

**The 33<sup>th</sup> Session of the Universal Periodic Review  
Democratic People's Republic of Korea**

**NGO Submission on Minority Rights  
- Child Rights -**

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**Submitted by**



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## **I. Background**

1. This submission has been prepared by International Child Rights Center (InCRC) which is child rights focused organization based in Seoul, South Korea to monitor the implementation of the recommendations and report on the status of child rights in North Korea. It was based on the recommendations of the 2<sup>nd</sup> cycle of the United Nations Universal Periodical Review (UPR) in 2014, which are presented in the Democratic People's Republic of Korea (hereinafter North Korea).
2. The submission was based on literature review, interviews with North Korean defectors and consultations with related organizations and experts,

## **II. Definition of the Child**

3. North Korea has engaged the age of the child and ideology of education under the socialist system. The goal of the North Korea's education system is only to propel "revolutionary ideals" rather, defined as "ideals that support the country and the Kim dynasty. Through the thesis on socialist education, North Korea presents basic principles of educational system as follows: "It unveils the true way of embodying the immortal Juche idea and cultivating people into communist revolutionary talents who often have consciousness and creative ability...".<sup>1</sup> Childhood is a process of learning the system and defines childhood only during the period of education. In the current 11-year curriculum, even if children are under the age of 18, they will have to pay the same duties and responsibilities as an adult if they complete the curriculum. It is supported by the state report has noted that "Children learning under this new system will be 17-18 years old when they finish their 12-year course. Then the legal definition of children will be changed to be the same as the definition provided in the Convention" (CRC/C/DPRK/5, para.28).
4. The current definition of the child can be linked to a variety of child rights violations. The North Korea states that the "Dolgyeokdae" will be active after the curriculum is completed, but this period still falls under the age of 18, The North Korean government says that the "assault squad" will be active after the curriculum is completed, but this period still falls under the age of 18. And the "Family Law" defines the marriageable age of the woman at 17 years. This violates girls' equal educational opportunities, access to education, and the right to the highest attainable health. Also the "Socialist Constitution" and the "Socialist Labor Law" prescribe 16 years of age as a workable age. This can lead to child labor in a hazardous and dangerous environment and child exploitation

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<sup>1</sup> DPRK political dictionary

5. UN Convention on the Rights of the Child (CRC) stated children's rights be fully guaranteed and realized until at least 18 years old. It cannot depend on political system and circumstance of state.
6. Also, it should not be overlooked that North Korea's age counting system is distinguished from other states age counting system. In North Korea, when a baby is born, it becomes one year old. In other words, the standard of "up to 16 years" stated in the North Korean legislation can be understood as 14 years or 15 years old.

## Recommendation

- **North Korea shall amend the definition of the child under Article 2 of the 「Law on the Protection of the Rights of Children」 and amend the relevant provisions such as the age of marriage and age of work in accordance with the Constitution and other laws and regulations in accordance with Article 1 of the UN Convention on the Rights of the Child.**

### III. Human rights education (recommendation 43)

7. Through the examination process of the UNCRC in 2017, North Korea was not able to specifically identify improvements in child rights education for adults who work for child such as teacher, social worker, caregiver, etc. as well as child rights education for children.
8. Many interviews conducted with North Korean defectors including children by Database Center for North Korean Human Rights showed that they did not receive human rights education or even did not know what human rights were. And according to the testimony of North Korean defectors, in the meantime, human rights education in North Korea was only conducted for a certain group of people, and the contents covered only the prohibition of assault and the prohibition of torture.<sup>2</sup>

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<sup>2</sup> Human Rights Council 1st UPR and DPRK: Focusing on verification of acceptance and implementation of recommendations, p.154-159 (Webpage: [www.nkdb.org/en/main.php\\_](http://www.nkdb.org/en/main.php_))

- Interview 1: I heard a lot of human rights in newspapers, but I did not know what human rights were. I learned that human rights are human rights even though I went to college, but I did not realize that I could express myself and have some ideas. (Residents of Yanggang City, Interview on March 30, 2013)

9. There is no provision for human rights education or child rights education in the "Law on the Protection of the Rights of Children" enacted by North Korea. It can be confirmed that the human rights education suitable for the development stage of the child is not systematically implemented.

## Recommendation

- **North Korea must enact and revise relevant laws and regulations, including the "Law on the Protection of the Rights of Children," and mandate "child rights education" for children, related workers, and parents.**
- **North Korea should develop and disseminate a variety of child rights education and training contents and, if necessary, receive technical support from international organizations.**
- **It should translate and disseminate at least the international human rights treaties ratified by North Korea, including the UN Convention on the Rights of the Child, so that North Koreans can understand them, and especially the UNCRC shall be translated, produced and distributed as a child-friendly version.**

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- Interview 2: To be honest, the first time I heard human rights was in 2010, Not learned through human rights education. In the news, the United Nations was saying something with human rights, that's the beginning to hear the word human rights. (Residents of Yanggang City, Interview on April 14, 2014)
  - Interview 3: First, do not hit, do not commit human rights violations. (...) Generally speaking, security, the State Security Department, the public prosecutors' office, at the end of the lecture. 'Do not beat prisoners and torture is absolutely prohibited, in a socialist society.' (Pyongyang residents, Interview on July 2, 2017)