



**Convention on the Rights  
of Persons with Disabilities**

Distr.: General  
10 October 2019

Original: English  
English, Russian and Spanish only

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**Committee on the Rights of Persons with Disabilities**

**Initial report submitted by the Democratic  
People's Republic of Korea under article 35 of the  
Convention, due in 2018\*\* , \*\*\***

[Date received: 19 December 2018]

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\* Reissued for technical reasons on 19 December 2019.

\*\* The present document is being issued without formal editing.

\*\*\* The annex to the present report may be accessed from the web page of the Committee.

GE.19-17468(E)



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## Preface

1. The Democratic People's Republic of Korea (hereafter DPRK) signed the Convention on the Rights of Persons with Disabilities (hereafter Convention) on July 3, 2013 and ratified it on November 23, 2016. The Convention entered into force in the DPRK on January 7, 2017.
2. In accordance with its obligations under article 35 of the Convention, the DPRK prepared this Report following the guidelines of the United Nations on the writing of reports by States Parties implementing human rights treaties (HRI/GEN/2/Rev.5) and the guidelines of the Committee on the Rights of Persons with Disabilities regarding reports on the implementation of the Convention (CONVENTION/C/2/3).
3. This Report contains, in the order of the articles of the Convention, the legislative, administrative and other measures taken by the DPRK for the protection and promotion of the rights of persons with disabilities, its efforts for the implementation of the measures and the enjoyment by persons with disabilities of their rights, with statistics provided either in the parts concerned or in the Annex.
4. For the preparation of this Report, a drafting group was organized under the auspices of the National Committee for the Implementation of the International Human Rights Instruments (See para. 37 of this Report), consisting of the officials and experts concerned of the Presidium of the Supreme People's Assembly, Commissions, Ministries, social organizations, associations and research institutions that are related to the protection and promotion of the rights of persons with disabilities. The group drafted this Report on the basis of the guidelines concerned and data collected from various sectors. To facilitate the preparation of this Report nine consultative meetings were held, with due attention being paid to soliciting views and opinions from persons with disabilities in close cooperation with the Central Committee of the Korean Federation for the Protection of the Persons with Disabilities (hereafter KFPD). The finished draft was distributed to the institutions concerned for their inputs and the finalized copy was submitted to the National Committee for the Protection of Persons with Disabilities for review and approval.
5. Ms. Catalina Devandas-Aguilar, the UN Special Rapporteur on the Rights of Persons with Disabilities visited the DPRK from May 3 to May 8, 2017. During her stay she visited several disability-related facilities in Pyongyang and local areas and met with representatives of different associations of persons with disabilities and individuals, acquainting herself with the enjoyment by persons with disabilities of their rights. She also met with officials and experts of several disability-related State institutions and the KFPD to have constructive dialogue for the implementation of the Convention and for the improved protection of persons with disabilities in the DPRK. See A/HRC/37/56/Add.1 for the detailed account of her visit.
6. General information on the DPRK is provided in the Common Core Document updated in 2018.

### **Article 1–3 Purpose, Definition and General Principles**

7. The DPRK adopted the Law on the Protection of Persons with Disabilities on June 18, 2003 in order to protect the rights and interests of persons with disabilities and to provide them with more favourable living conditions and environment. In this Law a person with disability was defined as “a person who has long-term difficulties in leading a normal life due to limited or lost physical or mental function”, which was a definition provided mainly from medical point of view. Need was felt, in the course of implementing this Law, to reconsider the definition, and it was brought in line with that of the Convention, which was adopted later on December 13, 2006.
8. The DPRK signed the Convention on July 3, 2013, and amended the domestic Law on the Protection of Persons with Disabilities to incorporate the requirements of the Convention. This was the manifestation of its commitment to further advancement of the

rights of persons with disabilities, meeting the requirements of the international human rights instruments and strengthening cooperation with the international community in this regard.

9. The Law amended on November 21, 2013 redefined a person with disability as “a person who has long-term physical impairments which, in interaction with environmental factors, may hinder his or her independent participation in society. Physical impairments include visual, hearing, speech, physical, intellectual, mental and multiple impairments.” The new definition indicated that factors hindering the enjoyment by persons with disabilities of their rights to participate in society on equal basis with others are not only their physical impairments but also external factors such as unfavourable public awareness of disability, attitudes towards persons with disabilities and lack of barrier-free environment. Thus, more strenuous efforts began for the protection and promotion of the rights of persons with disabilities in a more deep-going manner and on a broader scale.

10. See Annex Table 1 for the disability rate by sex and age, and Table 2 for the disability rate by disability types.

11. General principles of the Convention such as respect for inherent dignity, individual autonomy and independence of persons with disabilities, non-discrimination, full and effective participation and inclusion in society, accessibility, equality between men and women, respect for the rights of children with disabilities to preserve their identities, etc., are reflected in different sector-specific laws of the DPRK, which are the Socialist Constitution, the Law on the Protection of Persons with Disabilities, Public Health Law, Education Law, Law on General Education, Law on Tertiary Education, Socialist Labour Law, Social Security Law, Law on Election of Deputies to People’s Assemblies at All Levels, Family Law, Law on Protection of the Rights of the Child, Law on the Protection of the Rights of Women, Civil Law, Civil Procedure Law, Criminal Law, Criminal Procedure Law, etc.

12. The Socialist Constitution clarifies fundamental principles for the protection and promotion of the rights of persons with disabilities, which are: “The State shall effectively guarantee the genuine democratic rights and freedoms as well as the material and cultural well-being of all its citizens.” (article 64), “Citizens shall be entitled to free medical care, and all persons who are no longer able to work because of old age, illness or disability, and seniors and minors who have no means of support shall be entitled to material assistance. This right shall be ensured by free medical care, an expanding network of hospitals, sanatoria and other medical institutions, State social insurance and other social security systems.” (article 72) and “Soldiers disabled on duty shall enjoy the special protection of the State and society.” (article 76).

13. The Law on the Protection of Persons with Disabilities, which is dedicated exclusively for the protection and promotion of the rights of persons with disabilities, embodies the above-mentioned principles of the Constitution and provides for the obligations of institutions, enterprises, organizations and individual citizens in respect of the protection of their rights in such sectors as health, rehabilitation, education, cultural life, employment, etc. In particular, the Law stipulates that the State shall respect the personality of persons with disabilities and ensure them socio-political rights, freedom and interests on equal terms with others (article 2) and that the State shall strengthen edification among people so that they may treat persons with disabilities with noble human love and without any discrimination and render them sincere support (article 6).

14. The Public Health Law stipulates that the State shall assume the care of those who have lost ability to work, children and patients suffering from chronic diseases with no means of support and old patients, so that they can fully enjoy the benefits of free medical care (article 13). The Education Law contains provisions concerning providing general compulsory education to children with disabilities and the provision of material conditions for the education of ex-servicepersons disabled on duty (articles 15, 17 and 18).

15. The Socialist Labour Law stipulates that the State shall, under the State social insurance system, grant subsidies to the working people who are temporarily disabled due to labour accidents, disease or injury and, if the period of disability extends beyond six months, shall provide them disability allowance under the State social security system

(article 73) and that the State shall look after free of charge in the old homes and sanatoria old people and persons with disabilities who have no other means of support (article 78). The Social Security Law contains provisions concerning the protection and promotion of the rights of persons with disabilities under the social security system such as grant of different types of old-age pensions and subsidies, production and supply of wheelchairs, prostheses and other assistive devices (articles 9 and 13).

16. The Law on the Protection of the Rights of the Child provides that children with disabilities shall have equal rights with others to receive education and medical care (article 30) and that parents or guardians shall pay special attention to their education and take care of their life and health in a responsible manner (article 40). The Law on the Registration of Citizenship stipulates that a citizen shall not be allowed to change the name, sex, date and place of birth registered in his or her certificate of birth or citizenship, and in the case of very urgent need, he or she should file an application with the people's security organ, which shall grant or reject the application after thorough examination thereof (article 16). The Family Law provides legal guarantee for the support of persons with disabilities by stipulating the duty of their family members to support them (articles 40–45).

17. Matters concerning the protection and promotion of the rights of persons with disabilities are provided in detail in the Implementing Regulations of the above-mentioned laws and other Regulations such as the Regulations for the Blind and Deaf Schools, Regulations on Social Insurance, Regulations on the Work with Ex-Servicepersons Disabled on Duty, Regulations on the Establishment and Operation of Guesthouses for Welfare Recipients and Light Factories, Regulations on Job Placement, Regulations on Medical Assessment of Ability to Work etc.

#### **Article 4**

##### **General Obligations**

18. From the outset, the DPRK provided persons with disabilities with equal rights with other citizens, established national system for their protection and adopted a series of special measures for their well-being.

19. The Law on Labour of Workers and Officers in north Korea was adopted on June 24, 1946, to provide for allowances to be given to those with disabilities caused by labour accidents and those who have lost ability to work due to occupational diseases. The Decision on Adopting Social Insurance Law was issued on December 19, 1946 by the provisional People's Committee of north Korea, in which matters concerning provision of living conditions for persons with disabilities were specified. The Democratic Union of Blind Persons of north Korea was organized on February 28, 1948 with the aim of taking necessary measures for the livelihood of blind persons. The Constitution, which was adopted simultaneously with the founding of the DPRK on September 9, 1948, stipulated that the State should provide medical assistance under social insurance system or material support to persons that have lost ability to work because of illness.

20. The State continued to grant benefits to persons with disabilities even during the war (1950–1953), while taking legislative measures to ensure their effective enforcement. The Cabinet Decision on the Establishment of Schools for Ex-Servicepersons Disabled on Duty was adopted on April 13, 1951 for the purpose of protecting them and providing them with vocational training. In accordance with this Decision they were provided free of charge with school materials, daily necessities and arm/leg prosthesis, as well as free medical care such as regular checkups and medication. The Cabinet Directive was issued in April, 1953 for the organization of co-operatives of ex-servicepersons wounded on duty, the Cabinet Decision adopted in August 1953 for provision by the State of conditions for employment and school attendance of wounded soldiers and the Regulations on State Social Security adopted on January 27, 1954 to ensure persons with disabilities and other welfare recipients stable life.

21. With a view to increasing State support and social assistance to ex-servicepersons and persons with disabilities a Cabinet directive was issued in April 1960, which entitled factories of ex-servicepersons with disabilities and light factories to 50% reduction of the

sales tax and 100% exemption of the payments due to the State. This directive also obliged factories to employ, without regard to their employment quota, ex-servicepersons and persons with disabilities who wish to go to work. Starting in May, 1960 persons with disabilities were allowed to ride buses without paying fare and enjoy preferential treatment in using railway trains, automobiles, ships and other public transports, as well as theatres, cinemas and other cultural facilities.

22. Legislative measures were adopted to take into the care of the State persons with disabilities without any means of support. Regulations on Old Homes and Recuperation Homes were adopted in October 1961, whereby necessary establishments were set up in several parts of the country. Standards for the Supply of Materials to Old Homes and Recuperation Homes were also passed in June 1962, according to which persons with disabilities without means of support were provided by the State with daily necessities and living conditions.

23. The policy of the State on taking care of persons with disabilities without means of support at recuperation homes was reflected in the Socialist Constitution and the Socialist Labour Law adopted on December 27, 1972 and on April 18, 1978 respectively, thus ensuring their effective implementation. With the adoption in April 1985 of the measure on strengthening medical rehabilitation, therapy departments were set up at hospitals at all levels from the central down to the county, and therapy rooms at a number of clinics, while sanatoria providing functional rehabilitation service exclusively to persons with disabilities were established.

24. Efforts for the protection of persons with disabilities began to be conducted in a more extensive and diverse manner with the organization on July 29, 1998 of the Korean Association for Supporting the Disabled which represents the rights and defends the interests of persons with disabilities, and its strenuous activities. (See para. 35 of this Report for the activities of this Association and its reorganization).

25. With the adoption on July 18, 2003 of the Law on the Protection of Persons with Disabilities significant achievements were made in the efforts to secure firm legal guarantee for the rights and interests of persons with disabilities, establish unified State guidance system for their protection and raise public awareness of disability issues.

26. In accordance with this Law national committee for the protection of persons with disabilities was organized, Day of Persons with Disabilities instituted and functional rehabilitation center exclusively for persons with disabilities set up. Effective awareness-raising campaigns were conducted and the mass media gave wide coverage of contributions of persons with disabilities to the society, thus promoting positive perceptions of their capabilities and potentials and fostering the climate of providing them with active support. Noticeable changes took place in the public attitude to disability and persons with disabilities. The terms “disabled” and “crippled” were replaced by “persons with disabilities” and other pejorative terminology gradually disappeared. The general public who were once just sympathetic to persons with disabilities started to recognize their potentials and contributions to the society and understand that these persons were not mere receivers of protection and care but were the same right-holders as they are.

27. The DPRK signed the Convention on July 3, 2013 and then amended the domestic law on November 21, 2013 to harmonize it with the former. The amended law provided a new definition of the persons with disabilities and newly provided for such matters as setting up research centres tasked with conducting surveys and research of the cause and occurrence of disability, establishing a well-regulated system for the production and supply of assistive devices and providing them in accordance with the plan, granting bursaries to students in special classes and schools, designating by People’s Committees concerned of supporter organizations for special schools, obligations of the supporter organizations to regularly identify actual situation of special schools and provide sufficient conditions for their proper operation, developing curricula for special schools on the principle of placing main emphasis on general education and supplementing it with vocational training, setting up sports and arts associations at the central and local levels, providing preferential treatment to business units of persons with disabilities in their economic activities, designing and constructing dwellings and public buildings on the principle of ensuring

accessibility of persons with disabilities and establishment and operation of foundation for the support of persons with disabilities.

28. The DPRK, as a follow-up to the ratification of the Convention on November 23, 2016 and in serious consideration of the recommendations given by the UN Special Rapporteur on the Rights of Persons with Disabilities during her visit to the country, undertook a comprehensive review of disability-related domestic laws to check their compliance with the requirements of the Convention, and has prepared draft amendments to several of them, which are in the process of consideration.

29. For instance, with a view to further incorporation of the requirements of the Convention the existing Law on the Protection of Persons with Disabilities is to be retitled as The Law on the Protection of the Rights of Persons with Disabilities. A draft amendment containing such issues as the rights of persons with disabilities to vote and to be elected, to express their views, to hold public posts, to join social organizations and to submit complaints and petitions, the obligations of institutions, enterprises, organizations and individuals in respect of providing barrier-free environment and issues concerning legal capacity of persons with disabilities is under consideration. The draft amendment particularly specifies, in line with articles 12 and 23 of the Convention, that persons with disabilities should be provided with sufficient conditions to exercise their legal capacity and should unavoidable circumstances so require, a person should, subject to the former's request or consent, be appointed to act as a representative, as well as procedures for entrusting representation, scope of representation, accountability for the result of the activities conducted within the limits of the rights of representation. In addition to this, draft amendments to such laws as the Law on Construction, the Law on the Control of Construction, the Law on Urban and Town Planning, the Law on Urban and Town Management, the Law on Commerce are under consideration, in which issues such as universal design, reasonable accommodation and accessibility are reflected. Pejorative language referring to persons with disabilities in English translations of the Socialist Labour Law, Public Health Law, Law on the Protection of the Rights of the Child, Criminal Procedure Law and Civil Procedure Law were corrected in compliance with the requirements of the Convention.

30. Short- and mid-term action plans for the protection of the rights of persons with disabilities were developed and implemented. For instance, the Action Plan 2008–2010 successfully attained its target of renovating and refurbishing orthopaedic factories and surgeries to provide improved health service to persons with disabilities, modernizing school and boarding buildings and promoting welfare of children with disabilities. Action Plan 2013–2015 set the target of improving vocational training of persons with disabilities, providing them with adequate working conditions, doing groundwork for the realization of inclusive education, strengthening activities for the removing of communication barriers, accelerating disability sports, enhancing capacity of the Art Association of Persons with Disabilities, organizing and building capacity of the Deaf Association, increasing capacity of the Blind Association, organizing the Association of Women with Disabilities and activating the operation of Rehabilitation Centre for Children with Disabilities, all of which were achieved with success. Action Plan 2016 contained such targets as establishment of distance education network for improved secondary education for children with disabilities, sponsoring a pilot taxi service to persons with disabilities, capacity building through the training of KFPD staff and introduction of new IT equipment, editing a new introductory documentary about the KFPD, reinforcing production capacity of prosthesis on a self-supporting basis and strengthening academic exchange and cooperation in the field of rehabilitation and prosthesis. Sector-specific strategies in such fields as education, public health, labour, construction, etc. for the implementation of the National Strategy for the Economic Development 2016–2020 are also inclusive of persons with disabilities, with long-term and stage-by-stage targets to be attained by the year 2020. Currently, the National Strategic Plan for the Protection of the Rights of Persons with Disabilities 2018–2020 is under implementation.

31. In the DPRK, it is the National Committee for the Protection of Persons with Disabilities that is responsible for the unified coordination of the implementation of the State laws and policy in respect of persons with disabilities. This committee is chaired by

the vice-Premier of the Cabinet, with deputy chairpersons being the chairman of the Education Commission and ministers of public health and labour, and members consisting of deputy leaders of the State Planning Commission, State Emergency Disaster Commission, Ministries of Finance, People's Security, State Construction Control, Urban Management, External Economic Relations, Light Industry, Sports and Physical Culture, Culture, Food Administration, Daily Necessaries, General Bureau of Designing and Central Bureau of Statistics, and chairpersons of the Associations of the Blind and Deaf. Provincial, municipal and county committees for the protection of persons with disabilities under the umbrella of the KFPD are chaired by the chairpersons of the People's Committees in the area concerned, with their secretaries being chairpersons of the provincial Federation for the Protection of Persons with Disabilities and members being the leaders of the disability-related institutions and representatives of the Associations of the Blind, Deaf and Women with Disabilities. The National Committee meets once a year, and the Provincial, Municipal and County Committees more than twice a year to discuss such matters concerning the protection of the rights of persons with disabilities as health care and rehabilitation, education, cultural life, work and employment and provision of adequate living conditions.

32. With a view to ensuring full and effective implementation of the State laws and policy on disability, one of the staff of the line ministries and central institutions has been appointed to serve as a disability focal point, who plays an important role in the field concerned. For instance, those in the Ministries of Sports and Physical Culture, Culture and Public Health work in close contact with the KFPD to organize sports, cultural and leisure activities of persons with disabilities, provide to persons with disabilities who are able to work with appropriate jobs and good working conditions, conduct a periodic survey of persons with disabilities and register them by type and ensure, in close cooperation with the health and functional rehabilitation center, that health care and rehabilitation service are provided properly.

33. Various types of disability-related institutions and organizations were established for the purpose of safeguarding the rights and interests of persons with disabilities and promoting their participation in public life. They are, for instance, Blind Schools, Deaf Schools, Colleges for Ex-servicepersons Disabled on Duty, research and education departments for children with disabilities under the Academy of Education, Munsu Functional Rehabilitation Centre, Research Institute of Functional Rehabilitation under the Korea General Red Cross Hospital, Factories for Ex-servicepersons Disabled on Duty, Light Factories, Orthopaedic Factories and their Guesthouses, Recuperation Homes, Sanatoria for persons with disabilities. These are all State-sponsored specialized institutions for persons with disabilities.

34. In the DPRK, it is the People's Committees at all levels that are directly in charge of the implementation of the State policy on persons with disabilities. They provide guidance to the above-mentioned institutions in the area under their charge and ensure that they are properly managed and necessary conditions are provided. They regularly acquaint themselves with the situation of persons with disabilities concerned and take measures for the material and technical support for their health and functional rehabilitation, education, cultural life and employment.

35. The KFPD, a social organization working for the protection of the rights and interests of persons with disabilities, also makes a significant contribution to implementing the State policy on persons with disabilities. The Korean Association for Supporting the Disabled which was established on July 29, 1998 with the sole mission to provide social support to persons with disabilities was reorganized into the Korean Federation for the Protection of Persons with Disabilities in July, 2005 to contribute, in close cooperation with the State institutions concerned, to the implementation of the State policy on the protection of persons with disabilities in a more comprehensive and unified manner. The KFPD has it as its mission to represent and protect the rights and interests of persons with disabilities and realize their autonomous, creative and full participation in public activities. Its main objective is, through a variety of support activities, advocacy, and IEC (information, education and communication), to ensure the persons with disabilities their social position, promote their mental and physical rehabilitation, education, labour, sports and physical culture, and art activities and create barrier-free environment. The central committee has its

umbrella organizations in all provinces, municipalities and counties, thus ensuring that nationwide efforts are made for the protection and promotion of the rights of persons with disabilities.

36. There are established under the KFPD the Association of Deaf Persons, Association of Blind Persons, Association of Women with Disabilities, Sport Association of Persons with Disabilities, Art Association of Persons with Disabilities, Foundation for Persons with Disabilities and Orphans, Company for Supporting Persons with Disabilities, Rehabilitation Center for Children with Disabilities, Economic and Cultural Centre for the Deaf and Blind, Vocational Training Centre, Association for the Rehabilitation of Persons with Disabilities, Association of Sign Language Interpreters and Cooperation Office for Persons with Disabilities and Orphans. Foundation for Persons with Disabilities and Orphans has its representative office overseas.

37. In the DPRK, coordination of the implementation of the Convention and other international human rights instruments to which the DPRK is a State party is the responsibility of the National Committee for the Implementation of the International Human Rights Instruments. This Committee meets regularly to discuss measures for the implementation of the Convention and other human rights instruments, as well as disseminating international human rights instruments, preparing implementation reports thereof, distributing concluding observations adopted by treaty bodies concerned, etc. It also finds out the status of implementation by the institutions, enterprises and organizations of the Conventions and relevant domestic laws and submits opinions and recommendations to the Presidium of the Supreme People's Assembly, the Cabinet and other competent institutions.

## **Article 5**

### **Equality and Non-Discrimination**

38. Persons with disabilities are enjoying equal legal protection and benefits with other citizens in political, economic, social, cultural and other fields.

39. The Constitution provides in article 65 that citizens shall enjoy equal rights in all spheres of State and public activity. This provision is a declaration of the vested rights of all citizens including persons with disabilities.

40. In accordance with the Constitution and the Law on the Election of Deputies to People's Assemblies at All Levels all citizens who have reached the age of seventeen have the right to vote and to be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliation, political views or religious belief. Public Health Law, Social Security Law and Socialist Labour Law entitle persons with disabilities to free medical care on equal terms with others, and all persons who are no longer able to work because of old age, illness or disability, and seniors and minors who have no means of support to material assistance. In accordance with the Education Law, Law on Higher Education, Law on General Education and Law on the Upbringing and Nursing of Children all citizens including persons with disabilities receive free education from kindergartens to universities.

41. Measures were also taken to ensure reasonable accommodation to persons with disabilities in a manner suited to their physical characteristics. As required by the Law on the Protection of Persons with Disabilities service providers working at facilities frequented by persons with disabilities are regularly provided with training in Braille and sign language so that they can accommodate the needs of persons with disabilities. In accordance with the Criminal Procedure Law and Civil Procedure Law sign language interpreters are provided in case of interrogating deaf persons who are accused of an offence or called as a witness.

## **Article 6**

### **Women with Disabilities**

42. The DPRK promulgated the Decree on Gender Equality on July 30, 1946 and enacted the Law on the Protection of the Rights of Women on December 10, 2010, thereby securing legal guarantee for the protection and promotion of their rights and further enhancing their position and role in all spheres of social life. This Law stipulates in article 2 that the DPRK consistently maintains the policy of ensuring equality of women with men and that the State shall ensure that all forms of discrimination against women are strictly prohibited. Under these laws, all women in the DPRK with and without disabilities enjoy their social and political rights and the rights to education, culture, health care, work, person and property, marriage and family on the basis of equality with men.

43. To ensure women with disabilities full enjoyment of their rights, Associations of Women with Disabilities were organized in four provinces since 2011, which will pave the way for the organization and operation of such association at the central level. The associations organized in North and South Phyongan Provinces, Kangwon Province and South Hamgyong Province set it as their main functions to raise public awareness of capabilities and potentials of women with disabilities, to grasp their economic and cultural needs and situation and take necessary measures, thus enabling them to enjoy worthwhile life on the basis of equality with others. They work out action plans, work with the KFPD provincial committees, choose and work with the representatives of women with disabilities in towns and counties. Public awareness-raising, needs assessment, organization of economic, sports and cultural activities of women with disabilities are their main functions. Capacity building of the staff of these associations being a top priority, the central committee and the provincial committees of the KFPD jointly organized workshops and trainings on different themes. The staff of these associations makes home visits to talk to women with disabilities and their families, to acquaint themselves with their needs and actual situation and make suggestions to the KFPD provincial committees for their solution. In this way, they make sure that provincial efforts for women with disabilities are the concerns of women with disabilities to address their own needs and wishes and bring benefits to themselves. For instance, the South Phyongan Provincial Association organized a self-help group consisting of women with disabilities and their family members for garment processing and other economic activities. All these initiatives enabled women with disabilities to be confident that they are members of the society and can make their own contributions to its development and to their families, as well as to improve their technical skills.

44. There are still some women with disabilities and their family members who, due to deep-rooted stereotype, feel shy about their disabilities and are reluctant to make themselves known to or mix with others. These problems are sure to be overcome through the improved activities of the associations of women with disabilities, further awareness-raising of the general public, etc.

## **Article 7**

### **Children with disabilities**

45. The DPRK has invariably pursued, on the principle of Best Things to Children, the policy of preferentially providing all children with the best of everything necessary for their health, education and life. Implementation of this policy is guaranteed by the Law on the Nursing and Upbringing of Children, Law on the Protection of the Rights of the Child, Law on the Protection of Persons with Disabilities, Public Health Law, Education Law, Family Law, etc.

46. For instance, the Law on the Protection of the Rights of the Child provides in article 3 that all children in the DPRK shall have equal rights irrespective of his or her social origin and sex, his or her parent's or guardian's position and property, and his or her disability, in article 16 that children shall have the rights to join the Children's Union or other children's organizations and freely express their opinions either orally, in writing or through publications or works of art, in article 17 that children's privacy, family,

correspondence, honour and dignity shall be protected by law, in article 20 that children shall be entitled to submit complaints and petitions, institutions, enterprises and organizations concerned shall receive children's complaints and petitions without delay and settle them in a responsible manner, and shall not ignore or deal with them irresponsibly and in article 30 that children with disabilities shall have equal rights with other children to receive education and medical care, education guidance institutions, public health institutions and local People's Committees shall properly manage schools for the blind and the deaf, and provide them with adequate conditions for schooling, medical treatment and living, in article 42 that children's thoughts shall be paid due regard in the family and not be neglected or ignored, in article 43 that such acts as maltreating, ignoring, abusing, censuring or striking children shall not be committed in the family and in article 47 that judicial institutions shall, when dealing with children in conflict with the law, fully ensure his or her rights at all stages of dealing with the case.

47. Measures were taken to provide conditions for children to express their views freely. Various kinds of festivals and contests such as My Classroom Literary Prize Contest, National Schoolchildren's Exhibition of Science Fiction, Literary Works and Models, Fine Arts Presentation, National Arts Festival of Schoolchildren and Art Contest of Kindergarten Children are held two times every year, bringing together hundreds of children across the country including children with disabilities. Certificates and prizes are awarded to successful participants and their works are sent out through TV, radio and children's newspapers such as Sonyon Sinmun and Saenal Sinmun. For instance, a person with polio, who is currently a writer of the Art Association of Persons with Disabilities, wrote in his teens a story My Friends and many other works to win five My Classroom Literary Prizes, the highest prize in the field of juvenile literature. Today he continues to produce good works depicting the life of persons with disabilities. Songs and poems written by other children with disabilities are widely covered by the mass media, leaving a deep impression on the public.

48. See paras. 141–150, para. 155, para. 164 and paras. 188–196 for measures taken for the education, sports and cultural activities and rehabilitation of children with disabilities.

49. A series of measures were put in place to nurture self-confidence and self-worth in children with disabilities from their early age and to guide them to take part in social life actively and consciously, while fostering among children without disabilities respect for the former's dignity and being supportive and friendly towards them. The Law on the Protection of the Rights of the Child, Law on the Protection of Persons with Disabilities and other related laws are taught to schoolchildren in the class of Socialist Morality and Law, thus contributing to combating stereotypes and prejudices against children with disabilities and promoting positive perceptions of them. Kindergarten and primary school teachers are required to pay special attention to the study and life of children with disabilities and their interaction with others and to create appropriate conditions and environment for them to mix with others. Necessary trainings are organized for the capacity building of teachers in this area. Children with disabilities with good grades and manners and other children who provided assistance to them are highlighted in children's newspapers and other mass media. In the years 2017 and 2018 alone a number of teachers and children were covered by TV and leading newspapers for their fine traits of rendering warm support and assistance to children with disabilities in their study and life.

50. School sports, art performances and other diverse activities are organized in every spring and autumn and on the occasion of the Day of Persons with Disabilities to guide children with disabilities to be rich in emotion and sound in mind. Friendly sports games were organized between children of special schools and mainstream schools, thus enhancing public awareness of persons with disabilities and fostering the climate of helping and leading each other.

51. See Annex Table 4 for disability rate of children by age groups and types of disability.

## Article 8

### Awareness-raising

52. The DPRK pays deep attention to providing persons with disabilities with favourable conditions and environment for active participation in social life on equal basis with others.

53. The Socialist Constitution stipulates that in the DPRK the rights and duties of citizens are based on the collectivist principle of One for All and All for One (article 63) and the Law on the Protection of Persons with Disabilities provides that the State shall strengthen edification among people so that they may treat persons with disabilities with noble human love and without any discrimination, and render them sincere support (article 6).

54. Dissemination of the Socialist Constitution, Law on the Protection of Persons with Disabilities, Socialist Labour Law, Social Security Law, Education Law and other disability-related laws were conducted in various forms and methods, guiding the general public to understand that persons with disabilities are not merely the recipients of care but equal right-holders with others and that protecting and supporting them are not just ethical and moral issues but their legal obligations. For instance, in December 2016 and in February 2017 as a follow-up to the ratification of the Convention, experts of the KFPD gave a comprehensive lecture on disability and persons with disabilities to the senior officials of ministries and central institutions, so that they may adopt a correct attitude to disability issues. The central committee of the KFPD organized three workshops for the capacity building of disability focal points in the line ministries and central institutions, and trainings and workshops for the staff of its local organizations on a regular basis. The on-the-spot trainings proved very helpful for those working for and with persons with disabilities in building up their capacity to spread knowledge among the public of the rights and abilities of persons with disabilities and their contributions to society.

55. The signing and ratification by the DPRK of the Convention in 2013 and 2016 respectively, as well as the principles and requirements thereof were widely carried by the mass media. The amended Law on the Protection of Persons with Disabilities was also disseminated through the national law education network. The Convention was translated into Korean language in 2011, and in 2012 and 2015, thousands of copies of the Convention, the Law on the Protection of Persons with Disabilities and Disability-related Laws and Regulations were printed and publicized both in English and Korean, thus enabling not only disability experts and professionals but also the general public to have a clear and positive understanding of disability issues.

56. Efforts were also made to spread among the public general information on the concept and types of disabilities, methods of caring for persons with different types of disabilities and other disability-related issues. TV and other mass media were involved to disseminate, in such forms and methods as news reports, stories and visual aids, general knowledge about disability and the care of persons with disabilities. Due attention was also directed to regular operation of the Intranet designed for persons with disabilities so that they may be kept informed of the ongoing State and public activities. For persons with hearing impairments captions were written for news reports, literary works and some other TV programmes. However, standardization of the Korean sign language throughout the country still remains a challenge, and intensive efforts are being made to solve this problem.

57. The KFPD plays an important role in public awareness-raising. Having given priority to awareness-raising of persons with disabilities to help them overcome self-abandonment and sense of frustration and develop sense of dignity and self-worth, it publicized numerous copies of booklets and leaflets both for the persons with disabilities, their families, colleagues and others obliged to care for them. In 2010, the KFPD opened its website Huimang(Hope) in the DPRK Homepage Naenara. One of the most popular websites operated by national institutions and organizations, this is a source of information for foreign organizations, individuals and international actors that wish to have a correct understanding of the efforts of the DPRK for the protection of persons with disabilities as well as those who are cooperating or willing to cooperate with the DPRK in that regard.

58. The KFPD's affiliated organizations such as the Economic and Cultural Centre for Deaf and Blind, Sign Language Interpreters' Association and non-standing committee for the Examination of the Korean Sign Language are conducting research for the standardization of the Korean Sign Language. Different kinds of DVDs and CDs for sign language education are distributed at CD/DVD stands in Pyongyang and local towns so that people with hearing impairments and their families, relatives, friends and others interested in disability issues can learn sign language. The Sign Language Interpreters' Association plans, after realizing the standardization of Korean sign language, to introduce sign language captioning for TV news reports and is now doing the groundwork.

59. Efforts were made to encourage people to follow examples of others in supporting and taking care of persons with disabilities, thus making the climate of supporting and being friendly towards persons with disabilities prevail the society.

60. The DPRK is a society of a large harmonious family, in which a lot of fine traits of people devoting themselves for the persons with disabilities are found: a woman married an ex-serviceman suffering pains from hemiplegia and other serious impairments caused during the war (1950–1953). Thanks to her devoted care and encouragement, the husband, being bed-ridden for forty-three years, wrote several tens of poems and stories conducive to the education of young generation and finally won the honour of People's Artist and Labour Hero; the headmistress of the Taedong Blind School who became a teacher at this school when she was a girl devoted her whole life for blind students, winning the respect of all; a teacher of a rural school covered two km everyday carrying on her back a girl with congenital poliomyelitis so that she could learn equally with others and then successfully taught two other children with disabilities; a girl teacher carried a child with polio on her bicycle to school every day and did her utmost for his rehabilitation; a man who became paraplegic by a sudden disease neither gave up hope nor was frustrated, but performed a lot of meritorious deeds within his capabilities for the good of the society and was awarded with the title of a Labour Hero- all these deeds were given wide publicity through mass media, exerting positive influence on nurturing atmosphere of supporting persons with disabilities.

61. Instituted as the Day of Persons with Disabilities, June 18, the day of adoption of the Law on the Protection of Persons with Disabilities is annually celebrated across the country with colourful events, thus contributing to fostering among the general public an attitude of respect for the dignity and rights of persons with disabilities. This day serves as an important occasion in publicizing the State policy for the protection of persons with disabilities, promoting social support for them and encouraging their participation in public life. Starting in 2014 a joint celebration has been held on the occasion of this day, bringing together members of diplomatic missions of EU countries and international organizations in the DPRK and overseas Koreans on a visit to the DPRK. Participants in the events appreciate an art performance of the members of the music and dance group of the Korean Art Association of Persons with Disabilities, which vividly shows their artistic talents and feelings, experience the daily life of the persons with disabilities and exchange their views and opinions on disability issues at seminars. Disability-related institutions and organizations in different parts of the country also organize such colourful events as art performances and amusement games, and visit families of persons with disabilities to provide them moral and material support.

62. The International Day of Persons with Disabilities has been annually celebrated since 2010 under the auspices of the KFPD. Invited here are citizens of Pyongyang, officials and experts of disability-related institutions, persons with disabilities and their families, and members of diplomatic missions of foreign countries and international organizations in the country. Videos containing a description of the activities the KFPD carried out are presented with sign language interpretation and Korean and English subtitles. Sign language and oral English interpretations are provided for all addresses and presentations at the event. Art performance of the members of the Art Association of Persons with Disabilities is put on stage and photo and handicrafts shows are also organized.

63. All the above-mentioned events were given wide coverage by TV and newspapers. Especially, broadcasting of general information about disability issues and accounts of work and cultural life of persons with disabilities before and after the Day of Persons with

Disabilities are of great significance in portraying a positive image of persons with disabilities, and motivating them to take an active part in public life with self-confidence and respect.

64. Media coverage of the visit to the DPRK by UN Special Rapporteur on the Rights of Persons with Disabilities and her party in May 2017 was of great importance in calling public attention to disability issues. Hosting by the DPRK of the delegation was a manifestation of its commitment to improve the protection of persons with disabilities in keeping with the world trends and enabled the general public to have a better understanding of the necessity and importance of the disability-related efforts, as well as the capabilities and potentials of persons with disabilities.

## **Article 9**

### **Accessibility**

65. It is one of the priorities of the DPRK in the protection and promotion of the rights of persons with disabilities to enable them to live independently and participate fully in all aspects of life by ensuring them access, on the basis of equality with others, to the physical environment, to transportation, to information and communications and to other facilities and services open or provided to the public, both in urban and in rural areas.

66. The Law on the Protection of Persons with Disabilities provides in article 47 that the institutions of State construction control, designing and urban management, as well as institutions, enterprises organizations concerned shall, when constructing and designing dwellings, public buildings and structures, adhere to the principle of providing convenient living conditions to persons with disabilities and in article 48 that the transport services, service establishments and communication centres shall provide convenience to persons with disabilities for their use of vehicles, service facilities and communication means, provide them friendly and preferential service, and blind persons and others whose independent ability is seriously restricted or lost shall be allowed to ride buses, ships and other transports without paying fare.

67. Standards for the Designing of Building Spaces for Persons with Disabilities issued by the directive of the Ministry of State Construction Control on July 19, 2009 provides detailed standards for ensuring convenience of persons with disabilities in the designing of buildings. These Standards serve as the guidelines for designing spaces for persons with disabilities in city roads and public facilities which are to be newly built or renovated, as well as for designing buildings or facilities where persons with disabilities are to work and live in. Also contained in these Standards are basic requirements for designing sidewalks, crossings, bus-stops, bridges and tunnels for the convenience of wheelchair users, blind persons and users of canes, crutches or other walking aids, as well as the standards for designing ramps, entrances, Braille plates, lifts, bathrooms and toilets, lounges, lobbies and spectators' seats tailored to the needs of persons with disabilities. At present, the Ministry of State Construction Control and the General Bureau of Designing are in the process of revising these Standards by reference to the latest technical data on the barrier-free environment.

68. A workshop was organized in September, 2017 with the aim of familiarizing focal points of ministries responsible for providing barrier-free environment such as the Ministry of State Construction Control, General Bureau of Designing, Ministry of Urban Management and others concerned with the concepts and requirements of universal design, reasonable accommodation and other accessibility issues contained in the Convention, and discussing measures to be taken. The National Strategic Action Plan for the Protection of Persons with Disabilities which is under implementation also includes legal, institutional, administrative, technical and logistical measures for the creation of barrier-free environment.

69. Efforts are also under way to remove the physical barrier hindering the participation of persons with disabilities in social life and to ensure them better, safer and more favourable conditions and environment for their daily life and social participation.

70. Taxi parks bearing international standard marks of persons with disabilities are created in the compounds of major hospitals, and taxis for exclusive service for persons with disabilities are running. The Memorial House of the Fatherland Liberation War, Pyongyang International Airport and Wonsan Galma Airport which have been recently built have passages for blind people, toilets and lifts for persons with disabilities, inspection points for persons with disabilities and other disability-friendly facilities. New tube trains manufactured in 2015 have special seats and spaces for elderly persons and persons with disabilities. May Day Stadium and other public places including stadiums, theatres, pleasure parks, as well as the Sci-Tech Complex and the Pyongyang Old Home have toilets for the exclusive use of persons with disabilities. In particular, the Sci-Tech Complex has an e-reading room specially designed for persons with disabilities, where deaf persons and those with hearing impairments watch science films and other electronic media provided with sign language and Korean captions, and blind persons and those with visual impairments listen to e-books using audio software and read necessary materials printed by computers loaded with the Korean Braille Recognition and Edition Software. Librarians of this reading room regularly receive sign language training provided by the Association of Sign Language Interpreters so that they can provide satisfactory service to deaf persons and those with hearing impairments.

71. Designs for the remodelling of the Samjiyon County which is to be the model township in the country and for the construction of Wonsan Galma Coastal Tourist Area contain construction of barrier-free environment for persons with disabilities in compliance with the international standards.

72. The Phyongchon Jangwon Service Centre newly built in Pyongyang through the sponsorship of the KFPD is a model facility accessible for both persons with and without disabilities, helping them to have a sufficient understanding of the concept, necessity and importance of barrier-free environment and greatly contributing to public awareness-raising of accessibility issues facing persons with disabilities.

73. The Economic and Cultural Center for the Deaf and Blind, an affiliated organization of the KFPD and the hub of economic and cultural activities of the deaf and the blind persons, successfully organized skill training and delivery of materials for developing light-alarm devices for deaf persons and persons with hearing impairments in 2015, which was followed by the proposal in May 2018 of the project to develop IT devices for persons with disabilities. Implementation of this project will make it possible for persons with hearing or visual impairments to communicate with others without any difficulties.

74. The Association of Sign Language Interpreters publishes sign language manuals for major public buildings, catering establishments and roadmaps so that persons with disabilities may access public facilities and services open and provided to the public. It is also doing preparatory work for the publishing of the standard Korean Sign Language Dictionary and a reference book for the study of the Korean sign language and finger language. The early education class of sign language run by the Economic and Cultural Centre for the Deaf and Blind teaches sign language to children with hearing impairments as well as to those who so wish. For instance, this centre organized four trainings in 2011 for the staff of the central committee and affiliated organizations of the KFPD. When the plan for the construction of the Sci-Tech Complex was announced, the KFPD and the Economic and Cultural Centre for the Deaf and Blind Persons provided technical assistance for the designing of the specialized reading room for persons with disabilities and organized sign language training for the would-be librarians and other service providers so that persons with hearing impairment could receive services in the Complex to their satisfaction.

75. The Pyongyang Information Technology Bureau and other units for developing communication technologies are working in close cooperation with the Economic and Cultural Centre for the Deaf and Blind Persons to develop softwares for persons with hearing or visual impairments to access new information, communication and technology system.

76. There still remain, in the light of the requirements of the Convention, a lot of work to be done to facilitate accessibility of persons with disabilities to physical environment including making public facilities accessible to them and displaying sign language

captioning for TV news reports. The DPRK plans to widely disseminate and introduce advanced technologies on accessibility in order to ensure disability-friendly physical environment for their full and effective social integration and independent and autonomous life.

## **Article 10**

### **Right to Life**

77. The Constitution entitles all citizens including persons with disabilities to inviolability of the person. Placing a person under control or arresting him or her without a legal warrant constitutes a serious violation of the law.

78. In accordance with the Criminal Law death penalty is not imposed on those who were under eighteen years of age at the time they committed a crime, nor executed against pregnant women. Serious penalties are imposed on crimes of impairing the life of another. For instance, article 58 of the Criminal Law requires that a person who has intentionally committed serious murder shall be subjected, regardless of the statute of limitations of criminal prescription, to criminal punishment, while article 266 requires that a person who intentionally murdered another should be subjected to a penalty of reform through labour of not less than ten years, or to reform through labour for an indefinite period or death penalty in extremely serious cases.

79. Law on the Protection of the Rights of the Child entitles all children including children with disabilities to right to life and development, and obliges parents, guardians or institutions concerned to fully ensure them the rights to the protection of their life and existence and to grow up healthy, mentally and physically. In order to fulfill their obligations under this Law public health guidance institutions and local People's Committees assigned medical workers to nurseries, kindergartens and schools, and supplied adequate medicines and medical apparatus so that children's health can be taken good care of, while child-upbringing institutions carry out their functions on a scientific basis through conducting regular check-up of children's health and growth and taking necessary measures.

## **Article 11**

### **Situations of Risk and Humanitarian Emergencies**

80. Measures for the protection of persons with disabilities in situations of risk and humanitarian emergencies are provided in the Law on the Prevention of Disasters, Relief and Recovery, Law on the Prevention of Earthquake and Volcano Disasters, Law on the Red Cross Society and their Implementing Regulations. For instance, it is provided in the Law on the Prevention of Disasters, Relief and Recovery that the State should, upon occurrence of a disaster, ensure that adequate manpower and equipment are promptly mobilized for the immediate and effective conducting of relief and recovery, educational institutions should provide education on disaster preparedness and response, and mass media provide the general public with information about disastrous natural phenomena, prevention of damage that may be caused thereby and first aid. In particular, it provides that when determining the order of supply of contingency materials, the institution concerned should give priority to children, old persons, persons with disabilities, women and others in urgent need of support in the affected areas.

81. Primary attention was directed, upon occurrence of disasters, to the protection and rescue of persons with disabilities and other vulnerable groups, and necessary measures were put in place. The Central Committee of the KFPD worked in close cooperation with the State Committee for Emergency and Disaster Management to mainstream into disaster prevention activities such issues as assessment of difficulties and abilities of disaster-affected persons with disabilities, development of contingency plan, establishment of early warning system and provision of barrier-free environment. It also organized workshops for the capacity-building of those working for and with persons with disabilities in the area of disaster prevention. For instance, the KFPD successfully implemented a pilot project for inclusive disaster risk reduction at the Pongsan Deaf School in north Hwanghae Province

when it was hit by floods and landslide in 2015. It also provided mobility aids and daily necessities to 500 persons with disabilities and their families in disaster-affected Hoeryong, north Hamgyong Province in September and October 2016. Starting in 2017, inclusive disaster risk reduction program is under implementation at the Hamhung Blind School and Deaf School in south Hamgyong Province, Pongsan Deaf School and the surrounding village in north Hwanghae Province, and in the seat of Ryongchon County and in and around Ryongampo, north Phyongan Province.

82. The Central Committee of the KFPD is planning to develop guidelines for the inclusive disaster risk reduction to be distributed to disaster prevention bureaus of provincial People's Committees, renovate, on a trial basis, existing buildings in two provinces for use as shelters for persons with disabilities, stockpile, in cooperation with provincial committees for the protection of persons with disabilities, assistive devices and other contingency materials and establish a system under which it can share the status of stockpile with the State Committee for Emergency and Disaster Management and provincial committees for disaster prevention so that they can be timely supplied to persons with disabilities upon occurrence of disasters.

## **Article 12**

### **Equality before the Law**

83. Persons with disabilities exercise equal legal capacity with others in accordance with the Socialist Constitution, Civil Law, Family Law, Succession Law and Civil Procedure Law.

84. The Constitution provides in article 65 that citizens shall enjoy equal rights in all spheres of State and public activity, the Family Law in article 4 that protecting the dignity and promoting the rights of people is an intrinsic requirement of the socialist system, under which people are held most dear and that the State shall, through a system of guardianship, protect the rights and interests of citizens who are incapacitated, the Civil Law in article 19 that a citizen acquires civil rights with his or her birth and loses them with his or her death, all citizens are equal with regard to civil rights and no one can limit a citizen's civil rights unless otherwise provided for in the law and the Succession Law in article 3 that the State shall ensure the rights of inheritors on an equal footing and in article 4 that the State shall ensure that in handling succession-related matters the interests of persons lacking independent capacity is promoted preferentially.

85. In the DPRK, a citizen's age of majority is seventeen. When a citizen reaches seventeen years of age, he or she may act under the civil law independently. Those who are incapable of civil acts or with disabilities may, upon their request or subject to their consent, conduct an act under civil law through his or her parents or guardian. Incapability of an adult to perform a civil act is determined by legal procedures. Where a person with disability is incapable of conducting a civil act, his or her spouse, parents, children, grandparents, grandchildren or siblings are eligible to act as a guardian. A guardian assumes an obligation to administer the property of the person for whom he or she is acting, act as his or her representative and take care of his or her health and life. A representative is entitled to commit an act governed by the civil law on behalf of the principal person concerned, while the legal responsibility rests with the principal. Representation is entrusted verbally or in writing. In case a citizen authorizes a representative verbally, the other party should be informed thereof and of the limits of the right of representation. A representative is under obligation to conduct the representation faithfully within the limits of the rights of representation and should be answerable to the principal for the harm caused by improper representation within the limits of the rights of representation. Performance of guardianship is placed under the supervision of the population administration institution.

86. It is stipulated in article 37 of the Civil Law that the ownership of property in the DPRK falls into the categories of State ownership, social, cooperative ownership and private ownership and in article 39 that a person in a position of ownership may possess, use and dispose of the property in his or her possession within the limits provided for by law. In accordance with these provisions, persons with disabilities may, on equal terms with

others, conclude contracts for buying or selling goods with retail trade institutions, procurement agencies and individuals, contracts for selling to consumers sideline agricultural products they produced, service contracts for commissioning the making, repairing or servicing of goods and other services, storage contracts for the depositing or keeping goods, loan contracts for borrowing books, living necessities, recreation facilities and gymnastic apparatuses, contracts for passenger transport, savings contract, insurance contract, loan contract, etc. Rights and obligations in respect of performance of contracts are governed by the Civil Law.

### **Article 13**

#### **Access to Justice**

87. Principles, procedures and methods for fair trial are stipulated in the Constitution, Law on the Composition of Courts, Criminal Procedure Law, Civil Procedure Law and other laws concerned, which apply equally to all citizens including persons with disabilities.

88. Justice is administered by a court consisting of one Judge and two People's Assessors, who are elected at the People's Assemblies concerned. In administering justice, the Courts are independent, and judicial proceedings are conducted in strict accordance with the law and free from outside interference or influence. The courts deliver verdicts of guilty or not guilty when the truth of the given case is proved beyond reasonable doubt on the basis of the scientific evidence that has been corroborated in the process of the trial. The accused him/herself should attend the trial and is defended by a defence counsel of his or her choice. The accused may call a witness to defend him/herself and put questions to him or her. It is prohibited to force an accused to testify against him/herself or confess guilt. The interrogation is attended by a recording clerk and, in case of need, an observer, and the whole process of preliminary examination and trial is recorded and video-taped so that impartiality, objectivity and accuracy of the trial may be guaranteed. In case an accused or a defence counsel considers the verdict unfair, he or she may submit an appeal within ten days of the delivering of verdict.

89. It is provided in the Criminal Procedure Law and the Civil Procedure Law that sign language interpreters should be provided when persons with speaking or hearing impairments participate in judicial proceedings for committing violations of law or as witnesses.

90. Punishment is not imposed on an offender who commits a socially dangerous act while he or she is unable to judge his or her conduct or control him/herself because of chronic mental disease or temporary mental disorder, and medical measures are applied instead. The principle in dealing with the blind, deaf-mute and other persons with disabilities who committed ordinary offences is to exempt them from or mitigate the punishment.

91. Workshops, seminars and trainings were organized for law enforcement officers on such occasions as the adoption of the amendment to the Law on the Protection of Persons with Disabilities in 2013 and ratification of the Convention in 2016 so that they may be well aware of the rights of persons with disabilities and guarantee them their rights in the performance of their duties. They were also taught the principles and requirements of the laws and Convention, to deal with persons with disabilities who committed violations of law with due respect for their dignity and in a manner appropriate to their characteristics, as well as other practical issues.

### **Article 14**

#### **Liberty and Security of Person**

92. The Constitution provides in article 79 that citizens shall be guaranteed inviolability of the person and the home, and privacy of correspondence, and no citizen shall be placed under control or arrest nor can a citizen's home be searched without a legal warrant.

93. The Criminal Procedure Law provides that investigators should not arrest a suspected criminal or a criminal except in such unavoidable circumstances as the criminal is discovered at the point of or in the very act of committing a crime or a suspected criminal or a criminal is on the point of fleeing.

94. In case where the investigator has detained a suspected criminal or a criminal, he or she is obliged to draw up a decision on detention within forty-eight hours thereof, obtain the approval of the public prosecutor and complete the investigations and transfer the arrested person to preliminary examination within ten days thereof. In case of failure to obtain the approval of the public prosecutor or prove a case against the person within ten days of the detaining, he or she is to be released immediately. In case where the investigator decides not to detain a suspected criminal or a criminal who has been arrested, he or she is obliged to inform the public prosecutor of the date of arrest and the reasons for his or her decision within forty-eight hours thereof.

95. Examination and isolated treatment of persons with mental disorder are conducted in strict accordance with the Law on Medical Treatment and Regulations on Medico-Legal Examination of Mental Diseases and Isolated Treatment of Persons Subject to Medical Measures. Medical examination is conducted upon application by regulatory and supervisory institutions or other institutions, enterprises and organizations, notification of a medical institution or request of individuals, or when circumstances requiring such examination are identified in the course of conducting medical inspection. Upon receiving an application, the examination institution holds a consultative meeting attended by the chiefs of the institutions concerned, health professionals concerned and, in case of need, capable psychiatrists in other institutions, and render, on the basis of scientific and objective data, a decision, which should satisfy both legal and medical requirements. In case any objection is raised to the decision, the given case is submitted to the non-standing Medico-Legal Examination Committee for re-examination, whose decision is final and conclusive.

## **Article 15**

### **Freedom from Torture or Cruel, Inhuman or Degrading Treatment and Punishment**

96. It is provided in article 242 of the Criminal Law that a law officer who illegally interrogates an individual, or fabricates or exaggerates a case shall be committed to disciplining through labour of not more than one year. In case where he or she causes a serious injury or loss of life of an individual or causes a penalty to be imposed on him or her through the above-mentioned act, he or she shall be committed to reform through labour of not more than five years. In case of a grave offence, he or she shall be committed to reform through labour of not less than five years and not more than ten years.

97. The Criminal Procedure Law requires that coercive methods should not be used to force a person to admit an offence nor lead a statement, the statement of the examinee or the accused that has been obtained by coercion or by leading should not be recognized as admissible evidence.

98. Public prosecutors conduct, as required by the law concerned, regular inspection of the investigation, preliminary examination and penitentiary institutions and in case they discover any acts of violating human rights or receive any complaints in that regard from an examinee or an accused, or the defence counsel or other persons concerned, they carry out timely investigation and take necessary measures to redress them.

99. Law colleges and universities teach students to clearly understand why it is illegal and harmful to use coercive methods of interrogation and how to ensure scientific accuracy, objectivity and prudence in dealing with cases, while strictly adhering to the principle of dealing with cases on the basis of evidence. Law enforcement institutions also take educational and regulatory measures to prevent law officers from conducting interrogation through coercive means or leading a statement and using other illegal methods.

## **Article 16**

### **Freedom from Exploitation, Violence and Abuse**

100. It is provided in article 26 of the Law on the Protection of the Rights of the Child that educators of children shall always be role models for them and shall, under no circumstances, commit such acts as disregarding their dignity, discriminating, using abusive language, censuring, insulting or striking them, in article 40 that parents or guardians shall pay special attention to the education of children with disabilities and take care of their life and health in a responsible manner and in article 43 that such acts as maltreating, ignoring, abusing, censuring or striking children shall not be committed in the family. The Law on the Protection of the Rights of Women provides in article 38 that women shall have inviolable rights to health and life, and no one shall commit infanticide by reason of her being a female, nor maltreat or neglect a woman on the grounds of having given birth to a female, being pregnant, sick, disabled or aged and in article 46 that all forms of domestic violence should be prohibited and local People's Committees, institutions, enterprises and organizations shall ensure that their work programs are inclusive of the education of residents and employees under their charge in the prevention of domestic violence, so that perpetration in their families of acts of violence may be prevented. It is stipulated in article 260 of the Criminal Law that a person who causes the person under his or her protection to be disabled, seriously injured, lose his or her life or commit suicide through the above-mentioned act, he or she shall be committed to reform through labour of not more than three years. In case of grave offence reform through labour of not more than five years shall be applicable.

101. See paras. 59–63 of this Report for measures taken to foster climate of respect for the honour and dignity of persons with disabilities and warm support to them.

102. Persons with disabilities who claim that their rights have been violated are guaranteed the right to submit complaints. The Law on Complaints and Petitions provides in article 8 that citizens are entitled to lodge complaints and petitions with institutions, enterprises, organizations and individual officials including the highest organ of the State power, provided that he or she has good reasons to do so and in article 9 that citizens shall submit complaints in person, and under unavoidable circumstances his or her guardian or representative may lodge complaints on his or her behalf.

103. The well-developed complaints mechanism from the central down to the grassroots level ensures persons with disabilities the exercise of their rights to complaints and petitions. All State institutions have specialized departments for dealing with complaints and petitions, while other enterprises and organizations have full- or part-time officials appointed for that purpose. Consideration and settlement of the results of investigation of complaints or petitions are conducted at the consultative meeting of the leading officials of the institution concerned or on the Day of Settlement of Complaints. Central institutions and provincial People's Committees and other provincial-level institutions meet once a month, while municipal and county People's Committees, and other institutions and enterprises meet on the 1st, 11th and 21st day of every month for the settlement of complaints and petitions. As a rule, complaints and petitions are investigated and settled in the order of their receipt and registration, but those submitted by persons with disabilities, old persons and women take precedence.

104. Good conditions are provided for persons with disabilities and other citizens to exercise their rights to complaints and petitions. Complaints boxes are installed in the receptions or other convenient places of all institutions, enterprises and organizations, and rooms are provided exclusively for listening to complainants. Complaints officers are duty bound to open the boxes every day for the registration of the letters of complaints found therein. The result of investigation and settlement of the complaints should be notified to the complainants, and the day when such notification is made is deemed the day of final settlement of complaints concerned. In case a complainant is aggrieved with the result of settlement, he or she can lodge complaints again. In such case an officer higher in rank than the previous one is assigned to conduct re-investigation and settlement of the complaints in question.

105. Generally, persons with disabilities lodge complaints with the Central Committee of the KFPD, an organization that works to represent their rights and protect their interests. The Committee registers the complaints and petitions in accordance with the principles and procedures provided for in the Law on Complaints and Petitions. In case the complaints and petitions received are outside their jurisdiction or authority, the Committee refers them to the institutions concerned with the deadline of settlement specified. The latter is under obligation to inform the former of the outcome of settlement of the complaints concerned.

106. A well-ordered report system is put in place throughout the country. People's security officers regularly inform the citizens in the area under their control why it is important to make a report promptly and accurately, what to report and how to report it. Emergency call numbers are posted in all institutions, enterprises and organizations, and citizens are duty bound to report verbally or in writing any unusual practices and phenomena that they notice or come to their knowledge. Community leaders ensure that any act of neglect or abuse committed by their residents against persons with disabilities is timely reported and relevant measures are taken.

## **Article 17**

### **Protecting the Integrity of the Person**

107. Rights of persons with disabilities to respect for their physical and mental integrity on an equal basis with others are guaranteed by the Public Health Law, Law on Medical Treatment, Law on Plastic Surgery, Criminal Law and Law on Compensation for Damage.

108. It is provided in article 26 of the Law on Medical Treatment that medical institutions shall inform the patient of the medical procedures to be followed. Where operation is to be performed, consent of the patient should be obtained. In case the patient is unconscious, consent should be sought from the person in a position to grant it. The Law on Plastic Surgery stipulates in article 10 that the plastic surgery institution shall conduct examination and test of a patient who wishes to undergo plastic surgery before holding doctors' conference for discussion, and then pronounce an exact diagnosis, and the diagnosis that has been confirmed shall be entered in the case history and informed to the patient and in article 12 that the plastic surgery institution shall inform the patient in advance of the medical treatment to be conducted and obtain his or her consent. Where unavoidable circumstances make it impossible to obtain the patient's consent, consent shall be sought from the person in a position to do so.

109. Disregard of a person's dignity and defamation are defined as crimes in the Criminal Law and subject to liability prescribed in the Law on Compensation for Damage. The Criminal Law provides in article 322 that a person who insults another or impairs his or her honour from base motive or purpose shall be committed to disciplining through labour and the Law on Compensation for Damage in article 40 that compensation for bodily injury shall be made for the damage caused through injuring the health or life of a person, and compensation shall also be made where a person's freedom is restricted, or mental anguish is inflicted through impairing his or her dignity or honour.

110. Abortion is, depending on why it is needed, lawful. Abortion service is provided upon request by the woman concerned for reasons of risks to her life, or physical and/or mental health. In accordance with the directive of the Ministry of Public Health issued in July 2015 appropriate measures were taken to ensure satisfactory provision of post-abortion management to women who experienced spontaneous or induced abortion. Prevention of abortion complications through provision by health institutions of safe abortion and post-abortion management services was set as one of the targets to be attained by the Reproductive Health Strategies.

## **Article 18**

### **Liberty of Movement and Nationality**

111. Rights of citizens to liberty of movement and to a nationality are guaranteed by the Constitution, Immigrations Law, Nationality Law and the Law on the Registration of

Citizenship. The Constitution provides in article 75 that citizens shall have freedom of residence and travel and the Immigrations Law in article 10 that citizens may leave or enter the country for public or private purpose.

112. Persons with disabilities enjoy the liberty of movement on the basis of equality with others. They move about freely in order to receive rehabilitation or orthopaedic service, to take part in sports games and art performances held at home or abroad, etc. Facilities are accorded to the fullest extent possible to persons with disabilities who wish to travel in or outside the country for medical treatment or specialized service.

113. The Nationality Law entitles the following persons to acquire the nationality of the DPRK: persons whose parents are DPRK citizens, persons one of whose parents is a DPRK citizen residing in the territory of the DPRK and the other is a foreign national or a stateless person, persons whose parents are stateless persons residing in the territory of the DPRK and persons born in the territory of the DPRK but whose parents are not ascertained. As the Nationality Law applies both *jus sanguinis* and *jus soli*, there is no possibility for a child born in the territory of the DPRK to be left stateless. In accordance with the Family Law children born out of wedlock are also guaranteed the rights to nationality.

114. As required by the Law on the Registration of Citizenship parents or guardians file with the people's security institution concerned an application for birth registration within fifteen days of the birth of a child concerned. The people's security institution reviews the application within fifteen days of receiving thereof and issues a birth certificate. Once the birth of a child is registered, he or she enjoys a variety of State benefits such as health care by a household doctor, supply of rice and nutritive food, provision of daily necessities and housing, etc. Hence, there is no one evading birth registration.

## **Article 19**

### **Living Independently and Being Included in the Community**

115. In the DPRK rights of persons with disabilities to choose their place of residence and where and with whom they live on an equal basis with others are fully respected and guaranteed by law.

116. The DPRK is administratively divided into province (or municipality directly under central authority), city (or district), county, ri (up, gu, dong). The basic unit of community life is the neighbourhood unit. In almost every unit there can be found persons with certain types of disabilities such as disabilities due to old age, congenital disabilities, disabilities caused by accidents, diseases, poisoning, etc. As a result of strenuous efforts to raise public awareness of persons with disabilities, their neighbours treat and support them in a friendly manner, while doing their best for their full inclusion in the community. For instance, heads of neighbourhood units do their best to enable persons with disabilities to take part in leisure activities on holidays and Sundays either by asking them, for the sake of their convenience, to host the activities at their homes or providing them with assistive devices or vehicles so that they can move to the venue concerned without any inconvenience.

117. Voluntary service providers from different walks of life including civil servants, students, housewives, etc. visit persons with disabilities in groups or individually to render them support for their participation in the community. These interactions help persons with disabilities keep close contact with the society, become aware that they themselves are full-fledged members of society and lead a worthwhile life, participating in social life to the best of their abilities. Public service establishments also offer the best of their seats to persons with disabilities and provide them preferential service.

118. Standardization of the Korean sign language is yet to be perfected, and public service establishments have difficulties in providing satisfactory services to deaf persons due to communication problems and are not equipped with enough facilities to accommodate the needs of blind persons. However, these problems are sure to be progressively solved as the standardization and dissemination of the Korean sign language and the issue of making all public facilities and buildings accessible for persons with

disabilities are highlighted in the National Strategic Plan for the Protection and Promotion of the Rights of the Persons with Disabilities, which is under implementation.

## **Article 20**

### **Mobility**

119. The Law on the Protection of Persons with Disabilities provides in article 48 that transport services, service establishments and communication centres shall provide convenience to persons with disabilities for their use of vehicles, service facilities and communication means, provide them friendly and preferential service, and blind persons and others whose independent ability is seriously restricted or lost should be allowed to ride buses, ships and other transports without paying fare.

120. Taxis bearing the KFPD logo started service for persons with disabilities on a trial basis in Pyongyang from May 2016, which are operated by the Songgwang Joint Venture Corporation, a KFPD's affiliated organization, making it possible for persons with disabilities to move freely at the time of their choice. These taxis do not charge fares to persons with severe disabilities or those who cannot afford to pay fares, or charge reduced fares to other persons with disabilities. Persons without disabilities also use these taxis, thus helping offset the losses from the services provided free or at reduced fare. On the basis of this experience, the KFPD is preparing to expand taxi service to other parts of the country.

121. To make transportation means accessible to persons with disabilities, seats and spaces bearing special marks are identified in newly manufactured transportation means. For example, the new tube trains and trolley buses that started service in December 2015 and 2018 respectively have special seats identified by the international mark for persons with disabilities. The institutions concerned have plans to strengthen research and development so that persons with disabilities may use public transports without any inconvenience.

122. Close attention is also paid to facilitating access by persons with disabilities to different kinds of mobility aids, devices, assistive technology and forms of life assistance at affordable cost. Guiding canes, tricycles, wheelchairs and other mobility aids were provided to persons with disabilities, making it possible for them to travel on their own safely without difficulties and assistance of others and public transports.

123. Various measures were taken to provide persons with disabilities with artificial limbs and other prostheses. The Management Bureau of Medical Appliances Industry of the Ministry of Public Health is responsible for the planning and production of assistive devices for functional rehabilitation and daily life of persons with disabilities. The Bureau of Social Security of the Ministry of Labour is in charge of the distribution of the assistive products according to the needs of persons with disabilities. A production process of polypropylene plastic prosthesis was set up in the Hamhung Orthopaedic Factory, South Hamgyong Province, while an orthopaedic centre newly built in Songrim, North Hwanghae Province. Especially, a rehabilitation centre for ex-servicepersons disabled on duty was built in Rangnang District, Pyongyang, where orthopaedic surgeries, fitting prostheses and orthoses and different kinds of therapies are provided in an integrated manner, thus promoting convenience of persons with disabilities and enhancing effectiveness of services.

124. Technical trainings for prosthetists, orthopaedists and experts at different facilities and units producing assistive devices were organized under the auspices of international organizations and actors, thus providing persons with disabilities with better prostheses and orthoses and enhancing the quality of services.

## **Article 21**

### **Freedom of Expression and Opinion, and Access to Information**

125. Rights of citizens including persons with disabilities to the freedom of speech and the press are guaranteed by the Socialist Constitution, Copyright Law, Law on Science and Technology, Law on the Protection of Computer Software and other related laws.

126. The Socialist Constitution and the Law on the Protection of Persons with Disabilities stipulate in article 67 and article 29 respectively that citizens shall be guaranteed freedom of speech, the press, assembly, demonstration and association and that the publishing institutions shall make and release publications for persons with disabilities at State expense.

127. Korean sign language was officially recognized as the national language and its standardization as well as dissemination and usage is promoted by organizing the non-standing committee for the Examination of the Korean Sign Language and improving its role. All events hosted by the KFPD provide sign language interpretation and captioning for persons with hearing impairments. The Kwangmyong Publishing House publishes in Korean Braille various kinds of publications for blind persons and textbooks for blind students, as well as books on socio-politics, economy and technology, literature and common sense. Competent journalists and editors who received quality university education were assigned to this publishing house to ensure its successful operation. At present the Economic and Cultural Centre for the Blind and Deaf is in the process of expanding its capacity and renovating its buildings.

128. The Sign Language Association and the non-standing committee for Examination of the Korean Sign Language produces science films, compilations and videos for persons with hearing impairments in cooperation with the Korean Central Television and Radio Broadcasting Committee and other institutions concerned. Fourteen science films and compilations were produced with sign language captions and Korean subtitles. Completion of the standardization of the sign language in the near future will make it possible to produce more of such films and compilations and provide sign language captions or Korean subtitles to news reports and TV programmes on a broad scale.

129. The Economic and Cultural Centre of the Deaf and Blind and the Pyongyang Information Centre are working together to perfect the Korean Letter Recognition and Converting Programme for dissemination to blind persons and those with severe visual impairments, as well as the Programme for Converting Korean Written Language into Korean Braille Letters, whose test versions have already been developed and introduced.

## **Article 22**

### **Respect for Privacy**

130. In the DPRK, all citizens with and without disabilities are effectively guaranteed inviolability of the person and the home, and privacy of correspondence, and any unlawful interference or violation thereof are liable to punishment by law.

131. The Socialist Constitution stipulates in article 79 that citizens shall be guaranteed inviolability of the person and the home, and privacy of correspondence, and the Law on the Protection of Rights of the Child in article 17 that children's privacy, family, correspondence, honour and dignity shall be protected by law. The Criminal Procedure Law and the Civil Procedure Law provide in article 270 and article 10 respectively that where there is a need to keep national or personal secret or there is a fear of exercising a bad effect on society, a trial may be closed to the public totally or partially. The Criminal Law provides for legal punishment for such crimes as murder, infliction of injury, violence, illegal restriction of freedom, kidnapping of a child, rape, forced sexual intercourse, robbery, fraud, embezzlement, plundering in large amount and intentional destruction of private property, thus providing effective protection of the life, health, dignity and property of all citizens.

132. It is the legal obligation of health workers to keep in strict confidence the data concerning health of citizens including history of their medical treatment and rehabilitation. They are required to keep completely confidential the records of medical treatment and rehabilitation, personal secrets that come to their knowledge in the course of consultation, the medicolegal examination results and other facts relating to the case.

## **Article 23**

### **Respect for Home and the Family**

133. Marriage and family are protected by law in the DPRK. The Family Law provides in article 2 that marriage is the foundation of a family and that the State shall provide legal protection for marriage and in articles 8 and 11 that citizens are entitled to free marriage, marriage shall be entered into by a single male and a single female, marriage shall be recognized legally and protected by the State only after it is properly registered with a registry agency and no one shall live a married life without registering the marriage.

134. The Sample Survey on Disability conducted in 2014 showed that single persons with disabilities accounted for 12 per cent of the population with disabilities of marriageable age (male 11.8 per cent and female 12.4 per cent), while married persons with disabilities accounted for 75.8 per cent of the population with disabilities of marriageable age (male 85.1 per cent and female 67.5 per cent).

135. A well-developed education system is put in place to make knowledge about reproductive health and family planning accessible to all people including persons with disabilities. The focal points of this system are the obstetrical and gynecological departments and paediatric departments of urban polyclinics and rural people's hospitals, which are the primary health care service centres. Obstetricians, gynecologists and paediatricians work hard to protect and improve the health of all women of reproductive age including those with disabilities through regular check-up and consultation, specialized treatment, registration and responsible care of pregnant women. Starting from 2015 family counselling departments were set up in People's Hospitals at provincial, municipal and county levels to help men and women make informed decision on the number and spacing of children and contraceptive methods appropriate to them. The full-time IEC (information, education and communication) workers of medical treatment and preventive institutions, as well as household doctors, disseminate information on reproductive health and family planning in accordance with a plan. The KFPD is doing preparatory work to enable persons with disabilities to attend the training courses on reproductive health and family planning organized by the Korean Association for Family Planning and Maternal and Infant Health. It publicized in 2010 leaflets Sexual and Reproductive Health of Persons with Disabilities, while the rehabilitation department of the central committee of the KFPD is preparing a project proposal for providing reproductive health and family planning education at the community level.

136. Adoption of children in the DPRK are subject to strict legal procedures. Citizens may adopt children of others as provided by the Family Law. A citizen who wishes to adopt a child is obliged to obtain the consent of his or her blood parents, guardians or other caretakers. In case the child to be adopted is over six years of age, his or her consent should also be obtained. Adoption is realized when the application by the adoptive parents is granted by the population administration agency and registration thereof is made with the registry agency. In some cases adoption may be dissolved if agreement thereon is reached between the adopted child and adoptive parents or between the adoptive parents and the adopted child's blood parents or guardian, and registration thereof is made with the registry agency, subject to the approval of the population administration agency concerned. In case of failure in agreement on dissolution of adoption, the court intervenes to settle the matter.

137. As various types of the KFPD' affiliated organizations are organized, and advocating and promoting the rights and interests of persons with disabilities are conducted in a diverse manner, such old practices as hiding children with disabilities at home or ignoring them are gradually disappearing.

138. All baby homes, children's homes and primary and secondary boarding schools across the country have been newly built during the period 2014–2016, which are equipped with excellent conditions for the upbringing, education and living of children. New Standards for the Nutritional Care of Children have been set and a new system established for preferential provision of nutritive foods and other foodstuffs to them. Meanwhile, fine traits of citizens who volunteer to take care of children with disabilities, without parental

care or at institutions as they would their own children are given wide publicity to encourage others to follow suit.

## **Article 24**

### **Education**

139. In the DPRK education is free from preschool to university. Free education dates back to 1956, when universal and compulsory primary education system was introduced to be followed by the enforcement of universal and compulsory secondary education in 1958, the 9-year compulsory technical education in 1967 and universal 11-year compulsory education in 1975. Since 2014 universal 12-year compulsory education has been in force.

140. The first educational institution for persons with disabilities was established in 1947, which was the Wonsan Public Blind and Deaf School, a five-year primary school providing free education. This school was divided into the Blind School and the Deaf School in 1955 to provide respective specialized education. With the introduction of the universal compulsory secondary education deaf schools were set up in every province and blind schools by regions in 1959, enabling deaf or blind children to enjoy the benefits of compulsory secondary education.

141. Education of persons with disabilities in the DPRK aims at developing to the fullest potential their abilities to independently participate in social life on the basis of equal opportunity with others and to make practical contributions to the society and collective through the introduction of specialized educational contents and methods that are appropriate to their mental and physical characteristics and types of disabilities.

142. It is provided in article 17 of the Law on the Protection of Persons with Disabilities that educational institutions shall register children with disabilities at preschool age without any exception and the educational institution concerned and the parents or guardians of children with disabilities shall ensure that the child concerned attend school and is not excluded from the general education system.

143. Generally children with disabilities at preschool age are brought up at the community kindergartens on the basis of equality with others, while a specialized institution has been set up to provide functional rehabilitation and education in a manner appropriate to their age, psychology and types of disabilities. For instance, the Rehabilitation Centre for Children with Disabilities provide early specialized education to children with different types of disabilities, with the result that in 2015 alone six children with disabilities (four with cerebral palsy and two with autism) were, after successful treatment, enrolled in mainstream schools. The Centre is in the process of preparing guidelines for the early specialized education of children with different disability types.

144. Education departments at provincial, municipal and county People's Committees are required to register all children with disabilities in the area under their charge before the start of a new school year and ensure that they attend school together with others. For instance, education departments of the district and county People's Committees in the capital city of Pyongyang collected all statistics concerning children with disabilities at school age in February and March, 2018 and admitted them to the mainstream schools. Preparatory work is under way to designate one primary school in Pyongyang as a pilot school for integrated education and to operate one deaf class.

145. A lot of efforts are channelled into improving the quality of education at the Blind and Deaf Schools. With a view to bringing their curricular into line with those of the 12-year compulsory education, Blind and Deaf Schools developed their curricular in 2015, placing main emphasis on general education with appropriate proportion given to skill training. For instance, primary classes of Deaf schools teach such subjects as Socialist Morality, Mother Tongue, Mathematics, Basics of Hygiene, Nature Study, Information Technology, Physical Culture and Drawing and Handicraft, junior secondary classes teach Socialist Morality, Mother Tongue, Korean Geography, Mathematics, Nature Study, Information Technology, Basic Technology, Physical Culture and Art(Fine Arts and Dancing) and senior secondary classes teach Socialist Morality and Law, Korean Language

and Literature, Mathematics, Information Technology, Physical Culture and Art(Fine Arts and Dancing). At the senior secondary level vocational training is also provided according to the students' wishes and aptitudes so that they may be well equipped for adaptation to community life after graduation.

146. In order to improve the qualifications of teachers at Blind and Deaf Schools Special Education Department was created in the Central Teacher Training Centre of the Academy of Education, which organizes two workshops a year to instruct the teachers in new teaching methods and skills. Sometimes the lecturers of this centre visit the schools to provide training in the teaching of different subjects. Dictionary of Sign Language and Reference for the Study of Sign Language were published for use in the education of deaf persons. Pilot computer education for deaf children conducted at Wonsan Deaf School was followed by national workshop for the generalization of the experience thus gained. In accordance with the curricular developed after the introduction of the 12-year compulsory education new textbooks for Deaf and Blind Schools were compiled in the period of 2014-2018, publishing of textbooks for Deaf Schools were placed on IT basis and the process for the editing and printing of Braille publications was completed.

147. As a result of close cooperation between the Education Commission and the KFPD IT equipment were provided to Special Education Department and six Blind and Deaf Schools for the formation of local area network, thus putting the education of children with disabilities on IT basis.

148. After graduation blind or deaf children proceed, if they so wish, to tertiary educational institutions such as skills-training schools affiliated to factories or enterprises, colleges, universities, distance educational institutions or on-the-job colleges. A typical example is the Vocational Training Centre of the KFPD, which provides to school graduates specialized training in carpentry, manufacturing of light electrical appliances, garment processing, repairing skills, prosthetic dentistry, massaging, food processing, etc. The KFPD has a plan to amplify career options for the diversity of persons with disabilities by expanding the scope of the curricular of this centre and making it possible for persons with disabilities to acquire skills in a variety of fields.

149. The distance education system established in 2009 is playing an important role in making higher education and information available and accessible to persons with disabilities. They avail themselves of the distance education system established at the central and provincial universities, receiving education in the fields of their interest without any difficulties. The number of persons with disabilities receiving such education is on the increase. See Annex Table 5 for the information on education of persons with disabilities.

150. A lot of issues remain to be addressed for the realization of the integrated and inclusive education of children with disabilities. Special attention needs to be directed to researching methodology of teaching children with intellectual or mental disabilities, developing curricular tailored to their needs and finding solutions to problems that may arise in teaching children with disabilities in the mainstream schools. To this end, the DPRK is planning to take practical measures to train competent experts in this area, while promoting technical exchanges with foreign countries.

## **Article 25**

### **Health**

151. In the DPRK, the first free medical care under the Social Insurance Law in 1947 covered only workers, officials and their dependents, which was followed by the introduction of universal free medical care from 1953 in the midst of the war and finally the introduction of the complete and universal free medical system since 1960.

152. The Public Health Law provides in article 9 that the State shall provide every citizen with the benefits of completely free medical service and that workers, farmers, working intellectuals and all the rest of citizens shall have the right to free medical treatment. The Law also provides in article 10 that free medical service shall include the following: all medicines provided by medical establishments to the patients including outpatients; all

services for patients such as diagnosis, tests, treatment, operations, sick calls, treatment and meals at hospitals; medical services for the working people's recuperation, and travel expenses to and from the place of recuperation, which shall be borne by the State or social, cooperative organizations; assistance in delivery; and health checkups, health consultations, preventive vaccinations and other prophylactic medical services. The rights to free medical treatment are exercised by persons with disabilities on the principle of equality and non-discrimination.

153. In the DPRK, there are medical establishments and health workers wherever people live, whether it is an urban, rural, coastal or remote and mountainous area. A doctor is responsible for the health care of around 130 households under the district doctors system, which is a health care and service system enabling people to enjoy the benefits of the free medical care in places as close as possible to their homes with the best convenience.

154. Institutions specializing in functional rehabilitation of persons with disabilities were organized with the aim of improving their level of specialization, reducing functional disabilities by types and protecting and promoting their health. For example, the Munsu Functional Rehabilitation Centre and the Functional Rehabilitation Research Centre of the Korean General Red Cross Hospital are specialized functional rehabilitation and research centres for persons with disabilities. They provide rehabilitation services to persons with different types of disabilities, as well as conducting researches about the rehabilitation techniques and therapies such as occupational therapy, speech therapy, etc., so that disability may be prevented and integration of persons with disabilities into public life may be promoted. The Rehabilitation Centre for Children with Disabilities, a model unit for early identification, early rehabilitation and early education, provides children with physical, mental, intellectual, multiple, hearing and/or speaking and visual disabilities with early functional rehabilitation and early education services. At present, such services are provided only to the children living in the capital city of Pyongyang but when the guidelines for the upbringing, education and early rehabilitation are formulated on the basis of experiences gained, such centres will be set up in all provinces.

155. National strategies on reproductive health were developed to ensure safe maternal and neonatal care, quality family planning service, prevention, detection and management of reproductive tract infection/sexually transmitted infection and HIV, safe abortion, treatment of infertility, early identification and treatment of cervical cancer and breast cancer, treatment of menopausal disorder and adolescent health. For the successful implementation of these strategies, a number of technical reference books and training modules for the capacity-building of obstetricians and gynecologists as well as household doctors were developed and distributed, aiming at disseminating knowledge on reproductive health and providing quality reproductive health service to all women including those with disabilities.

156. See para. 135 of this Report for further information on other measures to improve reproductive health care for persons with disabilities.

157. Legal guarantees were secured to provide health services needed by persons with disabilities and services designed to minimize and prevent further disabilities including among children and older persons. It is stipulated in article 34 of the Law on the Protection of the Rights of the Child that public health guidance institutions and local People's Committees shall assign medical workers to nurseries, kindergartens and schools, send a good supply of medical appliances and medicines and ensure that children are taken good care of, and that children who have contracted diseases should be treated in time at specialized medical establishments, and in article 40 that parents or guardians shall pay special attention to the education of children with disabilities and take care of their life and health in a responsible manner. The Social Security Law provides in article 33 that the social security institutions shall pay close attention to the health of welfare recipients and provide medical treatment and care in a responsible manner, and in case such person is in need of special treatment, he or she shall be sent to the specialized hospital in time. The Law on the Care for the Elderly provides in article 15 that the State construction control organ, urban planning organs and construction enterprises concerned shall create barrier-free environment when doing city planning, designing and constructing dwelling houses and other projects so as to ensure them stable life and convenience, and that those obliged

to support the elderly shall lay out living rooms in a style appropriate to their individual characteristics and their comfortable life, and in article 18 that health service and medical treatment institutions shall register all the elderly persons living in the area under their charge, conduct checkup and medical treatment regularly and take utmost care of them during sick calls and other medical services, and that those obliged to support the elderly shall acquire general knowledge of geriatric nursing, and make special efforts for the care of old persons who are not able to move around on their own.

158. Measures were taken to transform county hospitals into general hospitals and to build capacities of ri People's Hospitals, thereby providing community-based health services in all areas including rural areas. Specialized departments such as internal medicine, pediatric, surgical, obstetrical and gynecological, Koryo traditional medicine and dentistry, as well as laboratories and in-patient rooms have been deployed in ri hospitals, which are the primary health care units in rural areas. They conduct IEC activities, vaccination, emergency calls, home visits, counselling for women, delivery care and postnatal care. Since 2012 the telemedicine network has been established to connect through optic fibre the general hospitals, Pyongyang Maternity Hospital and Okryu Children's Hospital at the central level with their counterparts at the provincial level, and the latter with some two hundred county hospitals, providing counselling, training of doctors and discussing cases. This network enables persons with disabilities to receive quality health care conveniently at the medical institutions located in the place of their residence.

159. Trainings concerning disability and persons with disabilities were organized for household doctors so that they may be well aware of the dignity and needs of persons with disabilities, pay special attention to them and provide disability-specific services when providing medical services to households under their charge. Especially, the Retraining Module for Household Doctors was developed to improve their clinic knowledge and skills, in which services necessary for persons with disabilities, old persons and adolescents are specified.

160. Efforts were also made to improve medical care of persons with mental problems and to protect and promote mental health of people. Cabinet Decisions and Directives for this purpose were issued, which are, for instance, On Improving Medical Services and Conditions at Institutions of Preventive and Curative Medical Care of Mental Diseases, Measures for Carrying out Medical Treatment and Care of Persons with Mental Diseases, Regulations on the Management of Recuperation Homes for Persons with Mental Diseases and On Properly Carrying Out Medicolegal Examination and Isolated Care of Persons with Mental Diseases. Mental health care institutions prepare case history sheets about mental patients on the basis of scientific diagnosis and opinions of their families and neighbours. Where it is recognized that a person concerned is in need of a long-term hospitalized treatment, he or she is provided with psychotherapy, medicotherapy, musicotherapy, kinetic therapy and occupational therapy as well as scientific nutritional care. Guidelines and manuals on mental health care have been published and disseminated, and information on hygiene are regularly disseminated by household doctors so that the public may have general knowledge on mental health. Mental health checkups are carried out on a regular basis to identify persons with mental diseases and suspects, and provide them appropriate and timely medical care at hospitals. Trainings for the capacity building of psychiatric consultants are regularly organized for early identification and intervention of mental diseases and disorders of different kinds.

161. Persons with disabilities enjoy, under the guarantee of the law concerned, the benefits of insurances of various kinds in a fair and reasonable manner on the basis of equality with others. The insurance system covers all citizens of the DPRK and no discriminatory practices are allowed on the basis of disability. On the contrary, persons with disabilities enjoy additional benefits under the social security system and social insurance system.

## **Article 26**

### **Habilitation and Rehabilitation**

162. The DPRK regards enabling persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability as critical issues for their full participation in all aspects of life and has taken appropriate measures.

163. The Rehabilitation Centre for Children with Disabilities provides early rehabilitation service for children with disabilities, while doing the preparatory work for the provision of early identification and intervention service on nationwide scale. Rehabilitation departments or sections of hospitals at all levels provide persons with disabilities with functional rehabilitation service, and in particular the Munsu Functional Rehabilitation Centre, a specialized complex for their functional rehabilitation, carries out scientific research and training as well as providing rehabilitation service. Persons with disabilities are provided with artificial limbs, orthoses and assistive devices free of charge or at reduced price.

164. Outreach services are annually organized for the convenience of persons with physical disabilities who live far from institutions providing prosthetic/orthotic service facilities and other assistive devices. With the technical and material support of the KFPD, a great number of persons with physical disabilities benefited from such services. For instance, an average of 800~900 persons with disabilities a year during the period of 2008–2014, 1,000 in 2015 and 2017 respectively and 4,420 in 2016 in Nampho and flood-affected North Hamgyong Province received prosthetic/orthotic service.

165. 15,000 cataract surgeries were performed every year during the period of 2009–2014 as a result of the measures taken by the State and positive efforts of the KFPD for the preventing of blindness due to cataract. Skill training for eye surgeons of provincial hospitals were carried out and ophthalmological equipment and consumables such as A-scans and microscopes for eye surgery, intraocular lens were provided to provincial hospitals every year since 2009, contributing to the provision of quality surgical rehabilitation to persons with disabilities.

166. A great variety of publications such as Wheelchair Users' Manual, How to Manage Femoral Prosthesis, How to Manage Tibial Prosthesis, Overview of Poliomyelitis and Orthosis, and Manufacturing and Distribution of Prosthesis and Orthosis were distributed to persons with disabilities so that they can have sufficient knowledge thereof and use them in proper and effective way.

167. In order to improve practical abilities of rehabilitation experts and officials concerned, trainings on physiotherapy and occupational therapy were organized for the physiotherapists of Hamhung Orthopaedic Hospital, People's Hospital of Tongrim County in North Phyongan Province, People's Hospital of Songchongang District in Hamhung, South Hamgyong Province in 2015 and 2016, thus laying foundation for the provision of more scientific functional rehabilitation service for persons with disabilities in these areas.

## **Article 27**

### **Work and Employment**

168. The DPRK regards the provision of favourable working conditions for persons with disabilities to take part in social labour activities according to their abilities as an important issue for enabling them to enjoy a worthwhile life with pride as members of society, and specified these issues in the Socialist Labour Law and the Law on the Protection of Persons with Disabilities. In accordance with the Law on the Protection of Persons with Disabilities, the labour administrative organs and the institutions concerned register all persons with disabilities who are able to work and provide them with appropriate working conditions, while institutions, enterprises and organizations assign jobs to persons with disabilities, taking into account the degree of disability, sex, age and physical condition, as well as their wishes. See Annex Table 6 for the proportion of working persons with disabilities in the age group of 17–59.

169. Various types of workshops which are suitable for physical and mental characteristics of persons with disabilities are organized and operated. Factories of ex-servicepersons disabled on duty, workshops for light workers, Kwangmyong Factories (factories of blind persons and others with visual impairments), self-help groups and other specialized enterprises and organizations were set up in different parts of the country. For instance, workshops for light workers are small-sized production units furnished with simple equipment, which are organized and managed by the State for the purpose of improving health and livelihood of persons with disabilities and weak persons. They do light work appropriate to their physical conditions for 4~5 hours per day. Kwangmyong factories employ blind persons at working age. At present, more than 60 counties have such factories, providing persons with visual impairments with opportunities to work according to their characteristics. Besides, persons with hearing or speech impairments or physical disabilities work at welfare service establishments open to the public such as hairdressers', repair shops, tailors' etc., mixing with others.

170. According to the Law on the Protection of Persons with Disabilities, preferential conditions are provided to economic activities of the specialized enterprises and organizations of persons with disabilities. For instance, Kwangmyong Factories lay up, in accordance with the Regulations on Factories for Blind Persons, a large share of their profits as a special fund, for the purpose of paying blind persons allowances according to their degree of impairments, special bonus, special livelihood allowances and wedding and funeral allowances. They are also equipped with necessary facilities such as laundry and food-processing facilities to ensure persons with visual impairments adequate living.

171. According to the Law on the Protection of Persons with Disabilities, special protection is provided for the labour of persons with disabilities. Statutory working day of persons with disabilities is 8 hours but it may be reduced in case he or she has a severe disability and a working woman has children with disabilities. In accordance with the Socialist Labour Law the working day is set at seven or six hours in arduous trades and other special categories of work, and the working day of women with three or more children is six hours, thus ensuring active participation by women including those with disabilities in working life. Institutions, enterprises and organizations are under legal obligation to provide sufficient working conditions to persons with disabilities, and strictly prohibit persons with disabilities from working in case conditions for the labour safety and protection are not provided. Besides, institutions, enterprises and organizations concerned ensure that work and relaxation of employees with disabilities are properly combined and they are preferentially provided with accommodation at health resorts and holiday homes.

172. The National Strategic Plan for the Protection and Promotion of the Rights of Persons with Disabilities contains such issues as further improvement of the institutional environment for employment of persons with disabilities and their diverse labour activities, formulation of curricula aimed at developing new vocational skills according to the types of disabilities, improvement of vocational training, transformation of existing enterprises of persons with disabilities into IT-based ones and creation and generalization of compound model of work activities of persons with disabilities.

## **Article 28**

### **Adequate Standard of Living and Social Participation**

173. The Socialist Constitution stipulates in article 25 that the DPRK regards the steady improvement of the material and cultural standards of people as the supreme principle of its activities and the increasing material wealth of society in the country, where taxes have been abolished, is used entirely to promote the well-being of the working people, and the State shall provide all the working people with every condition for obtaining food, clothing and housing. The Law on the Protection of Persons with Disabilities stipulates in article 3 that the State shall systematically increase the investment in the field of protection of persons with disabilities in order to consolidate the material and technical foundations and steadily improve the living environment and condition of persons with disabilities.

174. In the DPRK, the State is the provider of all living conditions such as food, clothing and housing for its citizens including persons with disabilities. Even during the mid-1990s, when the country was suffering severe economic difficulties, food and other materials were supplied to the children at Blind and Deaf Schools without interruption. The State builds modern houses at its expense and provides them free of charge to all of its citizens including persons with disabilities, and all national plans for the improvement of people's livelihood are inclusive of issues concerning the welfare of persons with disabilities.

175. The Law on Water Supply and Drainage was enacted on November 25, 2009 for the purpose of establishing strict system and order for the construction and management of water supply facilities and for the production, supply and use of water for daily use, as well as for the standardization of the quality and regular supply of water in accordance with the prescribed standard. The Law on Spring Water Management was enacted on October 12, 2017 in order to set standards of hygienic safety in the production and supply of spring water on a scientific basis, ensure full compliance therewith, provide conditions for the spring water management and strengthen supervision and regulation thereof.

176. Water supply system has been installed even in farm villages, making it possible for persons with disabilities not only in towns but in villages to use safe tap water. In recent years a number of spring water factories and supply stations have been set up in the areas where sources of quality spring water were found, providing people with drinking water of good quality.

177. The Social Security Law stipulates in article 25 that the central labour administration institution and People's Committees concerned shall organize and manage sanatoria, old homes, recuperation homes and other social security organs in a responsible manner so as to provide sufficient living conditions for ex-servicepersons disabled on duty, old persons with no one to look after them and persons with disabilities. The Law on the Care for the Elderly stipulates in article 6 that the State shall ensure that education in socialist morality and fine traits is intensified so as to create in society the climate of respecting and supporting the elderly.

178. Persons with disabilities are provided with assistive devices and allowances, social security benefits and pensions. Moral education and IEC activities are strengthened, encouraging the general public to take good care of persons with disabilities and providing full social protection for them.

179. Social conditions for the nursing of persons with disabilities are ensured by law. In the DPRK, all citizens at the statutory working age and with ability to work have legal obligation to take part in social labour and have the right to be paid as much as they earn. Housewives, however, are exempted from fulfilment of this obligation in certain cases. They may not go to work in case that they have babies to nurse, or elderly persons, persons who has lost ability to work or persons with disabilities to care for. Even in such cases, the State provides them with food. In the case of persons with disabilities who have completely lost their ability to work and need care from others, nursing allowances are paid to their spouses or family members, helping improve financial situation of the families of persons with disabilities.

180. Dissemination of expertise was conducted in various forms for the family members and the staff of health institutions who are responsible for caring of persons with disabilities. Reference materials such as Guidelines for Building up Barrier-Free Environment for Persons with Disabilities, Caring and Treatment of Epilepsy, General Knowledge on Intellectual Impairments, Helping Deaf Children and Helping Blind Children were publicized and distributed to those concerned. Journals and booklets such as Principles of Designing Orthosis, Glossary of Prosthesis and Orthosis, References for the Care of Women with Disabilities were also publicized and disseminated.

## **Article 29**

### **Participation in Political and Public Life**

181. It is provided in article 6 of the Constitution that the organs of State power at all levels, from the county People's Assembly to the Supreme People's Assembly, shall be elected on the principle of universal, equal and direct suffrage by secret ballot and in article 2 of the Law on the Election of Deputies to People's Assemblies at All Levels that all citizens who have reached the age of seventeen have the right to vote and to be elected irrespective of their sex, nationality, occupation, length of residence, property, education, party affiliation, political views and religious belief.

182. In accordance with the Law on the Election of Deputies to People's Assemblies at All Levels all citizens who are entitled to vote have one vote at an election and elect in person deputies to People's Assemblies at all levels. No one is allowed to vote by proxy. Electors are guaranteed the freedom of vote for or against a candidate concerned. No one can ask a voter to make public whether he or she cast an affirmative or negative vote nor put pressure on or make a reprisal against someone in connection with the vote.

183. Appropriate conditions are provided for persons with disabilities to exercise their right to vote. For instance, in case a voter is unable to come to the polling station because of serious illness, old age or physical disability, a member of the election committee concerned visits him or her with his or her ballot paper and sealed ballot box. In the case of a blind person, a member of the election committee concerned informs him or her of the rights of voters, and voting procedures and methods as are provided in the law, as well as the candidate and ensures that he or she casts a vote with the assistance of a person of his or her choice.

184. Environment and conditions for persons with disabilities to participate in the State and public activities have improved significantly. Representatives of the Associations of the Blind and the Deaf are included in the State Committee for the Protection of Persons with Disabilities, playing a crucial role in representing the rights and interests of the blind and deaf persons, raising opinions and putting forward suggestions in respect of the enjoyment of their rights. Proportion of persons with disabilities working in the disability-related organizations is on the increase, accounting for 20% of the staff of the central committee of the KFPD, 100% of members of the Associations of the Blind and the Deaf, and Deaf Football Team, 70% of staff of the Economic and Cultural Centre of the Blind and the Deaf, 50% of the members of the Art Association, 14.3% of the members of the Association of Sign Language Interpreters and 84% of the employees of the Furniture Factory of the Deaf.

## **Article 30**

### **Participation in Cultural Life, Recreation, Leisure and Sport**

185. A series of measures were taken to ensure persons with disabilities their right to take part in cultural life on an equal basis with others.

186. Since 2014 captions have been provided for several TV programmes for the convenience of persons with hearing impairments, while domestic and foreign literary works are read out through radio for blind persons and those with severe visual impairments.

187. See paras. 65–75 for measures taken to ensure to persons with disabilities access to the physical environment.

188. With a view to enabling persons with disabilities to enjoy access to places of their interest and tourism services, the KFPD had the issue of developing tourism for them in the National Strategic Plan for the Protection and Promotion of the Rights of Persons with Disabilities, and is doing the groundwork for the implementation thereof in cooperation with the central tourism guidance institution. Implementation of this strategy will make it possible for persons with disabilities to enjoy access to a variety of tourist attractions and disability-specific services within a few years and will contribute to further promoting international exchange through tourism.

189. Ratification by the DPRK of Marrakesh Treaty in 2016 is a manifestation of its commitment to put more efforts to dissemination of published works accessible for persons who are blind, visually impaired or otherwise print disabled.

190. Specialized organizations such as the Sports Association of Persons with Disabilities and Art Association of Persons with Disabilities were organized to ensure persons with disabilities their rights to participate in cultural life, which are effectively operated providing persons with disabilities to realize their wishes and develop their talents.

191. The Sports Association provides inputs to formulating State policy and plans for the development of disability sports, periodically submits suggestions to the National Paralympic Committee, and organizes and conducts a variety of activities such as organizing of sub-associations by types of disabilities and sports events, encouraging persons with disabilities to take part in physical culture and sport, conducting promotions concerning disability sports and conducting exchanges and cooperation with international organizations, national associations and individuals concerned. In recent years, events of this association have expanded from table tennis and swimming to weightlifting, goalball, archery and skiing. National table tennis tournaments of persons with and without disabilities are hosted by this association two times every year, motivating persons with disabilities to take part in popular sports and raising public awareness of their potentials.

192. National Paralympic Committee of the DPRK was organized on October 19, 2011. This Committee submitted an application for associate membership of the International Paralympic Committee in December 2011 and became a full member on November 30, 2013. The first-ever amputee swimmer of the DPRK participated in the London Paralympic Games 2012, and other persons with disabilities in the 3rd Asian Youth Para Games 2013, Incheon Asian Para Games 2014, Rio Paralympic Games 2016, Pyeongchang Winter Paralympic Games 2018 and other international games, proving very successful.

193. The Art Association of Persons with Disabilities, setting it as its main task to realize the dream of persons with disabilities for artistic activities, provides professional training to persons with disabilities by embracing them in music and dance group according to their wishes and aptitudes. Members of this group gave performances not only in the country but also in some European countries in 2015 and 2017, displaying their talents and potentials to the full and being acclaimed by the audiences. At present, this Association is doing the groundwork for organizing its provincial branches, providing art education from the primary school stage and enrolling talented persons with disabilities in art educational institutions in cooperation with the Education Commission.

## **Article 31**

### **Statistics and Data Collection**

194. The Law on the Protection of Persons with Disabilities provides in article 5 that the State shall conduct periodical survey of the actual situation of persons with disabilities, make correct assessment of the degree of disability and properly define the criteria and the Cabinet shall be responsible for defining the criteria of assessing the degree of disability, and in article 10 that the medical and other institutions concerned shall periodically conduct survey of all persons with disabilities in the area under their charge and register them by types of disabilities, and in case a person with disability changes his or her place of residence, registered data concerning him or her shall be transferred to the institution concerned in the given area.

195. In the DPRK disability survey and registration are conducted by institutions of public health, education and labour administration: data on birth of children with disabilities and on disability prevalence are collected by public health institutions; data on children with disabilities at pre-school and school age by educational institutions and data on persons with disabilities with and without ability to work by institutions of labour administration respectively. Household doctors are directly responsible for data collection and registration of persons with disabilities disaggregated by types of impairments.

196. Indicators for the survey are set by the KFPD through consultation with the Deaf Association, Blind Association and other organizations of persons with disabilities and by reference to international standards. All data on disability collected by household doctors and institutions of education, public health and labour are sent to the local statistics organs and organs for the protection of persons with disabilities in the given area, to be finally entered in the disability database which is shared by the Central Bureau of Statistics and the central committee of the KFPD. For the management of this database disability statistics system was established in 2015 based on registration and management software of persons with disabilities, which is continuously updated.

197. Disability data are also collected through national census and disability sample survey. In the 2008 census, four questions of the Washington Group on Disability Statistics were included. The KFPD worked in close cooperation with the Central Bureau of Statistics to set indicators for the 2018 census. Staffs from the central committee of the KFPD participated in making questionnaire for the pilot survey in January 2017 and training of surveyors.

198. Disability sample survey is, in general, conducted by disability experts and statistics professionals from the KFPD and the Central Bureau of Statistics every three years. The first sample survey conducted in 1999 showed that persons with disabilities accounted for approximately 3.41% of the population. The second sample survey was done in 2011 and the third in 2014. The sample survey in 2014 covered 50, 175 persons (of whom male made up 47.4% and female 52.6%) by households in four provinces of the South Hamgyong, Kangwon, South Phyongan and North Phyongan. The result showed that 6.2% of the population had different types of disabilities. See Annex Table 3 for the proportion of persons with disabilities by age group and by residential areas (urban and rural areas). All these results are effectively used for making national policies affecting persons with disabilities and action plans of line ministries for the protection of persons with disabilities.

## **Article 32**

### **International Cooperation**

199. The Law on the Protection of Persons with Disabilities provides in article 8 that the State shall promote exchange and cooperation with foreign countries, international organizations and overseas Koreans' organizations in the area of the protection of persons with disabilities. The DPRK has paid close attention to strengthening cooperation and exchange with all countries, international organizations and individuals that are friendly towards the DPRK, interested in and willing to support its efforts for the protection of persons with disabilities in the country.

200. The State ensured that disability issues are included in its cooperation programmes with diplomatic missions of foreign countries and international organizations in the DPRK in such areas as food security, public health, education, child protection and disaster risk reduction took appropriate and effective measures for their realization. As a result, Blind and Deaf Schools and others for children with disabilities were provided with food and other necessities continuously and since 2007 nutritive foods have also been supplied.

201. International cooperation for the capacity building of the staff of disability-specialized organizations were proactively conducted. For instance, technical training for the therapists of Munsu Functional Rehabilitation Centre were organized almost annually from 2013, in which world famous physiotherapists, occupational therapists and other rehabilitation experts gave lectures on theoretical and practical issues. Attending these trainings were therapists and rehabilitation experts from rehabilitation departments of central hospitals, as well as those from the Rehabilitation Centre for Children with Disabilities. Physiotherapists, occupational therapists and prosthesists of Orthopaedic Hospital and Orthopaedic Factory in Hamhung also received on-the-spot trainings. Officials of the KFPD and Education Commission who are in charge of education of children with disabilities attended international conferences and trainings to learn how to realize inclusive education and integrated education. Inclusive disaster risk reduction is being developed as a priority area in the efforts for the protection of persons with disabilities to meet the practical

requirements of developing emergency response measures for them. Since 2016 efforts were made to include in disaster risk reduction programmes such disability issues as collecting and rescuing of persons with disabilities upon the occurrence of disasters and establishment of early warning system for them, while trainings for capacity building of experts involved in disaster risk reduction were organized.

202. Since the adoption of the Memorandum of Understanding between the KFPD and the World Federation of Deaf in 2010, two four-year cooperation projects were implemented, with the result that logistical cooperation for the vocational training of deaf persons and building up of the necessary infrastructure were successfully completed.

203. As a follow-up to the recommendations made by the UN Special Rapporteur on Persons with Disabilities to the United Nations Country Team, donors and international cooperation actors to mainstream disability rights in all strategies, assessments and projects, the KFPD, UNICEF and the European Union Programme Support Unit co-developed a new cooperative project for children with disabilities, which was approved by the UNICEF HQ.

204. Different international organizations, diplomatic missions and national associations of foreign countries and individuals made valuable contributions to the laying of material foundations, provision of better educational conditions, sport and cultural life of persons with disabilities.

205. However, efforts of the DPRK for the protection and promotion of the rights of persons with disabilities and its cooperation with international organizations and foreign countries are facing great challenges due to the unjustifiable UNSC sanctions against the DPRK. For instance, some countries refuse to give customs clearance even to humanitarian aids for persons with disabilities or hinder or delay their delivery, while some others block the purchase of materials for the production of equipment for persons with disabilities, prosthetic/orthotic devices and school fixtures for children with disabilities. Such flagrant violations of the human rights of persons with disabilities cause incalculable hindrance to the efforts of the DPRK for the faithful implementation of the Convention.

206. The DPRK strongly holds that such inhumane sanctions that run counter to the ideals of humanitarianism, and the principles and requirements of international human rights instruments, and the Convention in particular, cannot be justified by whatever means and should be withdrawn immediately without any conditions.

### **Article 33**

#### **National Implementation and Monitoring**

207. In the DPRK national coordination of the implementation of the Convention is the responsibility of the State Committee for the Protection of the Persons with Disabilities and the National Committee for the Implementation of the International Human Rights Instruments. See paras. 31 and 37 of this Report for the functions and composition of these Committees.

208. Implementation of the Convention and related domestic laws are monitored by the regulatory departments of the ministries concerned, inspection departments of the local power organs, people's security organs and prosecutors' offices respectively within their competence. For instance, they supervise whether appropriate budget is allocated and executed for the disability-related facilities such as the Blind and Deaf Schools, functional rehabilitation centres, factories of ex-servicepersons disabled on duty, light factories and recuperation homes, necessary materials are supplied as planned, medical treatment and health care are provided effectively, adequate feeding conditions are provided, repairs and maintenance of buildings and equipment are conducted regularly, etc. and impose corresponding sanctions on any violations of law that are identified. Special attention is directed to strengthening the administrative and economic surveillance by prosecutors office of the management of the disability-related institutions so that violations of the rights and interests of persons with disabilities and failures to provide sufficient materials for their protection are detected in good time or prevented, and disability-related and other institutions fulfil the responsibilities and roles assigned to them in that regard.

209. The KFPD also plays an important role in the monitoring process. It collects necessary information and data on the enjoyment by persons with disabilities of their rights through its subsidiary organizations and face-to-face meetings with persons with disabilities, and if deemed necessary, makes recommendations or suggestions to the administrative organs or law enforcement organs.

210. Criminal or administrative sanctions are imposed on whoever impairs the enjoyment by persons with disabilities of their rights, their livelihood, life and property through violation of the laws and regulations concerned, thus contributing to further ensuring persons with disabilities their vested rights and interests.

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