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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN
ACCORDANCE WITH ARTICLE 16 OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPLIES BY THE GOVERNMENT OF **THE DEMOCRATIC PEOPLE'S
REPUBLIC OF KOREA** TO THE LIST OF ISSUES (E/C.12/Q/DPRK/1) TO BE TAKEN
UP IN CONNECTION WITH THE CONSIDERATION OF THE SECOND PERIODIC
REPORTS OF **THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA**
CONCERNING THE RIGHTS REFERRED TO IN ARTICLES 1-15 OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
(E/1990/6/Add .35)

HR/CESCR/NONE/2003/1

Question 1. According to paragraph 51 of the core document submitted by the Democratic People's Republic of Korea (HRI/CORE/Add.108) the provisions of the international human rights instruments are applied either by being turned into domestic law and regulation or directly. Please specify whether the provisions of the International Covenant on Economic, Social and Cultural rights may be invoked by Korean citizens in the courts. Please provide case law, if existing.

The international human rights instruments ratified by the Democratic People's Republic of Korea are on the same status as the national laws in the DPRK. The provisions of the international human rights instruments are applied either directly or by being turned into domestic laws and regulations. In case the requirements of certain provisions of the instruments are not stipulated or stated differently in the domestic laws or regulations, those provisions of the instruments are applied directly.

There were cases where the provisions of the International Covenant on Civil and Political Rights were directly invoked in the courts. However, no provisions of the International Covenant on Economic, Social and Cultural Rights have been invoked in the courts so far. It is because the requirements of the provisions of the International Covenant on Economic, Social and Cultural Rights have been extensively incorporated in the national laws and regulations.

Question 2. Please describe the recourse procedures available in the State party to the citizens in case their rights as provided for in the Covenant were violated.

There are various recourse procedures in the DPRK available to the citizens in case their rights as provided for in the Covenant are infringed upon.

Procedures of complaint and petition: Article 69 of the Constitution stipulates: "Citizens are entitled to submit complaints and petitions. The State shall fairly investigate and deal with complaints and petitions as fixed by law." And the Law on Complaint and Petition provides for the procedures of submitting, acceptance, registration, investigation of and dealing with the complaint or petition. Under the Constitution and law, citizens are entitled to submit complaints or petitions to people's power organs, judicial and procuratorial organs, and people's security organs demanding the interruption of the infringement upon their rights and interest and the due compensation. The State institution that has received a complaint registers it, immediately goes out to the site to meet with the complainer and takes the steps of compensation for the rights encroached upon.

Criminal procedures: Under article 19 of the Criminal Procedures Act, a citizen who has suffered loss or damage owing to a criminal act may lodge before the court a claim for damage against the person responsible. The court settles the claim by taking due measures of compensation for the property loss caused by criminal act under article 151 of the same Act.

Civil procedures: Under article 63 of the Civil Proceedings Act, a citizen may bring a suit to the court in order to have his or her civil rights and interests that have been illegally encroached upon compensated for. The court examines the case and settles it subject to article 129 of the same Act.

Criminal compensation procedures: The Regulation on Criminal Compensation provides in article 2: "The State shall compensate the person who has been innocently arrested, confined or punished by the investigation or preliminary examination organ or the court for the spiritual and physical sufferings and property loss. The State compensation shall be undertaken by the investigation or preliminary examination organ or the court responsible for having handled the innocent person." and puts forward the concrete procedures and methods of the criminal compensation. Under this regulation, a person who has been illegally arrested or detained may be compensated for his or her spiritual and physical sufferings as well as property loss in case he or she is released by the order of a public prosecutor or is acquitted by the court.

Question 3: Having in mind the provisions of Article 2(1) of the Covenant and the information contained in Table 12 attached to the core document, according to which the Gross National Product (GNP) and per capita income between 1993-1996 dropped by almost 50%, please explain to what extent this dramatic fall in the availability of the resources has hampered the enjoyment by Korean citizens of their rights recognized in the Covenant.

The fall in the availability of the resources owing to the successive severe natural disasters which caused the loss amounting to billions of US\$ and the disappearance of the socialist market which the DPRK had relied upon imposed great difficulties on the people's enjoyment of their economic, social and cultural life as a whole.

The greatest difficulty was the shortage of food. In 1996, the quantity of food supplied to people decreased from 700g to 200-300g a day, due to the food shortage of more than 3,180,000 tons. As a result, the overall health of people was aggravated, the rates of infant mortality, child mortality and malnutrition increased, and all kinds of diseases such as infant diarrhea, bronchitis and pneumonia spread rapidly.

The infrastructure of the national economy as well as factories, enterprises, coal or ore mines, reservoirs, embankments, etc. were so destroyed that the production could not be normalized for a long time. This hindered citizens from enjoying their right to decent life. Over 80 thousand spots of roads and 4 thousand bridges were destroyed, hampering the distribution of products and the travel of people. The inhabitants could not be supplied with enough electricity for lighting and heating, and schoolchildren were in lack of textbooks due to paper shortage.

However, thanks to the assiduous efforts by the government and people, the gross

industrial output and the state budget increased and the overall people's livelihood improved in recent years. The total industrial output was 1.1 times in 2000 as against 1999, and the state budget expenditure grew up from 20,015 million Won in 1998 to 22,173 million Won in 2002. The infant mortality rate dropped from 24 in 1998 to 21.8 in 2000 and the malnutrition rate from 15.6% in 1998 to 10.4% in 1999.

Today, the people upholding high the motto of faith "let us be cheerful even if our way is thorny!" are all out as one with confidence and optimism to build a powerful nation where everything prospers and where the people live with no envy in the world.

Question 4: Please indicate to what extent and in what manner the rights recognized in the Covenant are guaranteed for aliens residing in the Democratic People's Republic of Korea.

The foreigners residing in the DPRK are guaranteed their legal rights and interests by Article 16 of the Constitution. The foreigners enjoy the same freedom, rights and benefits as the citizens including the free medical care and free education. Only they do not have the right to vote or to be elected may not be employed in the field of national defense management and serve in the army. Apart from abiding by the laws of the State, the foreigners have no other duty.

Question 5: Please provide the text of Article 70 of the Constitution and of Article 5 of the Labour Law concerning the freedom to choose one's occupation. Please give examples of how this freedom is exercised by young people graduating from vocational schools or institutions of higher education. Has an employee the rights to quit a job by notifying the employer of the termination of the labour contract?

Article 70 of the Constitution reads: "Citizens have the right to work. All able-bodied citizens choose occupations in accordance with their wishes and skills and are provided with stable jobs and working conditions.

Citizens work according to their abilities and are paid in accordance with the quantity and quality of their work"

Article 5 of the Labour Law stipulates: "Under socialism all working people have the right to work.

In the Democratic People's Republic of Korea unemployment has been eliminated for all time.

All working people choose their occupations according to their wishes and talents and are provided with secure jobs and working conditions by the State."

Under article 29 of the Labour Law, the State fosters labour reserves systematically to meet the manpower needs of the national economy in a planned way. Accordingly, the economic institutions and the labour administration offices at all levels frame their yearly

plan for supplementing and regulating manpower and submit it to the relevant institution. The state institution concerned incorporates this plan into the national programme for labour reserves and carries out the programme systematically.

Every year, the relevant departments of the Cabinet and provincial people's committees have a talk with and allocate properly the graduates from higher educational institutions, in view of the demand of different sectors of the national economy of the year and their personal wish, sex, age, physical state and technical skill level on the principle of the right person in the right place.

Article 34 of the Labour Law stipulates: "When there is a temporary surplus of manpower due to unavoidable circumstances, the State institutions and enterprises must take prompt steps to use it temporarily for helping other factories and enterprises and cooperative farms in their productive work.

They are not allowed to dismiss workers at will just because there is a temporary surplus of manpower."

The state institutions and enterprises are strictly controlled lest they appoint the experts and technicians graduated from specialized schools or universities to an irrelevant place because of a temporary surplus of manpower or dismiss the already appointed workers.

In the DPRK, the means of production are socialized and the working people are the masters of the economic management. The institutions or enterprises have managers elected from among the workers but not an enterprise owner. The working people do not obtain a job under a contract but personally choose their occupation by themselves according to their wish and talent. The State provides the working people with secure jobs and working conditions in view of their aptitude and ability.

There no labour contracts or anything like that in the DPRK. People can change their occupation according to their wish and decision.

Question 6: Please provide more information about administrative and penal responsibility in case of the violation of "labour discipline"

Article 18 of the Labour Law provides: "The labour discipline of socialism is a conscious discipline and the scrupulous maintenance of this discipline is a bounden duty of the working people.

The working people must strictly maintain the labour discipline of socialism and observe the stated working hours; they are not allowed to leave their workplaces freely without going through due formalities."

In case of violation of the labour discipline, the following sanctions are imposed.

- If anyone does not observe the working hours to leave the work place without permission, his salary for that day is deducted.

- If the working hours of the workers are infringed upon, the person responsible for it compensates the total or partial amount of the salary for the hours when the work is interrupted.

- If the labour discipline is severely violated, the penalties of warning, serious warning, dismissal and downgrade is imposed according to the gravity.

- If the violation of the labour discipline is especially serious, the relevant penal punishment is imposed according to the gravity.

Question 7: Please provide information about the pay scale applied for fixing the level of salaries in different economic branches.

In the DPRK where the State takes responsible care of people's livelihood, it is the supreme principle of the State in its activities to steadily improve the material and cultural life standard of the working people.

Accordingly, the State fixes the pay scale on the principle of sufficiently restoring the physical and mental energy expended in work by the working people and providing them with an affluent and civilized life.

The pay scale is a system of scaling and calculating the salary by the scale considering such factors as the working people's skill level in a given work, the intensity of labour, the working conditions, etc.

The pay scale is fixed according to the intensity, harmfulness, qualitative and technical requirements of the work, qualification, ability and skill of the person, etc. either in office or non-office jobs at each industrial branch.

The pay standard is fixed higher in the sectors of heavy work and harmful work requiring much labour than in other industrial fields; and lower in such comparatively easy sectors as light industry where less labour is furnished.

And if the workers overfulfil their assignment in terms of quality and quantity, they are paid more than their standard salary according to the work performed.

The workers get such supplementary pay as additional salary, bonus and bounty in addition to their basic salary fixed according to the pay scale.

The pay scale of office workers is fixed according to the different office positions like director, chief engineer, vice-director, section chief, staff member, etc. The standard salary of the functionaries in the difficult heavy industry or a harmful sector is higher than that of such easier fields as the light industry. The functionaries are also paid more if their enterprise has overfulfilled its plan.

And in conformity with to the requirements of the IT era, the pay scale of the scientists and technicians is fixed higher than that of the workers and functionaries. And if they have succeeded in their research of a scientific and technical issue urgently needed for the country's economic development and the improvement of people's life, and applied the result to the production, they receive the total amount of the interest gained from it for a given period (about 3 years), in addition to their basic salary.

All working people, apart from the salary they receive according to their work performed, enjoy various state benefits under the popular policy of the State, including the free medical care, the free education, the social insurance system, etc.

Question 8: Please provide statistical and other information concerning the number, nature and frequency of occupational accidents and cases of occupational diseases.

The State maintains it as the foremost task of all State institutions, enterprises and social cooperative organizations to provide working people with safe, cultural and hygienic work conditions.

The article 55 of the Labour Law stipulates that all State institutions, enterprises and social cooperative organizations must provide work safety facilities and create industrial hygienic conditions to counter high temperatures, gas and dust, provide good lighting, illumination and ventilation; and constantly improve and perfect them to prevent accidents at work and occupational diseases and to enable everyone to work in safe, tidy and hygienically clean workplaces.

At present, there are such occupational accidents as cave-in, collapse, crash, bruise, explosion, water leaking, gas poisoning, suffocation and others related with machine, vehicle, coal or mine car, etc.

Statistical data on occupational accidents

Index	1998	2000	2001
Number of accidents	6,826	5,710	5,527
Number of the injured	6,987	5,879	5,689

Statistical data on occupational diseases

Index	Rate of incidence per 10,000
Anthrasilicosis including silicosis and anthracosis	1.3
Phosphorism	70.4
Sulphur dioxide poisoning	88.2
Lead poisoning	64.6

Question 9: Please provide information on the situation, in law and practice, in various sectors of activity as regards weekly rest, normal hours of work and overtime, holidays with pay and remuneration for public holidays.

The working people have the right to rest under Article 71 of the Constitution and articles 62-67 of the Labour Law. This right is guaranteed by the establishment of the working hours, the provision of public holidays, paid leave and accommodation at health resorts and holiday homes at State expense, etc.

In the DPRK, the daily working hours of ordinary working people is 8 hours. However, the workday of those working in tunnels such as coal or ore mines, those working in high heat such as iron, steel and rolling works and those doing harmful labour like the production of agricultural chemicals is 7 hours. The working hours are fixed to 6 hours for the workers doing harmful labour in the field of chemical industry such as salt electrolysis and rayon radiation, the workers producing or treating radioactive materials and the female workers who have more than 3 children.

Under article 63 of the Labour Law and article 57 of the Regulation on Labour Discipline, the state institutions and enterprises may ask the workers to work overtime except in such unavoidable situations as natural disaster or accident.

The workers and the functionaries have one day off each week and the farmers once every 10 days (1st, 11th, 21st, 31st of each month). The gala days defined by the State and the Sundays are holidays. When the institutions and enterprises want to make a red-letter day a working day, they must get the approval of the relevant city or county people's committee and notice the workers in advance. If they let people work on a holiday due to unavoidable reason, they must give them a day off without fail within the following week.

Workers, functionaries and cooperative farmers enjoy 14-day regular paid leave and 7-21 days of supplementary leave according to type of occupations every year. In addition to the regular and supplementary holidays, the female workers are entitled to maternity leave, 60 days before and 90 days after delivery regardless of the length of their service.

The people eligible for supplementary leave are as follows:

- 7-day supplementary leave: those working indirectly in coal or ore mines and tunnels, furnace workers in the field of machine industry, teachers in primary schools, etc.

- 14-day supplementary leave: those working directly in coal or ore mines, workers of metal industry producing iron, steel and rolled steel, workers of chemical industry producing rayon fiber, producers of agricultural chemicals, producers of acid, base and salt, etc.

- 21-day supplementary leave: workers producing or dealing with radioactive materials, etc.

Question 10: Please explain how it is determined and by what authority, that the forming of a given trade union may “endanger state security or social order”

The Ministry of People’s Security determines if the forming of a given trade union endangers the state security or the social order. When an application to register a trade union is submitted, the relevant department of the Ministry of People’s Security examines the document, and if it finds an evident factor which may endanger the state security or the social order, it meets with the union leader and inquires about unclear issues.

In case of uncertainties, the Ministry of People’s Security meets with the relevant officials of the people’s committee and people’s security organ of the region in which the unionists live and also with the officials of the institutions and enterprises in which they work. On the basis of confirmation of the issues raised, it approves or disapproves the forming of the trade union.

No application for forming a trade union has ever been disapproved so far.

Question 11: What are the special restrictions imposed upon the exercise of the trade union rights by members of the armed forces, the police or the state administration?

In the DPRK, trade unions have equal rights. No restrictions may be placed on the exercise of the trade union rights except where necessary to maintain the state security and the public order and to protect the rights and freedom of others.

Public officials form the trade unions of their own sector for their activities, but there is no trade union composed of servicemen in the army or the people’s security men.

Question 12: Please indicate if, and under what conditions, a person may lose or could be deprived of the social security benefits.

Under the Constitution, the Labour Law and the Regulation on the State Social Insurance and Social Security, all the citizens have the right to the state social insurance and social security.

However, the right to social security may be lost or deprived of in the following cases:

- If a parent receiving a pension as a bereaved family of a dead child moves his or her

support to a living child.

- If a person receiving a pension as a bereaved family of a dead husband or wife is remarried to another person.
- If the person is committed to a reform institution.

Question 13: Please indicate if the free cohabitation, out of wedlock, is tolerated and what is the legal status of children born from such a union between men and women.

Under article 11 of the Family Law, a conjugal life is not allowed without a marriage registration.

Under article 25 of this law, the relationship between illegitimate children and their parents is the same as that between legitimate children and their parents as parents and children are in blood relations.

Question 14: Please indicate under what conditions abortion is allowed and practiced in the DPRK.

According to Directive No. 16 of the Ministry of Public Health (March 28, 1996), abortion is restricted to the extent possible.

Only in the following cases, artificial abortion is permitted at the request of the woman herself and by the decision of doctors' consultative meeting.

- A case where a pregnant woman suffers from cardio-vascular disease, diabetes, cancerous and hereditary disease.
- A case where pregnancy may not be maintained because of disease.
- A case where pregnancy may arouse a social problem because of illegality. Secret is guaranteed for this case.

Question 15: Please provide information on the military training of children.

The DPRK does not give any specialized military training to children. Students in their last grade of secondary school have one-week military camping in Summer. But this is not a military training. During the camping period, the students set up and live in a tent for themselves and enjoy mountain climbing and swimming. As a military knowledge, they learn how to dismantle and assemble a weapon and to shoot.

Question 16: With reference to paragraphs 51-55 of the Report, please provide information about the food shortages in the country, particularly in the rural areas. Since the cooperative farms sell the food surplus to the State, please explain how the

State is helping farmers when the crops are insufficient because of the natural disasters such as drought or floods.

Although the food situation has greatly improved as compared with the latter half of the 1990's, it is still tense. But generally, the rural areas are less affected by the food shortage than the cities or the industrial zones. It is because the farmers dispose of the agricultural and stock farming products produced through their domestic work such as the kitchen garden farming and the livestock breeding.

The State saw to it that the farmers who did not produce sufficient amount of crops because of natural disasters such as drought or floods got a loan of crops from the cooperative farms which did not suffer or suffered less from natural disasters.

The government is dynamically carrying forward the grand nature-harnessing plan as a part of the effort to prevent the damage from flood and drought and to sharply increase the agricultural production by expanding arable land. During 2001-2002 alone, the State dredged and cleaned 6,500 km of rivers, accomplished the Kaechon-LakeTaesong waterway project of 100km, created 280,000 hectares of forest and readjusted 150,000 hectares of land.

Question 17: Please provide detailed information about the international assistance received since 1994 by the Government of the State party in order to solve the problem of food shortages created by natural disasters.

The DPRK received a lot of valuable humanitarian assistance from the international community in connection with the successive natural disasters in recent years. This assistance was of great support and encouragement to the effort of the people to overcome the difficulties caused by the natural disasters and clear the aftereffects.

From September 1995, right after the flood which was the worst of its kind in the past 100 years, to May 2002, the international assistance provided to the DPRK is as follows:

Total amount: over 2 billions US\$

Food or foodstuff: over 1.7 billion US\$

Medicine and medical instruments: over 110 million US\$

Others (seed, fertilizer, blanket, clothing, etc.): over 200 million US\$

Assistance organizations:

A total of 71 governmental and non-governmental organizations and countries including WFP, EU, IFRCRC, UNICEF, Hong Kong Caritas, UNDP, WHO, etc.

Question 18: Please provide information on the international assistance received by the State party in order to alleviate the housing shortage caused by natural disasters.

The DPRK received the blankets and the kitchen utensils from the international organizations for the people who became homeless due to the natural calamities, but did not receive any aid to rebuild the dwelling houses destroyed by the flood. The dwelling houses were built by our own effort using the domestic materials.

Question 19: Please describe the amount and forms of material assistance received from WHO, UNICEF and the international governmental and non-governmental bodies in solving the health problems, especially in fighting infant mortality and mortality of children under 5 years caused by circumstances created by natural disasters.

The assistance from the international organizations was really valuable in fighting infant mortality and child mortality under 5 years.

The international assistance received from September 1995 to May 2002 in connection with child health was as follows:

Total amount: 110 odd million US\$

Content of assistance: high energy milk, corn soya blend, high energy biscuits, vitamin, fortified food, anti-biotic medicine, first aid kit, vaccine, oral rehydration salt, etc.

Question 20: Please provide information about the incidence of HIV-AIDS as well as other sexually transmittable diseases.

Thanks to the lofty living customs handed down for generations and the sound moral education, prostitution and prostitutes have long been disappeared in the DPRK. Until now, there has been no HIV/AIDS cases reported. But since AIDS cases are increasing in the world, the Government takes thorough preventive measures against AIDS and other sexually transmittable diseases.

Question 21: Please indicate whether grants or scholarships are available to Korean students who wish to study in foreign countries and to what extent foreigners have access to Korean schools.

The State takes necessary measures to send abroad the students, researchers and trainees to learn the advanced science, technology and foreign languages.

As of 2002, more than 500 students, researchers and trainees were studying in the

countries of Asia and Europe. The State not only provides them with scholarship for their study and life but also gives subsidy to their families. The State provides scholarship to the overseas Koreans as well if they wish to study in their motherland. There are cases in which, under the bilateral agreement between states, the scholarship for the foreign students studying in the DPRK is granted by the DPRK and the Korean students abroad are supported by the receiving state.

In the past, many students, researchers and trainees came from other developing or neighbouring countries to learn at the expense of the DPRK, agriculture, architecture, language, etc. However, in recent years, due to the economic difficulties caused by natural disasters, the number was limited. At present, there are 100 odd foreign students and trainees from other countries.

Question 22: Please describe the measures adopted in order to promote and protect the right of parents to ensure the religious and moral education of their children in conformity with their own beliefs.

Article 68 of the Constitution defines: "Citizens have freedom of religious beliefs. This right is granted by approving the construction of religious buildings and the holding of religious ceremonies." The citizens are legally guaranteed the freedom of belief including the right to freely believe in any religion true to his or her faith and the right to religious education.

In the DPRK, the State and the religion are strictly separated from each other. The State neither interferes in nor discriminates against any religion.

In view of the fact that almost all the sanctuaries, churches and temples were destroyed during the Korean War (1950-1953) and that the religious men couldn't afford to restore them, the DPRK Government provided the fund and materials necessary to reconstruct the religious buildings.

In addition, the Government newly established the department of religion in Kim Il Sung University at the request of the believers who wished to give religious education to their children. The religious organizations have set up various kinds of religious educational institutions. The Central Committee of the Korean Christian Federation runs the Pyongyang Religious School, the Buddhist Federation the Buddhist School and the Chondoist Central Committee the Chondoist Middle School. The Catholic Federation also educates religious students.

Question 23: Please provide information about the measures taken by the State party in order to ensure that education should enable all persons to participate in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups.

Independence, peace and friendship are the consistent ideals of the foreign policy of the DPRK Government.

The DPRK regards it as the important objective of education not only to ensure a harmonious intellectual and physical development of children, but also to make them possess sound personality and moralities. It is the common task of all educational institutions and teachers to nurture among children the spirit of respect for their parents and elders, love for their brothers, sisters and friends as well as for their native villages, nation and country.

Through the education in morality, national history, literature, foreign languages, world history and geography the educational institutions educate children to value and respect not only their national but also foreign culture, language and history. They teach them to treat all nations with the feelings of friendship, unity and peace and pay attention to nurturing the spirit of human rights, democracy, tolerance and mutual understanding.

The State promotes mutual understanding, respect and peace by widely introducing various cultures and traditions of other countries, nations and ethnic groups through mass media including the educational and cultural TV channel.

Question 24: Please indicate if private individuals, scientists, writers and artists have the possibility to freely engage in exchanges with counterparts in foreign countries.

Under article 74 of the Constitution: “Citizens are free to engage in scientific, literary and artistic pursuits”, the scientists, technicians, writers and artists are actively and freely engaged in contact and exchange with their counterparts of different countries and with the international organizations.

Individuals and scientists freely participate either privately or through their organization and institution, in seminar, festival, exhibition, joint research, training course, excursion, etc, held in other countries, and exchange information on science, technology, literature and art according to their personal plan and need.

The scientists and technicians take part in the exhibitions, shows and conferences abroad including the Exhibition of New Technologies which opens every year in Geneva, Switzerland, and also in the training courses and study tours organized by such international organizations as FAO, WHO and ITU, to develop exchange and cooperation with their counterparts of other countries.

The international exhibitions of science and technology, shows, festivals, seminars, training courses, etc. held at home serve as good opportunities for exchanging the successes and experiences among the scientists and artists of different countries in the field of science, technology and art and for promoting cooperation with them.

In 2002 alone, the International Economic Technology and Infrastructure Exhibition, the April Spring Friendship Art Festival and the Film Festival were held in the DPRK. More than 70 companies from 12 countries including Germany, Italy, Austria, Switzerland, Sweden, the United Kingdom, France and Singapore took part in the International Economic Technology and Infrastructure Exhibition and the Art Festival gathered 1,129 artists from 51 countries. The delegates of over 40 countries participated in the Film Festival with more than 100 films.

Question 25: Please indicate to what extent foreign newspapers, books and other printed matters, as well as audio visual products can be imported into the Democratic People's Republic of Korea and brought by private individuals.

The state institutions such as the Publications Exporting and Importing Company and the Academy of Sciences, enterprises, organizations and private individuals import the newspapers, books, printed matters and scientific and technological materials from other countries according to their plan and need. There is no limitation in the kinds and number of the imported publications such as the periodicals and books. As of 2001, volume of imported publications numbers 780,000 in 13,000 kinds. Such publications and scientific and technological materials are distributed to the scientific institutes, educational institutions and libraries including the Grand People's Study House, so that the public may have easy access to them.

The Grand People's Study House offers the service of information through the Internet, the lectures on the world trend of scientific and technological development and the patent documents of other countries.

Considering that the kinds and the number of the imported printed matters are limited due to the lack of fund and that not many can read foreign language, the State pays attention to the translation and diffusion of foreign publications, so that more people may use them. The organs of the press translate and publish every year many works of the world-famous writers, fairy tales, folk tales and picture books. The Central Scientific and Technological News Agency translates new scientific and technological materials including the patent documents to send them to the scientific research institutions, factories and enterprises through its national service network.

Question 26: Please describe the measures and initiatives taken by the authorities of the Democratic People's Republic of Korea in order to promote cultural ties and exchanges with the Koreans living in the Republic of Korea.

After the publication of the historic North-South Joint Declaration on June 15, 2000, the DPRK Government took numerous measures to promote the cultural exchange and cooperation between the north and the south. Accordingly, many exchanges took place from August 2000 to the end of 2002. The main cultural exchanges were the followings:

- The 58-member press delegation of the south side visited Pyongyang. (August 2000)

- The Pyongyang National Symphony Orchestra consisting of 132 persons visited Seoul and gave a concert. (August 2000)

- The cameramen from the north and the south produced a joint TV compilation on Mt. Paektu, situated at the far north of the Korean peninsula and broadcasted it live for 4 hours on the spot. (August-September 2000)

- 58-member delegation of the “Chunhyang Culture Promotion Society” of the south side visited Pyongyang, played their “Tale of Chunhyang” and enjoyed the traditional opera of the same title performed by the north side. (January-February 2001)

- On the occasion of the 1st anniversary of the publication of the June 15, 2000 North-South Joint Declaration, the personages from all walks of life in the north and the south gathered in Mt. Kumgang, a scenic spot in the north, and held a seminar on national reunification and presented their art performances. (June 2001)

- 50-member delegation of “Korean Wear Exhibition” of the south side visited Pyongyang and held an “Exhibition of National Clothes”. (June 2001)

- The 2nd talks of north-south authority was held in Mt. Kumgang for the activation of tourism in Mt. Kumgang, a scenic spot in the north. (April 2002)

- On the occasion of the 2nd anniversary of the publication of the June 15, North-South Joint Declaration, the north and the south delegates from all walks of life met in Mt. Kumgang and held a reunification rally, art performance, sport games, cultural and entertainment functions. (June 2002)

- 116 delegates from all walks of life and artists of the north took part in the August 15, National Reunification Rally, art performance, photo exhibition and art exhibition held in Seoul. (August 2002)

- The north football team participated in the north-south reunification football game in Seoul. (September 2002)

- 600 athletes and supporters from the north participated in the 14th Pusan Asian Games. The north and the south teams appeared together at the opening and closing ceremonies with the single flag at the front. (September- October 2002)

- As part of the exchange of Taekwondo demonstration teams between the north and the south, the Taekwondo demonstration team of the south side visited Pyongyang.

(September 2002)

- The 5th reunion of the north-south separated families and relatives took place in Mt. Kumgang. 200 separated families and relatives from the north and the south of Korea met each other. (September, 2002)

- The symphony orchestra of the Korean Broadcasting Service of the south visited Pyongyang at the invitation of the National Reconciliation Council of the north. (September, 2002)

- As part of the exchange of Taekwon-do exhibition teams between the north and the south, the Taekwon-do team of the north side visited Seoul. (October 2002)

Question 27: Please indicate if the Korean authorities maintain restrictions to freedom of creative activities and artistic production which are not based on “Juche” ideas.

The Juche idea, far from restricting or limiting the free creative activity of people, offers the spiritual motive force to encourage creativeness and the scientific methodological guideline.

The Juche idea clarifies the man-centered outlook on the world scientifically reflecting the requirements of the present era and the people.

On the basis of elucidating the fact that man is a social being with independence, creativity and consciousness, the Juche idea regards man as the most precious and most powerful being in the world. It newly raised as a fundamental question of philosophy the question of man’s position and role in the world, and defined the philosophical principle that man is the master of everything and decides everything. On the basis of such principle, the Juche idea requires that everything serve man, i.e, the popular masses, one approach everything in the nature and society based on man, and that all problems are solved independently and creatively.

To maintain Juche in the fields of science, technology, literature and art means that the scientists, technicians, literary men and artists conduct their activities in an independent and creative way in accordance with their own judgement and faith.

The creative activities of the scientists, technicians, literary men and artists are in essence, for the benefit of the man, and constitute the creation of the new based on one’s own opinion and view. That is why those activities are in line with the independent and creative stand required by the Juche idea.

One can not force ideas and ideals upon others. The scientific and progressive ideas and ideals turn into a great material power when they are accepted by the people

voluntarily.

Question 28: Please explain to what extent the activity of the National Examination Committee can be reconciled with the principle of the freedom for scientific research and creative activities.

Before September 1998, there used to be the National Examination Committee at the Central People's Committee. Today, this organ has been changed into the National Examination Ministry, one of the ministries of the Cabinet.

The current National Examination Ministry, as well as the previous National Examination Committee, has the mission of inquiring, correcting and controlling, by means of examination, such illegal acts as bureaucracy or abuse of power among the officials of the administrative, economic, scientific and cultural and other state institutions in their management activities.

This organ strictly examines and controls if the administrative cadres in the field of scientific research, literature and art commit such illegal acts as restricting or limiting the the creative activities of the scientists and creators. The Ministry also controls the unreasonable interference in and modifying of the content of the creations without the consent of the authors by the authorities of the scientific research and creative institutions.

The institutions of scientific research and the press concerned undertake the evaluation of their own products by themselves.

Question 29: Please provide information on any prohibitions with regard to right of participation in cultural rights, including the exercise of freedom of religious beliefs.

Under the Constitution which provides for the freedom of belief and the freedom of the literary and artistic activities of the citizen, citizens have the freedom of religious belief and cultural activities.

Except the religious and cultural activities that harm the country's security, the public order and health, the dignity, rights and freedoms of other people, nothing is restricted.