

Country session: Democratic People's Republic of Korea

Date of session: 20 September (76th Session)

Context

The Committee stated that the effects of the economic sanctions were reflected on the economic and social situation in the country, and that this was having a negative impact on the realization of children's rights.

Background information

[OHCHR press release](#)

[Webcast](#)

[Audio file](#)

Summary records, [here](#) and [here](#).

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

Common core document	
Initial submission	24 June 2002
Updated document	11 April 2016

CRC		OPAC – Not ratified		OPSC	
No. of report	5 th	No. of report	-	No. of report	-
Due date	20 October 2012	Due date	-	Due date	10 December 2016
Submission	13 May 2016	Submission	-	Submission	-

Written replies to LOIs	
Submission	15 June 2017
Due date	16 June 2017

Additional comments: The Committee welcomed the State report submitted by DPRK and expressed that it enabled the Committee members to better understand the situation of children's rights in the country.

Public reports from children's rights defenders

Alternative reports	
NGOs	▪ Amnesty International



- Global Initiative to End All Corporal Punishment of Children
- Open North Korea
- People for Successful Corean Reunification

State delegation

Large high level and multisectoral delegation led by the Ambassador and Permanent Representative of DPRK to the United Nations Office in Geneva, Mr. Han Tae Song. He was supported by representatives of the Legislation Department, Central Court of DPRK, Ministry of Public Health, Ministry of Foreign Affairs, and the Permanent Mission of DPRK in Geneva.

See the list of State delegation representatives [here](#).

Committee's Task Force members

Name & Last Name	Country
Ms. Kirsten SANDBERG	Norway
Mr. Benyam Dawit MEZMUR	Ethiopia
Mr. Jose Angel RODRIGUEZ REYES	Venezuela
Ms. Ann SKELTON	South Africa
Ms. Velina TODOROVA	Bulgaria

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was cordial. The answers of the State to the Committee's questions were political and focused mainly on law development.

ii. General assessment made by the Committee

The Committee was grateful for useful clarifications provided by the State but expressed doubts as to whether it was possible that there were as few problems in the country as was depicted. On this note, the Committee stressed that the mere existence of laws was not sufficient to say that violations were not *de facto* taking place. To be able to monitor and evaluate the factual situation of children's rights, research and collection of disaggregated data was thus of crucial significance. The Committee regretted that children's right to freedom of expression, children's participation, and the issue of violence against children had been only briefly addressed and discussed throughout the dialogue with the State party.

iii. Main issues discussed:

- **Children with disabilities:** The Committee expressed concerns with regards to the lack of data relating to children with disabilities. It also raised the issue of discrimination faced by these children and voiced its serious concerns about the policy of placing children with disabilities in residential institutional care. The delegation replied that upon signing of the Convention on the Rights of Persons with Disabilities, the domestic law has been amended and brought in line with the said instrument. Measures taken to protect and promote the welfare of children with disabilities included public awareness campaigns and support of teachers and doctors. Children with disabilities attended special classes, which were equipped with the necessary materials.
- **Right to seek, receive and impart information:** The Committee inquired whether children in the country had access to the global internet. The delegation answered that children, regardless of their age, did not know what information is good or bad for their health and psychological and emotional development. Therefore, the Government filtered information. However, children did have access to a domestic intranet.
- **Education:** The Committee was particularly concerned about the discrimination of children based on their social status or political views of their parents in schools; the difference in quality education between urban and rural schools; and teachers' discretion in relation to what is being taught to children in schools. In this respect, Committee members asked whether the education system was preparing the children of DPRK to be citizens of the world, as well as of the country itself. The delegation replied that the Korean society was based on the principles of unity and equality. Therefore, no form of discrimination existed. In addition, the delegation stated that children were encouraged to travel and study abroad. It also noted that peace education was carried out in the context of the SDGs.
- **Child Labour:** The Committee raised its concerns relating to the field practice carried out by students as part the school curriculum and asked about measures taken to ensure that students were not forced to perform labour activities in addition to what was proscribed for in the syllabus. Committee members emphasized that this education-related labour was a serious concern of itself, and that it could also have repercussions on children's education. The Committee was also highly concerned about labour brigades, known in Korean as *dolgyeokdae*, in which children who have obtained the age of 16 years carried out work under very unhealthy conditions. The Committee stressed that persons below the age of 18 should be considered as children, and explained that this kind of work may well be classified as hazardous child labour as defined by the International Labour Organization in its Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999, Art. 3 (d). Relating to the Committee's concerns about the educational field practice, the delegation replied that there were

supervisory mechanisms in place to prevent any abuse of this practice. In serious cases of abuse, responsible teachers were subjected to criticism. With regards to the youth labour brigades, the delegation stressed that child labour was prohibited by law and that it did not exist in the country. It emphasized that the labour brigades consisted of people who had attained the age of 16 - the age a person was considered to be an adult in DPRK. These persons chose to voluntarily participate in the brigades as they wished to contribute to the construction of various project that were of significance for the building of society. Hence, the State would not consider raising the age for joining these brigades.

- **Torture and other cruel or degrading treatment or punishment:** The Committee was deeply concerned about practices of torture and punishment of children, and particularly of those who had left the territory of the State without due authorization, and who had later been forcibly returned to the country. The delegation replied that the right to freedom of movement, which included the right to travel abroad, was laid down in the Constitution. Nevertheless, there were regulations related to border crossing, and anyone who crossed the border without proper travel documents committed a violation of the law. However, stressed the delegation, no punishment of any kind was carried out, nor was any sanction imposed on the children.

Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew attention to the need of **urgent measures** concerning the following 6 areas:

- **Data Collection:** The Committee urged the State to reinforce its efforts to improve its data collection system, which should cover all areas of the CRC, include all children under 18 years of age, and be disaggregated to enable analysis of all children, and particularly those who find themselves in vulnerable situations. Moreover, the State should ensure that the data is available and shared between the relevant ministries for the formulation, monitoring and evaluation of policies, programmes and projects for the implementation of the CRC. The State should also take into account the framework set out in the OHCHR report *Human Rights Indicators: a guide to measurement and implementation*, as well as enhance its technical cooperation with UNICEF, among others.
- **Torture and other cruel or degrading treatment or punishment:** The Committee urged the State to prohibit, in law as well as in practice, torture and other ill-treatment, and to establish appropriate sanctions against offenders, including when such offences are committed against children who are forced to return to the country. The State should also improve reporting mechanisms; investigate and prosecute all cases of torture and ill-treatment of children; and ensure that alleged perpetrators are suspended while under investigation, that they serve their sentence if convicted, and that criminal court proceedings and sentences are made public. Law enforcement officials should receive training on child rights issues and, finally, all measures should be undertaken to ensure the physical and psychological recovery and social reintegration of the child victims.
- **Children deprived of a family environment:** The Committee recommended the State to carry out a study to identify the reasons for which children are placed in alternative care, and that the State should support children in single-parent families. Furthermore, the State should establish criteria and safeguards for determining whether a child, and in particular a child with disability, should be placed in public care. In this regard, the Committee emphasized that the divorce of parents is not a valid ground to place children in institutions. The Committee also recommended that the State develops and implements procedures for review of the placement of children in institutions and foster care, and monitors the quality of care that children receive, including by establishing mechanisms for reporting and remedies. The State should also review the policy of campus-like institutions to ensure re-integration of institutionalized children into society, and in this respect, seek technical assistance from UNICEF, among others, concerning experiences and best practices in processes of de-institutionalization.
- **Nutrition:** The Committee urged the State to carry out an independent review of the *Strategy and Action Plan to Control Child and Maternal Malnutrition* with the aim to identifying actions needed. Moreover, the State should



systematically collect data on food security and nutrition for children, and monitor and assess the public food distribution system on child food security and nutrition.

- **Education and its aims:** The Committee urged the State to ensure that children are not obliged to carry out labour tasks that interfere with their schooling, their rights to rest and leisure, and their physical and mental well-being. Additionally, the State should end discrimination against children based on their social status or political views of their parents in access to education as well as treatment by teachers. Schools should be banned from requesting contributions such as fees, food and materials, and monitoring systems should be strengthened to ensure that teachers do not ill-treat or punish students. Moreover, the prohibition on corporal punishment should be implemented in practice, and school staff who violate children’s rights should be investigated and disciplined. The State should further prevent school dropouts due to economic difficulties; promote gender equality within the educational system; take measures to enhance the quality and infrastructure of education, especially in rural and remote areas, and take measures to promote child-friendly schools; and establishing partnerships between schools and the community. Relating to serious concerns about the extensive politicization of teaching materials and curriculum, the Committee recommended the State to ensure that the school curriculum give priority to standard academic subjects and that education prepares children for the responsibilities in life, in a free society.
- **Child Labour:** The Committee urged the State to explicitly prohibit employment of children under 18 in harmful or hazardous work and to take measures to ensure that children are not required to perform “economic assignments” as part of their education. The State should also ensure that children are not forced to participate in mass agricultural mobilizations and establish clear regulations on minimum age and limits on working hours for those who voluntarily participate. The practice of assigning children under the age of 18 to youth brigades, *dolgyeokdae*, should be banned, and all children should be provided with equal opportunities to advancing their education. Finally, the State should consider joining the ILO.

Sustainable Development Goals

Throughout its Concluding Observations the Committee referred to the following targets:

- Target 16.2, on ending abuse, exploitation, and all forms of violence against and torture of children.
- Target 4, on quality education.
- Target 11, on and sustainable cities and communities.
- Targets 3.2, on preventing child mortality.
- Target 3.8, on achieving universal health coverage.
- Target 13.3, on education, awareness-raising and human and institutional capacity on climate adaption, impact reduction and early warning.
- Target 6.2, on access to adequate and equitable sanitation and hygiene for all.
- Target 4.2, on ensuring that all girls and boy have access to quality early childhood development, care and pre-primary education.
- Target 8.7, on measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour.

Next State report

CRC	
No. of report	6 th – 7 th
Due date	20 October 2022



child rights connect

Disclaimer: Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.