The 3rd and 4th Periodic Reports of
the Democratic People’s Republic of Korea on the
Implementation of the Convention on the Rights of the Child

November 2007
Pyongyang, DPRK
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2
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 (the Convention) in the period 1995–2000 was considered on June 1, 2004 at the 965th and 966th meetings of the 36th session of the Committee on the Rights of the Child (the Committee).

2. This consolidated report containing the 3rd and 4th periodic reports has been prepared pursuant to article 44, paragraph 1 (b) of the Convention and in consideration of the article 68 of the concluding observations (CRC/15/Add.239) of the 36th session of the Committee on the Rights of the Child. This report covers the period 2001 - 2007.

3. The period under review was a period in which the DPRK went through a harsh trial due to the unfavorable 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 manner 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 the children’s rights and satisfying their material and cultural requirements.

4. The DPRK 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 attention and interest of the whole country and society.

. GENERAL MEASURES OF IMPLEMENTATION

(Article 4, 42 and 44, paragraph 6)

A. Measures taken to harmonize national laws with 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 beings intellectually, morally and physically balanced is a matter of great significance decisive of the future and prosperity of the nation. The period covered by this report has proved once again that the child-related policies of the Government of the DPRK are 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 March 13, 2002. The law provides that inheritors shall be guaranteed equal rights, and the interest of a person without independent living capacity should be of prime consideration in matters related to inheritance (arts. 3, 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 prescription of inheritance shall be set (art. 14), the inheritance should be effected in the order of the decedent’s spouse, children, adopted children, stepchildren, unborn child, parents, foster parents and step parents, and in default of the aforementioned 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 case inheritance is executed without making reservation for the share of an unborn child, the person inherited 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 inheritance system that was formerly a part of the Family
10. The Law on the Protection of Persons with Disabilities was adopted on June 18, 2003, which contains the fundamentals of the law, rehabilitation, education, cultural life and work and employment of children with disabilities persons and matters related to guidance and control. The law especially provides on a broad basis the general principles and specific rules for the protection of persons with disabilities including the ensuring of 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 investment 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 children and promotion of their welfare.

11. The Law on the State Budgetary Revenue was adopted on July 6, 2005. The 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 July 20, 2005. The law stipulates that 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 about 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 January 10, 2007. The law stipulates that the DPRK Red Cross Society (the Society) is an independent health and relief organization based on voluntary commitment of citizens (art. 2), the State shall attach importance to the Red Cross activities 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 living and remove the aftereffects 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 youths and children as dissemination of health and hygienic knowledge and training in the rescue of disaster victims (art. 8). The adoption and enforcement of this law will be of substantial help to the protection of lives and stabilization of living of people, as well as children, and will eventually be conducive to the implementation the Convention.

14. The Criminal Law was extensively amended and supplemented on April 29, 2004 in an effort to abolish the application of punishment by analogical inference, containing 303 articles as compared to 161 articles in the former law. However, the principle of the Government on giving preferential treatment to and protecting the 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) kidnaping or concealing a child (art. 289) and having sexual intercourse with a minor (art. 295).

15. The Family Law was amended and supplemented on December 7, 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 the custody in consideration of the best interests of the child in the event of divorce (art. 22), the obligation of the party not supporting the child to provide maintenance, determining the amount of maintenance for each child within the range of 10~30 % of his or her monthly income (art. 23) and the 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, mother’s surname, the child whose parents can not be traced may have his or her name given by the population administration institution (art. 26), the relations between step parents and step children 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, one 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 (December 7, 2005), the Narcotic Drugs Control Law (December 13, 2005), the Civil Procedure Law (October 25, 2005), the Foodstuff Sanitation Law (December 13, 2005), the Law on Prevention of Communicable Diseases (December 13, 2005), the Criminal Procedure Law (July 26, 2005) and the Environmental Protection Law (April 19, 2005), thereby contributing to further perfecting the legal system for the protection and promotion of children’s rights.

17. During the period under review, National Coordinating Committee for the Implementation of CRC (the 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 interrelation. 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 “10-year National Program of Action for the Survival, Protection and Development of the Child”. With the major objectives of the National Program of Action
attained, the Government formulated as a further measure a comprehensive “National Program of Action for the Well-being of Children (2001 – 2010)” to further promote the well-being of children and women and protection of their rights. Having a different form of description and layout, this program mostly reflects the Millennium Development Goals, the details of “A World Fit for Children” and the contents of the resolutions recently adopted at the UN 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 endeavoring for 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 maternal and child mortality rate, meeting the people’s demands for family planning service and raising its quality, improving nutritional management of women, and reducing the diseases that cause maternal deaths, and ways for the realization of these goals. This plan will contribute to fully realizing the policy of the Government on protecting and promoting the reproductive health to the highest attainable standard.

22. A work program for 2008-2010 of the Central Committee of 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 surgeries for the enhancing of 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 standard.

23. In addition to the afore-mentioned programs Primary Health Care Strategy, 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 12 (b) of the Committee in June 2004, 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 the child-related strategies and programs of action. After several rounds of discussion, the NCRC reached the conclusion that, the NCRC itself being 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 than to 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 to the regular or special plenary session of the NCRC or other consultative meetings the status of their activities for and with children, as well as obstacles encountered in the process of monitoring and coordinating the 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 UN General Assembly and other international conferences are satisfactorily implemented at national level. Besides, the NCRC organized the training courses and workshops on several occasions in light of the new situation where the NCRC comprises relatively young members, thus promoting fuller understanding of the principles and requirements of the Convention and enabling them to fulfill their responsibilities and roles.

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, inquired into the obstacles and difficulties encountered in the process and forwarded suggestions and recommendations aimed at overcoming them, and ensured that they are satisfactorily put into effect.
27. The NCRC strengthened cooperation with other National Coordinating Committees such as the NCC for UNICEF, the NCC for UNFPA, the National Commission for UNESCO, the Central Committee of the DPRK Red Cross Society and the Central Committee of 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 saw 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 foodstuff and medicaments. When many areas of the country was seriously affected by flood in August, 2007, the NCRC met in an emergency meeting 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 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 creditably played their respective roles 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 mechanism that includes institutions, enterprises and organizations from the center down to the lowest local unit. Where a unit does not have a complaints department, a fulltime or a concurrent official is designated for the handling of complaints. All complaints are registered on the day they are lodged and in case 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 complaints lodged by minors through ignorance of the relevant procedure 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 case the settlement of the complaint is disagreeable, the petitioner may lodge complaint again. Every institution, enterprise and organization has a complaints box for petitioners, which is 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 receipt. This well-defined complaints mechanism ensures that none of the complaints lodged by the 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 2 years.

30. The DPRK having a well-arranged State administration system from the central down to the grassroots 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 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 termed 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>
<thead>
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<th>Year</th>
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<tr>
<td>2002</td>
<td>40.3</td>
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<tr>
<td>2003</td>
<td>40.5</td>
</tr>
<tr>
<td>2004</td>
<td>40.8</td>
</tr>
<tr>
<td>2005</td>
<td>42.4</td>
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<td>2006</td>
<td>41.7</td>
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32. As can be seen in the table, the Government appropriated a large share of budget for the welfare of children though it had many sectors to invest in the face of the unprecedentedly tense political and military situation and difficult economic situation of the country. This fact alone serves to testify the consistent policy of the DPRK that regards children as the king of the country.

33. In August and September, 2007 vast areas of the country were again seriously affected by flood. In the sector of public health 466 hospitals, 1,402 clinics, and 5,928 nurseries were completely or partially destroyed or submerged, and in education sector 316 schools were again completely or partially destroyed, with the result that 35,040 pupils had no place to study in and hundreds of people either 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 remove the aftereffects of the flood, with primary attention devoted to rebuilding the destroyed nurseries, kindergartens and schools and stabilize the living of children.

E. International cooperation

34. The Government strengthened international cooperation pursuant to the guideline of the Convention and, in particular, paragraphs 21 and 22 of the concluding observations adopted by the Committee on the Rights of the Child in June 2004. Much effort has been directed for the successful promotion of the international cooperation since it appealed for it in 1995 for the first time in its history. The assistance from the UN agencies including UNICEF, WFP, WHO and UNFPA, International Federation of Red Cross and Red Crescent Societies, EU and other individual countries proved valuable for the promotion of well-being of children.

35. The Government has maintained as ever 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 the children that belong to the most vulnerable group.

36. Priority was given to survey and assessment that constitute the essential part of 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-Korea population census to be conducted in October 2008.

37. Local areas were mainly selected for the intensive international assistance, for which access and the monitoring of the international organizations were provided. 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 pediatric essential drugs, nutritional foodstuff for treating pediatric malnutrition, and necessary facilities and equipment for the normalization of production of oral rehydration salts, and construction of gravity-fed water supply system for the provision of clean drinking water, while WHO provided pediatric medicines including polio vaccines and pediatric anti-biotic medicines for children under 5, and vital medical equipments and instruments for the operating rooms and first aid rooms at the provincial pediatric hospitals, which contributed to effecting substantial improvement in the promotion of the welfare of children. In addition to this, some international organizations rendered valuable support in organizing several workshops and practice at international and national levels on such themes as integrated management of child disease, prevention and treatment of poliomyelitis, and 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 trend to politicize humanitarian assistance. Appreciation was extended by the Government and people for the messages of consolation and aid materials from many countries and humanitarian assistance from the United Nations and other international organizations in connection with 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 Convention on the Rights of the Child, the NCRC saw that they were published in larger numbers and disseminated to the relevant institutions and individuals.
41. The NCRC disseminated 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 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. Radios, TVs, newspapers and periodicals gave wide publicity 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 this report. Of special significance during the period under review was that the General Comments adopted by the Committee were widely disseminated 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 from 2005, which is the 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 the international organizations and non-governmental organizations.

G. Availability of the report

44. To prepare this report the Government created 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 implementation of the Convention, progresses achieved, deviations revealed 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 directed to the guidelines for the periodic report and the recommendations contained in the concluding observations of the Committee adopted upon its consideration of the second periodic report of the DPRK.

45. 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 this report, which was pursuant to paragraph 16 of the concluding observations of the Committee.

46. The 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. The report 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 adopted in June, 2006, the NCRC ensured that 1,000 copies containing the second periodic report, replies to the written questionnaire, concluding observations and summary record of the Committee were published in Korean and made available to the concerned institutions and the public at large to set up debate, received suggestions and recommendations and reflected them in this report. However, sufficient numbers of copies were not published because, despite efforts to mobilize every 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 close cooperation with international organizations.
49. See paragraphs 51, 52 and 53 of the second periodic report for the difference between national legislation and the Convention on the definition of the child, the minimum legal age for legal and medical counseling, the minimum legal age for the end of compulsory education and admission to employment and work.

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 for marriage. The conclusion was reached to the effect that Article 9 of the Family Law that provides for the minimum age for marriage was by no means in conflict with sexual equality, article 2 of the Convention and the Convention on 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 later 20’s, which indicates that the age of marriage stipulated in the Family Law is only the minimum standard. This being the reality, the NCRC submitted to the competent authorities a recommendation with a view to harmonizing the minimum age of marriage with the requirement of the Convention. This recommendation is now 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 armistice state. 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 defense is the supreme duty and honor of citizens (art. 86). This is to stipulate by law the sacred duty of citizens to defend the country, which is 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 with 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 April 29,
2004. It was found that 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 execution of death penalty against a minor, and extenuating the crime committed by a minor, and that a person who gets a minor to work, seriously violates the regulations related to taking care of children, instigates a minor to commit an offense, 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 of imposing heavier punishment on 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:

1. in case of a crime committed by a person above 14 and under 17 years of age; and

2. 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:

1. The public prosecutor may decide on reformation of examinee through public education with the approval of a higher prosecutor’s office; and

2. The court may pass a judgment 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, judgment 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 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.

The aforementioned public education measures are applicable to juvenile offenders. The decision of the public prosecutor and the judgment 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 judgment 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 placed responsible 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 public education applied to juvenile offenders in the first half of 2006 stood at four.

54. See paragraphs 57 and 58 of the second periodic report for 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 association and for choosing a religion or attending religious school teaching.

55. 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 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 condition for the healthy growth and care of children. As a result, smoking out of curiosity or just for fun among children can hardly be found, and the reaction of parents, education and health institutions, and children’s and youth organizations to the adoption of this law is 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.
. GENERAL PRINCIPLE

A. Non-discrimination

56. The DPRK recognizes that the aim of Article 2 of the Convention lies in providing the rights for children to enjoy independent and happy life on 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.

57. 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, sex, age and place of residence.

58. As was stated in the second periodic report, the DPRK is a country of homogeneous nation and a socialist state where the root cause of exploitation of man by man was eliminated. Therefore, it does not have such issues as legal or practical discrimination based on race and color of the child and his or her parents or guardian nor does it have any issues concerning minority people. (See paragraph 65 of the second periodic report)

59. The equality of sex was legalized in the DPRK 60 years ago, the details of which were described in paragraph 40 of the initial report. Sexual 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 both at home and in their public activities.

60. See paragraphs 68~70 of the second periodic report 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.

61. 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 using its best efforts in order to eliminate these differences in the near future.

B. Best interests of the child

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

63. 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 (article 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 (article 25). The Law on the Nursing and Upbringing of Children stipulates that the State takes every possible care so that all children may grow 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 consider it the supreme principle of their activities 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 plan (art. 37).
64. 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 this 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 taken into priority account.

65. The principle of the best interests of the child finds application in the family life and activities of schools and civil societies. The 3rd 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 in encouraging women to learn from the good examples of the speakers at the meeting, doing their best to bring up their children healthy and sound spiritually and physically. 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.

66. 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 programs, adoption, immigration, administration of juvenile justice, and in the activities of child-care institutions. (See paragraphs 31, 174, 15, 230, 71 and 64 of this report).

67. A large number of child-care facilities were destroyed or submerged in August and September 2007 due to unprecedented flood and hailstorm, causing great financial and material loss, but the Government gave priority to stabilizing the living of affected children, thus restoring their living in the shortest period possible.

68. 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 electricity and coal envisaged in the yearly supply plan were provided without fail to the orphans’ nurseries, kindergartens and schools, thus effecting 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 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 were monitored and follow-up measures were taken. As a result, the orphans are provided with 100% of monthly nutritional food and 25 kinds of daily necessaries. 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.

69. 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 equipments and facilities of 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 new appearances to children’s parks by furnishing them with more facilities, so that they can be conducive to the spiritual and physical development of children.

70. 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.)

71. The principle of the Convention and the requirement 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 programs of the law college of universities, universities of education, teacher training universities, and other training centers operated by 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. Right to life, survival and development of the child (art. 6)

72. During the period under review the education and public health care system of the DPRK which legalized the policy on the right of 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.

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

<table>
<thead>
<tr>
<th>Indicator</th>
<th>2000</th>
<th>2002</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infants</td>
<td>21.8</td>
<td>21.0</td>
<td>21.0</td>
<td>20.0</td>
</tr>
<tr>
<td>Under-5</td>
<td>47.6</td>
<td>47.0</td>
<td>45.5</td>
<td>40.0</td>
</tr>
</tbody>
</table>

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)

74. The rights of the child to express his or her view 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.

75. 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 the undesirable practices of the institutions, enterprises, organizations or individual officials and 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 meeting at the locality in question or at a suitable place the complainer, complainee, witness and the relevant official and no one shall interfere with the inquiry or misrepresent the result of inquiry (art. 27).

76. The Nationality Law provides that nationality of a minor over 14 years of age shall be decided by consulting the intention of the 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), nationality of a minor who is over 14 and less than 16 years of age shall be altered subject to the intention of 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).

77. The afore-mentioned provisions serve as legal guarantee for children to express their views freely and have them respected.

78. 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 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.

79. 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 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 afore-mentioned provisions.

80. 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 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.

81. 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.

Table 3. Annual hours of child development courses

<table>
<thead>
<tr>
<th>Judges</th>
<th>10 hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public prosecutors</td>
<td>10 hours</td>
</tr>
<tr>
<td>People’s security officers</td>
<td>10 hours</td>
</tr>
<tr>
<td>Teachers</td>
<td>16 hours</td>
</tr>
<tr>
<td>Health workers</td>
<td>16 hours</td>
</tr>
<tr>
<td>Other professionals</td>
<td>10–16 hours</td>
</tr>
</tbody>
</table>
The annual courses on the Convention included in the curriculum of educational institutions are shown in the table 4 below.

**Table 4. Annual courses on the Convention**

<table>
<thead>
<tr>
<th>Institution</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law College of University</td>
<td>30</td>
</tr>
<tr>
<td>University of Education</td>
<td>30</td>
</tr>
<tr>
<td>University of People’s Security Officers</td>
<td>30</td>
</tr>
<tr>
<td>University of Medical Studies</td>
<td>20</td>
</tr>
<tr>
<td>Nurses’ Training Schools</td>
<td>16</td>
</tr>
<tr>
<td>Dry Nurses’ Training Schools</td>
<td>16</td>
</tr>
</tbody>
</table>

82. 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 yearly basis. For example, the views of children obtained through survey 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.)

**. CIVIL RIGHTS AND FREEDOMS**

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

83. 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 and the people’s security office should issue a birth certificate specifying the name, sex, date and place of birth, parents’ names and nationality. 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, no report of evading birth registration so far.

84. 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)

85. In the DPRK the identity of a citizen (including a child) cannot be illegally changed. 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 very seriously dealt with.

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

C. Freedom of expression (art. 13)

87. Freedom of speech, the press, and assembly and right to complaint and petition provided for in article 67 and article 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 union and youth league. (See paragraphs 67-71 of the initial report)
88. The DPRK is still in armistice state and under the constant threat and pressure of outside hostile forces. Therefore, the 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 that are prejudicial to the interests of 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)

89. As was stated in paragraphs 79 and 80 of the initial report and paragraphs 61 and 96, 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 this report Pongsu Christian Church and Ryongtong Buddhist Temple in Kaesong were rebuilt and the Singye Temple in Mt. Kumgang and Popun Temple in Mt. Ryongak were restored to the original state. Foreigners are also guaranteed the freedom of religious belief. 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)

90. Citizens are guaranteed freedom of speech, the 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 2\textsuperscript{nd} grade of primary schools to those in the 2\textsuperscript{nd} ~ 3\textsuperscript{rd} grade of secondary schools, and youth league that includes senior students of secondary schools and those in colleges and universities. There are children’s extracurricular activity centers 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

91. The following provisions of the laws protect 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 3 years (art. 199), that a person who publishes another person’s writing, inventions or technical innovations out of 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 3 years (art 200).

92. 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: 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 woman 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 case where 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 institution 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 or detention (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 offense, 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)

93. Measures taken to provide children access to appropriate information are detailed in paragraphs 72 ~ 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 children 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 multi-media products were developed and distributed. Children had access to information and material from national and international sources through Education and Culture TV channel and other TV channels and computer network. Children also competed in international children’s art festivals, international math Olympic and foreign language contests held under the sponsorship of UNESCO and other international organizations, which contributed to further promoting international exchange.

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

94. As was stated in paragraphs 86~89 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 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.

95. The Criminal Law imposes criminal punishment in cases where: a person who, in duty bound to protect the old, children and children with disabilities people 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), 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.

96. 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 Law on Compensation for Damages applies in case of need.

97. During the period under review law colleges of universities and other lawyer training institutions included in their teaching program the handling of juvenile offences in the context of the Convention, which was 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.

. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

98. 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 this report. However, the number of families living with grand parents has increased, which is thanks to the increase of average life span.

99. 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).
100. 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 programs through the collaboration of the NCRC and the educational and health institutions. (See paragraphs 65, 139 and 156 of this report.)

101. 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)**

102. 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, in duty bound to protect the 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 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.)

103. See paragraph 96 of the initial report and paragraph 114 of the second periodic report.

104. 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**

<table>
<thead>
<tr>
<th>Kind of institution</th>
<th>Number of Institutions</th>
<th>Age</th>
<th>Number of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orphans’ nursery</td>
<td>14</td>
<td>0 - 4</td>
<td>2,828</td>
</tr>
<tr>
<td>Orphans’ kindergarten</td>
<td>12</td>
<td>5(6) - 6(7)</td>
<td>1,524</td>
</tr>
<tr>
<td>Orphans’ primary and secondary school</td>
<td>17</td>
<td>Primary level 7(8)-10(11)</td>
<td>2,187</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secondary level 11(12)-16(17)</td>
<td>3,680</td>
</tr>
</tbody>
</table>
105. Some parents are reported to be indifferent to or not responsible enough 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 school things.

C. Separation from parents

106. See paragraphs 98–101 of the initial report for legislative and judicial measures taken for the implementation of article 9 of the Convention. The numbering of articles of the Criminal Law was changed due to the amending and supplementing; article 23 in paragraph 100 of the initial report became article 67, and article 109 and 110 in paragraph 101 became article 189 and 190.

107. The 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

<table>
<thead>
<tr>
<th>County/city</th>
<th>Either/both parents</th>
<th>Male/female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hwangju county</td>
<td>8/0</td>
<td>5/3</td>
</tr>
<tr>
<td>Sonchon county</td>
<td>6/1</td>
<td>3/4</td>
</tr>
<tr>
<td>Dokchon city</td>
<td>11/1</td>
<td>7/5</td>
</tr>
<tr>
<td>Jongju city</td>
<td>5/0</td>
<td>1/4</td>
</tr>
</tbody>
</table>

108. The 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 paragraphs 79 of this report.

109. 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 are provided in paragraph 118 and 119 of the second periodic report.
110. 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**

<table>
<thead>
<tr>
<th>County/city</th>
<th>Single parent/Both parents</th>
<th>Male/female</th>
<th>Number of Families</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jasong county</td>
<td>1/0</td>
<td>1/1</td>
<td>1</td>
</tr>
<tr>
<td>Anbyon county</td>
<td>1/0</td>
<td>0/1</td>
<td>1</td>
</tr>
<tr>
<td>Kusong city</td>
<td>7/0</td>
<td>5/2</td>
<td>7</td>
</tr>
<tr>
<td>Onchon county</td>
<td>2/0</td>
<td>1/1</td>
<td>2</td>
</tr>
</tbody>
</table>

111. 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, since 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. The only difficulty they face is the decrease of the total family income. Their relatives and neighbours may render 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)**

112. 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.

113. 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)
114. The Korean War produced about ten million persons living separated in the north and the south. With the adoption on June 15, 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 October 4, 2007, opening the prospect for more separated families in the north and the south to meet each other.

115. 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 sentence.

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

116. 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 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)

117. See paragraphs 104~106 of initial report and paragraph 15 of this report for recovery of maintenance in case a child’s parents are divorced.

118. 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**

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

**G. Children deprived of a family environment**

119. See paragraph 107 of the initial report for legislative measures taken for children without parental care.

120. See paragraph 131 of the second periodic report for non-discrimination of children deprived of family environment.

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

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

122. 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 had made recommendations to the legislative body on concretizing the adoption matters in the Family Law or its implementation regulations, which is now under consideration.
I. Periodic review of placement (art. 25)

123. See paragraphs 116-119 of the initial report and paragraph 136 of the second periodic report for the mechanism for the periodic review of placement and relevant measures taken.

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

<table>
<thead>
<tr>
<th>Table 9. Child placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Total number of children (Thousands)</td>
</tr>
<tr>
<td>Children of workers or peasants (thousands)</td>
</tr>
<tr>
<td>Children under institutional care (thousands)</td>
</tr>
<tr>
<td>Children in rural areas (Thousands)</td>
</tr>
</tbody>
</table>

125. 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)

126. Penalties for abuse and neglect of children are stated in paragraph 96 of this 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 five years of reform through labour, and a person who commits above-mentioned act repeatedly shall be committed to five to ten 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).

The afore-mentioned 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.

127. The right of a child to lodge a complaint is stated in paragraph 29 of this report.

128. 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 stepparents.

129. 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 are established from 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.

130. See paragraph 115 of the initial report and paragraph 144 of the second periodic report for the physical and psychological recovery of children in the environment that fosters the health and dignity of the child.

131. 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, procuratorial 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 families, and generalize the advanced methodology to the whole society, thus achieving full realization of the provisions of the Convention.

. BASIC HEALTH AND WELFARE

A. Children with disabilities (art. 23)

132. It was stated in the paragraphs 136~140 of the initial report and paragraphs 146~149 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 quite a lot of progress has been achieved during the period under review.

133. For the successful implementation of the Law on the Protection of Persons with Disabilities, the Korean Association for Supporting the Disabled was upgraded to be 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 the social support for persons with disabilities in a more comprehensive and unified way. This Committee developed the program of action for the undertaking of a national survey of all persons with disabilities, the improvement of their health and living conditions and the increasing of the social awareness and concern about them, while actively taking part in the decision-making concerning the rights and interests of persons with disabilities. It has such departments as 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 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 on 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.

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

135. The NCRC paid great attention to surveying the situation of children with disabilities. It conducted regular review of the situation of children with disabilities through the comprehensive and integrated survey network involving public health system, local
population administration institutions and education system, and submitted recommendation to the relevant institutions on meeting the demand for the prosthetic instruments, improving vocational training amenities and providing accommodation for the children with disabilities. According to the selective survey conducted in 2005 there were about 3,639 children with mobile disabilities (those with disabilities to such a degree that they have to rely on others for their movement), of whom 2,176 were males and 1,463 were females. The following is the table of proportion according to age groups.

**Table 10. Number of children with disabilities by age (%)**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Number of Children</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>11.6</td>
<td></td>
</tr>
<tr>
<td>5-6</td>
<td>11.2</td>
<td></td>
</tr>
<tr>
<td>7-10</td>
<td>30.2</td>
<td></td>
</tr>
<tr>
<td>11-17</td>
<td>47.0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

136. 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 national census of persons with disabilities in collaboration with the Central Committee of 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 standard, and new indicators such as the type and degree of disability are being developed so as to comprehensively assess the situation of the persons with disabilities.

137. 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 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 situation 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 heart-broken 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 for the girl much more than her own parents did. His deeds were known throughout the country through mass media, having a good influence on health officials and public as well. 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.

138. Matters related to the education of children with disabilities were detailed in the initial report and the second periodic report. Measures and programs were undertaken to further improve the education of the children with disabilities during the period covered by this 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 environment favorable 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 skill, so that they can fulfill 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 the deaf and dumb children, followed by the national training course on the education of blind, deaf and dumb children in October 2007.

139. 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 barrier-free
environment for persons with disabilities.

140. The period under review saw much progress in the medical care of children with disabilities. 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 pediatric hospitals, thus greatly contributing to the rehabilitation of the children with disabilities. The Ministry of Public Health has set up a rehabilitation center 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 pediatric 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 pediatric 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.

141. Close attention was directed to providing children with disabilities with prosthetic instruments. The Hamheung Orthopedic 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 a great help to the children with mobile disabilities.

142. The Central Committee of Korean Federation for the Protection of Persons with disabilities directed much effort to preventing healthy children from becoming children with disabilities. 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 the potential causes of disabilities. 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 Korean Federation for the Protection of Persons with Disabilities in this regard.
B. Health and health services (art. 24)

143. 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 guarantee for the protection of life and promotion of health of children.

144. One of the major progress achieved during the period covered by this 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 the 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 the 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.

145. Children’s health improved a lot and as a result, child mortality rate decreased during the period under review as compared to the period covered by the second periodic report. (See paragraph 73 of this report).

146. The general immunization system established in the DPRK was detailed in paragraph 159 of the second periodic report. This system was partially broken 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 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. Combat against the measles in February 2007 is one such campaign. To check the spreading of the 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 to provide intensive vaccination, thus eradicating the measles in the shortest period possible. The emergency assistance rendered by the UNICEF, WHO and GABI was a great help to the combat against the measles.

147. 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 is has been on the rise during the period under review. The proportion of immunization is given in the table below.

<table>
<thead>
<tr>
<th>Name of vaccine</th>
<th>2002</th>
<th>2004</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPT 3</td>
<td>68.1</td>
<td>72.5</td>
<td>82.2</td>
</tr>
<tr>
<td>Measles</td>
<td>95.3</td>
<td>96.3</td>
<td>96.9</td>
</tr>
<tr>
<td>Polio</td>
<td>98.5</td>
<td>99.8</td>
<td>99.8</td>
</tr>
<tr>
<td>BCG</td>
<td>88.3</td>
<td>99.7</td>
<td>99.8</td>
</tr>
</tbody>
</table>

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

148. 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 the primary health care, enhancement of the qualities of household doctors and improvement of the technical skills of the pediatric doctors at ri hospitals. As of 2006, there are 5,895 policlinics, clinics, and 1,118 ri people’s hospitals, whose functions are to provide primary health care. There are 44,760 household doctors, which mean that one 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 diarrhea with 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 service through the provision of ambulances and emergency medical instruments to all the hospitals at city and county level.

149. Relevant measures were adopted in response to the recommendations of the Committee on taking all necessary measures to improve the quality of health system, increase health expenditure, reduce infant, child and maternal mortality rates, and prevent and treat diarrhea and other communicable diseases. For instance, in 2005 6.44% of the total state budget was allocated for public health as compared to 5.9% 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 pediatric instruments and essential drugs for mothers and children. To take the year 2003 as an example, 71% of the demand of people 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.

150. 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 in 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.

151. Research institutes of child nutrition contributed to the improvement of the nutritional status of children. 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. Starting from 1988 a survey of the nutritional situation of children was conducted biannually, with the result, that
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 center with modern pilot factory and inpatients’ ward, 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) center, and other research institutes and enterprises, thus contributing greatly to the promotion of the health of children.

152. 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

<table>
<thead>
<tr>
<th>Indicator</th>
<th>2000</th>
<th>2004</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low birth weight (%) 00</td>
<td>6.4</td>
<td>6.4</td>
<td>6.3</td>
</tr>
<tr>
<td>Low weight (%)</td>
<td>27.9</td>
<td>23.4</td>
<td>19.5</td>
</tr>
<tr>
<td>Undergrowth (%)</td>
<td>45.2</td>
<td>37.0</td>
<td>34.0</td>
</tr>
<tr>
<td>Prostration (%)</td>
<td>10.4</td>
<td>7.0</td>
<td>6.1</td>
</tr>
</tbody>
</table>

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.

153. 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 influence of sandstorm, drought and flood caused by global warming and environmental destruction, the Government directed special attention to protecting children from the influence of harmful environment. Mass media were actively involved in forecasting and warning people of the coming sandstorm and spreading knowledge concerning protection of health from sandstorm, 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 the urban area existing water reservoirs were rebuilt or expanded and new reservoirs were built, and in rural areas water supply system was set up or restructured, thus reducing damage owing to use of polluted water. Assistance from International Federation of the Red Cross and Red Crescent Societies and other international organizations proved valuable for the modernization of water supply network in the rural areas. According to the national survey conducted in 2004, 95.3% of the households either had water supply system or tube wells installed (82% of them had indoor water supply system), and 4.7% used covered wells.

154. 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 delivery with the assistance of professionals was 99% (99.7% in the urban area and 97.8% in the rural area), and the rate of pregnant women receiving prenatal care more than once before the time of delivery was 100%. The quality of obstetric service improved, with focus laid on rendering assistance to isolated areas in terms of technique and method. 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.

155. The Government, despite the difficulties it is still facing, 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% of rationed rice and supply sufficient amount of ferrous folic acid was supplied to primary health care institutions, so that anemia and other diseases caused by iron deficiency and malnutrition can be prevented. In 2006, the proportion of Vitamin A and ferrous folic acid provided to pregnant women were 79.8% and 73.9% respectively.

156. 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, medicaments, rules of health and others for child health care. Kim Jong Suk Nursery, a model unit in the upbringing and education of children, developed a multi-media product containing advanced methods of childcare and distributed them to the nursing institutions and social organizations including 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 TV 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 center for the maternal health care in the capital city, 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. Women’s Union and other social organizations also had a share in disseminating the advantage of breastfeeding to all women in various forms and ways, encouraging women to breastfeed their children as much as possible and provide supplementary nutritional diet according to the standard.

157. Efforts were made to provide children with hygienic and cultured environment. Necessary conditions were created in strict compliance with the Law on Public Hygiene to see that children get in the habit of living in a clean environment from their early years. Public campaigns were conducted to build bathhouses and children’s barbershops, provide satisfactory sanitary conditions at public places and provide modern facilities to children’s pleasure grounds 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.

158. The universities of medical studies in the capital city and provinces revised their curricula and developed curriculum 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 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 1~6 months every year. The institute of public health administration organizes short-term courses of 3~5 days on several occasions a year on such themes as collection and use of health information and prevention and control of non-communicable diseases.

159. 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 4 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 counseling 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 creditably played its role in this regard.

160. No early pregnancy was 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 counseling, 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.

161. A survey conducted by the central sanitary and anti-epidemic institution showed that that HIV/AIDS had not come into the DPRK. Hence, there are no HIV/AIDS victims. 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 national AIDS monitoring network, and disseminating information concerning prevention of
AIDS. Mass media and journals such as Information on Public Health Management and Information on Medical Science periodically provide information on HIV/AIDS situation throughout the world, and sanitation and anti-epidemic institutions are working to the best of their abilities in order that not a single HIV/AIDS carrier may enter the country. On December 1, which is the 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. 50,000 copies of explanatory materials about AIDS are published every year. Health educational institutions included instruction in HIV/AIDS in their curricula, and adolescents are made aware of information about AIDS through hygienics class at secondary schools.

162. 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.

163. 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 the scientific, technological and material support. Projects and programs 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)

164. Legislative measures taken to guarantee the right of the child to benefit from social security, including social insurance were detailed in paragraphs 149~151 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 the childcare service. The nursery guidance department under the Ministry of Public Health was upgraded to be the nursery guidance bureau with a view to strengthening guidance and control on the work of child upbringing. The in-service training schools of dry nurses enhanced their role and responsibility, which resulted in the improvement of quality of education at the dry nurses schools in the counties. Revised textbooks of dry nurse training schools were published in 2005, and training courses for dry nurses are operated 2~5 times a year, instructing them in the scientific method of upbringing satisfying the world standard and the demand of the
modern times. The dry nurses receive 1-month in-service training every three years. Children affected by flood 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.

165. 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 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.

166. 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 paragraph 150 and 151 of the initial report.

167. 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 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, para. 1-3)

168. 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% to reach $546 per capita in 2004.
Table 13. Annual GDP per capita (USD)

<table>
<thead>
<tr>
<th>Year</th>
<th>1993</th>
<th>2000</th>
<th>2001</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per capita GDP (USD)</td>
<td>994</td>
<td>464</td>
<td>478</td>
<td>546</td>
</tr>
</tbody>
</table>

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 this report).

169. 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, as well as children. The Government saw that people’s committees at different levels 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 face lifted and the number of fish farms and poultry farms increased to contribute to the betterment of people’s diet. The Government, in spite of tight financial situation, saw that uniforms are provided to all the school-age children at cheap price and school textbooks revised in keeping with the requirement of information technology and supplied to pupils and students for next to nothing. The Government also saw that families that adopt parentless children are supplied with food, eggs and meat on a priority basis and uniforms and school things 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.

170. The existing difficulties and the measures adopted by the Government to overcome them are described in paragraphs 33, and 19–20 of this report. International assistance offered to help promote the health and welfare of people are described in paragraphs 34 and 38 of this report. The afore-mentioned 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 the policy of attaching great importance to children, thus protecting the
rights of children and promoting their well-being to the highest attainable standard.

. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

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

171. 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 were detailed in this report. (See paragraphs 154 and 155 of the initial report, paragraph 178 of the second periodic report.)

172. 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 Program of Action for the Welfare of Children and National Plan of Action for Education for All. Following the adoption of 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 setting up discussion and debate and encouraging inputs. The national plan of action fully incorporating the opinions and recommendations was referred to examination at national level to be 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 of national plan of action were held in October 2003 and March 2007 respectively. The Government issued in August 2004 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. School Assistance Fund, a non-governmental organization, was set up in December, 2005, whose function is to better learning conditions and environment in collaboration with non-governmental organizations at home and abroad, overseas Koreans and international organizations.

173. 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 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 give full play to 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 contents and methods of education were further improved and more modern equipments and apparatuses were introduced into education, and the quality of teachers were 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 heating condition of schools in winter time have been improved and pupils and students are ensured good learning conditions and environment.

174. 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>
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<tr>
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<tbody>
<tr>
<td><strong>Year</strong></td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>Expenditure on education (%)</td>
</tr>
</tbody>
</table>

175. 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, co-op farms and other support organizations conduct campaigns to reinforce the economic foundations of schools. The afore-mentioned facts clearly show that the actual expenditure on education far surpasses the official State budget for education.

176. See paragraph 180 of the initial report.

177. No sexual discrimination is practiced in the education of children. (See paragraph 181 of the second periodic report) Universities and colleges have different proportion of girl students and boy students in 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 much more female students, while universities of metallurgical engineering, mechanical engineering, mining and coal mining have more male students.

178. 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 3~4 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 these 1,524 are at orphans’ kindergartens and 5,867 at primary and secondary schools). (See paragraph 104 of this report)

179. 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 the 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 computer. In particular, those with extraordinary intellectual abilities and enthusiasm for academic pursuits were handpicked and enrolled in the No. 1 secondary schools in the capital city and provinces, which are the genius education establishments within the compulsory free education system.

180. 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 school children’s palaces, school children’s activity centers, after-school sports clubs and other extracurricular 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 4 consecutive world judo championship, the members of the chorus troupe that placed first in the world school children’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.

181. 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 students per teacher averages 21:1. Female teachers account for 57% of all the teachers; 100% of kindergarten teachers, 86% of primary school teachers, 58% of secondary school teachers, 23% of college teachers and 19% of university teachers are female.

182. Symposium on teaching methodology was organized once a year starting from 1990 with a view to improving the quality of teachers and ensuring that teaching method keeps abreast with the developing realities. Teachers’ fora give teachers the opportunities to exchange the 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 symposium. 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.

183. 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 ability of teachers. Started in 2004, the purpose of this drive is to assess at national, province, city and county level the teaching ability of the teachers of all educational institutions from kindergartens to universities in every October, and award to model ones the October 8 Model Teacher title. With the active participation of teaching personnel in this drive, the number of title winners is steadily increasing.

184. 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 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 regard the support for schools as part of 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 be studio of educational multi-media development in 2005, with the result that a lot of multi-media products were developed for education in different fields. Campaigns were widely launched by the institutions, enterprises and organizations to provide computers, video recorders and cassette recorders to schools included in their support programs by mobilizing to the maximum extent possible the latent reserves and possibilities. Exhibition of school support materials held on several occasions in recent years at national and local levels were greatly conducive to stimulating public concern and enthusiasm for educational work. National exhibition was organized every 2~3 years to popularize the teaching aids and experiment apparatus invented and manufactured by the teachers themselves in their teaching practice. The assistance rendered by the UNICEF, UNESCO and other international organizations were very valuable for the modernization and sufficient provision of educational facilities.

185. See paragraph 185 of the second periodic report.

186. 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 skill-training schools was increased and their enrolment capacity expanded, with due importance attached to improving the quality of education in light of the demand of the developing realities. The Grand People’s Study House, Central Youth Culture House and other public education establishments, which are non-formal education centers, gives working people education and training in computer, foreign language, 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.

187. All the pre-school 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 of setting up nurseries and kindergartens wherever children are found, 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 in the Law on Nursing and Upbringing Children are rearing children in a cultured, hygienic and scientific manner according to unified teaching programs, rules and standards without any distinction as to locality and gender.

188. The system and policy of the State concerning 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 center to be exclusively put in charge of the education of the blind, and the deaf and dumb children, and one of the officials in the education department of people’s power organs at different levels were designated to be responsible for the work with children with disabilities children on 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 neighborhood and their colleagues are encouraged to render assistance to these families.

189. 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 the increased State investment and strengthened public support. New kindergartens were built or the accommodating capacities of the existing ones were raised to provide education to all the children of pre-school age and the buildings and teaching equipments 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 and in hygienic and cultured manner and public support were encouraged to further satisfy children’s needs for better playgrounds and outdoor sports facilities. State concern and investment were increased to reinforce production centers of school fixtures and toys and supply system, and to provide to kindergartens 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 to improve education amenities. At least one school at the national, provincial, city or county level is selected as a model in terms of modernity of education facilities and excellence of education amenities, and other schools are encouraged
to follow suit.

190. Teaching programs 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 programs of kindergartens were reviewed and improved in a manner consistent with the evolving capacities of children and the demand of the new century. On the basis of survey of the current status of education and experimental education conducted for 3 years the program for lower class was improved to comprise story-telling, game, singing, rhythmic dance and physical training, and that for upper class was improved to fully prepare children for school education. A new teaching material worked out as a follow-up measure in 2007 teaches 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 provision of a variety of children’s books and educational multi-media products.

191. Teaching programs 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 noble morality, have 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 language and computer as envisaged in the National Program 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 language and computer in 2003-2005 with success and the experience is going to be popularized to all the 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 programs and rewrote textbooks, with a focus on intensified education in information technology, practice 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 starting in 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 from the new school year of 2007. Work is now under way to revise the
textbooks for other secondary schools.

192. Designation of optional subjects at secondary school stage 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 program for the formation of computer network from the Ministry of Education to the smallest school was developed and some schools and regions are operating intra network. Some difficulties are in the way of forming nationwide and regional network due to the lack of necessary facilities and materials.

193. Various forms of contests were widely organized to enrich the academic knowledge of children. Every year contests of mental arithmetic, composition writing and quiz programs 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 national quiz program, composition writing contests, foreign languages contests, multi-disciplinary contests, computer software contests were organized once every year and contest of scientific novel ideas was held every 3–4 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 honor 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 place in the 5th and 6th Chinese Bridge–Chinese Proficiency Competition for Foreign College Students held in China in 2006 and 2007, as well as bagging 1 gold medal and 4 silver medals in the 48th International Mathematics Olympic held in Vietnam in 2007.

194. Coordinating mechanism of educational work was detailed in paragraph 188 of the second periodic report and paragraphs 172~175 of this report. Some difficulties are encountered in the efforts to provide quality education to children through the full realization of the Convention and the National Program 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 flood in the vast areas of the country in August and September 2007 that caused a serious damage to the economy and people’s living and weakened the economic foundation of education.

195. The universal compulsory education system in place in the DPRK was detailed in paragraphs 156-164 of the initial report and paragraph 190 of the second periodic report. 100% of the 6-year-olds are enrolled under the 1-year pre-school education system and 5-year-olds are enrolled according to preferences of their parents. As of 2006, the number of kindergartens and children totaled 13,638 and 704,800 respectively.

196. The minimum age for enrolment in primary schools is 6-7 and the maximum age for compulsory education is 19. The enrolment rate at primary school is 100% and the advancement rate is 99.7%. The total number of primary schools and pupils are 4,904 and 1,644,000 respectively and the total number 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% 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%.

197. The term of compulsory schooling is 11 years and the graduation rate is 100%. Very few students absent themselves from school for 1 year or so due to illness and other reasons, but they have to repeat the grade and complete the compulsory school course. As of October 2007, the enrolment rate at secondary school is 100%.

198. As was stated in paragraph 190 of the second periodic report the enrolment rate of secondary school graduates at vocational training schools was 100%, 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% 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 resit the exam the following year and receive their diploma if they pass it.
199. In the DPRK children, after going through compulsory schooling, are provided the opportunities to receive higher education depending on their abilities. No discrimination is applied with respect to their family background, sex and 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 entrance examination is determined by the academic level of the student concerned. Those who fail may receive education at the factory college, farm college or other colleges within the study-while-on-the-job system.

200. All the 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, school children’s palace, students’ after-school activity centers, 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. 12 libraries were newly set up during the period covered by this report.

201. Children collect information and receive guidance with regard to education and vocational training through various kinds of publications, newspapers, magazines and TV. Despite economic hardship during the period under review the kinds and circulation number of publications were increased, the 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 were published in tens of thousands of copies to be distributed to kindergartens across the county, and the kinds and numbers of children’s favorite 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 Humors, 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.

202. 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.

203. Conditions were provided for children to have access to information more effectively. 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 programs 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.

204. Progress has been achieved in gathering and providing information through 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.

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

206. Disciplinary measures applied at schools were detailed in paragraph 192 of the second periodic report. However, the NCRC, referring to the General Comment of the Committee (CRC/C/GC/8) learned that the definitions of corporal punishment were broader than had been known, which was 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 saw 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 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 General Comment of the Committee.

207. The Government paid 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 educational administration system by means of computer, 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 multi-media products and providing paper for textbook publishing. Exchange and cooperation with several countries were further expanded, with the result that lecturers from UK, 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 tour or attend the workshops arranged by the international organizations. The international cooperation proved very valuable in the field of education.

B. Aims of education (art. 29)

208. 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 honor.
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.

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

210. 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 179 and 180 of this report.)

211. 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 in 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 United Nations are promoted both through classroom education and the children’s extracurricular activities, activities of social organizations and mass media.

212. Primary and secondary schools encourage children, the 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.

213. 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 class, 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 arts work exhibition and presentation of children’s literary work on the theme of environmental protection, preservation of 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.

214. See paragraph 198 of the second periodic report.

215. 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 contents and method of education, with main emphasis placed on development of intellectual capacities of children and 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 $12 \times 12$ table, and $24 \times 24$ table into mathematics class and secondary schools teach gene 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 posses knowledge commensurate with the developing realities, developing their personalities, talents and abilities to the fullest potential.

216. The children themselves and after-school peer groups are also managed by the children, in which they exchange their views, reviewing and previewing their lessons, manage classes formed by reference to the age of children.
217. Children are encouraged to take an active part in general meetings and committees organized by the children’s union and youth league, 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 forum for children to make their ideas and opinions known. There are other occasions such as story-telling meetings, symposiums and oratorical contests in which children can express their views, thus affecting the decision-making process.

218. See paragraph 199 of the second periodic report.

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

219. The Constitution provides in articles 52, 53, 55, 71 and 74 that all citizens have the right to leisure, recreation and cultural activities. The Law on Physical Culture and Sports adopted on March 12, 1997 and amended and supplemented on December 10, 1998 provided legal guarantee to the right to physical culture and sports. The law provides for the popularizing of the physical culture and sport and making it the daily regime of people through school sport, extracurricular sport, physical training of children of pre-school age, mass gymnastics, family sport and popular sport, 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 sport in the DPRK, this law is proving its vitality in the everyday life of the people. For example, kindergarteners’ rhythmic exercise, school children’s rhythmic exercise and Taekwon-Do are created and popularized, contributing greatly to the healthy growth of children. Children account for more than 95% of the performers in the mass gymnastic 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 capital city of Pyongyang.

220. 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 work force 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 gymnasiu
m and swimming pools of Kim Il Sung University and Kim Chaek University of Technology are some of the examples.

221. Comedy troupes were created and popular programs 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.

222. Close attention was paid to developing games and amusements in a way best suited to the age and psychological peculiarities of children. For pre-school age children game rooms and pleasure rooms were created in the 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 the children’s intellectual faculties, so that they may learn while playing, and vice versa. Nurseries and kindergartens hold a grand celebration of June 1, the international children’s day, participating in colorful functions, playing their favorite 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 gymnasiu
ms, 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.

223. 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. School children’s palaces, students’ extra-curricular activity centers and after-school 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 performance to working people at factories and co-op farms. Primary schools and secondary schools organize sports meet every spring and autumn and three afternoons in a week are devoted to after-school sport
activities.

224. National athletic meets and literary and artistic contests are held annually with 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 school children, singing contest of school children, national vocal and instrumental solo contest, calligraphy contest, pencil picture contest, composition writing contest and national sports competition.

225. 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.

226. A child’s camping for 7–15 days at Children’s Union Camps built in scenic spots and 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 traveling expenses and expenditure on their recreational activities are borne by the State.

227. Educational institutions arrange visits, explorations and excursions for children. Kindergarteners often go out to look at animals and plants, visit factories and farms, while school children tour scenic spots, historic places, factories, enterprises and cultural institutions. Secondary school students go on a 1-week excursion in their 6th year.

. SPECIAL PROTECTION MEASURES

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

① Refugee children

228. 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)

② Children in armed conflicts, including physical and psychological
recovery and social reintegration

229. 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)

① The administration of juvenile justice

230. 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 this report)

231. See paragraph 208 of the second periodic report. The numbering of articles of the Criminal Procedure Law has changed because of the amending and supplementing of the same, with the result that paragraph 2 of article 11 became article 49 and paragraph 1 of article 13 became article 62 and 63.

232. During the period under review the NCRC arranged training courses once a year on the Convention, Beijing Rules, Riyadh Guidelines and UN Resolutions on the Protection of Children Deprived of Liberty for the judges, lawyers, prosecutors, people’s security officers and other child-related professionals to refer to in their child-related activities.

② Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings

233. 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).
234. Measures taken to comply with the requirement 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, in article 183 that in case where 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.

235. 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 article 189 and 190 of Criminal Procedure Law, the duration of which does not exceed one month.

236. 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 94 of this report.)

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

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

4 Physical and psychological recovery and social reintegration of the child

238. It is stated in the previous paragraphs of this 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)

① Economic exploitation of children, including child labour

239. 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 2 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.

② Drug abuse

240. 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 a narcotic shall be committed to reform through labour of up to two years (art. 217), and that a person who smuggles narcotics into or out of the country shall be committed to reform through labour of 5~10 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 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.

241. 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.

③ Sexual exploitation and sexual abuse

242. Under the Criminal Law a man who rapes a woman shall be committed to reform through labour of up to ten 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 five 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 ten years (art. 295). These provisions serve as strong measures for prevention of sexual abuse and exploitation.

243. 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 2 years (art. 261) and a person who brings in from abroad and disseminates degenerate culture or commit 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.

④ Sale, trafficking and abduction

244. The Criminal Law provides that a person who kidnaps or conceals a child for selfish purpose or out of the 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 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.

⑤ Other forms of exploitation

245. 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 guarantee for the protection of mothers and children. In reality, no child has been an object of exploitation or exploited in the DPRK.

D. Children belonging to a minority or an indigenous group (art. 30)

246. The DPRK is a country of a homogenous nation with a history of 5,000 years. Therefore, no problem arises concerning minority or an indigenous group.