



**Convention on the
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**WRITTEN REPLIES BY THE GOVERNMENT OF THE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
TO THE LIST OF ISSUES (CRC/C/PRK/Q/4) PREPARED
BY THE COMMITTEE ON THE RIGHTS OF THE CHILD IN
CONNECTION WITH THE CONSIDERATION OF THE THIRD AND FOURTH
PERIODIC REPORTS OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
(CRC/C/PRK/4)***

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This reply has been prepared in accordance with the list of issues forwarded by the Working Group of the Committee on the Rights of the Child.

PART I
Additional and updated information

1. Information on actions taken in response to recommendations made in the Committee's previous concluding observations

Age of majority

1. The Civil Law of the Democratic People's Republic of Korea provided in article 20 that a citizen's age of majority is 17 years, which is one year earlier than the age of majority set in the Convention. As was stated in the initial report and the 2nd periodic report, this definition of the age of majority is based on the consideration of the stages of physical and mental maturity traditionally recognized in our country and of its actual practice. However, the NCRC, in response to the recommendations of the Committee on the Rights of the Child, tabled this issue for debate by the officials of the legislative body, government ministries concerned, educational institutions at all levels, scientific and research institutes and social organizations.

2. The majority was in favour of retaining the age of majority as it is now for the following reasons:

- Firstly, most of the children turn 17 when they launch into society after finishing the 11-year compulsory schooling.
- Secondly, they are given the right to vote and to be elected and directly participate in the government of the country when they reach 17 years of age.
- Thirdly, they are entitled to act independently under the Civil Law when they reach 17 years of age.
- Fourthly, they enjoy special protection in the area of penalty execution as required by the Convention, for the minimum age of capital punishment was raised to 18 years of age in 1995 in our efforts to ensure fullest possible conformity of national laws with the requirements of the Convention.

3. This age of majority, as they see it, has so far caused no problems in executing the government's internal and external policies and any change in this long-standing practice will cause a series of problems in politics, education, public health, labour administration and other sectors of state administration. What is more, the Convention left room for determination by the State parties by stating in article 1 that "unless, under the law applicable to the child, majority is attained earlier". Therefore, the NCRC decided to retain the age of majority as it is now.

Civil rights and freedoms

4. Information in this regard was provided in detail in the Periodic Reports of the DPRK and the Written Replies.

Parental responsibilities and childcare

5. The state has invariably recognized the principle that parents have primary responsibilities for the upbringing and development of their children, while rendering appropriate assistance to parents so that they can fulfill their responsibilities and obligations satisfactorily.

6. The Family Law provides in article 27 that “The education of a child is an important duty of its parents. Parents should bring up their children to be intelligent, virtuous and healthy” and the Law on Nursing and Upbringing of Children provides in article 3 that “Even when children are at nursery age, parents are free to raise their children at their homes, instead of sending them to nurseries.” These provisions make the responsibilities of parents for the upbringing and education of their children their legal obligation.

7. The state also ensures that children are brought up at the nurseries and kindergartens at the state and public expense and national institutions and social and cooperative organizations provide everything necessary for the nursing and upbringing of children in accordance with the principle “The best things to children.” Children are brought up at the nurseries and kindergartens directly accessible at community-level, which enables parents to work, as well as relieve worries about the care of their children. The most popular childcare facilities are day nurseries and day kindergartens.

8. However, the new situation in 1972 when conditions for greater participation of women in public life were created as a result of the further acceleration of the socialist construction called for the setting up of weekly nurseries and kindergartens, for the purpose of rendering appropriate assistance to working women, namely, teachers, news reporters, researchers, sportswomen and artistes in their performance of child-rearing responsibilities. This form of childcare service was intended only for above-mentioned women, as they could not devote sufficient time and attention to the care of their children, and not all women and children. And the preferences of the child and his or her parents were duly taken into account.

9. The government has taken measures to ensure that children at weekly nurseries and kindergartens live in a home-like environment.

10. Particular attention was directed to improving the qualifications of dry nurses and kindergarteners through the enhancing of the functions and role of dry nurses’ training institutes and improving the quality of education at the dry nurses’ schools and teacher training colleges, thus enabling them to acquire scientific nursing methodology commensurate with the world standard and requirement of the developing realities.

11. Dry nurses and kindergarteners are encouraged to care for the children with warm motherly love and in a scientific and cultured manner and their performance is evaluated in terms of the intellectual and physical development of the children under their care. Measures were also taken to provide on a top priority basis the materials necessary for the nurseries and kindergartens according to the supply system that have long been in place.

Children with disabilities

12. Measures for the well-being of the children with disabilities adopted during the period under review were described in full detail in the 3rd and 4th Periodic Report.

13. To summarize, one of the significant measures were the adoption of the Law on Protection of Persons with Disabilities and the Social Security Law, which provided legal guarantee for the protection of the rights and promotion of welfare of the persons with disabilities.

14. To ensure the successful implementation of the Law on the Protection of Persons with Disabilities the Korean Association for Supporting the Disabled which had a limited scope of activities was upgraded to become the Central Committee of the Korean Federation for the Protection of Persons with Disabilities, which is now coordinating the implementation of the relevant government policy at a national level.

15. Measures were adopted for the protection, rehabilitation and education of children with disabilities. Active involvement in this work of women's union, youth league and other non-governmental organizations has made this work a national concern.

16. Annual events held on June 18, the "Day of Persons with Disabilities" serve as an important occasion in achieving fullest possible social integration of the persons with disabilities, raising public awareness and fostering atmosphere of social support for them. A seminar of the teachers of the deaf and dumb children's schools was held at the recommendation of the Federation for the purpose of further developing the teaching program of special education in line with the requirement of the new century and the world developmental trend in the education of children with disabilities.

Returnee children

17. Illegal immigrations is punishable under article 233 of the Criminal Law. However, children are not criminally punished when they crossed the border accompanied or unaccompanied, motivated by illusion and curiosity about foreign countries and instigated by hostile elements.

18. As was stated in the previous periodic reports, children in conflict with the law in the DPRK are committed to public education measures, and therefore children who committed illegal immigrations are not subjected to criminal punishment. On the contrary, the local people's committees provide them with necessary conditions for their livelihood.

19. According to the report received by the NCRC the number of children who returned from the neighbouring country accompanied or unaccompanied was 15 in 2005, 7 in 2006 and 11 in 2007.

2. Priorities requiring the most urgent attention with regard to the implementation of the Convention

20. The DPRK is a politically stable country and good policies and legal system are in place for the benefit of children. However, the situation surrounding it remains complex and difficulties are persisting in the economic sector due to the hostile forces' policy of isolating, stifling and imposing sanctions.

21. Such difficulties are sure to be overcome in the near future as all the people are working hard to make their country rich and powerful but at present difficulties are encountered in our efforts to improve the child nutrition because of the strained economic situation of the country and in particular the shortage of food resulted from the successive natural disasters in recent years. Difficulties are also encountered in the provision of sufficient materials for the improvement of the quality of education and modernization of educational equipments and facilities

3. Information on steps taken to monitor and evaluate the implementation of the National Program of Action for the Well-being of Children (2001-2010)

22. The implementation of the National Program of Action for the Well-being of Children (2001-2010) is placed under the supervision of the Cabinet.

23. The Cabinet regularly receives reports on the status of implementation of the NPA from the State Planning Commission, the Ministry of Public Health, the Ministry of Education, the Ministry of Finance, the Ministry of City Management, the Ministry of Labour, the Ministry of Commerce, the Central Bureau of Statistics and people's committees at all levels and take follow-up measures, thus ensuring effective coordination of the implementation of the NPA

24. Institutions related to the implementation of the NPA conduct an exhaustive survey into the status of the implementation in their respective areas, analyze and evaluate the results of the survey and submit reports thereon to the Cabinet.

25. Youth league, Women's union and other social organizations are encouraged to conduct an impartial evaluation of the status of implementation and submit inputs and recommendations. For instance, the Teachers' Union, in collaboration with the Ministry of Education, undertakes a survey of the status of implementation on a weekly and monthly basis and submits appropriate recommendations.

26. Coordination of international assistance related to the implementation of the NPA is assumed by the National Coordinating Committee for UNICEF on behalf of the government.

27. The Cabinet notifies the NCRC of the status of activities and the follow-up measures it has taken.

28. The NCRC analyzes the information submitted by the Cabinet and social organizations and on this basis, closely cooperates with the Cabinet and the relevant ministries and institutions

so that the NPA may be implemented in conformity with the government's policies and the requirements of the Convention.

4. Information on the involvement of the NGOs in the implementation of child related programmes, involvement of NGOs and inter-governmental agencies in the drafting of legislation, regulations and policies and restrictions, if any, applied to NGOs and inter-governmental agencies

Information on the involvement of the NGOs in the implementation of child related programmes

29. Implementation of the child related programs in the DPRK has become a national concern with the active involvement in this work of the women's union, youth league, social and cooperative organizations and NGOs.

30. These organizations are rendering material, technical and financial assistance for the fullest possible promotion of the welfare of the children. They submit recommendations for the promotion of the children's rights and interests, thus ensuring that the drafting of program of actions and relevant activities are conducted in compliance with the principles and requirements of the Convention.

31. The women's union, youth league, the Red Cross Society, the Federation for the Protection of Persons with Disabilities, Teachers' Union and other social organizations played an active role in the drafting of the NPA and child-related policies and programs. For instance, the Teachers' Union, and Korea Education Fund suggested constructive proposals in the drafting of the National Program of Action for Education for All and are rendering financial support for its implementation.

32. Non-governmental organizations are assisting the government in the implementation of its policies in the course of carrying out their respective action programs and activities. For instance, the Federation for the Protection of Persons with Disabilities developed in 2005 various kinds of publications in the area of its activities, thus making significant contributions to reducing the morbidity and disability rates. The Korea Family Planning and Maternal and Child Health Association has formulated long-term plan on the basis of the strategic framework 5A proposed by the IPPF and conducting activities in this regard. The Korea Education Fund, in collaboration with the international non-governmental organizations, rendered financial and material assistance for the provision of textbooks, reference books, teaching aids and other conditions, and for the restoration of nurseries, primary and secondary schools destroyed by the floods.

Involvement of non-governmental and inter-governmental organizations in the formulation of laws, regulations and policies

33. The laws and regulation in the DPRK are the reflection of the wishes of the people. To solicit inputs of the people of all strata, as well as relevant ministries in the formulation and implementation of laws and regulations is the main principle of state administration that the government has consistently maintained and it is also the general principle of legislation.

34. Accordingly, not only the institutions, enterprises, organizations and individual citizens but also the non-governmental and inter-governmental organizations have a say in the formulation of the laws and regulations. For instance, the members of social organizations and Red Cross Societies are elected deputies to the people's power organs at different levels and ensure that the wishes and interests of their members are incorporated in the laws and regulations and policies.

Limitations, if any, on the activities of the NGOs and inter-governmental organizations for the implementation of the Convention

35. No restriction is placed on the activities of the NGOs and inter-governmental organizations for the implementation of the Convention. As is stated above, the NGOs and inter-governmental organizations are taking an active part in various programs for the implementation of the Convention within the framework of their powers and responsibilities and action plans and have made significant contributions in this regard.

5. Information on how existing laws cover domestic violence and child abuse and information on prevention measures taken to protect children from abuse and neglect in the home and in care institutions as well as any relevant actions and policies in this regard.

Information on how existing laws cover domestic violence and child abuse

36. The terms "domestic violence" and "child abuse" are unfamiliar to our people as they live harmoniously helping and leading each other in a people-centred socialist state. It is not because the practices of domestic violence and child abuse are non-existent but because they are not raised as social problems and minor practices are addressed by means of public education.

37. The Criminal Law contains the following provisions of prevention measures:

"Article 271. A person who, in duty bound to protect the old, children or the disabled, does harm to their health by deliberately neglecting his or her duty shall be committed to less than 2 years of disciplining through labour. In case of a grave offence, he or she shall be committed to less than 2 years of reform through labour".

"Article 272. A person who does harm to the health of another person, who is his or her subordinate or under his or her protection, through maltreatment shall be committed to less than 2 years of disciplining through labour. In case where he or she cause the death of another person through the above-mentioned act, he or she shall be committed to less than 2 years of reform through labour".

"Article 288. A person who commits violence on another shall be committed to less than 2 years of disciplining through labour".

38. So far, no person was subjected to criminal punishment on charges of domestic violence or child abuse.

Information on prevention measures taken to protect children from abuse and neglect in the home and in care institutions

39. The state ensured that parents enhance their role and responsibilities for the upbringing and education of their children in their families, and care institutions take measures to ensure that dry nurses, kindergarteners and teachers responsibly fulfill their obligations for the children under their care.

40. Criminal Law provided in article 207 “An official at a kindergarten or nursery who causes loss of life by violating the regulations related to taking care of children shall be committed to less than 2 years of disciplining through labour. In case of a grave offence, he or she shall be committed to less than 3 years of reform through labour.”

41. The DPRK has a well-regulated system of education in law observance from the center down to the grassroots level.

42. The NCRC ensured that the people’s neighbourhood units and care institutions conduct quarterly education in the provisions of the relevant laws and regulations, good experiences and examples of educating the children in a non-violent manner. Publications dealing with nursing and upbringing of children were developed in large numbers and radio and televisions serially sent out programs on child nursing and education, thus stimulating public interest and concern in this regard.

PART II
Updated information

New bills or enacted legislation

43. New laws and regulations were adopted and the existing ones updated since the 3rd and 4th periodic report was submitted.

44. The Social Security Law was adopted on January 9, 2008. The social security system in the DPRK is effected in the form of support by cash and goods, provision of suitable jobs and social support. The law includes children in the objects of social security program and provides for equipping social security organs with modern facilities, systematically increasing the amount of social security allowance as the revenue of the state increases, timely payment of social security allowances by the financial institution and the relevant people’s committees, provision of living conditions and amenities, and treatment and care of the welfare recipients.

45. The Law on Foodstuff Hygiene was amended and supplemented on July 8, 2008 with a view to protecting the health of adults and children from the harmful effects of injurious foodstuff causing problems worldwide. The amended provisions made it a legal obligation of the institutions, enterprises and organizations producing foodstuff to obtain the approval of the competent authority when they intend to use additives like natural coloring matter, spices, alkali, seasoning and preservative even if they are not injurious to human health, to seek the consent of hygienic and anti-epidemic institution when importing foodstuff, raw and other materials and

additives, and not to import foodstuff, raw and other materials and additives that do not satisfy the hygienic standard.

Newly implemented policies

46. “Order of Honourable Teachers” and “Medal of Honourable Teachers” were instituted by the Decree of the Presidium of the Supreme People’s Assembly on April 10, 2008 with a view to encouraging the teaching personnel to devote all their energies to the education of the rising generation with a high sense of honour and pride in their work and fostering the social atmosphere of respecting and giving preferential treatment to them, which will be awarded to those who distinguished themselves in the educational work.

Newly implemented projects and programmes and their scope

47. Progress has been achieved in the work to update the curricula and of schools at all levels in line with the requirement of the IT age and the evolving capacities of children.

48. Refresher training was given to all the kindergarteners across the country to keep them tuned to the curriculum newly introduced from 2007. Three kinds of new reference books were published in large numbers for kindergarteners to refer to in their education of pre-school age children according to the new curriculum, and books for the development of intellectual faculties and educational multi-media were produced for children.

49. All the primary schools started foreign language and computer classes as of the new school year of April 2008 on the basis of the results of tentative classes.

50. All the secondary schools revised the contents of basic subjects like mathematics, physics, chemistry and biology and started using the new textbooks as of the new school year of 2008.

51. Progresses were also achieved in the modernization of teaching facilities and equipments.

52. The Ministry of Education ordered all the primary schools to set up computer rooms and ensured that people’s power organs at all levels, social organizations and supporters render assistance. Computer network linking the Ministry of Education, Educational Department of Provincial (Municipal) People’s Committees, the Teacher Training Institutes at the Central and Provincial levels was set up and a lot of schools are conducting preparatory work to establish intra-network. 1,140,000 pieces of educational equipments and apparatuses of 3,500 kinds were supplied to educational establishments as a result of increased interest and support for educational work.

53. The Ministry of Public Health introduced delivery assistance into the curriculum of the Nurses’ Training Schools with a view to improve the level of delivery assistance and care of newborns.

54. Various projects were undertaken for the provision of safe and clean drinking water to people, which are the renovation and modernization of the existing water supply system including the reservoirs, development of water sterilization technique and supply of quality spring water. As a result, people in Pyongyang city are supplied with sterilized water of good quality as of November, this year. Direct supply system of quality spring water was set up in Sariwon city and Wonsan city, thus meeting increased needs of people for quality water.

55. The assistance rendered by the UNICEF, UNESCO, UNFPA, WFP and other international organizations and non-governmental organizations in the undertaking of various projects in education, health care and others proved valuable.

Part III Statistics

1. Budget allocations in the areas of education and health for the years 2007 and 2008. The government has steadily increased budget allocations in the areas of education and health

56. In 2007 budgetary allocations in education and health increased by 107% and 109.8% respectively as against 2006. In 2008 budgetary allocations in education and health increased by 104.2% and 105.9% respectively as against 2007.

2. Disaggregated data for the years 2005, 2006 and 2007 on the number of children:

(a) Separated from their parents serving sentence:

57. The number of children separated from their parents serving sentence were 350 in 2005, 312 in 2006 and 293 in 2007.

(b) Placed in institutions, and the number of institutions in the country

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

(c) Placed with foster families

58. 3,792 children are placed with 2,500 foster families.

(d) Adopted domestically or through inter-country adoption

59. 557 children are adopted domestically. There are no cases of inter-country adoption.

3. Statistical data on the rates of malnutrition

Rates of malnutrition of under-5-year-olds in 2007 (low weight%)

Province	Less than 2 degrees	Less than 3 degrees
Total	22.4	7.3
Pyongyang	17.5	5.7
South Phyongan Province	21.3	7.6
North Phyongan Province	17.9	6.1
Jagang Province	21.1	7.1
South Hwanghae Province	22.2	7.3
North Hwanghae Province	21.9	7.2
Kangwon Province	24.7	7.9
South Hamgyong Province	26.6	8.2
North Hamgyong Province	22.9	7.8
Ryanggang Province	27.5	8.5

4. Data on child abuse

(e) Number of reported cases of child abuse:

60. Child abuse expressed in the form of using abusive language to discipline children were noticed and duly dealt with but no serious cases of child abuse were reported to the NCRC.

(f) Number and percentage of reports that resulted in either a court decision or other types of follow-up, including prosecution

61. There were no cases of child abuse or domestic violence punishable under the Criminal Law.

(g) Number and proportion of child victims who received counseling and assistance in recovery

62. Children who have problems turn to their parents, teachers and kindergarteners for counseling and often the latter detect the former who seem to have problems and provide

counseling. Parents, teachers, kindergarteners and doctors regard it an important part of their work to provide child counseling.

63. There are no reported cases of children who received assistance in recovery, as there are very few children who were affected in terms of life, health and material as a result of abuse or violence.

Disaggregated data on the number of children who are:

(a) Victims of sexual exploitation, including prostitution, pornography and trafficking, and the number of them who received recovery and reintegration support

64. There are no children who committed the above-mentioned crimes.

(b) Involved in substance abuse, and the number who received treatment, recovery and reintegration assistance

65. There are no children involved in substance abuse.

(c) Involved in child labour

66. No children are involved in child labour as all children receive compulsory schooling until they reach 16-17 years of age.

(d) Living in the street

67. There are a number of children living in the street for various reasons, who are picked up by the local people's power organs, people's security organs, and nursing and care facilities and either taken back to their families or placed first in the institutions and then in foster families.
