

CEDA

**WRITTEN REPLIES BY THE DEMOCRATIC PEOPLE'S  
REPUBLIC OF KOREA CONCERNING THE LIST OF ISSUES  
AND QUESTIONS (CEDAW/PSWG/2005/II/CRP.1/Add.3)  
ISSUED BY THE COMMITTEE ON THE ELIMINATION  
OF DISCRIMINATION AGAINST WOMEN**

**MARCH 2005**

This reply has been prepared in accordance with the list of issues and questions (CEDAW/PSWG/2005/II/CRP.1/Add.3) with regard to the consideration of 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.**

The Law on Equality of Sexes was promulgated on July 30, 1946 as one of the first steps for democratic reform after the national liberation from the Japanese colonial military rule on August 15, 1945 and the first democratic constitution was adopted in September 1948 upon the founding of the Democratic People's Republic of Korea (DPRK). Since then, equality of sexes has been invariably maintained as a basic constitutional principle and embodied in national legislation.

The current Constitution stipulates: “Citizens enjoy equal rights in all spheres of State and public activities.” in article 65; “All citizens who have reached the age of 17 have the right to elect and be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliation, political views or religion.” in article 66, paragraph 1; and “Women are accorded an equal social status and rights with men” in article 77, paragraph 1.

Article 18 of the Family Law provides: “The husband and the wife shall have equal rights within the family.” and article 19, paragraph 2 of the Civil Law reads: “All citizens are equal with regard to civil rights.” Besides the provisions mentioned above, the Convention including article 2(a) have been incorporated into the national legal system either literally or in substance.



As the Convention states in article 1 that the term “discrimination against women” means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the rights and freedom of women, so the DPRK legislation implies that “equality of sexes” means the elimination of all forms of discrimination against women. The definition in article 1 of the Convention has thus been embodied in the DPRK legislation. If necessary, the provision may literally be introduced in the future.

**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 DPRK, the measures that have been taken to counter them and any progress achieved in combating women’ 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.**

The DPRK does not have any actual condition to make women’s economic status worse than men.

Due to the recent economic difficulties of the country, both women and men are hampered from enjoying their legal rights to the full. It is true that women assume more of the family burden by the traditional custom of women’s responsibility of household chores.

From 1970s, the DPRK directed the attention of the State and a lot of financial resources to the emancipation of women from their heavy household chores defining it as one of the tasks of the three-major technical revolution. Women widely use electric kitchen equipments even in rural areas by the construction of medium or small sized power stations suitable to their local characteristics.

On the other hand, the National Coordination Committee and the public organizations including the women’s union and the youth league actively conducted agitation activities to educate men to discard the outdated idea of taking no care of household chores leaving them only to women. The people’s committees at all levels supplied food and essential goods, offered suitable jobs and ensured other benefits preferentially to women headed families.

### **Article 3**

**5. As the State institution primarily responsible for the implementation of the Convention and the advancement of women’s rights in the DPRK, does the National**



**Article 4**

**7. The report refers to temporary special measure**

## **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. 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, develop legislation on all forms of violence against women, the support services that are available to women who are victims of violence, and training of police, lawyers and judges and the general public wd0 TD(w)Tj 3**

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attached to them. Female convicts work at the workshops that produce such things as clothes, shoes or bags. They are paid according to the work done.

The living expenses for food, clothing and daily necessities are deducted from their earning. If they conduct themselves well in the institution, they are given a prize and reduced in their term of reform. As of March 2005, seven women were in pre-trial detention and forty in the reform institution after conviction.

## 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 DPRK as brides or prostitutes to China. Please indicate what legal and programmatic measures are in place to identify, prevent and combat trafficking of women in DPRK, for example any regional and bilateral initiatives with neighboring countries, the provision of information about risks and protective measures, training of border officials, the prosecution of traffickers and the establishment of rehabilitation and safe repatriation measures for victims.**

Although it is unlikely that women and girls are sold to China as prostitutes or brides, some went over to China in the northern areas for the needs of life or trade. They came back with the things they had procured. The State did not punish them as their deeds were related with the current economic difficulties.

In the DPRK, there has not been any report of trafficking in women or prostitution. That is why the Criminal Law does not have a provision for the punishment of trafficking in women and prostitution. There were some proposals to include these provisions in the Criminal Law for preventive effect, which were considered seriously by the legislative body. Recently, there have been reports of disorderly crossing over the borderline under the pretext of economic difficulty. The immigration office strengthened its legal requirement and concluded bilateral agreements with the neighboring countries to control illegal immigration.

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

Sometimes, rape cases are instituted under article 153 of the Criminal Law. But there have not been any case where a man has had sexual intercourse with a girl under the age of 15 or obliged a woman who is his subordinate officially or by duty to have sexual intercourse with him.



Statistics of rape cases

crime \ year	2003	2004
Rape	2	1
Rape & Murder	2	2
Rape & Burglary	4	3

**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) as well as trends in women's political representation over time (for instance, during the past 5-10 years).**

Women make up 20.1 percent of the deputies to the 11<sup>th</sup> Supreme People's Assembly and 21.9 percent of the deputies to the local people's assemblies. The proportion of women in the Presidium of the Supreme People's Assembly and its subordinate departments is over 30 percent. The female proportion in the power organs has systematically increased in the past 10 years.

Year	Percent
1995	29.5
1998	31.1
2002	32.7
2004	32.9

**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.**

-- Measure for education of women

The female proportion has increased to 35~40 percent in universities and colleges.

-- Measure for reorientation of women at work

Refresher courses are widely organized for 1~6 months in all sectors including science, education and public health. And part-time education system is in operation in factories, agricultural farms and fishing villages as the following:

Factory college	114
Farm college	16
Fishing ground college	1
Number of female students;	20,000 odd

-- Measure to supply conditions of social activity to women with children

Each village, factory or workshop has a nursery and a kindergarten for the convenience of working women.

## Article 10

**15. Although the report states that customary discrimination against women in the field of education “has long forgotten” (para. 152), several references are made throughout the report to the prevalence of customary discrimination against women. Please indicate what measures to combat gender stereotyping through the education system 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.**

In the DPRK, there is no *de facto* discrimination against women in education. Whereas some families and social sectors may have the outdated conception of disregarding women, there is no room for it in education. It is because the Government has attached utmost importance to education in building a civilized society and has let education play the leading role in the overall social development. All legal regulations on gender equality have been applied to education before any other sector and the new generation is free from ignorance of female by the coeducation system from kindergarten to university.

Educational institutions do not discriminate against female in the school curriculum except educating female pupils separately in female physiology and reproductive health at the last period of secondary school. The uneven female proportion in different specialized and vocational educations is not attributable to any discrimination by the State but to the personal demand of females in view of their wish, talent, taste and characteristics.

In the past, some parents

female since admission is strictly based on personal ability, but when the ability is similar priority is given to a female.

**16. Please provide updated statistics on the DPRK, including enrollment rates and completion of various levels of education. In particular, provide information on the availability of and access to schools, as well as enrollment rates of girls in rural and remote communities.**

The 11-year compulsory education system has long been instituted and all education is free of charge in the DPRK. Under the compulsory preschool education system, 100 percent of 5~6 year old girls are enrolled in kindergartens which last for 2 years, after which they proceed to primary and secondary schools.

As of April 2005, the total number of kindergarten was 14,120; that of girl kindergarteners 35,500; the minimum age of enrollment in a primary school 6 and the enrollment rate 99.6 percent. The number of primary schools was 4,856 and that of primary schoolgirls 834,000. The enrollment rate in secondary schools among primary school graduates was 100 percent and the number of girl pupils at secondary schools 1,093,000. The completion rate of 11-year compulsory education was 100 percent. Those few girls who had stayed away from school and failed to graduate on time for sickness or some other reason continued their schooling after 1 year or so to complete it. The enrollment rate in vocational schools among secondary school graduates was 100 percent except those who proceeded to higher education or joined the army. The proportion of those who proceeded to higher education was about 35 percent among secondary school graduates. The proportion of girls was about 50 percent at primary and secondary schools and about 65 percent at vocational schools.

**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.**

There is neither legislation nor policy to restrict women’s employment in any sector. However, in reality, comparatively more women work in such fields as commercial service, education, public health and light industry and fewer women in mines or coal mines. It is because women seek jobs appropriate to their constitution and ability.

Measures have been taken to encourage more women to work in the sectors with fewer women. One of them is automation and modernization of hard labor. With the introduction of computerization and modernization, more women work even in metallurgical industry. There is no informal sector in the DPRK.

Proportion of female in different sectors

Sector	Percent
Industry	53
Agriculture	49
Construction	24
Transport	29
Geological survey	24
Telecommunication	29
Land and environment management	39
City administration	39
Education	60
Culture	60
Public health	60
Commerce	68
Food administration	68

**18. The process by which “the State allocates female graduates of various schools to the jobs of their choice”**

Since labor reserves are fostered to meet the manpower needs in a planned way in accordance with article 29 of the Labor Law, it is not a problem to allocate female graduates of colleges and universities to appropriate jobs. The problem is how to provide jobs to the girl graduates who advance to society after the 11-year compulsory education in compliance with their wish.

The labor administration institutions interview secondary school graduates on their wish, characteristics, taste and technical skill to introduce them to appropriate jobs. When the institution, enterprise or occupation of their choice has no more to employ, they temporarily work in other places until vacancy is available. Employment is decided by

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in their districts on female physiology and health care including safe sexual life, pregnancy, delivery and post-delivery care.

The women's union runs mother's school to disseminate the knowledge of family life and female hygienics. The publishing and broadcasting institutions publish and distribute such books on female health care as the Reader of Family Medical Knowledge or the Female Common Sense and disseminate general knowledge for women through TV and radio. These measures contribute to the reproductive health by preventing illegal abortion and premature pregnancy.

**25. The report notes that “until now, there has 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.**

The DPRK has eliminated the social basis of outbreak and transmission of AIDS by strengthening ethical and moral education on safe sexual relationship. There has not been AIDS case until now and venereal disease is not a matter of concern as there is neither immoral sexual relationship nor prostitution. But in view of the widespread reality of AIDS and venereal disease in the world, the Government strengthens its quarantine for travelers abroad and immigrants and health institutions popularize the knowledge to prevent the 0626011104Tj TD(d)Tj 26 0 TD( )Tj -18n



the countryside just like in towns, rural people including women have been educated in modern science and knowledge. And the material and technical foundation for agricultural production has been strengthened by the Government policy of rural technical revolution. Modern farming machines are widely used in the agricultural and livestock farms, and women as well as men have become engineers, technicians and skilled workers. Under the farmer's exalted demand for cultural life, TV sets, video players, tape recorders, computers and other modern cultural livingG'mim

and outside the country only subject to due formalities. Women are on an equal footing with men and are neither discriminated against nor restricted in obtaining passports or travel p

new generations who have been educated after liberation do not follow the attitude. On the contrary, many young couples prefer to have daughters. The State does not feel it necessary to adopt a special measure to alter the attitude of son preference, which is spontaneously