthodox Church was built in Pyongyang in August 2006, where religious ceremonies are held regularly for the Russian believers permanently residing or temporarily staying in the DPRK.

#### **E. Freedom of association and of peaceful assembly (art. 15)**

91. Citizens are guaranteed freedom of speech, press, assembly, demonstration and association by virtue of article 67 of the Constitution. Children have their organizations, which are the children's union that includes students from second grade of primary schools to those in the second to third grade of secondary schools, and the youth league that includes senior students of secondary schools and those in colleges and universities. There are children's extra-curricular activity centres in such fields as science, art and sport in every province, city and county. They organize a series of meetings and demonstrations aimed at encouraging children to value justice and truth, and to shape a more brilliant future with high enthusiasm and a strong enterprising spirit. Any infringement on this freedom will lead to criminal responsibility in accordance with article 291 of the Criminal Law on charges of illegally restricting the freedom of another.

#### **F. Protection of privacy (art. 16)**

92. The following provisions protect the privacy of citizens:

- The Constitution provides that marriage and the family shall be protected by the State (art. 78), that citizens are guaranteed inviolability of the person and the home and privacy of correspondence and no citizens can be placed under control or be arrested nor can their homes be searched without a legal warrant (art. 79).
- The Criminal Law provides that a person who deliberately makes a wrong assessment of or ignores writing, inventions, technical innovations out of greed, jealousy or other false motives, shall be committed to reform through labour of less than two years, and if the offence is serious, the offender shall be liable for reform through labour of less than three years (art. 199), that a person who publishes another person's writing, inventions or technical innovations with egoistic motive shall be committed to reform through labour of less than two years, and if the offence is serious, the offender shall be liable for reform through labour of less than three years (art. 200).



93. In case judicial officials need to interfere with the privacy of citizens for unavoidable reasons, they should adhere to the relevant provisions of the Criminal Procedure Law, which are: that arrest or confinement of a person shall not be undertaken if the provisions of this Law are not applicable or when the procedures stipulated under this Law are not followed (art. 177); arrest and detention or confinement shall be effected only when it is considered that a person under preliminary examination for a criminal case punishable by reform through labour for a definite period, reform through labour for an indefinite period or the death penalty, evades preliminary examination or trial or hinders the investigation into the case; a person under preliminary examination for a criminal case punishable by disciplining through labour may be arrested and detained or confined only in cases of special need, and pregnant women under preliminary examination shall not be detained or confined during a three-month period prior to expected childbirth and a seven-month period after childbirth (art. 179); in cases where a decision is made on the arrest and detention of a person under preliminary examination, he/she shall be informed of it immediately, and his/her family or institution shall be informed of the reason for the arrest and detention and of the place of his or her detention within 48 hours (art. 183); search shall be conducted when there is sufficient grounds for suspicion that the offender is hidden or that there are articles or documents necessary for clarification of an offence, and seizure shall be conducted when the demand for presentation of articles or documents which are important for the resolution of a case is not complied with (art. 216); search and seizure shall be conducted with the approval of the public prosecutor (art. 217); search and seizure shall be attended by two observers, and the search of a woman shall be attended by women (art. 221).

#### **G. Access to appropriate information (art. 17)**

94. Measures taken to provide children access to appropriate information are detailed in paragraphs 72 to 78 of the initial report and paragraphs 102 and 103 of the second periodic report. The Government took further measures to promote social, spiritual and moral well-being and physical and mental health of children by giving them access to appropriate information and materials. New kinds of books designed for the development of intellectual faculties of children, pictorials and literary books were published in larger numbers, and many multimedia products were developed and distributed. Children had access to information and material from national and international sources through the Education and Culture Television channel and other television channels and computer networks. Children also competed in international children's art festivals, international math Olympics and foreign language contests held under the sponsorship of UNESCO and other international organizations, which contributed to further promoting international exchange.

#### **H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37, para. (a))**

95. As was stated in paragraphs 86 to 89 of the initial report, no minor was sentenced to death penalty and no pregnant woman was punished by death penalty by virtue of article 29 of the Criminal Law which provides that the death penalty shall not be imposed on a person who was under 18 years of age at the time he or she committed a crime, nor shall it be executed against a pregnant woman. Since all juvenile offenders are committed to public education, there are no juvenile inmates in the reformatories. Protection and promotion of human rights in dealing with criminal cases is one of the fundamental requirements of the policy on criminal matters. The law

prohibits use of disciplinary measures and punishment at kindergartens, primary schools, secondary schools and other childcare institutions. Education of children in matters related to their moral character and manners is mainly conducted through influence of positive examples, explanation and persuasion.

96. The Criminal Law imposes criminal punishment in cases where: a person who is duty bound to protect the old, children and children with disabilities causes grave consequences by deliberately not doing so (art. 271), a person damages the health of a person who is his or her subordinate or of a person under his or her protection, or causes a person to commit suicide because of maltreatment (art. 272), or a person commits violence (art. 288). The NCRC undertook a comprehensive review in this regard to find that no child was subjected to torture or other cruel, inhuman or degrading treatment or punishment during the period under review.

97. The DPRK does not have a criminal compensation law. This should not be viewed as lack of perfection of the legislative system. Criminal compensation has not yet been raised as an issue of social requirement and the Law on Compensation for Damages applies in case of need.

98. During the period under review, law colleges of universities and other lawyer training institutions included in their teaching programme the handling of juvenile offences in the context of the Convention pursuant to the recommendation of the NCRC. The NCRC officials went to universities to give lectures on the principles and requirements of the Convention, thus helping the would-be judicial officials in their understanding and respecting the principles of the Convention.

## **V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE**

### **A. Parental guidance (art. 5)**

99. It was stated in paragraph 110 of the second periodic report that the general family structure of the Korean society is parents plus children and there is no tradition of extended family. No change has taken place in the family structure during the period covered by the present report. However, the number of families living with grandparents has increased, thanks to the increase of average lifespan.

100. Promoting the rights of parents and guardians to direct guidance of their children and ensuring the enhancement of their role in this regard has been the consistent policy of the Government, and important requirements of the Civil Law, the Family Law and the Law on Upbringing and Nursing of Children (see paragraph 91 of the initial report).

101. Efforts were made to ensure that parents have a correct understanding of the rights of children in the family life, to conduct extensive awareness-raising campaigns for parents through mass media and to make supplements to educational programmes with the collaboration of the NCRC and the educational and health institutions (see paragraphs 66, 140 and 157 of the present report).

102. Awareness-raising of parents and education of children through influence of positive examples proved more effective than through public criticism or punishment.

**B. Parental responsibilities (art. 18, paras. 1 and 2)**

103. The Family Law provides for the obligation of parents to bring up their children to be knowledgeable, virtuous and healthy (art. 27). The Criminal Law provides that where a person, who, is duty bound to protect children, does harm to their health by deliberately neglecting his or her duty, he or she shall be committed to less than two years of reform through labour (art. 271). The imposition of legal obligation, in addition to moral responsibility, on parents with regard to the education of their children is producing the desired effect. The Law on Upbringing and Nursing of Children provides that even when children are at nursery age, parents are free to raise their children at their homes, instead of sending them to nurseries (art. 3). The Family Law defines it a consistent policy of the State to afford special protection to children and mothers (art. 6) and provides that the State shall direct primary attention to providing conditions for mothers to bring up and educate their children decently (see paragraphs 95, 96 and 97 of the initial report).

104. As concerns parental responsibilities, see paragraph 96 of the initial report and paragraph 114 of the second periodic report.

105. The sector-specific statistics on children benefited from State policy and other measures during the period under review are given in the table below.

**Table 5**

**Childcare institutions**

Kind of institution	Number of institutions	Age		Number of children
Orphans' nursery	14	0-4		2 828
Orphans' kindergarten	12	5(6)-6(7)		1 524
Orphans' primary and secondary school	17	Primary level	7(8)-10(11)	2 187
		Secondary level	11(12)-16(17)	3 680

106. Some parents are reported to be indifferent to or not sufficiently responsible for the education of their children. For example, parents of primary or secondary school students tend to offload the responsibilities of education of their children to their teachers, their schools or their organizations, confining their responsibilities to feeding and clothing them and providing l- school materials.

**C. Separation from parents (art. 9)**

107. For the legislative and judicial measures taken for the implementation of article 9 of the Convention, see paragraphs 98-101 of the initial report. The numbering of articles of the Criminal Law has changed because it was amended and supplemented; article 23 in paragraph 100 of the initial report became article 67, and articles 109 and 110 in paragraph 101 became articles 189 and 190, respectively.

108. Statistics on children in some counties and cities, who were separated from either or both parents because of divorce in 2006, are shown in the table below.

**Table 6**

**Children separated from their parents**

County/city	Either/both parents	Male/female
Hwangju county	8/0	5/3
Sonchon county	6/1	3/4
Dokchon city	11/1	7/5
Jongju city	5/0	1/4

109. Information on the legislative measures taken to ensure to all interested parties, including the child, an opportunity to participate in the proceedings and to freely make their views known are provided in paragraph 80 of the present report.

110. The DPRK does not have any legislative restrictions on the rights of the child who is separated from one or both of the divorced parents to maintain personal relations and direct contacts with them on a regular basis. Information on letting the children know the whereabouts of their parents in conflict with the law is provided in paragraphs 118 and 119 of the second periodic report.

111. The following table contains selective statistics on children whose parents are undergoing reform through labour.

**Table 7**

**Number of children whose parents are undergoing reform through labour**

County/city	Single parent/ both parents	Male/female	Number of families
Jasong county	1/0	1/1	1
Anbyon county	1/0	0/1	1
Kusong city	7/0	5/2	7
Onchon county	2/0	1/1	2

112. Imposing penalty on the criminal concerned is the fundamental principle of the criminal system of the DPRK. Parents, the representatives and educators of their children, should assume legal obligations and responsibilities for their conduct, but not vice versa. Therefore, no child is discriminated against due to his or her parents having committed a crime. No juvenile offender is separated from his or her parent if they are committed to public education, but in case their parents are committed to reform through labour, they have to be separated from each other. Even in this case the children in question continue with their schooling, enjoying all State benefits

without being discriminated against. The only difficulty they face is the decrease of the total family income. Their relatives and neighbours may provide them support but it would be better if there were a legislation governing situations of this kind. To cope with this, the NCRC is working together with the relevant institutions towards finding a solution.

#### **D. Family reunification (art. 10)**

113. Matters concerning the immigration of adults and minors entering or leaving the country for family reunification are detailed in paragraph 121 of the second periodic report.

114. Strenuous efforts were made by the officials concerned of the Ministry of People's Security to trace the members of families and relatives separated during the Korean War (1950-1953), with the result that 97 families comprising 393 persons have been reunited after decades of separation (see paragraph 122 of the second periodic report).

115. The Korean War resulted in the separation from their family members of about 10 million persons in the north and the south. With the adoption on 15 June 2000 of the North-South Joint Declaration, humanitarian work to arrange the meeting of families and relatives separated in the north and the south has been undertaken, with the result that up to October 2007, 1,700 families met each other on a total of 16 occasions in Pyongyang, Mt. Kumgang resort and Seoul, and 280 families met on video on 7 occasions. The importance of conducting more extensive humanitarian work including the meeting of separated families and relatives was again emphasized in the Declaration on the Development of North-South Relations and Peace and Prosperity adopted in Pyongyang on 4 October 2007, opening the prospect for more separated families in the north and the south to meet each other.

116. During the period under review, 194 divorced couples were reunited, bringing back 367 children to live with both their parents, and 1,114 parents came to live with their children after serving their sentences.

#### **E. Illicit transfer and non-return (art. 11)**

117. Illicit transfer is regarded as the most serious crime and prohibited by the law in the DPRK. The Criminal Law provides that a person who kidnaps or conceals a child for selfish purposes shall be committed to less than three years of reform through labour (art. 289); that a person who kidnaps another for selfish purposes shall be committed to reform through labour of up to 10 years and a person who kidnaps several people shall be committed to reform through labour for an indefinite period if the offence is extremely serious (art. 290), and that a person who illegally restricts the freedom of another shall be committed to reform through labour of less than two years (art. 291). As seen above, illicit transfer and non-return of a child is liable for a serious penalty. As illicit transfer and non-return of children are dealt with by the border passage control office, immigration office and other relevant institutions as one of their major responsibilities, the need for taking legislative, administrative and judicial measures in this regard has not been felt.

#### **F. Recovery of maintenance for the child (art. 27, para. 4)**

118. For recovery of maintenance in case a child's parents are divorced, see paragraphs 104 to 106 of the initial report and paragraph 15 of the present report.

119. In the case of a divorced couple with children, the issue of child maintenance is decided through judgement or award of the court (see paragraph 127 of the second periodic report). The table below contains selective statistics for 2006 on the recovery of maintenance for children.

**Table 8**

#### **Number of children whose maintenance was recovered**

County/city	Number of children whose maintenance was recovered by divorced parent (male/female)	Number of children whose maintenance was recovered by the State (male/female)	Number of children whose maintenance was recovered from abroad (male/female)
Rangrim county	2/2	23/25	0/0
Sinpyong county	3/4	41/43	0/0
Kaechon city	11/10	53/56	0/0

#### **G. Children deprived of a family environment (art. 20)**

120. For the legislative measures taken for children without parental care, see paragraph 107 of the initial report.

121. For non-discrimination of children deprived of family environment, see paragraph 131 of the second periodic report.

122. According to a national survey conducted by the NCRC, as of 2006, 2,528 families are supporting children who have lost their parents. The Government, within its available resources, supported awareness-raising campaigns aimed at providing family environment to children without parents and for the improvement of living conditions in childcare facilities.

#### **H. Adoption (art. 21)**

123. The adoption system of the DPRK is detailed in paragraphs 133 and 134 of the second periodic report. In accordance with the recommendations of the Committee concerning this matter, the NCRC made recommendations to the legislative body on concretizing adoption matters in the Family Law or its implementation regulations, which is now under consideration.

### I. Periodic review of placement (art. 25)

124. For the mechanism for the periodic review of placement and relevant measures taken, see paragraphs 116-119 of the initial report and paragraph 136 of the second periodic report.

125. Statistics collected in 2006 under the indicators prescribed in the Guideline is given in the table below.

**Table 9**

#### **Child placement**

Age	0-4	5-6	7-10	11-16
Total number of children (thousands)	1 785	769	1 615	2 469
Children of workers or peasants (thousands)	1 514	657	1 383	2 090
Children under institutional care (thousands)	2.8	1.5	2.2	3.7
Children in rural areas (thousands)	766	320	639	947

126. The DPRK is not in a state of war, nor does it have any racial strife, or socio-political contradictions or confrontations, which means that there are no causes that give rise to refugees and refugee children. About 50 children who have lost their parents due to the floods in August 2007 are placed either in childcare institutions, or in adoption and foster care.

### J. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

127. Penalties for abuse and neglect of children are stated in paragraph 96 of the present report. The Criminal Law further stipulates that a person who has sexual intercourse with a minor under the age of 15 shall be committed to less than 5 years of reform through labour, and a person who commits the above-mentioned act repeatedly shall be committed to 5 to 10 years of reform through labour (art. 295). The Criminal Procedure Law provides that a person who has been granted a special or a general pardon or who has served his or her full sentence shall be treated in the same way as a person who has not committed a crime from the day of the granting of the special or general pardon or from the day on which his or her term ends and shall not be discriminated against under the law (art. 55). These provisions are the legalization of the Government policy concerning abuse and neglect, including physical and psychological recovery and social reintegration, under which children are fully protected.

128. The right of a child to lodge a complaint is stated in paragraph 29 of the present report.

129. There has been no case of abuse in the special childcare institutions during the period under review, but some cases of abuse and neglect were reported in families of step-parents.

130. A well-arranged mechanism by which professionals working for and with children (e.g. teachers or doctors) identify, obligatorily report, and manage ill-treatment cases is established by the Ministry of Education, the Ministry of Public Health and other national institutions at the central level down to the schools and clinics at the lowest level. The same mechanism is also established in the organs of investigation and prosecution, and people's security organs.

131. For the physical and psychological recovery of children in the environment that fosters the health and dignity of the child, see paragraphs 115 of the initial report and 144 of the second periodic report.

132. Measures were taken by the NCRC with a view to raising national and social interest and concern for the implementation of the Convention. As a result, nurseries, kindergartens, schools, health institutions, people's security organs, prosecutorial and judicial organs have an increased sense of responsibility for the education and protection of children, and abuse of children by parents can hardly be found. Some parents still tend to throw insulting words at their children or neglect them. The Government will encourage childcare institutions to conduct research into the correct methodology of child education, especially at the family level, and generalize the advanced methodology to the whole society, thus achieving full realization of the provisions of the Convention.

## **VI. BASIC HEALTH AND WELFARE**

### **A. Children with disabilities (art. 23)**

133. It was stated in paragraphs 136 to 140 of the initial report and paragraphs 146 to 149 of the second periodic report that children with disabilities in the DPRK enjoy all sorts of benefits provided by the Government without any legislative discrimination, and social activities to support and assist them are widely encouraged. The adoption of the Law on the Protection of Persons with Disabilities served as a turning point in further protecting the rights of children with disabilities and promoting their welfare. The NCRC, taking into full account the concerns and recommendations of the Committee upon its consideration of the second periodic report, consulted with the relevant ministries on the question of children with disabilities, finding that considerable progress has been achieved during the period under review.

134. To ensure the successful implementation of the Law on the Protection of Persons with Disabilities, the Korean Association for Supporting the Disabled was upgraded to become the Central Committee of the Korean Federation for the Protection of Persons with Disabilities in July 2005, which is now coordinating the implementation of the relevant State policy, including social support for persons with disabilities, in a more comprehensive and unified way. This Committee developed a programme of action for undertaking a national survey of all persons with disabilities, the improvement of their health and living conditions and the increasing of social awareness and concern about them, while actively taking part in the decision-making concerning the rights and interests of persons with disabilities. The Committee has departments such as those dealing with planning, rehabilitation, publicity and education, public relations and administration. It also has regional committees and 4,000-odd volunteers. The State budget, contributions from volunteers and social and cooperative organizations, and subscriptions from the EU, Handicap International and other international organizations finance the activities of this Committee. Currently, this committee has set up Physical Culture Association of Persons with



Disabilities, Arts Association of Persons with Disabilities, Fund for Children with Disabilities and Trading Company for Supporting Persons with Disabilities, formulated plans for the promotion of welfare of persons with disabilities and has commenced their implementation. In particular, a comprehensive action plan for persons with disabilities for 2008-2010 was developed with a focus on the updating of the prosthetic factories and surgeries for the improvement of the level of rehabilitation and equipping schools and accommodations for the blind, and deaf and dumb with modern facilities.

135. Government policies and benefits for children with disabilities and their families were detailed in paragraphs 149 and 150 of the second periodic report. Children with mobility disabilities were provided with wheelchairs, crutches, and other mobility aids free of charge.

136. The NCRC paid great attention to surveying the situation of children with disabilities. It conducted a regular review of the situation of children with disabilities through the comprehensive and integrated survey network involving the public health system, local population administration institutions and the education system, and submitted recommendations to the relevant institutions on meeting the demand for prosthetic instruments, improving vocational training amenities and providing accommodation for children with disabilities. According to the selective survey conducted in 2005, there were about 3,639 children with mobility disabilities, of whom 2,176 were males and 1,463 were females. The following is a breakdown by age groups.

**Table 10**

**Number of children with disabilities by age (%)**

0-4	5-6	7-10	11-17	Total
11.6	11.2	30.2	47.0	100.0

137. With a view to collecting reliable statistics conducive to further improving the protection and care of persons with disabilities, the NCRC has made a plan for a national census of persons with disabilities in collaboration with the Central Committee of the Korean Federation for the Protection of Persons with Disabilities, the Central Statistics Bureau, and the Ministry of Public Health and is now conducting preparatory work. Special attention is directed to giving new definitions to the disabilities by reference to the international standards, and new indicators such as the type and degree of disability are being developed so as to comprehensively assess the situation of persons with disabilities.

138. As was specifically stated in the initial report and the second periodic report, all children with disabilities except for the blind, and the deaf and dumb are learning and living on an equal basis with others without discrimination of any kind, and they are well integrated into society thanks to the widespread display of the beautiful traits of helping and supporting them. However, some children in kindergartens or primary schools were reluctant to mix with children with disabilities, which might cause children with disabilities to feel discriminated against or marginalized. To cope with these situations, teachers at kindergartens and schools and parents of the peers of children with disabilities were encouraged to pay more attention to the children with disabilities and render support in case of need, and to create social environment in which everyone is encouraged to follow the positive examples. To take one example, an official of the

Ministry of Public Health, on his business trip to a coalmine, happened to see a 12-year-old girl coming back from school on the back of her teacher. He learned that she burnt her legs seriously in a fire accident, and had to rely on crutches for walking. Feeling heartbroken as if she was his own daughter and feeling responsible for her situation as a health official, he arranged for the girl to receive treatment at the hospital of the University of Medical Studies in the capital city of Pyongyang, worked hard in cooperation with the doctors there, finally making it possible for her to be up and around again. Indeed, he devoted much greater efforts to help this girl than did her own parents. His deeds were made known throughout the country through mass media, exerting a good influence on health officials as well as the general public. This is only one of the countless examples of the beautiful deeds performed in the DPRK. This social environment where people help and lead each other, sharing happiness and sorrow, contributes to persons with disabilities learning, working and living on an equal basis with others and preparing for full and independent life in the future.

139. Matters related to the education of children with disabilities were detailed in the initial report and the second periodic report. Measures and programmes were undertaken to further improve the education of children with disabilities during the period covered by the present report. A department of special education was established in the central teacher-training institute under the Academy of Pedagogical Science with a view to creating a favourable environment for the physical development and future employment of children with disabilities. This department has revised the curriculum of the schools for the blind, deaf and dumb, and operated refresher courses for the teachers twice a year to teach them new teaching methods and skills, so that they can fulfil their responsibilities in preparing the children with disabilities for a full and effective participation in society. Books for deaf and dumb children such as Dictionary of Sign Language and Learning Sign Language were published and distributed, and computer demonstration classes were given at Wonsan school for deaf and dumb children, followed by the national training course on the education of blind, deaf and dumb children in October 2007.

140. Activities were undertaken in various forms and ways to spread the knowledge of upbringing and nursing to the persons who have the care of children with disabilities at the level of family, nursery, educational and health institutions. For instance, Guidelines for the Provision of Barrier-free Physical Environment for the Persons with Disabilities, Reference for the Care and Treatment of Epilepsy and other books were published to promote protection and care of children with disabilities. Two cities were selected to create a barrier-free environment for persons with disabilities.

141. Over the period under review, much progress in the medical care of children with disabilities was achieved. The Central Committee of Korean Federation for the Protection of Persons with Disabilities, in cooperation with international organizations, supplied rehabilitation instruments to central hospitals and paediatric hospitals, thus greatly contributing to the rehabilitation of the children with disabilities. The Ministry of Public Health has set up a rehabilitation centre at the Kim Man Yu Hospital for conducting research into rehabilitation of children with disabilities and their medical care in an integrated way. Child health-care establishments and specialized surgeries are working to the best of their abilities for the rehabilitation of children with disabilities, with the result that the recovery rate is on the increase. Doctors in the neurological department and paediatric department of Koryo Traditional Medicine Hospital successfully treated 40 epileptic children and 30 children suffering from cerebral palsy, who were thought incurable by means of modern medicine. One of the doctors in the paediatric

department devoted herself day and night for as long as 65 days to treat a 4-year-old girl who could hardly rise to her feet or walk a step because of cerebral palsy, finally making it possible for her to walk on her own.

142. Close attention was directed to providing children with disabilities with prosthetic instruments. The Hamheung Orthopaedic Factory was equipped with modern facilities as a result of increased cooperation and exchange with international organizations and donors. With its production, capacity raised assistive devices such as hearing aids, glasses and crutches were produced in large numbers to be supplied primarily to all the children with disabilities. The PP-prosthetic devices made at the Hamheung Prosthetic Factory were of a great help to the children with mobility disabilities.

143. The Central Committee of Korean Federation for the Protection of Persons with Disabilities directed much effort to preventing healthy children from becoming disabled. A systematic research was conducted with regard to the causes of disabilities and various preventive measures are being taken to sensitize the general public about potential causes of disabilities. The publication and distribution of folding propaganda materials such as “A Guide to Prevention of Traffic Accidents” and “A Guide to Prevention of Hearing Impairments” are one of the efforts made by the Central Committee of the Korean Federation for the Protection of Persons with Disabilities in this regard.

#### **B. Health and health services (art. 24)**

144. Legislative measures and the invariable State policy concerning the promotion of the right of the child to the enjoyment of the highest attainable standard of health and to facilities for treatment and rehabilitation have remained unchanged during the period under review. To further strengthen these legislative measures the Law on Prevention of Communicable Diseases, the Law on Foodstuff Hygiene, and the Law on Protection of Environment were amended and supplemented, and the Law on Medical Herbs, the Law on Control of Narcotic Drugs and the Law on Control of Tobacco Products were adopted, thus securing legal guarantees for the protection of life and the promotion of health of children.

145. One major progress achieved during the period covered by the present report is that the economic foundations of child-related health service sector has been strengthened and the overall health standard of children has taken the turn for the better, thanks to the efforts of the people to overcome the difficulties created in various sectors of the national economy and remove their consequences. Increased State investment for child health care and sufficient provision of medicine and medical instruments to the health-care establishments contributed to improving the quality of health service and decreasing child mortality and morbidity rate as compared with the preceding periods. The Reproductive Health Strategy of the DPRK for 2006-2010 and the Strategy of the DPRK for Prevention of AIDS for 2002-2007 were worked out with a view to fully protecting and promoting the children's health. International assistance and cooperation in this regard encouraged the Korean people.

146. Children's health improved substantially and as a result, child mortality rates decreased during the period under review as compared to the period covered by the second periodic report (see paragraph 74 of the present report).

147. The general immunization system established in the DPRK was detailed in paragraph 159 of the second periodic report. This system partially broke down during the period under review owing to natural disasters, but relevant measures were taken to restore and strengthen it. One of the measures was to update the vaccine-producing factories, normalize their production and improve the quality of the products, while exploiting all the available resources at home and abroad to sufficiently meet the demand at home. The other measure was to reinforce the communicable diseases monitoring network so that the presence of communicable diseases may be detected without delay, the affected persons may be treated in isolation and infectious cycles quarantined, thus limiting the affected area to the least extent possible. Special measures were taken to ensure full protection of the health of people, especially children in the event of disasters through the enhancing of the responsibilities of the State Emergency Anti-Epidemic Committee. The combat against measles in February 2007 is one such campaign. To check the spreading of measles, the Government reinforced the existing emergency anti-epidemic headquarters, took measures to quarantine the infectious cycles through epidemic survey, medical inspection, and dissemination of hygienic information, and provided intensive vaccination, thus eradicating measles in the shortest period possible. The emergency assistance rendered by UNICEF, WHO and GABI was a great help to combating measles.

148. Progress has been made in the vaccination of children. Whereas the rate of vaccination decreased during the period covered by the second periodic report, it has been on the rise during the period under review. The proportion of immunization is given in the table below.

**Table 11**

**Proportion of vaccination (%)**

Name of vaccine	2002	2004	2006
DPT 3	68.1	72.5	82.2
Measles	95.3	96.3	96.9
Polio	98.5	99.8	99.8
BCG	88.3	99.7	99.8

Mixed vaccines of DPT 3 and HB vaccine have been provided since 2007.

149. Primary health care for children was provided at a high level. The Government ensured that primary health care is fully provided through the establishment of medical and preventive institutions for primary health care, enhancement of the qualities of household doctors and improvement of the technical skills of the paediatric doctors at *ri* hospitals. As of 2006, there are 5,895 polyclinics, clinics, and 1,118 *ri* people's hospitals, whose functions are to provide primary health care. There are 44,760 household doctors, which means that 1 doctor is responsible for an average of 134 households. The principal aim of the medical and preventive institutions for the primary health care is to prevent diseases such as pneumonia and diarrhoea, with the main emphasis placed on implementing the Strategy for Integrated Management of Child Illness. Measures were also taken to fully protect the life and health of children in the disaster-stricken areas from traumatic injury and other infectious diseases. Close attention was paid to strengthening primary health care based on the district health system and ensuring promptness and quality of emergency health services through the provision of ambulances and emergency medical instruments to all the hospitals at city and county level.

150. Relevant measures were adopted in response to the recommendations of the Committee on taking all necessary measures to improve the quality of the health system, increase health expenditure, reduce infant, child and maternal mortality rates, and prevent and treat diarrhoea and other communicative diseases. For instance, in 2005, 6.44 per cent of the total State budget was allocated for public health as compared to 5.9 per cent in 2000, which indicates that expenditure on public health has steadily increased in recent years. Priority was given to maternal and child health care in the appropriation of health expenditure. All the medical and preventive institutions for primary health care were supplied with modern obstetric and paediatric instruments and essential drugs for mothers and children. For example, in 2003, 71 per cent of the demand for essential drugs was satisfied in some parts of the country and the average distance from the place of residence to the supply unit of essential drugs was 2.6 km.

151. Effective measures were taken to address the problem of child disease and malnutrition, and improve the nutritional status of children. Although the situation was hard, local power organs and relevant institutions maintained the principle of the best interest of the child by regularly supplying rice to children, by mobilizing all the available domestic resources and making effective use of international assistance. Rice and nutritious foods worth 110 cal/kg a day have been supplied to children under 4 years of age, and soybean milk, cow's milk, goat's milk and other dairy products supplied to all the children at nurseries, kindergartens and schools every day.

152. Research institutes of child nutrition contributed to the improvement of the nutritional status of children. A national supervisory mechanism was established with the research institute of child nutrition as its axis for the purpose of conducting regular monitoring and supervising of the nutritional status of children. As of 1988 a survey of the nutritional situation of children was conducted biannually, with the result that the nutritional status of children was accurately assessed on a regular basis and relevant measures were taken. The research institute of child nutrition which had formerly engaged only in assessing nutrition standards and research into nutritional foods expanded its functions in various respects; it has become a general research centre with a modern pilot factory and inpatients' ward. It develops health foods and nutritious foods and introduces them into production, undertakes research into child diseases caused by malnutrition, raises awareness of general public about diet and nutrition and conducts other activities related to child nutrition. Health foods are also developed and produced at Koryo medicine (traditional Korean medicine) centre, and other research institutes and enterprises, thus contributing greatly to the promotion of the health of children.

153. Child nutritional status further improved as compared to the previous periods thanks to the effective measures taken in this regard.

**Table 12**

**Some indicators of child nutrition and their status**

Indicator	2000	2004	2006
Low birth weight (% 00)	6.4	6.4	6.3
Low weight (%)	27.9	23.4	19.5
Stunting (%)	45.2	37.0	34.0
Incapacitation (%)	10.4	7.0	6.1

The most common child disease was diarrhoea and acute respiratory tract infection. Morbidity rate of diarrhoeal disease and respiratory tract infection was 16.4 and 10.9 respectively per 1,000.

154. As was stated in paragraph 164 of the second periodic report hardly any damage is caused by pollution in the DPRK. However, in light of the impact of sandstorms, drought and flooding caused by global warming and environmental destruction, the Government directed special attention to protecting children from the influence of environmental harm. Mass media were actively involved in forecasting and warning people of coming sandstorms and spreading knowledge concerning the protection of health in sandstorms, while child-related institutions paid due attention to the health care of children in the time of sandstorm. Measures were taken to improve the quality of drinking water, which was mentioned in the second periodic report. In urban areas, existing water reservoirs were rebuilt or expanded and new reservoirs were built, and in rural areas water supply systems were set up or restructured, thus reducing health damage from the use of polluted water. Assistance from the International Federation of the Red Cross and Red Crescent Societies and other international organizations proved valuable for the modernization of the water supply network in rural areas. According to the national survey conducted in 2004, 95.3 per cent of households either had a water supply system or tube wells installed (82 per cent of them had an indoor water supply system), and 4.7 per cent used covered wells.

155. It was stated in paragraph 165 of the second periodic report that all women in the DPRK are entitled to maternity leave irrespective of the length of their service. The Government has made the issue of maternal and child health care one of the 10 priorities for the improvement of public health service, and has directed close attention and increased investment in this regard. Thanks to the strategy of reproductive health and other State benefits, maternal health in the DPRK has steadily improved, with the result that the rate of deliveries with the assistance of professionals was 99 per cent (99.7 per cent in urban areas and 97.8 per cent in rural areas), and the rate of pregnant women receiving prenatal care more than once before the time of delivery was 100 per cent. The quality of obstetric services improved, with focus on rendering assistance to isolated areas in terms of improved techniques and methods. In 2007, the Pyongyang Maternity Hospital dispatched a team of obstetric doctors and nurses to Taehongdan, a county in the highlands to provide technical assistance for the delivery of 1,200 women.

156. Despite the difficulties it is still facing, the Government has taken a number of measures to improve maternal health. As a result, women with children under 2 years of age were provided with 100 per cent of rationed rice, and a sufficient amount of ferrous folic acid was supplied to primary health-care institutions, so that anaemia and other diseases caused by iron deficiency and malnutrition can be prevented. In 2006, the proportion of pregnant women provided with Vitamin A and ferrous folic acid was 79.8 per cent and 73.9 per cent respectively.

157. During the period under review, the NCRC, in collaboration with the relevant institutions and organizations, conducted awareness-raising activities aimed at providing the general public, especially parents and children, with the basic knowledge of proper diet, treatment by physical exercise, and environmental sanitation. To respond to the requirements of the age of information technology many multi-media products were developed and used in disseminating information concerning promotion of health and prevention of diseases. The computer network of the Ministry of Public Health was effectively used for spreading information related to medical

science, medication, rules of health and other needs for child health care. Kim Jong Suk Nursery, a model unit for the upbringing and education of children, developed a multi-media product containing advanced methods of child care and distributed them to the nursing institutions and social organizations including the Women's Union and women in general, rendering a valuable assistance to putting the upbringing of children on a scientific level. Advanced methods and experiences in the upbringing of children at international level were shown on television and published in pamphlets. Books such as Basic Information on Maternal Health and Child Rearing were a great help to women. Breastfeeding was encouraged for the promotion of child health. Pyongyang Maternity Hospital, the centre for the maternal health care in the capital, and other medical and preventive institutions launched a drive for creating child-friendly hospitals and raised awareness of pregnant women about the advantage of breastfeeding. The Women's Union and other social organizations also shared the role of disseminating the advantage of breastfeeding to all women in various forms and ways, encouraging them to breastfeed their children as much as possible and provide supplementary nutritional diet according to the standard.

158. Efforts were made to provide children with a hygienic and cultured environment. Necessary conditions were created in strict compliance with the Law on Public Hygiene to ensure that children acquire the habit of living in a clean environment from their early years. Public campaigns were conducted to build bathhouses and children's barber shops, provide satisfactory sanitary conditions at public places and provide modern facilities to children's playgrounds in residential areas. Thus, every appropriate place has facilities for leisure and relaxation of children, contributing greatly to bringing them up healthy and full of vitality.

159. The universities of medical studies in the capital city and provinces revised their curricula and developed curriculums aimed at training specialists with unusual skills. Nurses' schools included delivery assistance in their curriculum for the purpose of training them in the delivery assistance method and introduced them tentatively, with a plan to generalize the introduction from 2008. Appropriate combination of a full-time education system, study-while-on-the-job system and in-service training system contributed to improving the quality of specialists and household doctors directly responsible for the child and maternal health. Doctors' in-service training schools offer courses related to the specialties of doctors for one to six months every year. The institute of public health administration organizes short-term courses of three to five days on several occasions a year on such themes as collection and use of health information and prevention and control of non-communicable diseases.

160. In accordance with the recommendation of the Committee concerning the promotion of availability of family planning information and contraceptive devices, the NCRC consulted the relevant ministries and institutions and included family planning in the Strategy for the Promotion of Reproductive Health as one of the priority issues and directed efforts for its implementation. In particular, the NCRC made it a priority task of the medical and preventive institutions responsible for family planning to introduce at least four family planning methods to improve the quality of service and enhance the role of men in the implementation of family planning. As a result, the demand for contraceptive devices and pills are satisfied, the quality of counselling at the level of primary health care improved and information on reproductive health is widely spread through reference books, guidelines and others. The Korean Association of Family Planning and Maternal and Child Health plays its role creditably in this regard.

161. No cases of early pregnancy were reported during the period under review. In compliance with the recommendations of the Committee, keen attention was paid to the improvement of adolescent health care, which is an important part of the work for the protection of reproductive health. The Government made it an important part of the Strategy for the Promotion of Reproductive Health and National Strategy for AIDS Prevention to improve adolescent health care, encouraged the medical and preventive institutions to include adolescent health care in the health counselling, so that adolescents in the years of vigorous physical and emotional development may be knowledgeable about their health care. On the other hand, research is being conducted to introduce the Integrated Management Strategy of Adolescent Illness of WHO to suit the reality of the country.

162. A survey conducted by the central sanitary and anti-epidemic institution showed that HIV/AIDS had not come into the DPRK. Hence, there are no HIV/AIDS victims. The DPRK Strategy for the Prevention of AIDS 2002-2007 was developed with the aim of being fully prepared in terms of necessary professionals, material and financial conditions, strengthening the national AIDS monitoring network, and disseminating information concerning the prevention of AIDS. Mass media and journals such as *Information on Public Health Management* and *Information on Medical Science* periodically provide information on the HIV/AIDS situation throughout the world, and sanitation and anti-epidemic institutions are working to the best of their abilities so that not a single HIV/AIDS carrier may enter the country. On 1 December, on World AIDS Day, hygienic propaganda institutions and medical and preventive institutions at national and local levels spread information concerning AIDS through dissemination campaigns or bulletins. Fifty thousand copies of explanatory materials about AIDS are published every year. Health educational institutions included instruction on HIV/AIDS in their curricula, and adolescents are made aware of information about AIDS through hygiene classes at secondary schools.

163. As was stated in the second periodic report the DPRK does not have such prejudicial practices as forced marriage or female genital mutilation, and no such practice was reported during the period under review.

164. International cooperation and exchange were promoted in the fields of child health and medical services. International organizations like WHO, UNICEF and UNFPA, and NGOs rendered scientific, technological and material support. Projects and programmes were developed and implemented to disseminate to foreign countries experiences gained in the treatment of child disease by the use of traditional Korean therapy.

### **C. Social security and childcare services and facilities (arts. 26 and 18, para. 3)**

165. Legislative measures taken to guarantee the right of the child to benefit from social security, including social insurance were detailed in paragraphs 149 to 151 of the initial report and paragraph 171 of the second periodic report. Children enjoyed social benefits for their health and welfare under the guarantee of the law, and additional benefits according to their specific situation. New administrative measures were taken to improve childcare services. The nursery guidance department under the Ministry of Public Health was upgraded to become the Nursery Guidance Bureau with a view to strengthening guidance and control over the work of child upbringing. The in-service training schools of dry nurses enhanced their role and responsibility, which resulted in the improvement of the quality of education. Revised textbooks for dry nurse



training schools were published in 2005, and training courses operated two to five times a year, instructing them in the scientific method of upbringing, satisfying the world standards and the demand of modern times. The dry nurses receive one-month in-service training every three years. Children affected by flooding received assistance and support amid the concern of the whole country and children in emergency situations were provided with food, medicines, clothing and bedding on a preferential basis.

166. The conditions of eligibility for and standard of social benefits were described in paragraph 172 of the second periodic report. Children continued to receive all sorts of social benefits thanks to the consistent policy of the Government and under legislative guarantees on providing special protection to children and mothers. Children with parents, as well as children with a single parent or adoptive parents, and even children without parents enjoy social benefits from birth to the end of secondary school under the protection and care of society.

167. During the period under review, the Government continued to provide childcare services and facilities to the children of working parents, the details of which are described in paragraphs 150 and 151 of the initial report.

168. State investment for the promotion of the welfare of children and women increased steadily and free medical care, social insurance, social security and other policies aimed at the promotion of people's welfare have been invariably in place. As a result, the economic foundations of the childcare institutions have been further strengthened, conditions for upbringing the children remarkably improved and the nutritional status of children is gradually being improved. The Government will steadily pursue the policy of promoting the health and welfare of children in line with the requirements of a great prosperous powerful nation, thus ensuring childcare service at a higher level.

#### **D. Standard of living (art. 27, paras. 1-3)**

169. Legislative measures taken to recognize and ensure the right of the child to enjoy an adequate standard of living required for physical, mental, spiritual, moral and social development was described in paragraph 175 of the second periodic report. The Government further strengthened legislative measures related to the provision of food, clothing and housing, while increasing investment and support for the improvement of the standard of living of children. Per capita national income increased with the reactivation of the national economy. For example, during the period 2000-2004 the Gross Domestic Product increased annually by 4.9 per cent to reach US\$ 546 per capita in 2004.

**Table 13**

#### **Annual GDP per capita (USD)**

Year	1993	2000	2001	2004
Per capita GDP (USD)	994	464	478	546

170. Allocation of State budget for public health, education, social insurance and social security and for other policies for the well-being of people increased systematically (see paragraph 31 of the present report).

171. Parents and legal guardians, and people's power organs at all levels further enhanced their responsibilities and role in improving the living standard of children. In the DPRK people's power organs assume direct responsibility for the provision of food, clothing and housing to people, including children. The Government encouraged people's committees at different levels to further enhance their role and function in providing food, housing and dealing with all other matters related to the well-being of the people. As a result, many new, modern apartments and houses were built in the capital city of Pyongyang, other cities and rural areas, the existing ones were facelifted and the number of fish farms and poultry farms increased to contribute to the betterment of people's diet. The Government, in spite of the tight financial situation, ensured that uniforms are provided to all the school-age children at low prices and that school textbooks are revised in keeping with the requirements of information technology and supplied to pupils and students for next to nothing. The Government also ensured that families that adopt parentless children are supplied with food, eggs and meat on a priority basis and uniforms and school supplies free of charge. Subsidies are granted to children of incompetent parents and those without parents lest their growth and development should be hindered. Thanks to the measures taken by the Government, the living standard of children is being gradually improved.

172. The existing difficulties and the measures adopted by the Government to overcome them are described in paragraphs 33, and 19 to 20 of the present report. International assistance offered to help promote the health and welfare of people is described in paragraphs 34 and 38 of the report. The aforementioned measures and international assistance have been some of the contributory factors to the betterment of the living standard of children. The Government will invariably maintain its policy of attaching great importance to children, thus protecting the rights of children and promoting their well-being to the highest attainable standard.

## **VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES**

### **A. Education, including vocational training and guidance (art. 28)**

173. The legislative measures and policies adopted to recognize and ensure the right of the child to education based on equal opportunities are described in the initial report and the second periodic report. Laws adopted or amended and supplemented during the period under review are detailed in the present report (see paragraphs 154 and 155 of the initial report, and paragraph 178 of the second periodic report).

174. With a view to ensuring full realization of the right of the child to education, a series of measures were adopted to formulate the National Programme of Action for the Welfare of Children and the National Plan of Action for Education for All. Following the adoption of the Dakar Framework of Action for Education for All, a team of experts from the State Planning Commission, the Ministry of Education, the Ministry of Public Health, the Ministry of Finance and other relevant ministries, and the Academy of Pedagogical Science and the Research Institute of Teacher Training drafted a national plan of action for education for all, and distributed it to the educational administrative institutions, research institutes of pedagogical science, Teachers' Union and other social organizations, educational publishing institutions and with a view to promoting discussion and debate and encouraging inputs. The National Plan of Action fully incorporating these opinions and recommendations was referred to examination at the national level, finalized in 2002. A symposium on the National Plan of Action attended by educational workers, pedagogical researchers and officials of educational publishing institutions

at province, city and county level and a meeting on the mid-term review were held in October 2003 and March 2007 respectively. In August 2004, the Government issued Regulations on School Assistance with the aim of stepping up public assistance to schools for the provision of better educational amenities and the laying of firm material and technical foundations of schools. The School Assistance Fund, a non-governmental organization, was set up in December 2005, with the function to better learning conditions and environment in collaboration with non-governmental organizations at home and abroad, as well as overseas Koreans and international organizations.

175. The general principles of the Convention, namely, non-discrimination, the best interest of the child, respect for the views of the child, respect for the survival and development of the child to the maximum extent available have been steadily maintained. The Government, regarding education as a matter decisive of the future of the nation, took a number of measures to exploit to the fullest the advantages of the 11-year compulsory education system, while taking practical measures for the improvement of the quality of education as the trials and difficulties are overcome and the economy is reactivated. To respond to the requirements of the new century, the content and methods of education were further improved and more modern equipment and apparatuses were introduced into education, and the quality of teachers was enhanced, which made it possible to satisfy the requirements of the Convention and the National Plan of Action for Education for All. During the period under review, the E-library and gymnasium of Kim Chaek University of Technology and Kim Won Gyun Pyongyang Conservatory were built on modern lines and schools and universities at different levels were rebuilt and repaired, with the result that the heating conditions of schools in wintertime have been improved, and pupils and students are ensured good learning conditions and environment.

176. The Government systematically increased expenditure on education in keeping with its mission of taking full responsibility for education and realizing education for all. The education budget allocation is given in the table below.

**Table 14**

**Budget allocation for education in 2002/07**

Year	2002	2003	2004	2005	2006
Expenditure on education (%)	7.4	7.7	7.9	7.6	8.0

177. Factory colleges as well as nurseries and kindergartens attached to factories, enterprises or cooperative farms, which are not included in the State budget allocation targets, are financially supported by the units concerned. March and October were set as the months for School Support, when factories, enterprises, cooperative farms and other support organizations conduct campaigns to reinforce the economic foundations of schools. The aforementioned facts clearly show that the actual expenditure on education far surpasses the official State budget allocation for education.

178. As regards leisure, literary, art and sport activities, see paragraph 180 of the initial report.

179. No sexual discrimination is practised in the education of children (see paragraph 181 of the second periodic report). Universities and colleges have a different proportion of girl students and boy students in the light of their specialties and career opportunities, and there is no restrictive criterion. For example, universities of teacher training, medical science, commerce and light industry have more female students, while universities of metallurgical engineering, mechanical engineering, mining and coalmining have more male students.

180. Children living in isolated mountain areas or islands or specially disadvantaged children without parents have equal access to education. Branch schools are set up in the villages for mining workers and forestry workers and even for three to four children on islets. Children who have to travel a long distance to go to school are provided with school buses, boats or cars. Children without parents receive education at public expense at orphans' kindergartens, primary schools and secondary schools. There are 12 orphans' kindergartens, 17 primary and secondary schools, and the number of children at these institutions totals 7,391 (of which 1,524 are at orphans' kindergartens and 5,867 at primary and secondary schools) (see paragraph 105 of the present report).

181. Progress has been achieved in the efforts to improve the system and methods of education so that children may receive education according to their personalities, needs and talents. Teachers at nurseries and kindergartens were encouraged to look closely at children under their care for their personalities, talents and tastes, and children so selected for being endowed with extraordinary talents were, along with ordinary education, given additional lessons and training in, for example, music, drawing, calligraphy or computers. In particular, those with extraordinary intellectual abilities and enthusiasm for academic pursuits were hand-picked and enrolled in the No. 1 secondary schools in the capital and provinces, which are the genius education establishments within the compulsory free education system.

182. Every school manages extra-curricular clubs for learning music, fine arts, sports, dance, literature, physics, chemistry, biology, computer, etc., so that children may develop their talents to their fullest potential. There are also schoolchildren's palaces, schoolchildren's activity centres, afterschool sports clubs and other extra-curricular educational establishments in different parts of the country, which have made special contribution to training children with extraordinary talents and aptitudes. In these establishments children receive education from experts according to their preferences. It was at these establishments that Kye Sun Hui, a judoka who won four consecutive world judo championships, the members of the chorus troupe that was placed first in the world schoolchildren's chorus contest held in China in 2006, and members of the children's art troupe that had been loudly applauded in many countries were educated and trained.

183. The well-organized teacher training system in place in the DPRK was detailed in paragraph 183 of the second periodic report. As of 2007, there are 37,000 kindergarten teachers, 69,000 primary school teachers, 123,000 secondary school teachers, and the number of students per teacher averages 21. Female teachers account for 57 per cent of all the teachers; 100 per cent of kindergarten teachers, 86 per cent of primary school teachers, 58 per cent of secondary school teachers, 23 per cent of college teachers and 19 per cent of university teachers are female.

184. A symposium on teaching methodology was organized once a year as of 1990 with a view to improving the quality of teachers and ensuring that the teaching method keeps abreast of the developing realities. Teachers' forums give teachers the opportunity to exchange methods and experience gained through their teaching practice. Model teachers are selected from school, county (district), city and province (municipality directly under the central authority) levels to organize national symposiums. Effective teaching methods of practical value presented in the symposiums are widely made known through newspapers such as *Kyowon Sinmun* (Teachers' newspaper), *Kyoyangwon* (Kindergarten Teachers' Newspaper), *Public Education and Teachers' Handbook*, or demonstration lectures and model lectures. All these proved very effective for the improvement of the quality of individual teachers and the quality of education as a whole.

185. During the period under review a drive to win the October 8 Model Teacher title was initiated for the purpose of assessing and recognizing teaching abilities of teachers. Started in 2004, the purpose of this initiative is to assess at national, province, city and county level the teaching abilities of the teachers of all educational institutions from kindergartens to universities, and every October, model teachers are awarded the October 8 Model Teacher title. With the active participation of teaching personnel in this initiative, the number of title winners is steadily increasing.

186. Measures to make education facilities available to all students were detailed in paragraph 184 of the second periodic report. However, difficulties still stand in the way of the implementation of the measures due to the failure of the economic sectors to be fully restored. To cope with this situation, the Government increased investment in the sector of education facilities provision, while encouraging the general public to consider the support for schools as part of the patriotic movement. To satisfy the requirements of the age of information technology, a variety of audio-visual materials, including video materials were developed and distributed and computers and other modern education facilities were supplied according to State plan. The workshop of video teaching materials development under the Academy of Pedagogical Science was reorganized and upgraded to become the studio of educational multimedia development in 2005, with the result that many multimedia products were developed for education in different fields. Campaigns were widely launched by institutions, enterprises and organizations to provide computers, video recorders and cassette recorders to schools included in their support programmes by mobilizing to the maximum extent possible latent reserves and possibilities. Exhibitions of school support materials held on several occasions in recent years at national and local levels were greatly conducive to stimulating public interest and enthusiasm for educational work. A national exhibition was organized every two to three years to popularize the teaching aids and experiment apparatus invented and manufactured by the teachers themselves in their teaching practice. The assistance rendered by UNICEF, UNESCO and other international organizations was very valuable for the modernization and sufficient provision of educational facilities.

187. Concerning eradication of illiteracy, see paragraph 185 of the second periodic report.

188. The non-formal education system in the DPRK was detailed in paragraph 186 of the second periodic report. As a further measure, the number of skills-training schools was increased and their enrolment capacity expanded, with due importance attached to improving the quality of education in view of the demand of developing realities. The Grand People's Study House, Central Youth Culture House and other public education establishments, which are non-formal

education centres, provide working people with education and training in computers, foreign languages, driving, etc. Ministries, national institutions, factories and enterprises are running their own non-formal education system newly established or expanded to satisfy their own demand for skilled workers.

189. All preschool age children in the DPRK are brought up and educated at public expense at the nurseries and kindergartens set up in different parts of the country in compliance with the Law on Nursing and Upbringing of Children. The Government, with a view to bringing up all the children at public expense, maintains the principle that nurseries and kindergartens should be set up wherever children live, namely, even in rural villages, fishing villages and forestry workers' villages, with the result that there are nurseries and kindergartens wherever they are needed. Child upbringing establishments equipped in compliance with the standard set out by the Law on Nursing and Upbringing Children are rearing children in a cultured, hygienic and scientific manner according to unified teaching programmes, rules and standards without any distinction as to locality and gender.

190. The system and policy of the State concerning the growth and early education of disadvantaged children were described in paragraph 187 of the second periodic report. During the period under review, a department was created in the central teacher retraining centre to be exclusively in charge of the education of blind, deaf and dumb children, and officials in the education department of people's power organs at different levels were given the responsibility for the work with children with disabilities on a full-time basis, with the aim of strengthening their education and facilitating their integration into community life. Many people are supporting children without parents, which are lauded as beautiful deeds. Wide publicity was given to these people; and people's power organs, people in the neighbourhood and their colleagues are encouraged to render assistance to these families.

191. During the period under review, the National Coordinating Committee for Education for All, in collaboration with the NCRC, has done quite a lot of work for the development of education. Progress has been achieved in providing children with good education amenities and environment satisfying pedagogical and hygienic requirements through increased State investment and strengthened public support. New kindergartens were built, or the accommodating capacities of the existing ones raised to provide education to all children of preschool age. The buildings and teaching equipment were updated in terms of hygiene and culture. In particular, sleeping rooms, game rooms, dining rooms, bathrooms and wading pools were furnished with modern facilities of a hygienic and cultured nature, while public support to further satisfy children's needs for better playgrounds and outdoor sports facilities was encouraged. State concern and investment were increased to reinforce production centres of school fixtures, toys and supply systems, and to provide kindergartens with a sufficient amount of foodstuffs required for the healthy growth of children. New schools are being built and the existing ones expanded, so that every class may have a classroom for its own use and education amenities are improved. At least one school at the national, provincial, city or county level is selected as a model for its modern education facilities and excellence of education amenities, and other schools are encouraged to follow their example.

192. Teaching programmes and materials of schools at different levels were revised and improved to keep up with the demand of the new century and the evolving capacities of children. For example, teaching programmes of kindergartens were reviewed and improved with this

objective. On the basis of a three-year survey of the current status of education and experimental education, the programme for lower-level classes was expanded to comprise storytelling, games, singing, rhythmic dance and physical training, and that for upper-level classes was improved to fully prepare children for school education. New teaching materials developed as a follow-up measure in 2007 teach children how to hold pencils, read and write simple letters, count numbers up to 50 and add and subtract with numbers up to 10. Keen attention is also directed to developing intellectual faculties of children through the provision of a variety of children's books and educational multimedia products.

193. Teaching programmes of primary schools were supplemented and textbooks were revised with a view to enabling them to assimilate the basic knowledge and skills required by the IT age. The Morality textbook was revised in the period 2004-2005 with the aim of ensuring that children have healthy minds and a noble morality, and possess knowledge of, and strictly abide by the law. Through this textbook children are taught life skills, provisions of law related to their everyday life, as well as the contents of the Convention. Much effort has been directed to teaching foreign languages and computer science as envisaged in the National Programme of Action for Education for All. The primary class of Pyongyang Secondary School No. 1 and some other primary schools selected as pilot units taught foreign languages and computer in 2003-2005 with success, and their experience is going to be extended to all primary schools in 2008. Secondary schools, with the aim of preparing students to be the type of persons demanded by the new century, worked out new teaching programmes and rewrote textbooks, with a focus on intensified education in information technology, practical and life skill teaching so that children may smoothly adapt to higher education and society. Psychology and basics of logic were included in the subjects as of 2000; Morality was renamed Socialist Morality and Law in 2005 to teach children national laws and international laws. No. 1 secondary schools (schools for children with extraordinary intellectual faculties) revised the mathematics, physics, chemistry and biology textbooks in 2006 and have started using new textbooks as of the school year 2007. Work is now under way to revise the textbooks for other secondary schools.

194. Designation of optional subjects at the secondary school level was also given due importance with a view to providing education appropriate to the regional or geographical characteristics. Students in urban areas were given basic technical education in industry, those in rural areas in agriculture, those in mountain areas in forestry, and those in coastal areas in fisheries. For the modernization of educational work, a programme for the formation of a computer network of the Ministry of Education for the smallest schools was developed and some schools and regions are operating via this network. Some difficulties have been encountered in the development of a nationwide and regional network due to the lack of necessary facilities and materials.

195. Various forms of contests were widely organized to enrich the academic knowledge of children. Every year, contests of mental arithmetic, composition writing and quiz programmes were organized for primary pupils at national, provincial, city and county levels, thus contributing to encouraging creative thinking and developing mental faculties and stimulating students' motivation for learning. For secondary school students a national quiz programme, composition writing contests, foreign languages contests, multidisciplinary contests, computer software contests were organized once every year, while a contest of novel scientific ideas was held every three to four years. Students, as well as parents, were very keen about these contests. Education through various forms of contests showed their vitality in practice. To take an

example, the children of the DPRK won the top honour prize and first class diploma in the International Russian Language Olympic for Secondary School Students held in Russia in 2004, took the first, second and third places in the fifth and sixth Chinese Bridge-Chinese Proficiency Competition for Foreign College Students held in China in 2006 and 2007, as well as winning one gold medal and four silver medals in the 48th International Mathematics Olympic held in Viet Nam in 2007.

196. The coordinating mechanism of educational work was detailed in paragraph 188 of the second periodic report and paragraphs 174 to 177 of the present report. Some difficulties are encountered in the efforts to provide quality education to children through the full realization of the Convention and the National Programme of Action for Education for All. Financial support is needed to introduce computers and other audio-visual aids into the education at primary schools and secondary schools. Difficulties also stand in the way of providing educational conditions such as modern education facilities, experiment apparatuses, building and repairing of schools and supplying of papers for textbooks and reference books. The above-mentioned difficulties were further aggravated by the flooding of vast areas of the country in August and September 2007 that caused serious damage to the economy and people's lives, and weakened the economic foundation of education.

197. The universal compulsory education system in place in the DPRK was detailed in paragraphs 156 to 164 of the initial report and paragraph 190 of the second periodic report. One hundred per cent of the six-year-olds are enrolled under the one-year preschool education system and five-year-olds are enrolled according to preferences of their parents. As of 2006, the number of kindergartens and children totalled 13,638 and 704,800 respectively.

198. The minimum age for enrolment in primary schools is 6 to 7 and the maximum age for compulsory education is 19. The enrolment rate at primary school is 100 per cent and the advancement rate is 99.7 per cent. The total number of primary schools and pupils are 4,904 and 1,644,000 respectively and the total number of secondary schools and students are 4,801 and 2,415,000 respectively. As regards the school attendance rate, the Government has made it its long-term target to ensure that 100 per cent of students under compulsory education system attend classes and is taking measures for its attainment, which is pursuant to the recommendations contained in the concluding observations of the Committee. Currently, much effort and attention is directed to attaining the immediate target of raising the attendance rate to over 98 per cent.

199. The term of compulsory schooling is 11 years and the graduation rate is 100 per cent. Very few students absent themselves from school for one year or so due to illness and other reasons, but they are obliged to repeat the grade and complete the compulsory school course. As of October 2007, the enrolment rate in secondary schools is 100 per cent.

200. As was stated in paragraph 190 of the second periodic report, the enrolment rate of secondary school graduates in vocational training schools was 100 per cent, except for those who proceed to higher education or who join the people's army. The proportion of those proceeding to higher education is about 42 per cent of secondary school graduates. There is no dropout among children up to the age of 16 years since the law prohibits expulsion or withdrawal from



compulsory education. Those who fail the graduation examination at the last grade of compulsory education are given a termination certificate instead of a diploma and may repeat the exam the following year and receive their diploma if they pass it.

201. In the DPRK, children, after going through compulsory schooling, are provided the opportunity to receive higher education depending on their abilities. No discrimination is applied with respect to their family background, sex or geographical origin. However, considering that all candidates cannot be admitted to higher education, priority is given to those with high academic achievements, with the number of candidates allotted to provinces, cities and counties in view of their demand for university graduates. Success or failure in the entrance examination is determined by the academic level of the student. Those who fail may receive education at a factory college, farm college or other colleges within the study-while-on-the-job system.

202. All children are given free access to information and guidance concerning education and vocational training. While receiving formal education under the universal compulsory education system, all the children have access to the Grand People's House, Central Youth Culture House, schoolchildren's palace, students' afterschool activity centres, children's union camps, children's library and other public education establishments. In addition to these establishments, there are public libraries, children's libraries and school libraries in every province, city, county and school. Twelve libraries were newly set up during the period covered by the present report.

203. Children collect information and receive guidance with regard to education and vocational training through various kinds of publications, newspapers, magazines and television. Despite economic hardship, during the period under review the kinds and circulation numbers of publications were increased, libraries and reading rooms in different places were operated on a continued basis, thus making it possible for children to have access to appropriate information without any discrimination as to the age, sex and place of residence. To illustrate, a 60-volume collection of world famous fairy tales was published in tens of thousands of copies to be distributed to kindergartens across the county, and the kinds and numbers of children's favourite stories and pictorials increased 10 times as against the period covered by the second periodic report. A number of foreign books were translated into Korean, and many recent publications contain information from a variety of national and international sources, which are, for example, *Education and Talent*, *World Record Book*, *Major Economic Events in the 20th Century*, *Origin of Famous European Idioms*, *Collection of Humours*, *Inventions and Discoveries of Scientists* and *Common Hygienic Knowledge*. A lot of science journals and foreign books are imported for working people, as well as children to read at the Grand People's Study House and other public libraries.

204. E-books and publications were developed in large numbers to satisfy the increasing demand of children. These electronic media contain Korean and foreign feature films and other literary works, as well as educational materials such as *English Learning*, *From A to Z* and *Computer Learning*, giving children access to a variety of internal and external information.

205. Conditions were provided for children to have more effective access to information. Children's periodicals such as *Kotbongori* (kindergarten children's magazine), *Sonyon Sinmun* (Children's Union newspaper), *Saenal Sinmun* (Youth League's newspaper), *Saesedae* (students' magazine), *Sonyongwahak* (student's journal) and *Adongmunhak* (students' literary work) are issued, containing materials conducive to children's education and upbringing, while radios and

televisions send out children's programmes at the hours most convenient for children. More hours have been devoted to televising information concerning politics, the economy and culture of foreign countries, events of universal interest, and world news, thus permitting children, as well as adults, to have more access to information from other parts of the world.

206. Progress has been achieved in gathering and providing information through the computer network. The ultra-modern E-library of Kim Chaek University of Technology set up in 2004 is gathering information from different parts of the world, and the domestic computer network and intra-school computer network established in 2004 have further improved access to appropriate information.

207. As was stated in paragraph 191 of the second periodic report there are no children in the DPRK who do not enjoy the right to education, since education is universal and compulsory.

208. Disciplinary measures applied at schools were detailed in paragraph 192 of the second periodic report. However, the NCRC, referring to the Committee's general comment No. 8 (2006) learned that the definitions of corporal punishment were broader than had been known, that not only physical forms of punishment in which force is used to cause some degree of pain or discomfort but also non-physical forms of punishment like not showing due respect to a child's dignity by scaring, humiliating or throwing insulting words at him or her was also included in the category of corporal punishment. Accordingly, the NCRC ensured that educational and health workers, as well as parents, were made aware of the broad definitions of corporal punishment set out in the general comment of the Committee, while conducting a selective survey based on the new definitions. The survey found that some teachers at primary and secondary schools denigrated or humiliated some children on account of their low grades or bad manners. About 1,160 cases of non-physical forms of punishment were reported and these were the cases that were formerly regarded as being "reasonable" or "necessary" to discipline a child. The NCRC, with a view to preventing and eliminating all forms of corporal punishment, will take measures to regularly inform all the legislative, judicial and administrative authorities, as well as ministries of education and health, schools at all levels and social organizations, of the contents and requirements of the Committee's general comment.

209. The Government pays due attention to international cooperation and exchange in the field of education. International organizations such as UNESCO and UNICEF rendered a lot of assistance in the establishment of an educational administration system by means of computers, training of teaching personnel in the field of vocational training and foreign language teaching, nursing and upbringing of children in their early stage, improving the methods of assessing students' academic achievements, development and production of educational multimedia products and providing paper for textbook publishing. Exchange and cooperation with several countries was further expanded, with the result that lecturers from the United Kingdom, China and Germany are teaching languages at different universities, while Korean lecturers and officials are sent abroad to give lectures and about 100 foreign students and researchers are studying at several universities in the DPRK. Hundreds of Korean students and trainees are receiving education in China and other countries. Educational workers go on study tours or attend the workshops arranged by international organizations. International cooperation proved very valuable in the field of education.

## **B. Aims of education (art. 29)**

210. The aims of education in the DPRK are to bring up children to be powerful beings with independence and creativity, which are fundamentally consistent with the provisions of article 29 of the Convention. The aims of education are, in other words, to develop children intellectually, morally and physically, so that they can have their human dignity and honour respected and fully enjoy their rights and freedoms, free from all sorts of restraints and pressure. For the realization of these aims, the Government has made it an important task to prepare children to be intellectually, morally and physically balanced and is improving the contents of education in this regard.

211. All children in the DPRK receive general secondary education without any distinction as to social origin, sex, place of residence, social and economic status, and are given full play to their individual personalities, talents and mental and physical capabilities. Teachers consider it their duty to identify the individual characteristics and talents of children in their early stage, to give them appropriate education, and to devote themselves to the children.

212. A number of measures were taken to give full play to the talents, and mental and physical capacities of children, one of which was to further develop the education system of extraordinarily talented children. The scope of education was expanded to train children talented in science and literature, as well as in music, dance and fine arts, while placing emphasis on the improvement of quality of education. Children were given opportunities to display their talents through a variety of gatherings (see paragraphs 181 and 182 of the present report).

213. National laws and international laws were incorporated in the curriculum of educational institutions at all levels since 2003 in a manner consistent with the age and characteristics of children, so that they may be well aware of and abide by the laws. Accordingly, education on the principles and provisions of the Convention is provided in the classes of Socialist Morality at primary school and Socialist Morality and Law at secondary schools. Practical experience has shown that teaching national and international laws in close interrelation were far more effective than teaching them in special extra lectures as separate subjects. For this reason, no separate subject was created for the teaching of the Convention. Respect for human rights, fundamental freedoms, and the principles set out in the Charter of the United Nations are promoted both through classroom education, children's extra-curricular activities, activities of social organizations and the mass media.

214. Primary and secondary schools encourage children and members of the international community, to develop respect for culture of other countries and nations and promote understanding, tolerance and friendship among all peoples through classes of world geography and history, socialist morality and law.

215. Children are given from their early years various forms of education so that they can take good care of flowers and trees and the environment, and subjects such as Nature Studies, Biology and Socialist Morality, as well as nature observation classes, help children to have a knowledge of the animals and plants in the surrounding world, natural and geographical conditions, the climatic and soil conditions and solar system. Children are also encouraged to take active part in the activities of Greenery Guard, their autonomous organization. Children's art work exhibitions and presentation of children's literary work on the theme of environmental

protection, preservation of the ozone layer, and prevention of global warming are organized - all these with the aim of raising their awareness of environmental protection and prevention of environmental pollution.

216. Others aspects of the curriculum are dealt with in paragraph 198 of the second periodic report.

217. The aims of education set out in article 29 of the Convention were incorporated into the work of educational establishments at all levels, namely, from nurseries to universities, thus promoting the full realization of the aims of education in the DPRK. Main efforts were directed to adjusting the content and method of education, with main emphasis placed on the development of intellectual capacities of children and their scientific and technical education to keep abreast of the rapidly developing science and technology. The contents of mathematics, physics, chemistry and biology at primary and secondary schools were improved in keeping with the trend of basic science development, and achievements of high technology were introduced to place education on a modern and scientific footing. For example, primary schools introduced the 12 x 12 table, and the 24 x 24 table into mathematics class, and secondary schools teach genetic engineering in biology class. No. 1 schools (schools for children especially talented in science) are conducting research into cloning technology and developing software. In this way, all children are provided with conditions to possess knowledge commensurate with the developing realities, and developing their personalities, talents and abilities to the fullest potential.

218. Children themselves and afterschool peer groups are also managed by children, in which they exchange their views, reviewing and previewing their lessons, manage classes formed by reference to their age.

219. Children are encouraged to take an active part in general meetings and committees organized by the children's union and youth leagues, which give them opportunities to have a say in the decision-making processes affecting their education and welfare. Every class has a "correspondent" and "newscaster" so that they may represent their peers in the expression of their ideas and opinions. Radios, TVs, children's newspapers and magazines also provide forums for children to make their ideas and opinions known. There are other occasions such as storytelling meetings, symposiums and oratorical contests in which children can express their views, thus affecting the decision-making process.

220. As for the need to establish private schools, see paragraph 199 of the second periodic report.

### **C. Leisure, recreation and cultural activities (art. 31)**

221. The Constitution in its articles 52, 53, 55, 71 and 74 provides that all citizens have the right to leisure, recreation and cultural activities. The Law on Physical Culture and Sports adopted on 12 March 1997 and amended and supplemented on 10 December 1998 provided legal guarantee to the right to physical culture and sports. The law provides for popularizing physical culture and sports and incorporates this into the daily regime of people through school sports, extra-curricular sports, physical training of children of preschool age, mass gymnastics, family sports and popular sports, improvement of the science of physical culture, provision of material

conditions and other State policy on its development. Having defined the main principle and orientation of the development of physical culture and sports in the DPRK, this law is proving its vitality in the everyday life of the people. For example, kindergarteners' rhythmic exercise, schoolchildren's rhythmic exercise and Taekwon-Do are created and popularized, contributing greatly to the healthy growth of children. Children account for more than 95 per cent of the performers in the mass gymnastics and artistic performance "Arirang", which was entered in the Guinness Book of Records in 2007. Such kinds of gymnastics are created and performed in local provinces, as well as in Pyongyang.

222. A number of measures were taken to ensure that children fully enjoy their rights to leisure, recreation and cultural and physical training activities. A large workforce and materials were invested to create places of cultural rest in Mt. Kuwol, Mt. Chilbo, Mt. Chongbang, Mt. Ryongak and Songam Cave, for children, as well as working people, to enjoy themselves. Gymnasiums and swimming pools were built for schools and communities, and children's union camps and rest homes in scenic spots and picturesque places. The newly built gymnasium and swimming pools of Kim Il Sung University and Kim Chaek University of Technology are some of these examples.

223. Comedy troupes were created and popular programmes put on stage to cater to the amusement of people living and working with the motto "Let us optimistically advance however tough our road might be!", and theaters and cinemas were newly built or rebuilt and expanded for more people to enjoy emotional and cultural life.

224. Close attention is paid to developing games and amusements in a way best suited to the age and psychological peculiarities of children. For preschool age children, game rooms and pleasure rooms were created in nurseries and kindergartens, and pleasure grounds with modern facilities laid out in residential areas. Kindergartens have rooms for games specially designed for the development of children's intellectual faculties, so that they may learn while playing, and vice versa. Nurseries and kindergartens hold a grand celebration of 1 June, the international children's day, participating in colourful functions, playing their favourite games at their kindergartens and nurseries or in scenic spots nearby under the care and attention of their teachers and parents. Recreational facilities for primary and secondary students are provided in pleasure parks or recreation grounds and sports facilities at gymnasiums, swimming pools and playgrounds. Folk games such as kite flying, shuttlecock, sledding, *yut* playing, swinging, seesawing and *ssirum* are also popular with children, which are played in groups on New Year's Day, national holidays and folk holidays in different parts of the country.

225. Children take part in cultural and artistic activities in various forms and ways. Music, fine arts and physical culture are included in the curriculum of schools at all levels, making it possible for students to play at least one musical instrument, learn to create and appreciate musical or artistic works and compete at least in one sports event. Every school runs sports and art circles, in which children take part according to their talents and tastes. Schoolchildren's palaces, students' extra-curricular activity centres and afterschool sports facilities are set up in various places of the country, where children develop their talents according to their preferences. Children at kindergartens and schools give art performances to working people at factories and cooperative farms. Primary schools and secondary schools organize sports meetings every spring and autumn and three afternoons a week are devoted to afterschool sports activities.

226. National athletic meetings and literary and artistic contests are held annually with the active participation of children. Preliminaries are held at county, city and province level before the finals at the national level. Such competitions and contests include *paduk* (Korean checkers), art festival of kindergarteners, national art festival of schoolchildren, singing contest of schoolchildren, national vocal and instrumental solo contest, calligraphy contest, pencil picture contest, composition writing contest and national sports competition.

227. Children's *paduk* games, calligraphy contests, and pencil picture contests were newly developed during the reporting period, and the singing contest was subdivided into contests of secondary school students, university students, solo and chorus. That Korean youths placed first in the world chorus singing contest (female) held in China in 2006, carried away top honours in the recent world football championships, Olympics and other world games serves as an eloquent testimony to the advantage of the education policy concerning physical culture and arts.

228. Children's camping trips for 7 to 15 days at Children's Union Camps built in scenic spots and the seaside contribute greatly to enriching their cultural and emotional life. These camps are open from April to October every year. All the expenses for the operation of the camps, to say nothing of travel expenses and expenditure on their recreational activities are borne by the State.

229. Educational institutions arrange visits, explorations and excursions for children. Kindergarteners often go out to look at animals and plants, visit factories and farms, while schoolchildren tour scenic spots, historic places, factories, enterprises and cultural institutions. Secondary school students go on a one-week excursion in their sixth year.

## **VIII. SPECIAL PROTECTION MEASURES**

### **A. Children in emergency situations (arts. 22, 38 and 39)**

#### **Refugee children**

230. Since the end of Korean War (1950-1953), there have been no wars or armed conflicts that may produce refugees. Hence, no refugees (see paragraphs 188-190 of the initial report).

#### **Children in armed conflicts, including physical and psychological recovery and social reintegration**

231. Concerning children in armed conflict, see paragraphs 191-192 of the initial report and paragraph 205 of the second periodic report.

### **B. Children involved with the system of administration of juvenile justice (arts. 37, 39 and 40)**

#### **The administration of juvenile justice**

232. In the DPRK, penalty on a minor who has committed a crime may be extenuated under article 40 of the Criminal Law and a minor who has committed a crime is committed to public education under article 49 of the same Law. Under article 53 of the Criminal Procedure Law,

criminal case is dismissed in case of a crime committed by a person under 14 years of age and under article 62 public education is applied in case of a crime committed by a person above 14 and under 17 years of age (see paragraph 53 of the present report).

233. See paragraph 208 of the second periodic report. The numbering of articles of the Criminal Procedure Law has changed because it was amended and supplemented, with the result that paragraph 2 of article 11 became article 49 and paragraph 1 of article 13 became article 62 and 63, respectively.

234. During the period under review, the NCRC arranged training courses once a year on the Convention, Beijing Rules, Riyadh Guidelines and the United Nations resolutions on the protection of children deprived of liberty for judges, lawyers, prosecutors, people's security officers and other child-related professionals to refer to in their child-related activities.

### **Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings**

235. Protecting human rights in the handling of criminal cases is the consistent policy of the Government. No person may be arrested or confined without following the legal procedures stipulated in the Criminal Procedure Law. It is provided in Criminal Procedure Law that in case a public prosecutor discovers that a person has been arrested or detained illegally, he or she shall set the person in question free (art. 177), and no criminal proceedings shall be instituted against a minor less than 14 years of age (art. 53).

236. Measures taken to comply with the requirements of the Convention on not illegally depriving or restricting the freedom and right of a child are stated in previous paragraphs. The Criminal Procedure Law provides in article 184 that confinement consists of detention, house arrest and area confinement, and in article 183 that in case a decision is made on the arrest and detention of a person under preliminary examination, the person under preliminary examination shall be informed of it immediately, and the family of the examinee or the unit to which the examinee belongs shall be informed of the reason for the arrest and detention and of the place of his or her detention within 48 hours of the arrest and detention. Judicial institutions in the DPRK maintain the principle of dealing with juvenile offenders without arresting or detaining them.

237. In unavoidable circumstances, juvenile offenders may, for the settlement of the case, be confined after school to their homes or a certain area with the approval of the public prosecutor under articles 189 and 190 of the Criminal Procedure Law, the duration of which does not exceed one month.

238. No child faces trial even if he or she has committed a crime, and there is no child put in prison (see paragraphs 53 and 95 of the present report).

### **The sentencing of children, with particular reference to the prohibition of capital punishment and life imprisonment**

239. The Criminal Law that was amended and supplemented in 2004 has a new form of punishment, which is reform through labour for an indefinite period. This is not considered to have an influence on the implementation of the Convention. As was specifically stated in

previous paragraphs of the present report, no juvenile offender will face criminal punishment, since all of them are committed to public education under the Criminal Law and the Criminal Procedure Law.

### **Physical and psychological recovery and social reintegration of the child**

240. It is stated in the previous paragraphs of the present report that no juvenile offender is committed to reform through labour. The issue of social reintegration does not arise, as the imposition of public education measures does not involve any form of separation of the child from the community.

## **C. Children in situations of exploitation (arts. 32-36)**

### **Economic exploitation of children, including child labour**

241. The Constitution provides that the minimum working age in the DPRK is 16 years and the State shall prohibit the employment of children under the minimum working age (art. 31). The Criminal Law stipulates that a person who gets a minor to work shall be committed to reform through labour of less than two years (art. 191). As child labour was abolished by law 60 years ago, these provisions in the Constitution and the Criminal Law have never been applied in practice.

### **Drug abuse**

242. Under the Criminal Law amended and supplemented in 2004, the provisions concerning narcotic drugs were further specified and the degree of punishment was raised. The law provides that a person who illegally cultivates opium poppy or manufactures narcotics shall be committed to reform through labour of up to 5 years (art. 216), that a person who illegally uses narcotics shall be committed to reform through labour of up to 2 years (art. 217), and that a person who smuggles narcotics into or out of the country shall be committed to reform through labour of 5 to 10 years, and if the offence is serious to reform through labour for an indefinite period (art. 218). It was in consideration of the recommendations of the International Narcotic Drugs Control Agency and with a view to harmonizing with the degree of punishment of narcotic drugs-related crimes at the international level that the degree of punishment for narcotic drugs-related crimes was raised, and not the requirement of the situation in the DPRK. As was specifically stated in the initial report, there has been no report of using narcotic drugs without the prescription of a doctor.

243. Some of the senior students of secondary schools are reported to be smoking or drinking. Their schools and child education institutions, as well as their parents are taking educational measures against them.

### **Sexual exploitation and sexual abuse**

244. Under the Criminal Law, a man who rapes a woman shall be committed to reform through labour of up to 10 years (art. 293), a man who obliges a woman who is his subordinate to have sexual intercourse with him shall be committed to reform through labour of up to 5 years



(art. 294), and a man who has sexual intercourse with a girl under the age of 15 shall be committed to reform through labour of up to 10 years (art. 295). These provisions serve as strong measures for the prevention of sexual abuse and exploitation.

245. Prostitution and unlawful sexual practices including pornography are strictly prohibited by the Criminal Law. Under the Criminal Law, a person who practices prostitution shall be committed to reform through labour of up to two years (art. 261) and a person who brings in from abroad and disseminates degenerate culture or commits such degenerate acts shall be committed to reform through labour of up to five years (art. 194). There has been no case of using children for sexual exploitation or pornographic publicity.

### **Sale, trafficking and abduction**

246. The Criminal Law provides that a person who kidnaps or conceals a child for a selfish purpose or out of a vindictive motive shall be committed to reform through labour of up to three years (art. 289) and a person who kidnaps another shall be committed to reform through labour for an indefinite period in case of an extremely grave offence (art. 290). As was stated in the initial report and the second periodic report, there has been no case involving child trafficking and abduction.

### **Other forms of exploitation**

247. A Socialist society is a society where exploitation of man-by-man is non-existent. The Constitution provides that the State shall afford special protection to mothers and children by providing maternity leave, reduced working hours for mothers with several children, a wide network of maternity hospitals, nurseries and kindergartens and other measures (art. 77). This provision secures legal guarantees for the protection of mothers and children. In reality, no child has been exploited in the DPRK.

## **D. Children belonging to minorities or indigenous groups (art. 30)**

248. The DPRK is a homogenous nation with a history of 5,000 years. Therefore, no problem arises.

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