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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Initial reports of States parties due in 1982

Addendum

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

[24 October 1983]

1/ The annex to this report is available for consultation in the files of the Secretariat, in the original language, as received from the Government of the Democratic People's Republic of Korea.

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The Democratic People's Republic of Korea is, as it is clarified in the article 1-part 1 of Socialist Constitution of the Democratic People's Republic of Korea, an independent socialist State which represents the interests of the entire Korean people.

The Democratic People's Republic of Korea was admitted into the International Covenant on Civil and Political Rights on 14 September 1981, thereby becoming a dignified State Party to the present Covenant.

The Democratic People's Republic of Korea has the honour to inform the Human Rights Committee as follows of series of progressive steps recently taken in order to make every person enjoy his basic rights and freedom and the successes registered in the process of their implementation, as well as her views on the development of the present covenant and its honest implementation by all the countries.

- Fundamental rights and freedom of people in the Democratic People's Republic of Korea are firmly protected by the Socialist Constitution of the Democratic People's Republic of Korea.

Fundamental rights and freedom of people in the Democratic People's Republic of Korea are effectively guaranteed by the Socialist Constitution of the Democratic People's Republic of Korea announced by the beloved leader Comrade Kim Il Sung, President of the Democratic People's Republic of Korea at the First Session of the 5th Supreme People's Assembly of the Democratic People's Republic of Korea on 27 December 1972.

The working people of the Democratic People's Republic of Korea are now the master of the State and society, and the inviolability of their personality and rights are fully guaranteed.

They are practically provided with genuine political rights and freedom in socio-political activities as well as the most democratic right to elect and be elected and the freedom of speech, the press, assembly, association, demonstration etc. in the field of socio-political life.

Women are granted equal social status and rights with men in the Democratic People's Republic of Korea.

Recognizing that the question of women was one of the major component parts of the anti-imperialist, anti-feudal democratic revolution after liberation, the great leader President Kim Il Sung proclaimed the Law on Sex Equality on 30 July 1946 to free women from colonial and feudal oppression and subjugation and materialize their long-cherished desire.

By virtue of this law women enjoy equal rights with men in all fields of politics, economy and culture as to elect and be elected, the right to work, draw the same salaries with men and benefit social insurance and education etc.

The right to existence of people and legal treatment on them in the Democratic People's Republic of Korea are thoroughly ensured by the Socialist Constitution of the Democratic People's Republic of Korea and the code of Criminal Law newly established in March, 1950 on the basis of the thorough destruction of the fascist colonial criminal and civil Law of the Japanese imperialists.

All persons are equal before the courts and tribunals, and no one is placed under arrest or detention illegally other than by the provisions and procedures enacted by law.

No person is subject to illegal interrogation or persecution.

Next, in the Democratic People's Republic of Korea the popular masses enjoy comprehensive rights and freedom in the sphere of economic and cultural life, too, such as the right to work and rest, the right to medical care and education, freedom of literary and artistic activities, and provision of living conditions through social insurance and maintenance.

On the basis of the Socialist Constitution of the Democratic People's Republic of Korea, the Socialist Labour Law was adopted on 18 April 1978 at the Second Session of the 6th Supreme People's Assembly of the Democratic People's Republic of Korea.

Under the Socialist Labour Law all the working people choose their occupations in accordance with their desire and talents, and are entitled by the State to stable jobs and working conditions.

The State prohibits the labour for those children under working age.

The State ensures in an all-round way the rights of the working people to rest by the system of 8-hour working day (7 or 6 hours of working day according to the toughness and specific quality of labour) and through paid leaves, accommodation at health resorts and holiday homes at the State expense and ever-expanding network of cultural facilities.

The State grants temporary subsidy to those who have lost their labour ability because of labour accident, disease or injury in accordance with the State insurance and maintenance system, and provides labour disability pension to those who are out from their posts for more than 6 months due to the above-mentioned cases, subject to the State insurance system.

Besides, the State provides the solicitude of the old age pension and gives special care to the merited persons and their families or free care for those aged living in workhouses or health resorts.

The Democratic People's Republic of Korea adopted the Public Health Law based upon the Socialist Constitution on 3 April 1980 at the Fourth Session of the 6th Supreme People's Assembly of the Democratic People's Republic of Korea.

Our country introduced free medical service for workers and office workers, provided by the social insurance, from 1947 immediately after liberation, and the universal free medical treatment from 1 January 1953.

From 1979, the section-doctor system was set up, and completed by 1974 the expansion scheme of clinics in the rural areas into hospitals throughout the country.

Based on them, the Public Health Law was adopted in 1980.

The Public Health Law stipulates that public health is worthwhile and honourable undertaking to protect and promote the life of the people, the master of the nature and society and the most precious being in the world, and make them live long and healthy so as to actively contribute to the society and people.

The Public Health Law ensures complete and free medical treatment to all, protection of their health under the preventive medical policy, development of the Juche-oriented medical science and technology, state provision of materials for the development of the public health, defining the task of medical workers to become loyal servicemen to the people.

Now our people enjoy longevity in good health under the benefit of universal and complete free medical service.

In our country before liberation, the death rate per 1,000 persons was 20.8 which has reduced to 4.4 in 1979. And the average life span lengthened by 36 years against that of 38 in the pre-liberation days, resulting in reaching 74 in 1981.

The Democratic People's Republic of Korea, based on the Socialist Constitution, adopted the Law on Nursing and Upbringing of Children on 29 April 1976 at the Sixth Session of the 5th Supreme People's Assembly of the Democratic People's Republic of Korea.

The Law stipulates that all the children be brought up at day or weekly nurseries and kindergartens at the State and social expense, taken care in a cultured and scientific way and educated in a revolutionary way; and the nursery and kindergarten teachers enhance their sense of responsibility in bringing up the future generation of the country and the guidance and management to the upbringing and educational institutions be strengthened.

Those children growing in the day or weekly nurseries and kindergartens at the State and social expense numbers 3.5 million in our country.

By virtue of the Law on Nursing and Upbringing of Children, children in our country grow happily at the nurseries and kindergartens equipped with the modern facilities under the legal protection of the State and in a scientific hygienic and nutritious management from the days of their birth through to the school age, while receiving the education in socialism.

Today our socialist education system has become the most popular one in which the State is fully responsible to the education of the entire people.

Today the entire people are entitled to have the right to education as well as the obligation to receive education.

Following the introduction of the universal compulsory primary education in 1956, the Democratic People's Republic of Korea put into effect the universal compulsory middle school education in 1958, and that of the universal compulsory 9-year technical education in 1967.

On this basis, it adopted the decree "on the enforcement of the universal compulsory 10-year senior middle school education and 1-year pre-school education" on 9 April 1973.

The universal compulsory 11-year senior middle school education is aimed at giving complete secondary schooling to all the generations to come until they reach working age.

With the enforcement of the universal 11-year compulsory senior middle school education, the new generation of our country has the chance to receive a complete secondary schooling until the workable age, growing as the reliable builders equipped with general secondary knowledge and the basic knowledge of modern science and technology.

In order to complete the universal compulsory education system, the Democratic People's Republic of Korea is now under the preparation for the universal enforcement of the compulsory higher education on the basis of further consolidating the universal compulsory 11-year education now in force.

The plan to put into effect the universal higher education is an undertaking of far-reaching goal for the development of education and culture, and is of epoch-making significance in the intellectualization of the whole society.

Based on the Socialist Constitution the Democratic People's Republic of Korea adopted the decree "on complete abolishment of tax system" on 21 March 1974 at the Third Session of the 5th Supreme People's Assembly of the Democratic People's Republic of Korea.

The Decree stipulates to completely eliminate the tax levy, a legacy of the old society by eliminating the tax-in-kind of the peasantry and the income tax of the office workers, as of 1 April 1974.

By virtue of this Decree, the tax system which had been exercised throughout history finally disappeared in our country.

As the result, our people have been freed from the levy of taxation once and for all, and the material and cultural life of the people systematically increases with the growing wealth of the society.

As indicated above, the fundamental rights and freedom of people in the Democratic People's Republic of Korea are not only stipulated and ensured by the national law but also enforced deeply and comprehensively on a high level in conformity with the International Covenant on Civil and Political Rights.

- Democratic People's Republic of Korea tries its best to defend the democratic national rights of overseas Koreans and to see their legal rights recognized in the international law.

In line with the Socialist Constitution the Democratic People's Republic of Korea supports the democratic national rights of the overseas Korean compatriots and their legal rights recognized by the international law.

Under the wise leadership of the great leader Comrade Kim Il Sung the Democratic People's Republic of Korea has opened up the route for repatriation of the Korean residents in Japan to their homeland for an indefinite length of time.

As the result, those Korean compatriots, who lost the country in the past and were forced to suffer from hard labour and maltreatment in Japan, have been embraced to the bosom of their homeland.

At present, over 100,000 Korean compatriots have returned in 186 batches from Japan to their homeland the Democratic People's Republic of Korea where they are leading a happy life.

The Democratic People's Republic of Korea also remitted a huge sum of educational aid fund to them every year in order to support the Korean residents in Japan for the rights to the national education of their children so as to enable them to exercise their rights effectively.

The Democratic People's Republic of Korea has already remitted the educational aid fund amounting to 34,282,207,034 yen in Japanese currency in 88 instalments for the education of the Korean children in Japan.

- Human rights are violated in south Korea as a matter of reality.

The civil, political and socio-economic rights are mercilessly suppressed particularly in recent years in south Korea.

The Japanese magazine "Sekai" reported in its August issue in 1980 that the south Korean authority massively dispatched the armed forces into Kwangju City at dawn of 27 May 1980, shooting 6,000 persons dead and another 3,000 wounded.

On 17 June 1980 the south Korean "Korean Broadcasting Service" (KBS) reported that following the cold-blooded massacre of the compatriots in Kwangju, the south Korean authorities continued their repression in quest of Mr. Chang Gi Pyo and other 275 students under the plea of "detecting prime movers of demonstration", making a bid of one million won for the case.

The "information from Korea" reported a part of the tortures against those people involved with the case of "democratic students federation" saying that "Hangmen resorted to different devices of torture to the students such as the water torture by binding the naked body on the nailed board and then pushing them into the water bath, electric torture and etc. They also employed such torturing method as pulling off the finger nails and pricking the sole of foot, or making the shoulders or jaws disjointed. The students had convulsion and vomiting and fainted. Such torture lasted for one week."

The foreign sources reported that in the first half of this year alone over 200 students were arrested for the charge of their participation in the anti-"government" demonstration staged under the slogan of anti-fascism and for social democratization in south Korea, more than 300 politicians have been under house arrest for several years, banned from their political activities, and the press depressed by the state authorities, failing from its function.

In south Korea today, 487,000 policemen comprising 193 police stations, 397 police sub-stations and branch offices, and about 600 prisons and detention houses are reportedly mobilized in the repression of the people, additionally reinforced by 700,000 "ROK armed forces" and 3.5 million-strong "homeland reserve force" which are under the control of the United States commander in south Korea.

- Recommendations and Views

Firstly, the Democratic People's Republic of Korea, taking note of the international convention against the discrimination in education, hopes that each country take into a gradual enforcement of the primary and secondary compulsory

education in conformity with the actual realities and conditions, which would be followed by the enforcement of the compulsory higher education as their long-term objectives.

The Democratic People's Republic of Korea will actively co-operate with keen interest with the work for the development of education of the third world countries in the framework of the non-aligned movement and the Group of 77.

Secondly, the Democratic People's Republic of Korea is ready to co-operate in the preparations for the draft international covenant on the rights of children now being drawn up by the Human Rights Committee.

We enclose hitherto as appendix of this report the full text of the Law on Nursing and Upbringing of Children now in operation in the Democratic People's Republic of Korea.

Thirdly, the Democratic People's Republic of Korea, deeply concerned over the fact that south Korea has been turned into the area where the human rights are violated, expresses its expectation that the Human Rights Committee will pay its due attention to the prevailing situation in south Korea and take appropriate measures helpful to eliminating the illegal and inhuman moves for human rights repression there.

