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**Committee on the Elimination of
Discrimination against Women**
Pre-session working group for the thirty-third session
5-22 July 2005

**List of issues and questions with regard to the consideration
of periodic reports**

Democratic People's Republic of Korea

Introduction

The pre-session working group examined the initial report of the Democratic People's Republic of Korea (CEDAW/C/PRK/1).

Articles 1 and 2

1. The report notes that the provisions of the instruments are applied either directly or by being turned into domestic laws and regulations (para. 57). Please provide information as to how the Convention has been incorporated into the national legal system and if it is directly applicable before the national courts.
2. The report notes that the Government has entered a reservation under article 2 (f) of the Convention in the light of the legislated difference in the minimum marriage age of girls (17 years) and boys (18 years) (para. 86) and under article 9 (2) with regard to the nationality of a child born to a foreign citizen and a citizen of the Democratic People's Republic of Korea (para. 129). Please explain further the legislative situation that, in the view of the Government, required the entry of these reservations, as well as any consideration that has been given to amend the laws so as to allow for withdrawal of the reservations.
3. There is a Law on Equality of the Sexes of 1946. What is the status of this law, and does the Government intend to amend it to include the Convention's definition of discrimination against women as contained in article 1 of the Convention that includes direct and indirect discrimination?
4. The report states that in addition to traditional customs, discrimination against women remains as a result of recent economic difficulties, which obstruct the sufficient supply of material and cultural living conditions of women provided by

law (paras. 61 and 102). Please provide detailed information on the nature and extent of women's poverty in the Democratic People's Republic of Korea, the measures that have been taken to counter them and any progress achieved in combating women's poverty. In particular, provide information on specific efforts taken to ensure that women solely responsible for their families benefit from the public distribution system for delivery of food and essential goods.

Article 3

5. As the state institution primarily responsible for the implementation of the Convention and the advancement of women's rights in the Democratic People's Republic of Korea, does the National Coordination Committee for the Implementation of the Convention intend to introduce a national plan of action or policy for women to facilitate implementation of the Convention and the Beijing Platform for Action? In addition to the drafting of the report and dissemination of the Convention, please provide detailed information on the activities of the National Coordination Committee to date and the training this body has received on the Convention.

6. As required under article 2 (c) of the Convention, please indicate if women can file complaints of violations of their rights under the complaint and petition procedures referred to in the report (paras. 80-84). This information should indicate how frequently these procedures have been used by women and any notable trends in the content of such complaints, as well as decisions delivered.

Article 4

7. The report refers to temporary special measures that have been instituted to ensure a proportion of women in management positions in some sectors (see, for example, para. 97). Please indicate if similar measures, including the use of quotas or incentives, are planned or in place to achieve women's full and equal participation in the Government, civil service and other public bodies, taking into account the Committee's general recommendation 25 on article 4, paragraph 1, of the Convention and general recommendation 23 on women in public life.

Article 5

8. The report notes that discrimination based on the perceived inferiority of women and superiority of men remains within the family and in the field of employment owing in part to outmoded customs (paras. 61 and 100) and prejudice (para. 102). Please provide information on measures undertaken to combat such stereotypes and describe progress achieved in that regard.

Violence against women

9. The initial report contains no information on the prevalence of violence against women, including, in particular, domestic violence. The Special Rapporteur on violence against women has reported allegations that women in prison or during interrogations have been subjected to several methods of torture (see E/CN.4/2003/75/Add.1, para. 967). In accordance with the Committee's general recommendation 19 regarding violence against women, please provide detailed information regarding the measures taken to prevent and combat violence against women and develop legislation on all forms of violence against women, the support

services that are available to women who are victims of violence and the training of police, lawyers and judges and the general public to raise awareness about violence against women.

10. Please provide information about the number and situation of women currently in detention and in prison and the resources allocated for them.

Article 6

11. Although the report states that there have been no reports of trafficking “for many years” (para. 105), the Special Rapporteur on violence against women notes that there have been reports of trafficking in women and girls from the Democratic People’s Republic of Korea to China as brides or prostitutes (see E/CN.4/2003/75/Add.1, para. 966). Please indicate what legal and programmatic measures are in place to identify, prevent and combat trafficking of women in the Democratic People’s Republic of Korea, such as any regional and bilateral initiatives with neighbouring countries, the provision of information about risks and protective measures, the training of border officials, the prosecution of traffickers and the establishment of rehabilitation and safe repatriation measures for victims.

12. Please indicate if any cases have been brought before the courts under article 153 or 154 of the Criminal Law, and if so, please provide information on these cases.

Articles 7 and 8

13. Please provide updated information on the number of women at all levels and in all branches of Government, including in the Supreme People’s Assembly, the Presidium of the Supreme People’s Assembly, the local people’s assemblies and the local people’s committees (para. 111) and trends in women’s political representation over time (for instance, during the past 5-10 years).

14. The report states that various measures have been taken to enable women to hold the posts of State officials and actively join the political and public activities (para. 113). Aside from the 11-year compulsory free education, what is the nature and availability of these measures? Please also note any progress achieved as a result of these measures.

Article 10

15. Although the report states that customary discrimination against women in the field of education has been long forgotten (para. 152), several references are made throughout the report to the prevalence of customary discrimination against women. Please indicate what measures have been undertaken to combat gender stereotyping through the educational system, for example through the provision of career and vocational guidance, the promotion of female role models in non-traditional careers and the encouragement of women to continue their education in post-secondary programmes.

16. Please provide updated statistics on women’s and girls’ enrolment rates and completion of various levels of education. In particular, provide information on the availability of and access to schools, as well as enrolment rates of girls in rural and remote communities.

Article 11

17. The Law on Sex Equality of the Democratic People's Republic of Korea provides that women shall have equal rights with men to labour (article 3) and in all spheres of economic life (article 1). Please indicate the existence and operation of an informal sector and the level of women's participation in this sector. Please also describe any measures that are planned or in place to ensure women's equal access to professions and to encourage women to seek employment in non-traditional sectors.

18. Please explain the process by which the State allocates female graduates of various schools to the jobs of their choice (para. 158).

19. The report states that salaries are determined by a variety of factors, including technical skills, labour intensity and work conditions (para. 162). Given that women in the Democratic People's Republic of Korea are traditionally employed in health care, education and the commercial and light industrial sectors, please provide detailed information, disaggregated by gender, regarding the salaries of employees working in various sectors of the labour market and indicate if there is a de facto wage gap between women's and men's salaries.

20. Please provide statistical information, disaggregated by gender, on labour force participation, occupations and levels of jobs, including in part-time, temporary and other non-permanent contract jobs.

Article 12

21. Please provide information on rates of maternal and infant mortality and morbidity, including trends over time and urban and rural differences.

22. Despite efforts to counter the quantitative and qualitative gap in medical care between remote communities and those in urban centres and the plain areas, the report states that there continue to be difficulties in increasing mobile service teams and ensuring the availability of mobile, routine health-care services, such as the detection, diagnosis and treatment of diseases (para. 189). Please describe additional measures that are planned or in place to ensure the availability of basic health-care services to all citizens, including gynaecological and obstetric care for women, and any incentive programmes that have been developed to encourage qualified medical personnel to travel to or establish medical practices in remote communities.

23. In the light of the widespread famine and natural disasters that affected the Democratic People's Republic of Korea from the mid-1990s, please outline the availability of adequate food and nutrition to counter the malnutrition that women and children have consequently suffered.

24. Please provide more detailed information regarding the existence of reproductive and sexual health education programmes, including their substantive content and their availability to high risk groups, such as adolescents and unmarried women, who may not receive reproductive and sexual health education.

25. The report notes that until now, there have been no HIV/AIDS cases reported (para. 196). Please indicate whether there have been any reported HIV/AIDS cases since the report was submitted and also provide updated information on preventive measures that have been undertaken.

Article 13

26. The report notes that nobody is excepted from the State and public care or benefits (para. 201). However, no information is provided on the availability of pension or retirement benefits. To what extent are these benefits available to women?

Article 14

27. The report notes that the gap between urban and rural women is the product of the current technical and cultural backwardness of the countryside and its geographical conditions (para. 208). Accordingly, the report indicates that the Government is working to improve the living conditions of rural women up to the level of towns, including through the introduction of modern dwellings, electricity, sanitation and water service and bus services (para. 221). Please provide details on the levels of poverty of rural women and on progress of these efforts.

28. The Regulation on State Social Insurance and Social Security provides that benefits are available to rural women who are employed in any State institutions. What social security benefits exist for rural women who are not employed in a public institution or enterprise?

Articles 15 and 16

29. The report notes restrictions on travel to security-related areas of the Democratic People's Republic of Korea. It also states that travel to and from the country are subject to immigration law and passport and visa regulations (para. 232). Please indicate whether a woman can obtain a passport or a regulation on travel order and travel freely within and outside the Democratic People's Republic of Korea without the prior authorization of her husband or another male relative and if any legal obstacles exist that would inhibit the ability of a woman to travel.

30. According to article 8 of the Law on Sex Equality, women shall have equal rights with men to have a share of property or land at the time of a divorce (para. 74, article 8). The report also notes that where parties are unable to reach an agreement on the division of property on the dissolution of marriage, the matter will be settled by the courts. Please indicate if a comprehensive analysis of court decisions has been conducted to determine the extent to which women have been granted an equal share of property in divorce cases settled by courts.

31. Please explain the meaning and purpose of child and women preferences in child support court cases and the circumstances under which these preferences are applied (para. 231).

32. The report indicates that "on rare occasions, grandparents demand childbirth until they have a grandson" (para. 245). What measures have been taken or are envisaged to change this attitude of son preference?

General

33. What measures and actions have been taken towards ratification of the Optional Protocol?