

**Report of the  
DPRK Association  
for  
Human Rights Studies**

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## Preface

Today, in international society, hostile forces to DPRK are spreading false rumours about the situation of DPRK, especially its human rights situation, causing wrong views and widespread misunderstanding.

The US and its followers are persistently conducting a human rights campaign against the DPRK, which is aimed at interfering in its internal affairs and overthrowing its social system by publicizing the politically-motivated “human rights issue” of the DPRK on the international arena and by bringing it even to the UN.

However, truth always prevails and nothing can cover it up.

The Korea Association for Human Rights Studies, with a view to helping the international community have a correct understanding of the human rights situation in the DPRK, publishes this comprehensive and detailed report on the history of the Government’s efforts for protecting and promoting human rights, the present human rights situation, challenges, implementation of the commitments to the international human rights instruments, and others.

The report has been worked out on the basis of an in-depth analysis of a colossal amount of written materials including official documents, copies of international human rights instruments, those of international human rights organizations, local human rights-related law and books, as well as the present human rights situation in the DPRK.

Many have been involved in the preparation of the report and thanks are due to them all: such state organs as the Presidium of the Supreme People’s Assembly, the Supreme Court, the Ministry of Foreign Affairs, the Education Commission and the Ministry of Public Health; such non-governmental organizations as the Korea Education Fund and the Korea Federation for the Protection of Persons with Disabilities; lecturers and other scholars at Law College of **Kim Il Sung** University and the Research Institute for Legal Affairs under the Academy of Social Sciences; and many other individuals.

We admit that some parts of this report may be insufficient and incomplete for the readers. We seek readers’ understanding on that.

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## 1. Human Rights Mechanism in the DPRK

This part outlines the DPRK's geographical location, history and social system, and explains the major view and stand of the DPRK towards human rights and development of human rights mechanism and the current situation.

### 1) Country Review

#### — Physiography

Korea is situated in the northeastern part of the Asian continent. It consists of the Korean peninsula and 3,452 islands around it, covering a total area of 223,370 square kilometres.

The northern part of the peninsula is bordered by China and Russia with the Amnok and the Tuman rivers in between. The peninsula is surrounded by East Sea, West Sea and South Sea of Korea, facing Japan to the east.

With more than 80% of its territory mountainous, it has high mountains, deep valleys, hilly areas and thick forests. The six famous mountains, namely Paektu, Kumgang, Myohyang, Kuwol, Chilbo and Jiri, are well known to the world.

As there are many rivers, lakes and springs, it is one of the countries with a high density of water sources. And it has 179 high-quality mineral waters and hot springs.

Korea has four seasons of spring, summer, autumn and winter—each season distinctive and characteristic.

Compared to the size of its territory, Korea is rich in mineral resources. Hence, it is said its area should be measured by cubic metres, not by square metres.

In particular, Korea ranks among leading countries in the world in terms of deposits of iron ore and magnesite, which are of high grade. The distribution area of limestone, the main raw material for cement, covers 25~35% of its land mass and coal deposits amount to billions of tons. Marine resources are also significant.

#### — History

Korean ancestors had settled on the Korean peninsula from time immemorial; they created the Taedonggang civilization, an independent sphere of civilization. This indicates that Korea is one of the cradles of mankind.

In the early 30<sup>th</sup> century BC, Tangun, founding father of the Korean nation, opened a new era of civilization by founding Ancient Joseon with Pyongyang as its centre, which was the first ancient state in east Asia.

Koreans are a homogeneous nation who have lived on the same territory from ancient times maintaining the same bloodline, language and culture.

They are also a resourceful nation; they created material and cultural wealth through their creative activities. They were the first to invent an iron-clad warship, metal types and astronomical observatory. Numerous historical sites and relics including Koguryo tomb murals and historical relics in Kaesong are on the list of world heritage sites.

In modern times, Korea became an arena for competition among the powers, ending up being occupied by the Japanese aggressors in the early 20<sup>th</sup> century.

Under the leadership of General **Kim Il Sung**, the Korean people waged a 20-year anti-Japanese revolutionary struggle to win back their country, thus liberating it on August 15, 1945.

With the founding of the Democratic People's Republic of Korea (DPRK) on September 9, 1948, they could have a genuine government of their own for the first time in their history that represents the interests of all the Korean people.

The US, which occupied the southern half of Korea under the cloak of “liberators” after World War II, unleashed a war against the DPRK on June 25, 1950 to obliterate it in its cradle and reduce Koreans to slaves. However, the Korean people beat the US which had boasted of being “the strongest” in the world, demonstrating the spirit of heroic Korea.

Korea was divided into two parts first with the 38<sup>th</sup> Parallel as the dividing line after its liberation from the Japanese military rule and the division was fixed into north and south Korea after the Korean War with the Military Demarcation Line as a boundary, pursuant to the Korean Armistice Agreement.

Upholding the banner of independence and self-reliance, the DPRK successfully carried out post-liberation construction, anti-imperialist, anti-feudal democratic revolution, post-war rehabilitation and socialist revolution, and established socialist system in August 1958 for the first time in the East.

Afterwards, the DPRK launched the three revolutions—ideological, technological and cultural—to strengthen the political base of the state and completed the historic cause of socialist industrialization in such a short period as 14 years, laying a solid foundation of a socialist independent economy.

Great efforts were made to raise the people's living standards, resulting in a significant progress to meet the needs for food, clothing, housing, education, cultural activities and health care. Taxation was abolished and universal free medical care and compulsory free education were put in force.

Between the late 1980s and the early 1990s, socialism collapsed and capitalism revived in several countries; even in this worldwide political turbulence, the DPRK remained steadfast to the banner of socialism and strived to maintain its ideology and social system and make things easier for the people.

By dint of Songun politics, it boosted its defence capabilities and successfully went through the Arduous March and forced march, paving the way for a thriving socialist nation.

The 60 years of the DPRK may be called a history of self-reliance in which the people-centred socialist system was established and strengthened under the wise leadership of President **Kim Il Sung** and Chairman **Kim Jong Il**.

Had the DPRK backed down and turned to others in the face of unprecedented trials and difficulties or given up the principle of self-reliance under the pressure of outside forces, people-centred socialism would not have come into being and it would have disappeared with the collapse of the global socialist bloc.

## — Guiding Ideology and Social System

The guiding ideology of the DPRK is the Juche idea.

In a nutshell, the Juche idea means that man is the master of everything and decides everything. In other words, it means that man is responsible for his own destiny and also has the capacity to shape his destiny.

The Juche idea is the most scientific and revolutionary guiding ideology as it guarantees the status of the people as masters of the revolution and construction politico-ideologically, materially and militarily by ensuring that the principles of independence, self-reliance and self-defence are observed in the activities of the state. It also sees to it that independence of the masses is realized in all aspects of social life and the revolution and construction advance to victory.

All the achievements made by people of the DPRK in their efforts to build and strengthen socialism testify to the successful line and policies of the DPRK guided by the Juche idea and the advantages and solidity of the DPRK Government.

The Juche idea is the ideology of believing in people as in heaven. It is a political doctrine and principle of activities for the DPRK Government guided by the Juche idea to take full responsibility for and protect people's destiny, make flowers bloom even on the rock if the people want, and spare nothing for the promotion of their well-being.

The DPRK Government guided by the Juche idea is committed to representing people's independent rights, mobilizing their creative abilities and activeness, taking charge of their livelihood and protecting their independent and creative life.

The state and social system of the DPRK which has embodied the Juche idea is people-centred as people are the masters of everything and everything serves them.

Its political system makes people masters of state power, serves them and bestows priceless political integrity upon them. Its economic system ensures people an independent and creative labour, and an affluent and civilized life. Its cultural system enables people to create and enjoy socialist culture.

All the lines and policies adopted and implemented in the people-centred state and social system are directly related to ensuring people's independent rights and directed towards give an absolute priority to their interests and convenience.

Under such a social system, the people are enjoying a worthwhile and happy life, experiencing no socio-political unrest, in a harmonious community where people help and lead one another true to the slogan, "One for all and all for one".

Convinced that their state and social system based on the Juche idea is the most advantageous and people-oriented one that ensures their genuine freedom and rights, the people of the DPRK absolutely supports it and are striving to further consolidate it under the seasoned leadership of their supreme leader **Kim Jong Un**.

## 2) DPRK's View of and Stand towards Human Rights

At present, countries and nations have their own views of and stands towards human rights, and related international instruments fail to provide a unified and correct definition of human rights.

Furthermore, certain countries and dominating forces are dictating their own values and wrong views on human rights upon to other countries, only to harm the latter's sovereignty and human rights.

Under these circumstances, without a proper view of human rights, a state can neither ensure genuine human rights for its people nor foil the arbitrariness and high-handedness of dominating forces. It also can't promote human rights internationally.

Placing people at the centre of all considerations and on the basis of the actual realities of the country and practical experience, the DPRK endeavors to protect and promote genuine human rights with a proper view of and stand towards human rights.



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The following are the DPRK's main view of and stand towards human rights:

\*The view and stand are based on the Juche idea, a man-centred most scientific ideology geared to the protection and promotion of human independence.

### ① Human Rights Are Rights to Independence

As human rights literally mean the rights of man, the concept of the rights should be defined proceeding from his inherent nature.

Independence is intrinsic to man, and the right to realize it is just the right to independence, or human rights.

Independence is an attribute of a social being desirous of living and developing independently as the master of the world and his/her destiny.

Independence is the life and soul of man, a social being. Man can maintain his dignity and worthiness as a social being and live a worthwhile life only when he achieves independence.

If man is to achieve his independence, he needs to have the right to realize it. It is because man's right embodies his wish and demand, and it requires that the state guarantees it.

Independent rights reflect and guarantee the independent will and demand of man who wants to live and develop free from all sorts of restriction and subjugation as the master of the world and his own destiny.

The rights that do not embody independent will and demand of man or fail to realize them are not human rights in a true sense. This shows that any discussion of human rights apart from the independent nature of man is meaningless, and that human rights cannot be protected and promoted unless man's independence is realized.

Man's activities to realize his independence cover all aspects of social life. So human rights are independent rights that enable man to hold his position and play the role as the master in all fields of social life including politics, the economy and culture.

In the final analysis, when human rights are regarded as independent rights, the efforts to realize them are just. However, advertisement of human rights proceeding from an unscientific view of man's nature cannot be justified, no matter which country clamors for them or which international instrument confirms them.

### ② The Masses Represent Genuine Human Rights

Human rights are defined in international human rights instruments as the "rights of all members of the human family" or "rights of all human beings". It is understandable that the definition of human rights is given in such broad terms since it should be acceptable to all states and nations with different social and political systems and different levels of development.

Of course, such definition has some significance in avoiding argument and dispute among different states and nations concerning the concept of human rights as well as in leading them to compromise and agreement.

However, the failure to provide clear-cut definition of human rights in the international instruments gave room for different countries to interpret it in their own ways.

The interpretation can be classified into two: one sees that human rights are rights of an individual or community, and the other regards them as being of class character or of super-class character.

As far as the first category is concerned, the rights of an individual are those of a member of a collective. Therefore, the rights of an individual separated from a collective are unthinkable.

The masses demand genuine rights, the independent rights, to live and develop independently and creatively free from all fetters of nature and society and they have the most powerful creativity to realize them.

As the historical facts show, all the rights that the people had won in different times were raised according to their desires and demands and achieved by their efforts. The rights that do not reflect their demands and are not realized by their own efforts cannot be said to be genuine rights.

The independent demand of the social collective is the common demand of its members for existence and development of the collective, and the independent demand of an individual is what he/she has as an equal member of the collective and deserves to be provided by the collective. The demand of the masses as a social collective represents that of the collective and coincides with the demands of each member of the collective.

In this context, human rights, raised and realized by the masses, can be said to be genuine human rights that meet the demands of both the collective and its individual members.

Genuine human rights are inconceivable in those countries where class confrontation, inequality, exploitation and oppression are rampant. And human rights advertised by those countries are not meant for the masses who constitute the majority of society.

Noteworthy in this part is that regarding human rights as the rights of the masses does not mean it ignores the general concept of human rights defined in international human rights instruments.

### ③ Human Rights Are State Sovereignty

At present, respect for sovereignty and non-interference in others' internal affairs are recognized as one of the main principles which should be observed in international relations.

Each country should respect other's independence and sovereignty and refrain from violating them and abusing other's sovereignty and interfering in matters which are under the jurisdiction of the other.

However, the US and some Western countries are of the view that human rights prevail over sovereignty, and interferences in other's internal affairs are justified under the pretext of "protection of human rights".

Each country's political system, policy making and implementation, administration and activities of state organs, customs, nationality and foreign relations fall under the scope of its internal affairs.

The same is true for policy, mechanism and measures of each country related to ensuring human rights.

Human rights are, to all intents and purposes, part of the internal affairs of a given country, and they presuppose the assurance of sovereignty. It can by no means become an object of interference or a tool to justify it.

From this perspective, the DPRK maintains that human rights are sovereignty.

In other words, sovereignty means an independent right of a sovereign state.

People realize their independent demands with a national state as a unit. The right to realize the people's independent demand in a national state is just the independent right of a sovereign state.

People across the world exercise human rights to realize their own independent rights in their own countries with the help of institutional and legal guarantee provided by their states. This means that human rights are secured and guaranteed by sovereignty of each country and nation, not by interference or dictation by any country or international organization.

If a state loses its sovereign right, to talk about human rights of its people and the promotion of the rights for them will become no more than an empty talk.

The past history of Korea under Japan's colonial rule and violations of human rights committed or incurred by dominating forces in Iraq and other countries around the world speak volumes about it.

\* During the Japanese military rule, the Korean people were forced into a miserable life which was worse than that of a dog at a house of mourning. The Japanese imperialists, who occupied Korea by force of arms, trampled upon all rights of Koreans under such an outrageous logic that "Koreans must obey the Japanese law or die".

There are many countries in the world—big or small and developed or underdeveloped—but no country has the right to trample upon sovereignty of other countries. Each country has equal sovereignty, which is an absolute and inalienable right to all countries.

Human rights and sovereignty are not merely a matter of theory. These are serious political and legal matters related to the destiny of a sovereign state.

Therefore, we need to be wary of and reject any acts of interference by a country or international human rights organization, which are mostly committed over the alleged "protection of human rights".

The mere fact that interference is not allowed, per se, is a commitment to promoting human rights internationally.

#### ④ Basic Human Rights and Human Rights Standards

##### — Basic Human Rights

###### ○ Assessment of Different Views on Basic Human Rights

At present, international human rights instruments often mention about confirming and ensuring basic rights (basic human rights), but fall short of defining what they really mean. Such a situation causes much controversy not only in the field of human rights but on the political stage in the world over which rights are the basic ones among the rights of people.

The capitalist world derives basic human rights from the Declaration of the Rights for Human Being and Civilian adopted in France on August 26, 1789, and the Declaration of Independence published in the US on July 4, 1776. The former asserts that freedom, property, safety and resistance to suppression are basic human rights, while the latter claims that they are rights to life, freedom and happiness.

But their "basic human rights" cannot become universal basic human rights because they only confirmed and set the political and economic domination of the bourgeoisie.

There is also a view that the right to peace and right to environment are part of the basic human rights.

The fact is that the issue of peace and environment is an important one in ensuring human rights now that aggression and war moves of the dominating forces are gaining momentum and worldwide environmental pollution and destruction is threatening the existence of mankind. But the rights to pursue peace and environment cannot be basic human rights.

With the progress of society, new rights come up to gain its influence, but the meaning and contents of the basic human rights cannot be changed.

The rights to peace and environment and other asserted rights are different in the content, but they are raised as basic rights were not ensured properly.

### ○ **Socio-political Rights, Right to Dignity, Right to Existence and Right to Inviolability Constitute Basic Human Rights**

Basic human rights are the most fundamental ones which serve as the basis and source of all rights. In other words, other rights are unthinkable apart from them.

From this point of view, following includes basic human rights:

First, it is socio-political rights to realize socio-political independence.

Socio-political independence is vital to man, a social being. Without it, man is dead socially even if he is alive physically, and he cannot escape from the fate of a slave.

Socio-political independence is realized through the provision and exercise of socio-political rights, more specifically freedom and rights to participate in the exercise of sovereignty, in state administration and in socio-political activities. If he fails to become master of politics, enjoying and exercising socio-political rights, he cannot enjoy the economic and cultural rights, either.

This shows that the socio-political rights are his fundamental rights basic to his overall rights, and that they are the most important ones that enable him to take the position and play the role as the master of the state and society.

Right to dignity is also part of basic human rights.

Man is the most dignified and valuable in the world. Everything in the world has value of its own only when it helps train people to be dignified and valuable and serves them.

Man's dignity and value can be fully ensured only when he exercises the rights to enjoy equality of personality in society, cultivates his character freely and is treated with due dignity.

Moral discrimination, out of any reason, is an insult to human dignity, and slavery, inhuman and dishonorable morality and coercion are infringements upon human dignity and rights.

International human rights instruments, too, confirm that right to dignity belongs to basic human rights.

Rights to existence and inviolability are also part of basic human rights.

Economic life is a field of social life vital to human existence and development.

To maintain his existence and lead a worthwhile life, man should have the right to existence, i.e., the right in economic life that consists of right to labour and ownership, and exercise the right freely.

With no personal freedom, exercise by man of any of his rights is inconceivable.

Man can fully and sufficiently exercise human rights when he is guaranteed the right to inviolability of the person that protects him from being detained or arrested with no reason.

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## – Human Rights Standards

### ○ Assessment of Human Rights Standards in International Human Rights Instruments

Human rights standards, as they are known, were established in the international human rights field through the UN's activities to adopt human rights instruments after World War II.

Human rights standards defined by these instruments point to the general standards and goals for each country to reach in the field of human rights as they reflect the reality of the international community, in which different ideas and systems exist.

With the establishment and application of the standards, the international community has made much progress in protecting and promoting human rights.

However, these days, confrontation and conflict prevail among nations and groups surrounding these human rights standards and their application, which is triggering serious international problems related to politics and legislation.

The main culprit is the anti-human rights acts of the US and the Western countries. It will be dealt with in the next part.

There can be no human rights standards which are applied universally to every country in the world.

In every respect, international human rights standards were set in reflection of the noble ideal and justice of the mankind to protect human rights, and they do not ignore the demand and interests of people in each country. Furthermore, international human rights standards do not make a copy of "standards" of particular countries nor demand that those "standards" should be followed.

And as human rights are ensured with a national state as a unit, it is needed to take into consideration the actual situations and demands of national states in interpreting and applying the human rights standards set by international instruments.

This means that human rights standards should be established to meet the demands and situations of national states and each state may establish and apply human rights standards of its own.

### ○ Unfairness of Human Rights Standards Set by the US and the Western Countries

As in the past, the US and the Western countries are tenaciously trying to dictate their standards by abusing the universal nature of the human rights standards set by international human rights instruments.

These countries claim that their standards are so fair and excellent that they can decide and solve all the issues arising in the field of human rights.

It is so evident that the civilization and standards of the US and the western countries, culprits of human rights abuses, cannot become the single standards in the world.

Their standards are reactionary as they embody an imperialist way of thinking, values and lifestyle which look down upon, oppress and dominate the others.

Nobody of the international community has empowered them to establish universal human rights standards. These countries, unqualified to talk about noble human rights, are pretending to be "incarnation of human rights" and trying to dictate their standards as universal ones.

A typical example is that the "Commission of Inquiry" on human rights situation in the DPRK, a marionette of the US and the western countries, released a report steeped in selectivity and double

standard by gathering one-sided materials devoid of scientific accuracy and objectivity in content, in an attempt to topple the social system of the DPRK.

Starting from their unilateral interests irrelevant to human rights, the US and the western countries are accusing the countries, which maintain their original systems and political modes, as “human rights abusers”, and are bringing pressure to bear upon them.

If politicization, selectivity and double standard of the US and its followers, disqualified to talk about genuine human rights, are unchecked, acts of taking issue of particular countries selectively out of political motives will be more widespread.

Acts of the US and the western countries of criticizing human rights situation in other countries for one reason that they are not their ally or partner must not be left unchecked.

### o **Human Rights Standards Preferred by People Are Fair Ones**

In every country, it is its people who demand and realize human rights and it is also them who judge and assess human rights situation.

It is the human rights standards which reflect and implement their demand and desire for human rights, and if they like them they become fair and genuine human rights standards.

There are many countries in the world, and each country is different in political system, history, customs, the economy, cultural development and lifestyle.

Therefore, human rights standards should be so established as to meet the demand of the people in each country.

Of course, it is necessary for the country to respect and take into accounts the standards set by international human rights instruments even when setting its own standards.

This is because the principles of international law and human rights standards were established in due reflection of the noble aspirations and desires of the mankind to develop relations among countries on the basis of independence and build a new world in favour of genuine human rights.

It is up to each sovereign state to set and apply human rights standards to meet the demand of its people and actual situation while respecting the standards of international instruments.

Human rights can be guaranteed only by principled standards which respect international law and demand of people in each country, not by the arbitrary standards which are to seek a narrow, selfish and vulgar purpose.

The DPRK Government has established fair standards and guarantees all rights to people, which are appropriate to a social being. Through their life experience, people in DPRK became convinced that human rights standards of their country are true and fair ones which ensure their independent rights.

Human rights standards based on the American values cannot be applied to the DPRK, and it will never tolerate using them for political purposes or as preconditions for the development of DPRK-US relations.

## **3) Formation and Development of Human Rights Mechanism in the DPRK**

The formation and development of the human rights mechanism in the DPRK, which started after Korea’s liberation from Japan’s military occupation, has a history of nearly 70 years. It is hard

to refer to all that have taken place in this period. The whole process of the history will be outlined, divided into several stages.

## (1) Foundation for the Establishment of Human Rights Mechanism

Efforts in the DPRK to establish the human rights protection system started with the laying of its foundations. As its foundation is secure and strong, the effective human rights protection system requires good groundwork.

### ① Abolition of Colonial Anti-Human Rights Laws

Each and every law instituted by Japan for governance of Korea in the past was unprecedentedly evil, anti-human rights laws aimed at depriving the Korean people of all their political freedom and rights and forcing colonial slavery upon them.

Abolition of these draconian laws that served to institutionalize servile submission and deprivation of rights was the first task to be tackled to establish a human rights mechanism that provides genuine democratic freedom and rights for the liberated people.

Soon after liberation, measures were taken to declare that all the laws and regulations enforced under the Japanese military occupation were no longer effective and any legal order was forbidden that may run counter to the building of a new Korea and the interests of the Korean people.

It was the manifestation of the will of the Korean people to verify by law that all laws that oppressed and exploited them and fettered their country as a colony were abolished and to establish a new human rights mechanism to uphold their freedom and rights on the basis of a democratic legal order.

New democratic written laws were yet to be enacted in 1945. Give this situation, these measures were significant as they laid down general principles to be adhered to in abolishing evil Japanese colonial laws and enacting and enforcing new democratic human rights legislation.

It had been regarded as something unavoidable in former colonies to allow some colonial laws to be in force to some extent or model after them to make new ones. In fact, lots of countries did so.

But Korea adhered to the principle of abolishing the evil colonial laws and establishing a new legal system and order for the protection and promotion of freedom and rights of its people on the basis of the people's democratic and revolutionary legal consciousness and in line with the demands of building a new society.

### ② Establishment of Organizations for Human Rights Legislation

Priority was given to establishing local people's committees and adopting legal instruments.

In Korea, after its liberation, there was no unified central legislative organ, so it was important in establishing a system for human rights protection to set up a mechanism for human rights legislation and enhance its functions and role.

Various kinds of meetings including people's conference and residents' meeting were held, where representatives were elected freely by the people, and local organs of power were organized. Through these local organs, people-oriented and democratic policies were put forward to establish a new democratic legal order, and for their implementation, legal documents were worked out and enforced, including decision, order, and proclamation.

It shows that new people-oriented and democratic human rights-related documents began to be formulated and enforced at the level of local people's committees.

Though the legal documents of these committees represented the demands of the local people and took local effect, they were human rights-related documents in written form that reflected the unanimous will and championed the interests of the locals, and they played an important role in setting up a people-oriented and democratic human rights mechanism.

Efforts were made to form 10 Administrative Bureaus of North Korea and enact laws.

After liberation, local people's committees were set up in the northern half of Korea. It was necessary to strengthen relations between them, establish economic relationship between different regions and give unified guidance over the different economic sectors; thus, the 10 Administrative Bureaus were set up in November 1945.

The 10 Administrative Bureaus, the sectional and central administrative organs designed to guide each sector of the economy and build an economic bridge between provinces, instituted various kinds of human rights-related documents in the form of decision, proclamation, order, rules and regulations.

Whereas the human rights-related documents of the local people's committees took effect in their respective local areas, those of the bureaus covered the whole area of north Korea. The enactment of human rights-related documents by the bureaus was a big step towards setting up and operating an organization that would work out human rights-related laws in a unified way.

The next step was to establish a provisional people's committee in north Korea and make legal arrangements.

On February 8, 1946, the Provisional People's Committee of North Korea was established as the central government body in north Korea at the Consultative Meeting of Representatives of the Democratic Political Parties and Social Organizations, Administrative Bureaus and People's Committees of North Korea.

The Provisional People's Committee of North Korea was a legislative organ that enacted and enforced unified human rights-related laws and regulations that had legal force all over north Korea while performing functions of the people's democratic dictatorship. It began to make and enforce laws and regulations in an all-round way to achieve social democracy in the political, economic, cultural and all other fields of State and social life and provide the people with human rights.

Since then, a unified mechanism for human rights law making had taken shape.

### ③ Democracy in Judicial System

Democratization of the judicial system in liberated Korea was to break up the old-fashioned judicial system which served for the Japanese military occupation and build a people-oriented and revolutionary one to protect people's rights and interests.

Only then was it possible to purge pro-Japanese elements and traitors to the nation and establish a people-oriented and democratic human rights mechanism smoothly while foiling all the moves of the hostile forces.

In November 1945 the Judiciary Bureau was set up as part of the 10 Administrative Bureaus of North Korea, followed by the announcement of regulations on organizing public prosecutors offices and courts at all levels. A dual-instances system was applied to trials and people's jury system was introduced. Democracy in the judicial system was further promoted after the establishment of the Provisional People's Committee of North Korea.



The decree of the Provisional People's Committee of North Korea, dated March 6, 1946, Fundamental Principle of the Organization and Functions of Courts and Public Prosecutors Offices under the Judiciary Bureau of the Provisional People's Committee of North Korea and several other laws and regulations extensively stipulated the fundamental principles of the duties, organization and activities of the judicial administration and justice and procuratorial organs.

They laid a legal foundation for judges to adjudicate fairly on the basis of democratic legal consciousness and the interests of the Korean people at the time when laws and regulations such as written civil and criminal codes were not fully provided.

Democratic legal and preliminary proceedings of judicial and preliminary investigation organs were also defined by law.

Democratic principles were thoroughly embodied in the organization and activities of the courts of justice thanks to the PPCNK decisions, Regulations on the Criminal Proceedings by the Judicial Organs in North Korea (May 14, 1946) and Law on Criminal Case Examination by the Prosecution Examination-Level Security Organs of North Korea (June 20, 1946).

Judges were elected at the people's assemblies at all levels, genuine people's power organs, for the first time in the history of the DPRK according to the PPCNK decision of "the Election of Judges" dated January 14, 1947. It meant that courts were formed of genuine people's representatives and they became people's courts that championed and served their rights and interests.

In addition, independence of judges was recognized, principle of transparency in trial put into practice and rights of the accused to defence and appeal were fully provided by the legislation of several laws and regulations for democracy in the judicial system.

As a result, a democratic judicial system was established in the country in a short time after liberation to provide people with democratic rights and freedom and firmly guarantee the building of a new nation.

## (2) Establishment of Democratic Human Rights Mechanism

After the country's liberation, establishment of a democratic human rights mechanism emerged as an important requirement in nation building.

In the past, the corrupt feudal ruling class had oppressed and trampled on the people's opinions and made them ignorant to exploit and rule them at their free will. During the decades of military occupation by the Japanese imperialists, the Korean people had not been provided with any rights, but subjected to slavery.

A system was needed that could provide democratic freedom and rights substantially for the people who had suffered from maltreatment, contempt and ignorance for centuries. Only then, could they take an active part in the building of a new nation full of pride in being genuine masters of the state and society.

Most important in the establishment of a democratic legal system for human rights was that of the human rights mechanism to ensure the democratic freedom and rights for the people.

Typical laws and regulations are as follows:

### ① Democratic Laws on Election

The democratic election law system was established in the DPRK with the enactment of laws on election of deputies to the local and national power organs.

Among these laws are the Decision of the 2<sup>nd</sup> Enlarged Meeting of the Provisional People's Committee of North Korea on the Election of Members of Sub-County, County, City and Provincial People's Committees (decision of the PPCNK on September 5, 1946), and Regulations on Election of Members of Sub-County, County, City and Provincial People's Committees of North Korea and Regulations on Election of Members of Sub-county and Ri (Dong) People's Committees of North Korea (decision of the PPCNK on January 7, 1947).

They covered all the rules to guarantee democratic election, including fundamental principles of election, procedures of making lists of voters, organization of constituencies and sub-constituencies, procedures of candidate nomination, procedures of election and procedures of confirmation of election results. Characteristic of these laws are that principles of democratic election by secret ballot based on universal, equal and direct suffrage were legalized and utmost consideration was given to promoting people's convenience in casting ballot.

As they stipulated that people can elect their true representatives by themselves in reflection of the opinions of the broad sections of the people for the first time in the history of the DPRK, 99.6% of the total voters took part in the elections following their adoption. The approval rate reached 97% in the election of provincial people's committees, 95.4% at the city level and 96.9% at the county level.

Typical of the laws and regulations on the election of the central power organ was Regulations on Election of Deputies to the People's Assembly of North Korea.

According to it, an election of deputies to the central power organ took place between February 17 and 20, 1947, and they were elected at a ratio of one to five delegates of provincial, city and county people's committees by secret ballot on the basis of democratic principles. Election results were announced. According to them, 237 candidates from all walks of life, including 86 from the Workers' Party, 30 from the Democratic Party, 30 from the Chongu Party and 91 independent ones were elected as deputies to the central power organ. Among them were 34 women, 7 entrepreneurs, 10 merchants, 4 craftsmen, and 10 religionists.

The fact that representatives of the people from all walks of life were elected and the broad sections of the masses of the people participated in the election shows that the election laws made and enforced in Korea were democratic ones which reflected most correctly the people's demand to exercise their political rights through election.

Through the establishment of an election law system, the Korean people were provided with a firm legal guarantee for exercising their political rights and enjoying freedom to their heart's content as masters of the political power.

## ② Genuine Labour Law System

The genuine democratic labour law system was established in the DPRK by the enactment of the labour law and its detailed regulations.

Providing factory and office workers with genuine rights to labour and improving the conditions for their work and material life are an important content of ensuring democratic rights and freedom of people.

The labour law was promulgated on June 24, 1946, by a decision of the PPCNK.

The 26-article Labour Law for the Factory and Office Workers in North Korea stipulates extensively the democratic freedom of and rights to work and rest including 8-hour workday, equal wage, paid leave and social insurance systems.

Of particular importance in the law is the regulation on an 8-hour workday system. The regulation helped eliminate once and for all the remnants of the forced labour under the Japanese military occupation which had forced back-breaking labour without time limit, and opened a broad avenue for a new working life. It also provided a firm guarantee for solving the biggest problem in providing an independent and creative working life and stepping up nation building by stimulating the workers' voluntary zeal.

The law instituted a 7-hour workday for workers employed underground and in the production fields with harmful labour conditions. It was a righteous step to legally ensure the health of workers and their personal safety in full consideration of the differences in labour intensity according to labour conditions.

According to this law, child labour was prohibited in all production fields. It also made it possible to eliminate the remnants of colonial exploitation of women workers and accord special protection to them. Besides, it dealt with the issues of completely abolishing murderous starvation wage system under the Japanese military occupation, introducing a fortnight's regular paid holiday for factory and office workers and an extra fortnight's leave besides the regular one for those employed at enterprises where work is especially harmful and dangerous, and enforcing social insurance system such as delivery of medical assistance and payment of allowances for the loss of working ability and death.

After proclaiming the law, the PPCNK intensified supervision and control over its enforcement while organizing information activities to raise public awareness of the progressive contents of the law and its enormous significance, with the result that the law was successfully brought into effect all over north Korea in a short time.

Later, several regulations that made the law concrete and developed it were instituted in line with the developing situation.

Thanks to the establishment of the democratic labour system, all the factory and office workers in the DPRK were freed from the harsh, forced labour and became able to enjoy genuine democratic freedom of and right to labour. It brought about a drastic change in their labour and life and a rapid development in the building of a new Korea.

### ③ Gender Equality Law System

In the past, the Korean women were subjected to maltreatment and contempt both in family and society for a long time due to the feudalistic idea of male supremacy. Their situation was miserable and tearful especially under the military occupation by the Japanese imperialists.

The Japanese imperialists commandeered a large number of Korean women to produce war materiel in tunnels or in places encircled with wire entanglements. They even dragged them to battlefields, forcing them into sex slavery.

Innumerable were the Korean women who lost their youth and even lives due to the inhumane oppression and exploitation and unbearable personal insults by the Japanese.

Therefore, it was an essential issue in democratizing society and establishing a democratic human rights mechanism after liberation to legally confirm and strictly ensure rights of women.

The gender equality law system was established with the institution and effectuation of the law on gender equality and subsequent regulations.

On July 30, 1946 the PPCNK promulgated “the Law on Sex Equality” in North Korea by Decision No. 54 in an effort to eliminate the remnants of the Japanese military occupation in Korea, reform the old feudal relationship between men and women and help women take part in the social activities in politics, the economy, culture and other fields.

The law declared that the women who had lived under maltreatment and contempt, forsaken by society for a long time, had equal rights with men in all fields of state—politics, the economy, culture, and others.

First of all, it granted women equal political freedom and rights with men.

By virtue of this law, all women gained equal rights with men to elect and to be elected to power organs at all levels.

It also stipulated that women have equal rights with men to labour and education.

These were people-oriented provisions aimed at freeing women from colonial labour and absence of rights to education, providing them equal social status with men in the economic life and making them creators and enjoyers of science and culture.

The law defined the marriageable age, rights to free marriage and divorce, rights to claim the expense of bringing up the children and equal rights with men to inherit personal and landed property. It also prohibited polygamy, human trafficking and other feudal hereditary customs which had infringed upon human rights of women, licensed and unlicensed prostitution and professional entertainer system.

The promulgation of the law was an epoch-making declaration of the emancipation of women that abolished the centuries-old customs of predominance of men over women and realized the earnest desire of the Korean women to gain equal position and rights with men.

On September 14, 1946, the PPCNK adopted Decision No. 78 Regulations on the Implementation of the Law on Sex Equality in North Korea for strict enforcement of the law.

The regulations specified every provision in the law related to the rights of women so that they could be applied to actual life.

Thanks to the establishment of the legal system for ensuring equality between men and women, all kinds of colonial and medieval evil practices which trampled on the human rights of the Korean women for a long time were extirpated, women were able to exercise equal rights with men both in socio-political life and family, and a legal guarantee was provided to respect and protect the dignity and human rights of women. It also markedly enhanced their role in the new nation building.

Besides, many laws and regulations were enacted and came into effect to provide people with democratic freedom and rights in science, education, public health and other fields of social life, and government measures were taken to bring them into effect.

#### **④ Establishment of Democratic Human Rights Mechanism by Constitution**

The Constitution of the DPRK was adopted with its founding in September 1948.

The Constitution codified the democratic freedom and rights which were granted to people through separate laws and regulations.

Declaring the equal rights of citizens in all spheres of social life, it stipulated, first of all, their rights in the political field including the right to elect and to be elected, freedom of speech, the press, assembly, demonstration, mass rally, association, religious beliefs and holding of religious

ceremonies, as well as the right to organize and join political parties, public and other organizations. As they constituted the fundamental freedom and rights attained in the field of socio-political life, they were a legal expression of political independence of the people.

The Constitution also stipulated the rights of the working people in the sphere of economic life; the right to be paid equally for equal work, the right to receive material assistance through social insurance system and the right to management of small- and medium-sized enterprises.

In the field of social life, it specified the rights to compulsory primary education and education at college and university at state expense, the right to the protection of marriage and the family, the right to inviolability of the person and the right to complaints and petitions.

It also defined the right to asylum and the equal rights of persons of ethnic minorities on the principle of internationalism.

A legal expression of the rights and freedom to which citizens are entitled to as masters of the state and society, these rights and freedom specified in the Constitution were a mere legalization of what the people in the northern half of Korea were already enjoying. They were substantial rights and freedom to be politically guaranteed by the state power, materially supported by the successes made by democratic reform of the economy, and legally provided by individual laws and regulations.

With the adoption of the Constitution, the issue of the basic law, the most important problem in the human rights mechanism, was settled satisfactorily, a legislative foundation for instituting human rights laws was laid, and the human rights laws could develop further in an integral form.

After the adoption of the Constitution, the DPRK had overcome the limitations of individual human rights laws and regulations and systematized the human rights laws and regulations that regulate the social relationship in the same field according to certain criteria and in integrated correlations. At the same time, it made great efforts to improve and perfect the human rights mechanism by adopting sectoral codes such as the Law on Establishment of Tribunals, Penal Code, and Criminal Procedures Code.

As a result, the democratic human rights mechanism was basically established in the DPRK.

The establishment of the democratic human rights mechanism was an epoch-making event in the development of the human rights mechanism to guarantee and protect the independent rights of the masses of the people.

It also provided practical answers to the countries that had achieved national independence from colonial or semi-colonial rule by imperialists and began building a new society on how to enact and enforce human rights laws and regulations.

### (3) Democratic Human Rights Mechanism in Wartime

The Korean War (June 25, 1950--July 27, 1953) unleashed by the US inflicted untold sufferings and calamities on the Korean people.

The brutal bombing and bombardment of the US severely destroyed factories and enterprises, and turned urban and rural areas into ruins.

In the period of strategic temporary retreat during the war, US troops massacred innocent civilians indiscriminately, destroyed and pulled down hundreds of thousands of houses and many schools, hospitals, factories and enterprise buildings, set the tax-in-kind stores and peasants' rice stacks on fire and plundered large amounts of food and livestock.

The war impoverished the people's livelihood drastically and produced many war victims and orphans.

However, the people's livelihood was relatively stable during the 3-year war, and though many were killed by the US indiscriminate and brutal bombing and bombardment, none of them was starved or frozen to death.

It was the precious fruition of the people-oriented policies and efforts of the DPRK Government which paid close attention to protecting people's lives and health and providing them with a stable living, and maintained and developed the democratic human rights mechanism even in wartime.

### ① Maintenance of Human Rights Mechanism

The world history of wars spans thousands of years, but it had recorded no government of a country at war, like that of the DPRK, which maintained the human rights mechanism for the people and stabilized their livelihood even under the grim circumstances of the war.

As wartime ordinances impose strict legal punishment on any violations of law from the act of throwing away one's weapon and deserting the battlefield to such minor act as violating labour discipline, it had been recognized that the ordinances generally slighted the protection of people's personal safety and health, their livelihood in particular.

For this reason, it became unavoidable that peacetime human rights mechanism was abolished or reduced to paper documents in wartime, resulting in the burning down of factories, hospitals, schools and houses, production of countless refugees and orphans, and deterioration of people's lives. Providing necessary human and material resources to the front and preventing disturbances in the rear were the only things that mattered.

However, the DPRK Government regarded the protection of people's lives and stabilization of their livelihood as one of the most important state affairs and an important mission of wartime ordinances. From such a view and attitude, it took people-oriented legal measures to ensure the rights of people in the circumstances of war that no other countries could imagine even in peacetime.

For example, according to such regulations as Cabinet decisions Decision on the Relief Measures for War Victims (November 20, 1950) and Decision on the Measures for Stabilization of People's Livelihood in the Fatherland Liberation War (January 25, 1951), camps for war victims and the elderly and orphanages were set up to provide them with food and dwellings, and all other conveniences offered through public catering and commercial networks.

Cabinet decisions On Lending Food to Disaster-stricken Peasants for Farming (March 13, 1952), On Measures for Providing Houses to Shop-floor and Office Workers (September 2, 1952), and others helped provide the poor and disaster-stricken peasants with conditions for living and labour and those who lost their jobs in the war with stable jobs, and stabilize the lives of the shop-floor and officer workers and raise their net income.

Along with the measures to stabilize their material life, a series of laws and regulations related to education and culture were enacted and enforced for the stability of their cultural life.

Thanks to such legal measures for the protection of people's life and health and the stabilization of their livelihood, no one died of hunger or was left homeless and children continued their studies even in the severe war circumstances.

These people-oriented legal measures played a great role in encouraging the people to give full play to their strength and wisdom in the struggle for victory in the war.

## ② Development of Human Rights Mechanism

The democratic human rights mechanism of the DPRK did not come to a standstill during the wartime, but developed further in anticipation of the victorious tomorrow.

The system of free medical service enforced in wartime is a good example.

The measure by the state to introduce universal free medical service at its expense is the most people-oriented public health policy. It was not just an administrative measure but an important political work to realize the long-cherished desire of the people and bring victory in the war earlier.

It was by no means easy to enforce the universal free medical service at state expense not in peacetime, but in the grim period of war, decisive of the destiny of the country.

Introduction of the system required a large sum of money to be disbursed by the state and necessary material conditions. At that time the DPRK was short of funds, and all medical facilities secured in the pre-war period had completely been destroyed in the flames of the war.

The DPRK Government decided to enforce universal free medical service for the protection of people's lives and health however heavy state burden might be and whatever the difficulties caused by the war, and on November 13, 1952 adopted Cabinet Decision No. 203 on the enforcement of the universal free medical service at state expense.

The Cabinet decision stipulated that medical treatment and medicine at state-owned medical treatment and prevention institutions would be provided free of charge to both in-patients and out-patients, and that medical treatment and prevention organs under the Korean People's Army would offer universal free medical service to civilians as well.

According to the decision, free medical service was introduced for the first time in Korea's history on January 1, 1953.

Characteristic of the system enforced in the fierce flames of the war is that all citizens of the country could enjoy its benefit without discrimination.

The universal free medical care system enforced in the thick of war is the epitome and priceless fruition of the love for the people shown by the DPRK Government which spares nothing for the protection of people's lives and health.

### (4) Establishment of Socialist Human Rights Mechanism

#### ① Adoption of the Socialist Constitution

After the successful postwar reconstruction and socialist revolution, socialist construction was dynamically stepped up. Accordingly, socialist relations of production held sway, and the collectivist character prevailed in all spheres of social life.

Against this background, the DPRK was faced with the task of fully legalizing the rights and liberties to which people were entitled in socialist society and of establishing a socialist human rights mechanism to ensure them.

Moreover, the 1948 Constitution and the existing democratic human rights laws and regulations could not correctly reflect the newly developed socialist relations as they were the legalization of the victory and successes made in the struggle to eliminate remnants of the Japanese military occupation and feudal customs and provide the people with democratic rights and freedom. Therefore, it was necessary to legalize the achievements made by people in socialist construction

and establish human rights mechanism aimed at defining and improving human rights system as a reflection of the newly-developed socialist human relationship in socialist society.

Adoption of a socialist constitution was of great significance in establishing a socialist human rights mechanism.

It was because such constitution, as a parent and basic law of all socialist laws, could regulate all spheres of state and social life and define the direction of and criteria for making out other laws and regulations.

In a socialist law system all the laws are instituted in line with the requirements of the socialist constitution, and the constitution and all sector-specific laws based on it as a whole constitute the framework of the law system.

The Socialist Constitution of the DPRK was adopted at the First Session of the Fifth Supreme People's Assembly in December 1972.

With regard to the fundamental rights of citizens, the Constitution elucidates the collectivist principle on which the rights and duties of the DPRK citizens are based, and specifies that the state would effectively guarantee genuine democratic rights and freedom as well as the material and cultural well-being of all its citizens, and that the rights and freedom of citizens would be amplified with the consolidation and development of the socialist system.

The Constitution stipulates the rights of citizens in the sphere of political life including the right to elect and to be elected and the freedom of speech, the press, assembly, demonstration, association, religious beliefs, complaints and petitions.

It also defines the rights of citizens in the sphere of economic and cultural life including the rights to work, relaxation, free medical care and education, and the freedom of scientific, literary and artistic pursuits.

The Constitution defines those who are entitled to special protection of the state and society, and stipulates the equal social status and rights of women with men, protection of marriage and the family, inviolability of the person and the home, privacy of correspondence, legal protection of overseas Korean nationals and the right of asylum for foreign nationals.

\* See page 57 for further information about the fundamental rights of citizens stipulated in the Socialist Constitution.

The Socialist Constitution fully reflects the interests and demands of workers, farmers, soldiers and working intellectuals and thoroughly champions their interests, thereby granting all the people genuine rights and freedom in every sphere of social life and legally guaranteeing all conditions to ensure that they substantially enjoy these rights and freedom.

The adoption of the Socialist Constitution was not only an event of historic significance in the revolutionary struggle and construction work of the people of the DPRK but also a milestone in the establishment and development of a socialist human rights mechanism.

## ② Establishment of Sector-specific Human Rights Mechanism

Following the adoption of the Socialist Constitution, the DPRK set to performing the task of adopting or revising the sector-specific human rights laws and regulations in line with the requirements of the Constitution.

The human rights laws of socialist society are divided into different parts that are distinct from one another according to their specific characteristics in the objects and methods of regulation, and



these are organically combined with one another to form an integral system. A sector-specific human rights mechanism is built based on such sector-specific human rights laws.

Instituting and perfecting sector-specific human rights laws on the basis of the Socialist Constitution was not only the law-governed requirement of socialist lawmaking, but an inevitable demand of the reality of the DPRK where socialist construction had entered a new phase of its development.

At that time the Socialist Constitution, the basic law that defines all state and public activities and fundamental rights and duties of citizens, was adopted, but many sector-specific human rights laws were yet to be instituted and the existing ones failed to meet the requirements of the developing socialist society.

Though the adoption of the Socialist Constitution was a historic event in the Korean revolution and socio-political life of the people of the DPRK, it could not, all alone, cover rules of behavior in all spheres of social life.

For this reason, the DPRK eliminated all outmoded remnants of capitalism in the existing human rights laws and regulations, and enacted and enforced new socialist human rights laws, thus establishing a sector-specific human rights law system, i.e., sector-specific human rights mechanism.

The following are the typical laws that are of great significance in the establishment of the sector-specific human rights mechanism.

#### **– Ordinance on Enforcement of the Universal 11-Year Compulsory Education**

The basic objective of the educational policy of the DPRK was to develop general education, improve the people-oriented educational system, and train a large number of technical personnel.

In particular, introduction of compulsory education system in the field of general education was of great significance in ensuring the working people's right to learning.

Despite the postwar difficulties, the DPRK introduced universal compulsory primary education system in 1956 and universal compulsory secondary education system in 1958. On the basis of these achievements, it adopted an ordinance on introducing universal 9-year compulsory technical education system in 1966. For the enforcement of this law, a dynamic campaign was launched to strengthen the material and technical foundations of schools, build up the ranks of competent teachers, improve the contents and methods of education, increase the term of education, and establish correspondence courses and evening schools for technical education.

As a result, all preparations for the enforcement of universal 11-year compulsory education system were made before and after the adoption of the Socialist Constitution to give the new generation the highest level of general education.

By reflecting the requirements of the developing realities, the ordinance, On the Introduction of Universal 10-Year Compulsory High Education and Compulsory 1-year Preschool Education, was adopted at the Second Session of the Fifth Supreme People's Assembly on April 9, 1973. The law declared that the universal 11-year compulsory education system would be introduced in 1972--1973 school year.

With the adoption of the ordinance, all the rising generations were compulsorily granted the right to learning at state expense. This far surpassed the standards set by the international human rights instruments including the International Covenant on Economic, Social and Cultural Rights, which stipulates that primary education should be compulsory.

In the DPRK the universal 11-year compulsory education began in September 1972 and was fully introduced in September 1975. The 11-year compulsory education system has now developed into the 12-year compulsory education system according to the ordinance adopted at the Sixth Session of the Twelfth Supreme People's Assembly in September 2012.

### – Law on Abolition of the Taxation System

After Korea's liberation, a series of laws and regulations were instituted in the DPRK to introduce a unified, people-oriented taxation system.

Later, it took legislative measures systematically to improve the taxation system in the direction of reducing tax rates. In the period of overall socialist construction, a historic measure was taken to completely abolish the system of agricultural tax in kind.

With the establishment of unified socialist relations of production, the country was capable of appropriating enough funds necessary for economic and cultural construction, improvement of people's livelihood and state administration with the revenue from the socialist state-run enterprises and cooperative organizations. In these circumstances, it was not necessary to maintain any longer the taxation system, a legacy of the old society.

Therefore, the ordinance, On the Complete Abolition of Taxation System, was adopted on March 21, 1974.

As the system of agricultural tax in kind had already been abolished, the abolition of overall taxation system was aimed at freeing the shop-floor and office workers from the shackles of tax once and for all. That was why the law completely abolished the small amount of tax paid by the shop-floor and officer workers.

On March 30, 1974, a decision of the Administration Council (the present Cabinet) was followed to correctly enforce the complete abolition of the taxation system.

The ordinance and decision on abolishing the taxation system firmly guaranteed the historic cause of making the DPRK the first tax-free country in the world and completely freeing the people from tax burdens.

### – Law on the Establishment of Tribunals and Civil Procedures Code

The Law on the Establishment of Tribunals adopted in January 1976 is a code which stipulates the duties and authority of courts and other organizations participating in the judicial activities, principles of their organization and activities, their working procedures and methods by correctly applying the state's judicial policy and the constitutional principles of judgment.

It is a powerful legal weapon with which to protect the people's power and socialist system, citizens' legitimate rights, their lives and property from all sorts of infringements, and which enables all state organs, enterprises, social and cooperative organizations and citizens to correctly abide by the laws of the state, and fight against criminals of all hues.

The newly adopted Civil Procedures Code (enacted at the same time as the enactment of the Law on the Establishment of Tribunals) consists of fundamentals of civil proceedings, general rules, jurisdiction, litigators, evidence, litigation, preparation for justice, trial, judgment and decision, second trial, extraordinary appeal, retrial and the execution of judgment and decision.

The adoption of the Civil Procedures Code provided a legal guarantee for the smooth settlement of civil disputes in accordance with the socialist principles and the demands and interests of the people.

### — Law on the Nursing and Upbringing of Children and Land Law

The Law on the Nursing and Upbringing of Children was adopted at the Sixth Session of the Fifth Supreme People's Assembly on April 29, 1976, out of the necessity to legally consolidate the brilliant achievements made in the DPRK in nursing and upbringing children and further develop this work.

The law was the first sector-specific code in the DPRK that stipulates the main systems in the field of nursing and upbringing children.

It is the most people-oriented law that ensures equal nursing and upbringing of all children at state and public expense, and the most advanced one that guarantees scientific and cultured nursing and upbringing of children.

The Land Law adopted at the Seventh Session of the Fifth Supreme People's Assembly on April 29, 1977, clearly defines not only the land ownership but also such issues as those of developing land in a planned manner according to the master plan for land development, undertaking land administration and protection as an all-people and nationwide movement, and positively improving paddy and dry fields and making effective use of them.

A legalized land program of the DPRK, the law is of great significance in bringing about a great change in the development, protection and management of land and improving the living environment of the people.

### — Socialist Labour Law and Public Health Law

The DPRK adopted the Socialist Labour Law on April 18, 1978, which legalized the achievements made in the process of implementing the former democratic Labour Law and the Government's labour policy and incorporated the principles and requirements of socialist labour.

The Labour Law proclaimed soon after the country's liberation was a democratic labour law to liberate workers from colonial and feudal exploitation and oppression, whereas the Socialist Labour Law was a socialist one which stipulates the socialist relationship of labour to provide the working people, freed from exploitation and oppression, with an independent and creative working life.

The DPRK adopted the Public Health Law at the Fourth Session of the Sixth Supreme People's Assembly on April 3, 1980, in order to legalize the most advantageous socialist public health system established in the country and the proud successes achieved in the field of public health, and develop public health onto a new high in line with the requirements of the developing reality.

The law stipulates issues related to public health service comprehensively such as basic principles of public health, complete and universal free medical service system, health protection by the prophylactic policy, Juche-oriented medical science and technology, materials supply to public health service, public health workers as people's true servants, public health institutions and guidance and management of these institutions.

The law firmly guaranteed the effort to completely realize the people's desire to enjoy a long life and good health by further consolidating and developing the socialist public health system and boosting public health service.

In addition, the DPRK made strenuous efforts to enact and enforce other several sector-specific laws to guarantee people's freedom and rights.

As the Socialist Constitution was adopted and, on the basis of it, sector-specific human rights laws were introduced, the basic socialist human rights mechanism was established in the 1970s and a marked progress was made in promoting and protecting people's freedom and rights.

## (5) Development of the Socialist Human Rights Mechanism

### ① Adherence to the Socialist Human Rights Mechanism

With the pulling down of the Berlin Wall, the symbol of the Cold War between the East and the West, in November 1989, socialism collapsed in several countries in East Europe, which was also followed by the dissolution of the Soviet Union. The West, describing this event as the victory of bourgeois human rights system over the socialist one, conducted the anti-socialist human rights campaign more viciously than ever before.

In particular, the US staged an anti-socialist, anti-DPRK human rights campaign frantically by wielding its own human rights standards and values, to orchestrate in the DPRK that was legally guaranteeing the independent rights of the masses of the people the same event as in other countries.

The prevailing situation urgently required that the DPRK maintain its sovereignty and socialist human rights mechanism by further enhancing the functions and role of law to cope with the frantic maneuvers of the imperialists and reactionaries.

Proceeding from this requirement, the DPRK revamped legislation aimed at building up the national defence capabilities in every way and further enhancing the functions of the people's democratic dictatorship.

An important thing in this respect is that the state structure has been turned into the one that attaches importance to national defence.

At the Third Session of the Ninth Supreme People's Assembly held in 1992, the Socialist Constitution was amended and supplemented for the first time whereby the National Defence Commission, a departmental body of the Central People's Committee, was separated from it to be upgraded as DPRK National Defence Commission and came to be placed into a higher position than the Central People's Committee. Through this, the legal status of the National Defence Commission was defined as the highest military leadership body of state power.

Since then, the rights to supreme leadership over national defence, which was previously exercised by the Central People's Committee, became to be exercised by the DPRK National Defence Commission.

At the First Session of the Tenth Supreme People's Assembly held in 1998, the Socialist Constitution was again revised and supplemented to streamline the state machinery on a newly basis, as required by the Songun era. It redefined the status of the National Defence Commission as the highest military leadership body and the organ for overall administration over national defence.

Therefore, the legal status of the National Defence Commission has been enhanced much more and a state mechanism that legally guarantees the realization of Songun politics has been established.

Later, the Socialist Constitution was again amended. This amendment provided an independent chapter on "Chairman of the DPRK National Defence Commission", and clearly defined his legal status, terms of office, duties and authority, declaring to the world that the political leadership

system of the DPRK is a state mechanism of giving an importance to national defence, headed by the chairman of the National Defence Commission.

This constitutional definition on state mechanism of attaching an importance to national defence remained unchanged in the constitutional amendment in April 2012, which defines the authority of the First Chairman of the National Defence Commission.

The overall definition of state mechanism for building up the defence capabilities in the Socialist Constitution has provided a firm state mechanism and legal guarantee to consolidate the national defence capabilities to stand up to US military maneuvers to stifle the DPRK, and defend and develop the human rights law system.

Together with the establishment of state mechanism of attaching importance to national defence through the Socialist Constitution, the DPRK adopted laws aimed at further intensifying struggle against anti-socialist and anti-revolutionary crimes and non-socialist practices.

“The Criminal Law of the DPRK” was adopted by Decision No. 6 of the Standing Committee of the Supreme People's Assembly on December 15, 1990.

The law stipulates that combat against anti-socialist crimes would be further intensified in keeping with the prevailing situation and the new conditions and environment of class struggle.

With this law as a weapon, the DPRK waged an intensive legal struggle against all sorts of hostile elements that were attempting to lure people into the world of degeneration, dissoluteness and crime, and finally overthrow the socialist system.

And it also intensified the legal struggle against non-socialist practices such as corruption, delinquent behavior and gambling while thoroughly frustrating the ideological and cultural infiltration and smear campaign conducted by the US to ideologically disintegrate the country from within.

These legal measures enabled the DPRK to foil the anti-DPRK, anti-socialist maneuvers of the US and its followers, defend the socialist human rights mechanism and give full play to its advantages.

## ② Improvement of the Socialist Human Rights Mechanism

The DPRK not only defended the socialist human rights mechanism but also dynamically pushed ahead with the work to improve and perfect it in line with the people's demand for independence and requirements of the developing reality.

The work of improving the socialist human rights law system was mainly undertaken by way of adopting new sector-specific human rights laws and revising or supplementing some regulations.

The sector-specific laws were enacted in the direction of stipulating new human rights fields and enriching the contents of the existing human rights law system by reflecting the developing reality, and they contained provisions aimed at satisfying people's material and cultural demands.

Several laws such as the Medical Service Law (December 1997) were enacted to ensure that people would enjoy medical treatment and prevention of diseases and experience no worries about flooding and outbreak of diseases under the free medical service system, and live happily in a more hygienic and cultured living environment.

The Invention Law (May 1998) and several other laws were introduced to legally protect the rights of individuals who contributed to the development of science and technology, making it possible to successfully build a proper legal system for guaranteeing intellectual property rights, one of the important contents in the international guarantee of human rights.

The Law on Work Norms and the Law on Labour Protection were enacted and enforced in December 2009 and July 2010, respectively, as independent laws by further detailing the Socialist Labour Law to ensure exact payment for the quality and quantity of work done, provide the working people with safer and more hygienic and cultured working conditions and creditably protect and promote their lives and health.

The adoption of the Ordinance on the Introduction of Universal 12-year Compulsory Education System in September 2012 and codification of it in the Socialist Constitution and education-related laws, enabled the country to teach all students general basic knowledge and modern basic technologies through systematic education, and further intensify general secondary education.

The enactment and enforcement of the Law on Protection of the Elderly in April 2007 and several other laws ensured proper legal settlement of the issue of guaranteeing the rights of a specific group, an important component of the human rights mechanism.

The existing human rights laws were also revised and supplemented.

Many human rights laws were revised and supplemented under the slogan "We Serve the People!" from the latter half of the 1990s as a reflection of the developing reality and people's growing demand for human rights. A series of human rights laws were revised and supplemented in one year, 1999, alone.

The human rights mechanism of the DPRK which has been formed and developed for nearly 70 years is a superior system that thoroughly and practically guarantees the people's human rights in all domains of social life including politics, the economy and culture.

The process of the formation and development of the human rights mechanism in the DPRK is characteristic in that it has been formed and developed by applying the Juche character and national identity and reflecting the people's independent aspirations and demands and in the direction of improving its socialist nature in its composition and overall contents and taking a more concrete and detailed form in keeping with the development of social life, while further guaranteeing its own realization.

The DPRK's human rights mechanism is a priceless creation its people have built by their own efforts for decades as masters of the country, precious wealth that cannot be traded as it has taken root deep in their life like their destiny.

#### **4) Human Rights Mechanism in the DPRK**

Human rights are guaranteed and realized in each state as a unit. It, therefore, necessitates a well-organized legal and organizational guarantee of the state.

The well-regulated legal and organizational system in the DPRK defends, guarantees and promotes human rights, the independent rights of the masses of the people, on the basis of the Juche idea, the genuine ideology for defending human rights.

The human rights mechanism established in the DPRK mainly consist of the Constitution, the system of human rights law based on it, the mechanism for ensuring human rights, and the system of human rights education.

##### **(1) Constitutional Guarantee of Human Rights**

The Socialist Constitution of the DPRK regulates in a comprehensive way the principles of state governance to be followed in the fields of politics, the economy and culture for defending and

promoting human rights—the independent rights of man—the basic rights and duties of citizens and the state mechanism that guarantees the rights. The Constitution is the basic law of the state that clarifies the direction and standards of framing laws and regulations related to human rights.

### ① Adoption, Amendment and Supplementing of the Socialist Constitution

The Constitution of the DPRK was first adopted at the First Session of the Supreme People's Assembly on September 8, 1948, and it was the people's democratic constitution.

The Socialist Constitution of the DPRK was adopted at the First Session of the Fifth Supreme People's Assembly on December 27, 1972.

This Constitution reflects the achievements made in the socialist revolution and construction in the DPRK, and consists of a structure (11 chapters and 149 articles) that regulates the fundamental principles to be adhered to in the fields of politics, the economy and culture, the basic rights and duties of citizens and the composition and missions of state organs and principles of their activities in socialist society.

It was later amended and supplemented to have seven chapters and 171 articles at the Third Session of the Ninth Supreme People's Assembly on April 9, 1992, to have preamble, seven chapters and 166 articles at the First Session of the Tenth Supreme People's Assembly on September 5, 1998, and to have preamble, seven chapters and 172 articles at the First Session of the Twelfth Supreme People's Assembly on April 9, 2009. Afterwards, it was amended and supplemented at the Second Session of the Twelfth Supreme People's Assembly on April 9, 2010, at the Fifth Session of the Twelfth Supreme People's Assembly on April 13, 2012, and at the Seventh Session of the Twelfth Supreme People's Assembly on April 1, 2013.

The current DPRK Socialist Constitution, which has undergone amendment and supplementing on several occasions in keeping with the requirements of changed circumstances and developing reality, consists of preamble, Chapter I Politics (Articles 1-18), Chapter II The Economy (Articles 19-38), Chapter III Culture (Articles 39-57), Chapter IV National Defence (Articles 58-61), Chapter V Fundamental Rights and Duties of Citizens (Articles 62-86), Chapter VI State Organs (Articles 87-168), and Chapter VII National Emblem, Flag, Anthem and Capital (Articles 169-172).

The Socialist Constitution, a people-oriented constitution with unique system and contents, serves as a firm legal guarantee in stepping up the building of a thriving socialist nation, realizing the independent and peaceful reunification of the country, developing state relations, and defending and promoting the people's human rights.

### ② Contents and Characteristics of Human Rights-related Provisions in the Socialist Constitution

\* The state system specified in the Socialist Constitution of the DPRK is on page 42

#### — Matters of Principle for Ensuring Human Rights

Chapters 1-4 of the Socialist Constitution specify the principles of state governance in the fields of politics, the economy, culture and national defence, and basically refer to the matters of principle including the policies, conditions and measures for ensuring human rights.

Typical examples in the field of politics are as follows:

The sovereignty of the DPRK resides in the workers, peasants, soldiers, working intellectuals and all other working people and they exercise state power through power organs representing them, i.e., the Supreme People's Assembly and local people's assemblies at all levels (Article 4). Power organs at all levels are elected on the principle of universal, equal and direct suffrage by secret ballot (Article 6).

The social system of the DPRK is a people-centred system under which working people are the masters of everything and everything in society serves them and the state champions the interests of working people and protects their human rights (Article 8).

The DPRK champions the democratic, national rights of Koreans overseas and their rights recognized by international law as well as their interests (Article 15), guarantees the legitimate rights and interests of foreigners in its territory (Article 16), and promotes unity with the world people who defend their independence and opposes all manner of aggression and interference (Paragraph 3, Article 17).

The laws of the DPRK reflect the will and interests of the working people and are the major means of state administration, respect for laws and strict observance and execution of them are the duty of all institutions, enterprises, organizations and citizens, and the state perfects the system of socialist law and promotes socialist law observance (Article 18).

The perfection of socialist legal system includes that of legal system for ensuring human rights.

Typical examples in the field of the economy are as follows:

The Constitution has defined the property of the state, social and cooperative organizations and individuals and protects their property (Articles 21 and 22, 24).

It stipulates that the state guarantees by law the right to inherit private property (Paragraph 4, Article 24).

The DPRK regards it as the supreme principle of its activities to steadily improve the material and cultural standards of the people and that the increasing material wealth of society is used entirely to promote the well-being of the working people and the state provides all the working people with every condition for food, clothing and housing (Article 25).

The state frees working people from difficult, toilsome labour and narrows the distinctions between physical and mental labour (Paragraph 2, Article 27), and undertakes, at its own expense, the building of production facilities for cooperative farms and modern houses in the countryside (Paragraph 2, Article 28).

It renders the labour of the working people more joyful and worthwhile (Paragraph 3, Article 29), the working day is eight hours, and it is reduced in labour-consuming trades and other special categories of work (Paragraphs 1 and 2, Article 30). Labour by those under the minimum working age is prohibited (Article 31).

The state draws up and implements the plans for the development of the national economy in accordance with the laws governing socialist economic development so that the balance between accumulation and consumption can be maintained correctly, economic construction accelerated, the people's living standards steadily raised and the nation's defence capabilities strengthened. (Paragraph 2, Article 34)

Typical examples in the field of culture are as follows:

The DPRK makes the whole of society intellectual (Article 40), opposes the cultural infiltration of imperialism and any tendency to return to the past, protects national cultural heritage, and inherits and develops it in keeping with the socialist situation (Paragraph 2, Article 41).



It develops universal 12-year compulsory education onto a high level (Article 45), enhances the regular educational system as well as different forms of studying while working (Article 46), provides education to all pupils and students free of charge and grants scholarships to students at universities and colleges (Article 47), and brings up all children of preschool age in nurseries and kindergartens at state and public expenses (Article 49).

The state also provides sufficient modern cultural facilities (Article 53), protects the people's lives and improves the working people's health by consolidating and developing the system of universal free medical service and improving the district doctor system and the system of preventive medicine (Article 56), and prevents environmental pollution so as to provide the people with a hygienic living environment and working conditions (Article 57).

In the field of national defence, the mission of the armed forces of the DPRK is to safeguard the interests of the working people, to defend the socialist system and the gains of the revolution, and to protect the freedom, independence and peace of the country from foreign aggression (Article 59).

When these constitutional regulations (typical examples are given above) are put together, they present a visual panorama of the concrete, realistic and wonderful policies, conditions and measures (some of them directly regulated to human rights) the DPRK, the people-centred socialist system, has formulated and pursued to ensure the people's human rights. And the situation of the DPRK itself in which genuine human rights are guaranteed testifies to their validity and realization.

#### — Fundamental Rights of Citizens

The DPRK Socialist Constitution has an independent chapter to regulate the fundamental rights of citizens.

The chapter can be largely classified into political and civil rights, socio-economic and cultural rights, and rights of specific groups.

Political and civil rights are as follows:

The right to elect and to be elected (Article 66), freedom of speech, the press, assembly, demonstration and association (Article 67), freedom of religious belief (Article 68), right to complaints and petitions (Article 69), inviolability of the person and the home, and privacy of correspondence (Article 79), freedom of residence and travel (Article 75) and the right to marriage and the family to be protected (Article 78)

Socio-economic and cultural rights are as follows:

The right to work (Article 70), the right to relaxation (Article 71), the right to free medical care and social security (Article 72), the right to education (Article 73) and freedom of scientific, literary and artistic activities (Article 74)

The rights of specific groups are as follows:

The right to special protection of the state and society for those who have made contributions to the country and people (Article 76), equal rights of women with men (Paragraph 1, Article 77), the right of mothers and children to get special protection (Paragraph 2, Article 77) and the right to asylum of foreign nationals who have come to the DPRK to seek refuge in the face of persecution after fighting for peace and democracy, national independence and socialism or for the freedom of scientific and cultural activities (Article 80)

#### — Characteristics of Fundamental Rights

Citizen's basic rights stipulated in the Socialist Constitution have its unique characteristics that are distinct from those of other countries' constitutions.

Above all, they are concrete rights that should be granted to citizens and are exercised by them in all fields of state and social life.

As mentioned above, the rights stipulated in the Constitution mainly include those that are due to them in all fields of social life including politics, the economy and culture.

At the same time, they encompass the concrete matters of principle related to the guarantee and exercise of each right.

For example, unlike the constitutions of other countries which gives general definitions about the right to vote, Article 66 of the DPRK Constitution stipulates that all citizens who have reached the age of 17 have the right to elect and to be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliations, political views or religious belief, citizens serving in the armed forces also have the same right and those who have been disenfranchised by court decisions and those who have legally been certified insane do not have such rights.

To cite another example, Article 70 of the Constitution stipulates that citizens have the right to work, all able-bodied citizens may choose occupations in accordance with their wishes and skills and are provided with stable jobs and working conditions and citizens work according to their abilities and are paid in accordance with the quantity and quality of their work.

And these rights are granted to everybody equally and practically.

Human rights are granted, guaranteed and protected in concrete terms by state law.

Stipulation of citizens' fundamental rights by the Socialist Constitution of the DPRK means that the state has granted all the citizens such rights and provided the basic legal guarantee for the substantial assurance of the rights.

The Constitution reflects the free will and demand of all the people, the masters of state and society, and was adopted by their consensus. Therefore, the fundamental rights stipulated in the Constitution are equally and practically granted and provided to anybody who is a citizen of the DPRK.

Paragraph 1 of Article 64 of the Constitution clearly stipulates that the state shall effectively guarantee genuine democratic rights and freedoms as well as the material and cultural well-being of all its citizens.

In addition, these rights are constantly amplified with the consolidation and development of the socialist system.

The range and contents of the citizens' fundamental rights stipulated in the Constitution are further enriched thanks to the Government's consistent policy, provision of conditions and measures for the protection and promotion of their human rights.

For example, the right to social security is guaranteed more satisfactorily by the free medical service and an increasing number of hospitals, sanatoriums and other medical facilities and the citizen's right to education is further expanded thanks to the development of advanced educational system and people-oriented educational policies.

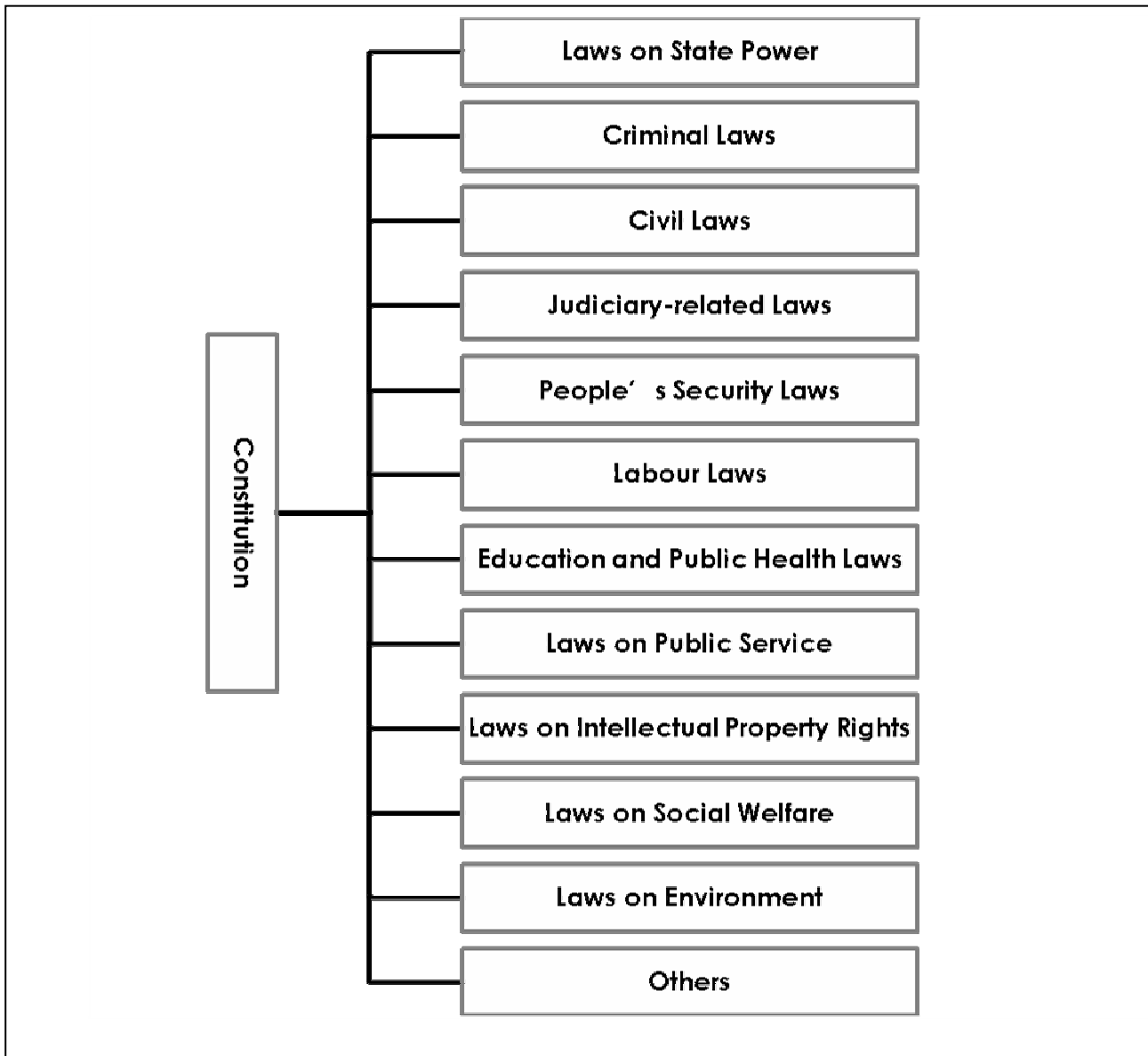
To mention other examples, the rights of mothers and children to get special protection are more satisfactorily guaranteed and amplified with the expansion of the networks of maternity hospitals, nurseries and kindergartens, and thanks to other policies.

Such contents are included in the provisions of the Constitution that regulate the citizens' fundamental rights (for example, Articles 72 and 77), and Paragraph 2 of Article 64 stipulates that

in the DPRK “the rights and freedoms of citizens shall be amplified with the consolidation and development of the socialist system”.

## (2) System of Human Rights Laws

A well-organized legal system is in place in the DPRK to ensure the people’s human rights.



## ① Laws on State Power

The laws of the DPRK at the service of human rights in the field of state power include those on election of deputies to people's assemblies at all levels, on local power organs, on nationality and on complaints and petitions.

The law on election of deputies to people's assemblies at all levels, which stipulates the principles, procedures and methods to be followed in the election, was adopted as Decision No. 24 of the Standing Committee of the Supreme People's Assembly on October 7, 1992, and amended and supplemented in 1998 and 2010. This is a people-oriented election law which contributes to giving free scope to socialist democracy in election and making the people the masters of state power.

The law on local power organs, whose purpose is to provide the people with genuine democratic rights, freedom and happy material and cultural life by strengthening local power organs and enhancing their functions and roles, was adopted as Decision No. 12 of the Standing Committee of the Supreme People's Assembly on December 19, 1974, and was later amended and supplemented on five occasions.

The law on nationality, which stipulates the terms (acquisition, change and renouncing of nationality) for becoming a DPRK citizen, contributes to guaranteeing the legal status of the DPRK citizens, especially those living overseas, and protecting and promoting their rights. This law was adopted as Decree No. 242 of the Presidium of the Supreme People's Assembly on October 9, 1963 and was amended and supplemented in 1995 and 1999.

The law on complaints and petitions, which stipulates the principles, procedures and methods to be followed in the submission, acceptance, registration, inquiry and settlement of complaints and petitions of citizens and state organs by giving a concrete form to the related rights in the Constitution, was adopted as Decision No. 120 of the Standing Committee of the Supreme People's Assembly on June 17, 1998 and was amended and supplemented on three occasions. The system of complaints and petitions established in the DPRK by this law is a democratic system for protecting the working people's rights, making them take an active part in state administration and improving and strengthening the work of state organs and civil servants.

## ② Criminal Laws

The laws of the DPRK for guaranteeing the rights in the field of criminal affairs are the criminal law and criminal procedures act.

The Criminal Law (adopted as Decision No. 6 of the Standing Committee of the Supreme People's Assembly on December 15, 1990, and amended and supplemented on five occasions) defines crimes and penalties and contributes to defending state power and socialist system and guaranteeing the people's human rights. In the DPRK crimes are the punishable, dangerous acts which violate the power of the state, socialist system and legal order, whether intentionally or unintentionally (Article 10). The major penalties are death penalty, life imprisonment with hard labour, imprisonment with hard labour for a definite period and disciplinary labour. And additional penalties are deprivation of the right to vote, confiscation of property, fine, disqualification and suspension of qualification (Articles 27 and 28).

The Criminal Procedures Act (adopted as Decision No. 12 of the Standing Committee of the Supreme People's Assembly on January 15, 1992, and amended and supplemented on three occasions) contributes to properly dealing with criminal cases by establishing a strict system and order in investigation, preliminary examination, prosecution and trial. It plays a big role in protecting and guaranteeing human rights in the handling and settlement of cases.

### ③ Civil Laws

The laws to guarantee civil rights include the civil law, civil procedures act, family law, inheritance law and law on compensation for damage.

The Civil Law (adopted as Decision No. 4 of the Standing Committee of the Supreme People's Assembly on September 5, 1990, and amended and supplemented on three occasions) stipulates the relationship of property of the parties that are equal and independent in status (institutions, enterprises, organizations and citizens) and serves as a legal guarantee for consolidating the socialist economic system and material and technical foundations, and satisfying the people's material and cultural demands.

\* In the DPRK, civil law originally existed in the form of individual civil codes and was later developed into tentative civil regulations in December 1982, then into civil regulations in January 1986 and finally into Civil Law in 1990.

One of the fundamental principles maintained by this law is to make institutions, enterprises and organizations, when conducting property transactions with citizens, pay close attention to ensuring that the people fully benefit from the state policies for the promotion of their welfare (Article 6).

The Civil Procedures Act (adopted as Decision No. 18 of the Standing Committee of the Supreme People's Assembly on January 10, 1976, and amended and supplemented on seven occasions) contributes to protecting the civil rights and interests of institutions, enterprises, organizations and citizens.

The Family Law (adopted as Decision No. 5 of the Standing Committee of the Supreme People's Assembly on October 24, 1990, and amended and supplemented on four occasions) contributes to protecting marriage and family and turning the whole society into a harmonious and united socialist family. It specifies the fundamental principles for the protection of marriage and family, and the issues of marriage, family, guardianship, inheritance and sanctions.

The Inheritance Law (adopted as Decree No. 2882 of the Presidium of the Supreme People's Assembly on March 13, 2002) stipulates the principles and order to be maintained in inheritance, donation and the execution of inheritance and guarantees correct settlement of inheritance issues and citizens' rights related to it. It is the consistent policy of the DPRK to protect private property. Therefore, the right to inherit private property is fully guaranteed.

The Law on Compensation for Damage (adopted as Decree No. 2513 of the Presidium of the Supreme People's Assembly on August 22, 2001, and amended and supplemented in 2005) protects civil rights and interests of institutions, enterprises, organizations and citizens by establishing a strict system and order in compensation for damage caused by violation of the person or property. Compensation for violation of the person is made for the damage caused by doing harm to the health or life of a person, as well as for the mental pain caused by infringing on personal liberty or damaging good reputation and character (Article 40).

#### ④ Judiciary-Related Laws

Laws for ensuring human rights in the field of justice include the law on the organization of court, law on lawyers, and notary law.

The Law on the Organization of Court, whose purpose is to ensure proper examination and settlement of criminal and civil cases and guarantee citizens' right to fair trial by establishing a strict system and order in the organization of court, was adopted as Decision No. 19 of the Standing Committee of the Supreme People's Assembly on January 10, 1976, and amended and supplemented on four occasions.

The Law on Lawyers is to protect legal rights and interests of institutions, enterprises, organizations and citizens and guarantee correct enforcement of law by enhancing the role of lawyers. It was adopted as Decision No. 43 of the Standing Committee of the Supreme People's Assembly on December 23, 1993. In the DPRK lawyers guarantee citizens' human rights by defending them and providing them with legal assistance and protect the legal system of the state (Article 2). Institutions, enterprises, organizations and citizens are provided with the right to free choice of defence counsel in conducting litigation and legal action (Article 4).

The Notary Law, which stipulates the procedures and methods of correctly authenticating facts and documents of legal significance, was adopted as Decision No. 51 of the Standing Committee of the Supreme People's Assembly on February 2, 1995, and amended and supplemented in 2004. According to this law, the civil rights and interests of institutions, enterprises, organizations and citizens are protected, and the security of civil transactions is guaranteed.

#### ⑤ People's Security Laws

Laws for ensuring human rights in the sector of the people's security include the citizens' registration law, road traffic law and etc.

The Citizens' Registration Law, which stipulates the system and order of tracking and registering on a nationwide scale the changes in citizens' identities resulting from birth, residing, relocation, death and entry in or removal from national register, serves as a powerful legal instrument in protecting the socialist family relationship and citizens' rights and interests and strengthening the population administration work. The law was adopted as Decision No. 102 of the Standing Committee of the Supreme People's Assembly on November 26, 1997, and amended and supplemented on three occasions. The registration of citizens is undertaken by the people's security organs in their residential areas (Article 3), and the citizen's certificate (citizenship card in case of Pyongyang residents) is an official document identifying the citizenship of the DPRK. If the one who has renounced a foreign citizenship and acquired the DPRK citizenship and is to reside in the DPRK, he/she should register as citizen (Article 5).

The Road Traffic Law, which stipulates the principles and order that should be maintained in the road traffic control and signal, management of safety arrangements, walking and traffic, contributes to protecting the people's lives and ensuring safety in road traffic. It was adopted as Decree No. 709 of the Presidium of the Supreme People's Assembly on October 6, 2004, and amended and supplemented on four occasions. This law also applies to the foreign missions, enterprises and individuals that use the roads in the DPRK (Article 6). Guidance over road traffic is provided by the central people's security organ and relevant organs under the unified guidance of the Cabinet

(Article 69). Institutions, enterprises and organizations concerned should conduct education in road traffic safety in their traffic safety education rooms and hold drivers' meetings and run day of inspection of equipment maintenance and day of taking measure for accident prevention on a regular basis (Article 73).

## ⑥ Labour Laws

Laws for ensuring human rights in the labour sector include the socialist labour law, labour protection law, and law on work norms.

The Socialist Labour Law, which stipulates people's socialist working life and labour relations by systematizing them in a comprehensive and unified way, was adopted as Ordinance No. 2 of the Supreme People's Assembly on April 18, 1978, and amended in 1986 and 1999.

This law, the basis of the DPRK's labour-related laws, consists of Chapter I Fundamental Principles of Socialist Labour, Chapter II Labour Is Citizens' Noble Duty, Chapter III Organization of Socialist Labour, Chapter IV Socialist Distribution by the Work Done, Chapter V Labour and Technological Revolution, and Improvement of the Working People's Technical Skills, Chapter VI Labour Protection, Chapter VII Labour and Relaxation, and Chapter VIII State and Social Benefits for the Working People. The working people in the DPRK work with enthusiasm and creative initiative for the prosperity of the country, the people's well-being and their own welfare (Paragraph 2, Article 1), and labour is based on their high awareness as the masters of the state and society (Paragraph 1, Article 6). Legal systems established under this law are those of compulsory labour, working hours, manpower allocation and use, improvement of technical skills, labour protection, relaxation, and state and social insurance and social security.

The Labour Protection Law, whose purpose is to provide people with safe, tidy and hygienic working conditions and protect and promote their lives and health, was adopted as Decree No. 945 of the Presidium of the Supreme People's Assembly on July 8, 2010. It is the intrinsic nature of the socialist system and the principled stand of the DPRK that the state takes full responsibility for working people's lives and health (Paragraph 1, Article 3).

The Law on Work Norms, which stipulates the principles and order to be followed in fixing work norms, contributes to organizing labour in a scientific and reasonable manner, raising the efficiency of labour and providing the working people with the right to get fair and equal remuneration for their work done. This law was adopted as Decree No. 484 of the Presidium of the Supreme People's Assembly on December 10, 2009.

## ⑦ Education and Public Health Laws

Laws for ensuring human rights in the fields of education and public health include laws on education, on the nursing and upbringing of children, on public health, on medical care, on the prevention of communicable diseases, on food hygiene and on public hygiene.

The Law on Education was enacted for the purpose of further improving the socialist educational system and fully guaranteeing people's rights to education. It was adopted as Decree No. 847 of the Presidium of the Supreme People's Assembly on July 14, 1999, and amended and supplemented in 2005 and 2007. The law covers the basic principles of education, the system of universal compulsory education, educational institutions and workers, contents and methods of education, provision of conditions for education and guidance and control over education.

On the basis of this law, the Law on Higher Education was adopted on December 14, 2011, and the Law on General Education was adopted on January 19, 2011.

The Law on the Nursing and Upbringing of Children stipulates the system and order of bringing up children as the future of the country and reserves for socialist construction. It was adopted as Ordinance No. 7 of the Supreme People's Assembly on April 29, 1976, and amended and supplemented in 1999. Bringing up children at state and public expense is one of the major policies of the state and an educational method based on the principles of socialist pedagogy (Article 2). The DPRK takes good care of all children so that they can grow up happily with nothing to envy in the world under the best, modern conditions for their nursing and upbringing. This benefit is firmly guaranteed by the socialist system, the solid foundations of the independent national economy and socialist policies, and will further increase with the consolidation of the country's economic foundations (Article 7).

The Law on Public Health stipulates the fundamental principles the Government follows in the field of public health including the consolidation and development of the system of preventive medicine, the system of complete and universal free medical care, health protection by dint of preventive medicine, Juche-oriented medical science and technology, provision of materials for public health, duties of public health institutions and workers and guidance and control over public health. It was adopted as Ordinance No. 5 of the Supreme People's Assembly on April 3, 1980, and amended and supplemented on four occasions.

The Law on Medical Care was enacted for the purpose of improving medical service and protecting and promoting people's health by establishing a strict system and order in medical activities. It was adopted as Decision No. 103 of the Standing Committee of the Supreme People's Assembly on December 3, 1997, and amended and supplemented in 1998 and 2000.

The Law on the Prevention of Communicable Diseases was adopted as Decision No. 100 of the Standing Committee of the Supreme People's Assembly on November 5, 1997, and amended and supplemented on two occasions. It is a legal instrument for establishing a strict order in the tracing of the source of infection, quarantine, blocking of the route of transmission of epidemics and vaccination, and thereby eliminating communicable diseases and protecting people's lives and health.

The Law on Food Hygiene is an organic law to protect and promote people's health by ensuring food hygiene. It was adopted as Decision No. 124 of the Standing Committee of the Supreme People's Assembly on July 22, 1998, and later amended and supplemented on four occasions.

The DPRK systematically increases investment in the food hygiene sector in order to provide and upgrade its material and technical means.

The Law on Public Hygiene (adopted as Decision No. 123 of the Standing Committee of the Supreme People's Assembly on July 15, 1998, and amended in 1998) stipulates the system and order in public hygiene and contributes to protecting and promoting people's health by providing hygienic living environment and conditions.

## ⑧ Laws on Public Service

Laws for ensuring human rights in the public service sector include the socialist commercial law, food administration law and dwelling house law.

The Socialist Commercial Law, which was adopted as Decision No. 13 of the Standing Committee of the Supreme People's Assembly on January 29, 1992, and amended and



supplemented on five occasions, stipulates the principles and order to be followed in commercial activities such as commodity circulation and commercial service. Socialist commerce is, in essence, the supply service for the people and activity to satisfy their material and cultural demands. The characteristics of socialist commerce are that it promotes welfare of the working people, accommodates convenience in their living, narrows the distinctions between urban and rural areas and requires a high level of organization and discipline and that its profits are accumulated for promoting the welfare of all the people and for socialist expanded reproduction.

The Food Administration Law stipulates matters of principle and order related to the procurement, storage, processing and distribution of grains including food for people's diet and positively contributes to improving the people's living standards and food grain administration. It was adopted as Decision No. 84 of the Standing Committee of the Supreme People's Assembly on February 19, 1997, and later amended and supplemented on three occasions. The DPRK ensures that a proper system of food administration is put in place for the unified control and planned consumption of grains.

The Dwelling House Law stipulates issues concerning the construction, transfer, receipt, registration, allocation, usage and maintenance of dwelling houses, providing a legal guarantee for stable and civilized living conditions of the people. It was adopted as Decree No. 3051 of the Presidium of the Supreme People's Assembly on January 21, 2009, and amended and supplemented on two occasions. In the DPRK dwelling houses are categorized into state, cooperative and private properties according to the type of ownership (Paragraph 1, Article 2) and the state provides legal protection for the ownership of and right to use dwelling houses (Paragraph 2, Article 2).

### ⑨ Laws on Intellectual Property Rights

Laws for ensuring human rights in the field of intellectual property rights include the copyright law, invention law, industrial design law, trademark law and law on the protection of computer software.

The Copyright Law stipulates matters concerning the utilization of works in order to protect the rights of the authors and promote the development of art and literature, and science and technology. It was adopted as Decree No. 2141 of the Presidium of the Supreme People's Assembly on March 21, 2001, and amended and supplemented in 2006. The protection of copyright is a consistent policy of the DPRK. The DPRK makes sure that the authorship of creators is ensured and the rights of the copyright holders are protected (Article 2). The copyright of a corporate body or an individual whose country is a signatory to a treaty the DPRK signed is protected by the treaty. However, where a corporate body or an individual whose country is not a signatory to the same treaty makes public their works for the first time in the DPRK, the works are protected by the aforesaid law (Article 5).

The Invention Law stipulates specific matters concerning application for the registration of inventions, deliberation and registration of them and protection of patents. It was adopted as Decision No. 112 of the Standing Committee of the Supreme People's Assembly on May 13, 1998, and amended and supplemented in 1999 and 2011. The DPRK takes measures to actively promote invention and steadily increase investment for the development of science and technology and introduction of their latest achievements (Article 6). Institutions, enterprises, organizations and citizens in the DPRK may apply to foreign countries for patents on new scientific and technological achievements (Paragraph 1, Article 22).

The Industrial Design Law (adopted as Decision No. 117 of the Standing Committee of the Supreme People's Assembly on June 3, 1998, and later amended and supplemented on three occasions) stipulates issues concerning application and deliberation for the registration of industrial designs, and the protection of them.

The Trademark Law (adopted as Decision No. 106 of the Standing Committee of the Supreme People's Assembly on January 14, 1998, and later amended and supplemented on five occasions) stipulates issues concerning application and deliberation for the registration of trademarks and protection of the trademark right.

The Law on the Protection of Computer Software (adopted as Decree No. 3831 of the Presidium of the Supreme People's Assembly on June 11, 2003) stipulates issues concerning protection of the rights of software copyright holders and the development of software technology.

## ⑩ Laws on Social Welfare

Laws for ensuring human rights in the field of social welfare include the social security law, law on protection of the elderly, law on protection of persons with disabilities, law on protection of child's rights, law on protection of women's rights and Red Cross society law.

The Social Security Law was adopted as Decree No. 2513 of the Presidium of the Supreme People's Assembly on January 9, 2008, and amended and supplemented on two occasions. It is a powerful legal instrument for protecting the people's health and providing them with stable and happy living environment and conditions.

The Law on Protection of the Elderly was adopted as Decree No. 2214 of the Presidium of the Supreme People's Assembly on April 26, 2007, and amended and supplemented on two occasions. Under this law, the rights and interests of the elderly people are guaranteed and their desire to lead a worthwhile and happy life in mentally and physically good health is being fulfilled.

The Law on Protection of Persons with Disabilities was adopted as Decree No. 3835 of the Presidium of the Supreme People's Assembly on June 18, 2003, and amended and supplemented in 2013. It contributes to providing the disabled with more favourable living environment and conditions.

The Law on Protection of Child's Rights stipulates issues for fully guaranteeing children's rights and interests in all fields including social life, education, public health, family and administration of justice. It was adopted as Decree No. 1307 of the Presidium of the Supreme People's Assembly on December 22, 2010.

The Law on Protection of Women's Rights comprehensively defines the rights of women. It was adopted as Decree No. 1309 of the Presidium of the Supreme People's Assembly on December 22, 2010, and amended and supplemented in 2011. This law stipulates basic principles of protecting women's rights, socio-political rights, rights to education, culture and public health, rights to labour, rights to personal liberty and property and rights to marriage and family and so on.

The Red Cross Society Law contributes to protecting people's lives and property from various kinds of diseases and disasters and promoting their health and welfare. It was adopted as Decree No. 2113 of the Presidium of the Supreme People's Assembly on January 10, 2007.

## ⑪ Laws on Environment

Laws related to the protection of human rights in the field of environment include the law on environmental protection, law on water resources and law on prevention of radioactive pollution.

The Law on Environmental Protection is the basic law on the conservation of environment. It was adopted as Ordinance No. 5 of the Supreme People's Assembly on April 9, 1986, and amended and supplemented on five occasions. The DPRK always shows close concern for protecting and managing the country's environment so as to protect and promote people's health and provide them with clean and hygienic environment and working conditions (Paragraph 2, Article 1).

It takes measures to consolidate and expand the successes achieved in the protection and management of the environment and to improve it in keeping with the development of industry and other relevant economic sectors, and increases investment in this field systematically (Article 2). Taking proper measures to prevent environmental pollution prior to production and construction is an important requirement for environmental protection in the country (Article 4).

The Law on Water Resources was enacted to ensure a sufficient supply of water which is needed in the development of the national economy and people's living by establishing a strict system and order in the survey, development, conservation and utilization of water resources. It was adopted as Decision No. 86 of the Standing Committee of the Supreme People's Assembly on June 18, 1997, and amended in 1999.

The Law on Prevention of Radioactive Pollution stipulates issues of preventing radioactive pollution and protecting people's lives and health and the environment. It was adopted as Decree No. 1837 of the Presidium of the Supreme People's Assembly on August 29, 2011. This law provides basic principles for the prevention of radioactive pollution, safe management of radioactive substances and nuclear facilities, disposal of radioactive wastes, observation of environmental radioactivity, etc.

Laws related to the protection of human rights in the environmental field also include those on land, forest, river, barrage, prevention of marine pollution, prevention of pollution of the Taedong River, treatment of wastes, protection of useful animals, disaster prevention, relief and recovery, and earthquake and volcano damage prevention and relief. These laws show that the DPRK has specific legislation for the protection of the environment and development rights related to sustainable development of global concern.

The aforementioned laws forming the DPRK's legal setup for human rights are only basic and typical laws for ensuring the rights in relevant fields and there are many more laws, regulations and detailed rules specifying them in more concrete terms.

\* The above categories of human rights legal setup are only based on elementary studies and are, by no means, complete to include the whole system of the DPRK's human rights laws. Moreover, though related with human rights, some of them do not deal with the rights independently.

### (3) Organs for Protection and Promotion of Human Rights

In the DPRK, a well-organized system has been established for ensuring human rights.

#### ① State Organs

The following state organs are explained only in the light of their human rights-related functions:

### – **Supreme People’s Assembly**

The Supreme People’s Assembly, the highest power organ of the DPRK, holds it as part of its important authority and duties to adopt, amend or supplement the Constitution and sectoral laws, approve major sectoral laws adopted by its Presidium, establish basic principles of human rights policy and appoint, elect, remove or recall the director and president of the Supreme Public Prosecutors Office and the Supreme Court.

The Legislation Committee of the Supreme People’s Assembly organizes and carries out the institution of laws related to ensuring human rights.

### – **National Defence Commission**

The National Defence Commission, the supreme defence leadership body of state power, has the authority and duties to formulate major policies for defending the sovereignty of the country and protecting and promoting human rights and to carry them out through guidance over the whole armed forces and of defence building.

### – **Presidium of the Supreme People’s Assembly**

The Presidium of the Supreme People’s Assembly, the highest power organ when the Supreme People’s Assembly is in recess, has such authority and duties as to deliberate and adopt new human rights-related bills and regulations, and amendments and supplements to existing human rights-related laws and regulations, supervise the observance of those laws by state organs and take relevant steps, and grant amnesty.

### – **Cabinet, Commissions and Ministries**

The Cabinet is the administrative and executive body of the highest state power and overall state administrative body. The commissions and ministries of the Cabinet are its departmental executive bodies and central departmental administration bodies.

The Cabinet performs such duties as to adopt, amend or supplement regulations on state administration for ensuring human rights, monitor and control their enforcement, and take measures for maintaining public order, protecting the property and interests of the state and social and cooperative organizations and safeguarding the rights of citizens.

The commissions and ministries supervise and guide the protection and promotion of people’s human rights in their respective sectors (e.g. the Education Commission in the education sector and the Ministry of Public Health in the public health sector).

### – **Local People’s Assembly and Local People’s Committee**

In the DPRK, the local people's assembly is the local organ of state power and the local people's committee is the local organ of state power when the relevant local people's assembly is in recess and the administrative and executive organ of state power at the corresponding level.

The local people's assembly performs such duties as to take measures for executing laws including the ones related to human rights and elect or recall judges and people's assessors of the local court. The local people's committee performs such duties as to implement ordinances, decisions and directives related to human rights and take steps for guaranteeing the rights of citizens.

In this regard, the local people's committee can be viewed as the organ that is directly responsible for ensuring human rights in the DPRK.

### **– Public Prosecutors Office and Court**

The Supreme Public Prosecutors Office of the DPRK, the public prosecutors office of province (or municipality directly under central authority), city (district) and county and the Special Prosecutors Office monitor the execution of human rights-related laws and regulations and expose and institute legal proceedings against offenders of law including criminals, and the Supreme Court and the court of province (or municipality directly under central authority), city (district) and county administer justice. Through such activities they protect the sovereignty of the DPRK, the socialist system, state, social and cooperative property, people's constitutional rights and their lives and property.

### **– Organs for International Cooperation in the Field of Human Rights**

#### **○ National Coordinating Committee for the Implementation of the Convention on the Rights of the Child (CRC)**

The National Coordinating Committee for the Implementation of the CRC, which was established on April 28, 1999, works out and submits action plans for carrying out the state policy for implementing the CRC which was adopted on November 20, 1989.

#### **○ National Committee for UNESCO**

The National Committee of the DPRK for UNESCO was formed on December 24, 1974, to comprehensively develop cooperation with UNESCO in line with the Socialist Constitution of the DPRK, UNESCO Charter and the Charter of the National Committee adopted at the 20<sup>th</sup> Session of the UNESCO Conference.

The National Committee works to contribute to promoting mutual understanding with other countries and their peoples and ensuring peace and security of the world through international cooperation and exchanges in the fields of education, science, culture and public information.

#### **○ National Committee for UN Food and Agriculture Organization**

The National Committee for UN Food and Agriculture Organization, which was formed on January 28, 1981, organizes undertakings and settles issues arising in the activities as a member state of FAO in close contact with the organization.

○ **National Coordinating Committee for the Implementation of the Convention on Elimination of All Forms of Discrimination against Women**

The National Coordinating Committee for the Implementation of the Convention on Elimination of All Forms of Discrimination against Women organizes and carries out the work related to the implementation of the convention, which was adopted on December 18, 1979, including preparing and submitting the DPRK Government reports on the implementation of the convention. It was formed on August 29, 2001, and plays an important role in realizing international cooperation for safeguarding women's rights.

Organs working for international cooperation in the field of human rights also include the National Coordinating Committee for UNFPA (established on December 16, 1992), National Coordinating Committee for WFP (established on April 26, 2006) and National Coordinating Committee for UNICEF (established on June 6, 1985).

— **Other Human Rights Organs**

○ **Population Centre**

The Population Centre was established on July 11, 1985, as a scientific research institute specializing in research into population and data analysis needed for formulating the country's population policy and the national economic plan.

The centre studies and analyses population data to be incorporated into the long-term plan for the development of the national economy and provides them to relevant state organs. It also develops demography, trains population experts and collaborates with international organizations related to population activities.

The centre, from the early days of its foundation, has been receiving UNFPA assistance and joined CICRED in 1991. It publishes such periodicals as the newspaper Population Information and the magazine DPRK Population Centre Bulletin.

○ **Institute of Child Nutrition**

Established on May 15, 1984, the Institute of Child Nutrition studies and develops nutritious and health foods for children including milk substitutes, surveys the condition of children's nutrition and growth, sets the standard for rational caloric intake, assesses food safety and studies preventive and treatment measures for nutrition-related diseases.

② **Social and Non-governmental Human Rights Organizations**

Social and non-governmental human rights organizations in the DPRK independently conduct activities for the study and guarantee of human rights of specific groups or in certain fields. They can be categorized into human rights organizations of specific groups and those of diverse missions.

## —Human Rights Organizations of Specific Groups

Human rights organizations of specific groups include the Democratic Women's Union of Korea, **Kim Il Sung** Socialist Youth League, General Federation of Trade Unions of Korea, Union of Agricultural Workers of Korea, Korea Federation for the Protection of Persons with Disabilities and Korea Federation for the Care of the Elderly.

### ○ Democratic Women's Union of Korea

The Democratic Women's Union of Korea is an organization for improvement of women's position and role in socialist construction and protection and promotion of their rights. It was formed as the Democratic Women's Union of North Korea on November 18, 1945 and was renamed the Democratic Women's Union of Korea on January 20, 1951, after having been merged with the women's union in south Korea.

Since the first day of its founding, the union has been playing an important role in empowering women to take the position as masters of the state and society and exercises legitimate rights. Thanks to its role, great successes have been made in realizing gender equality, abolishing illiteracy and pushing forward cultural enlightenment among women and promoting their participation in social affairs and socio-political activities.

Its Central Committee publishes its organ "Joson Nyosong". It joined the Women's International Democratic Federation in October 1946.

### ○ Kim Il Sung Socialist Youth League

Protecting and promoting the rights of young people is one of the major objectives of **Kim Il Sung** Socialist Youth League. The league was established as the Democratic Youth League of North Korea on January 17, 1946 in Pyongyang and was renamed the League of Socialist Working Youth of Korea on May 12, 1964 and **Kim Il Sung** Socialist Youth League on January 19, 1996.

Its Central Committee publishes "Chongnyon Jonwi", "Saenal" and "Sonyon Sinmun" as its organs and "Chongnyon Saenghwal", "Taehaksaeng", "Saesedae" and "Haksaeng Kwahak" as its magazines.

### ○ General Federation of Trade Unions of Korea

The General Federation of Trade Unions of Korea maintains it as one of its major missions to guarantee the democratic freedom and rights of the working class. It makes an active contribution to making the working class fully perform its role in socialist construction and protecting and promoting their rights.

It was founded as the General Federation of Labour Unions of North Korea in Pyongyang on November 30, 1945 and was renamed the General Federation of Trade Unions of Korea in January 1951 when the trade unions in the north and the south were merged into one.

Its Central Committee publishes its organ “Rodongja Sinmun” and its magazine “Rodongja”. It joined the World Federation of Trade Unions in May 1947 and is promoting international cooperation and solidarity in guaranteeing the rights of the working class.

#### ○ **Union of Agricultural Workers of Korea**

The Union of Agricultural Workers of Korea is an organization of socialist workers in agriculture. Protecting and realizing their democratic freedom and rights is one of the major purposes of its activities.

The union was formed in March 1965 and its predecessor was the Federation of Peasants Associations of North Korea established on January 31, 1946.

Its Central Committee publishes its organ and magazine, both titled Nongop Kulloja, respectively.

#### ○ **Korea Federation for the Protection of Persons with Disabilities**

The Korea Federation for the Protection of Persons with Disabilities was established on July 27, 2005, its predecessor being the Korean Association for Aiding Persons with Disabilities formed on July 29, 1998.

As a non-governmental organization for the protection of persons with disabilities, the federation takes it as its mission to protect and advocate all rights and interests of persons with disabilities. Its major mandate is to contribute to restoring the mental and physical abilities of persons with disabilities, creating the environment of zero-disability, preventing disabilities and guaranteeing their social positions through a variety of activities of supporting and protecting them and publishing and publicizing activities, and thus make them fully perform their role as the genuine masters of society and the collective.

The federation consists of the General Assembly, Central Committee and provincial, city, county and institution committees.

It carries out the work of protecting persons with disabilities in cooperation with such state organs as the Ministry of Public Health, the Education Commission and the Ministry of Urban Management and actively engages in cooperation with international organizations concerning persons with disabilities and EU countries.

#### ○ **Korea Federation for the Care of the Elderly**

The Korea Federation for the Care of the Elderly was founded on April 30, 2003 as the Korean Association for Assisting the Elderly and was renamed as such in 2006.

Its mission is to protect and promote the rights and interests of the elderly and help them lead a worthwhile and happy life in mentally and physically good health.

The federation consists of the Central Committee and provincial, city and county committees.

What is important in the work of the federation is to take measures for the elderly’s health, their participation in social activities and their living through nationwide protection of them and address important issues on their protection by reflecting these issues in state policies. In addition, it provides a good living environment for their health and ample conditions for their cultural and



aesthetic lives, conducts publicity activities on the occasion of the International Day of Older Persons and supplies materials needed for the protection of them through international cooperation.

### – Human Rights Organizations of Diverse Missions

Human rights organizations of diverse missions include the Korea Association for Human Rights Studies, the Korea Education Fund, the Korean Measure Committee for the Victims of Sexual Slavery of the Japanese Army and Forcible Drafting, the DPRK Red Cross Society, the Korean Lawyers Society, the Democratic Lawyers Association of Korea, the Korean Family Planning & Maternity and Child Health Association.

#### ○ Korea Association for Human Rights Studies

The Korea Association for Human Rights Studies was founded as a non-governmental human rights organization on August 27, 1992 with the approval of the state.

Its mandate is to study overall issues on protecting and promoting human rights in the DPRK, make recommendations to government organs on measures to guarantee human rights and conduct research for the international human rights mechanisms.

What is important in its activities is to conduct survey and research on the human rights situation in the DPRK and the implementation of international human rights instruments, and arouse public opinion to carry out investigations into human rights violations foreign forces committed against the Korean people and take relevant measures. It also maintains collaboration with international and other countries' human rights organizations and accommodates convenience for the guests from them on their visits to the DPRK.

The association comprises well over a hundred jurists, lawyers, law-enforcement officials and human rights experts.

It conducts activities according to the system of collective discussion. The association consists of the General Assembly, the Committee and the Executive Committee. Its financial sources are membership fees, contributions from public organizations and donations from individuals.

#### ○ Korea Education Fund

The Korea Education Fund was established on January 26, 2005.

Its mission is to strengthen financial and material support to ensure a high level of education commensurate with the requirements of the developing times and thereby actively contribute to providing excellent conditions for education of the rising generations.

Voluntary contributions of good faith out of respect for the mission of the Education Fund can be made in any form or by any method regardless of the contributor's nationality, ethnic origin, political view and religious belief.

The fund is channeled into covering the shortage of educational apparatuses and materials and school things, improving the infrastructure of educational facilities and studying conditions at schools and producing competent personnel.

#### ○ Korean Measure Committee for the Victims of Sexual Slavery of the Japanese Army and Forcible Drafting

The Korean Measure Committee for the Victims of Sexual Slavery of the Japanese Army and Forcible Drafting was established on August 1, 1992, with the mission to probe the truth behind inhumane crimes committed by Japan against the Korean people and conduct activities to get an apology and reparations from it.

The committee investigates the victims and the scope of damage of all the crimes the Japanese imperialists committed after illegally occupying Korea by force of arms, including forcible drafting and forced labour, sexual slavery for the Japanese army and mass killing.

It organizes a wide-range information campaign to make the coming generations and the whole society well aware of the crimes and redress the historical facts.

It also carries out the work to identify the abandoned remains of Korean victims of forcible drafting in Japan, discover their bereaved families and support the victims of forcible drafting, forced labour and sexual slavery.

In collaboration with human rights organizations at home and abroad and the organizations and individuals of the countries that fell victim to the above crimes, it strives to arouse public opinion and demand for proper settlement of Japan's past crimes.

#### ○ **DPRK Red Cross Society**

The DPRK Red Cross Society (founded on October 18, 1946 as the Red Cross Society of North Korea and renamed as such in December 1948) conducts activities not only at the time of armed conflicts but also at a peaceful time to protect human life and health from natural disasters.

The society consists of the Central Committee and provincial, city and county committees. It actively cooperates with the International Red Cross Committee, the International Federation of Red Cross and Red Crescent Societies and national Red Cross societies of different countries.

#### ○ **Korean Lawyers Society**

Founded on November 19, 1945, the Korean Lawyers Society is an organization of lawyers and has the Central Committee and committees in provinces (or municipality directly under central authority) and relevant sectors.

A committee consists of chairperson, secretary general and members.

The society explains the laws and regulations of the state to the people and encourages them to observe them. When it acts as an attorney on a criminal case at the request of the examinee, the accused or court, it probes the truth and correctly analyses and assesses the case in order to assist and cooperate with the court so that it can make a fair judgment and protect the legal rights and interests of the examinee or the accused.

At the same time, it performs the duties of process attorney, civil procedure attorney and legal adviser upon the authorization of institutions, enterprises, organizations or citizens, gives legal advices and draws up and deliberates documents of legal nature at the request of institutions, enterprises, organizations or citizens. It also works to promote cooperation and exchanges with lawyers' organizations of other countries.

#### ○ **Democratic Lawyers Association of Korea**

The Democratic Lawyers Association of Korea was founded on November 30, 1954 with the mission of defending and implementing the DPRK Government's ideas and policies on law and strengthening and developing the legal system of the DPRK, including the system of human rights laws.

It keeps contact and cooperates with other international and national progressive organizations of lawyers, including the International Democratic Lawyers' Association.

It was affiliated to the International Democratic Lawyers' Association in April 1955.

#### ○ **Korean Family Planning & Maternity and Child Health Association**

The mission of the Family Planning & Maternity and Child Health Association is to advocate the DPRK's policy on protection of families, mothers and children and strengthen cooperation with several international organizations including the International Planned Parenthood Federation. The association was established on January 25, 1990.

### (4) Human Rights Education and Information System

A well-regulated system of education and information to raise public awareness and enrich knowledge of human rights laws has been established in the DPRK.

#### ① **Education in the Theory and Law on Human Rights through Regular Education Networks**

In the DPRK, since its foundation, education on the Government's human rights policies has been done in regular education networks by various methods including special lectures. It has been further intensified in close combination with the education on the Juche idea which is a scientific people-centred idea defending human rights.

Admittedly, in the past, the education on human rights laws was carried out within the boundary of professional training to produce human rights experts. However, along with the development of the socialist society and the elevation of working people's legal awareness, the human rights theory and law became compulsory subjects not only at specialized law education units but also at universities and colleges, and even at primary and middle schools.

Hence, a good system of education on human rights theory and law is in force at educational institutions ranging from primary schools to universities in the DPRK.

At primary and middle schools, basic knowledge of Juche-oriented human rights ideas, theory and law is taught, and at universities and colleges, the education is further intensified together with the education on international human rights laws.

The level of the education on human rights laws at specialized law education units such as Law School of **Kim Il Sung** University has been markedly enhanced.

The work of protecting and promoting human rights is successful in the DPRK as the people are engaged in various fields of the state and society, who had learned Juche-oriented human rights ideas, theory and law and the international human rights laws through regular education networks.

#### ② **Dissemination of Knowledge of Human Rights Laws through Social Education Facilities**

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**and Information Media**

In the DPRK, the education to enrich people's knowledge of human rights laws is conducted not only in regular education networks but through social education facilities and various information media as well.

The Grand People's Study House located at the centre of Pyongyang and modern libraries built in every province, city (district) and county house large numbers of original texts of law (national and international human rights laws), books and electronic publications that help the working people and youth raise their awareness of law and acquire knowledge of human rights laws.

In the DPRK, the demand for books on human rights is very high among people and, to meet the demand, books and multimedia products giving them legal knowledge and common sense (including human rights laws) is produced in greater numbers, compared with the past.

TV and radio networks and publications such as Korean Central TV, Korean Central Radio, "Rodong Sinmun", "Kulloja" and "Chongnyon Saenghwal" also give wide publicity to the human rights policy of the DPRK Government and achievements made in its implementation.

Especially, the popular "Rodong Sinmun" newspaper regularly carries articles and writings on major international human rights documents on anniversaries of their adoption including the day of adoption of the Universal Declaration of Human Rights.

At the same time, "Rodong Sinmun" and other publications give a wide coverage to the analysis of the situation and reactionary nature of human rights violations the imperialists commit in the international arena and serious human rights issues around the world. TV and radio services host interviews and forums on a number of occasions.

### ③ **Enhancing Law-Enforcement Officials' and Social Workers' Knowledge of Human Rights Laws**

Protecting and promoting human rights is closely related to the stand and attitude of the law-enforcement officials and social workers who are directly responsible for the work. It is also related with their level of knowledge of human rights laws.

No matter how good human rights policy and law of the DPRK may be, success cannot be achieved in the protection and promotion of human rights unless the officials responsible for their implementation and enforcement possess a proper view of and attitude towards people and a high level of legal knowledge.

That is why the DPRK Government forms the ranks of law-enforcement officials and social workers including government officials, judges, lawyers, prosecutors and people's security officers with truly faithful servants of people and regularly organizes for them short courses, in-service trainings, workshops, seminars and meetings for the exchange of experiences.

The short courses and in-service trainings emphasize the end of abuse of power and bureaucracy with the view and attitude of respecting and loving people, and carrying out the work of protecting and promoting human rights in line with the requirements of relevant laws and regulations.

\* The contents, form, method and system of education in law observance in the DPRK are given below for reference.

The contents of the education on law observance are to make officials and working people possess a proper view of and attitude towards socialist laws and clearly understand laws and regulations, the incidents of violation of law and their harmfulness.

This type of education is conducted in various forms and by various methods: for example, informing the people of laws, rules and regulations in time, explaining laws with reference to the actual situation of socialist law observance and widely publicizing positive examples in socialist law observance. (Socialist law observance means every member of society works and lives in line with the requirements of the laws and regulations instituted by the socialist state.)

The system of education in law observance is a system whereby the socialist law observance guidance committees and the people's committees organize and give unified guidance over the education on law observance in the respective areas, and all organs, institutions and organizations form law observance education units and conduct the education through the role of law explainers. Law observance education units can be found wherever DPRK citizens work and live. They are formed with an institution, enterprise or organization as the main unit.

## **2. Public Enjoyment of Human Rights**

This part of the report deals with how the major rights stipulated by international human rights laws are actually guaranteed in the DPRK.

### **1) Political Rights**

Political rights are the most important rights that a state is obliged to guarantee in accordance with international human rights laws.

The views of political rights defined in the international human rights laws are different from one state to another and so are the levels of their realization. However, it is a common view of all states that the political rights are the most important rights to be granted on a priority basis in accordance with national and international laws.

Thanks to the policy and legal and institutional measures of the DPRK Government, which regards political rights as the main part of human rights, people are enjoying genuine political freedom and rights as masters of the state and society.

#### **(1) Right to Elect and to Be Elected**

The right to elect and to be elected is the most important of basic human rights and the major form of exercise of sovereignty by a state.

In the present international arena where democracy is advocated, how a state provides its citizens with the right to elect and to be elected is a decisive factor in the evaluation of its human rights situation.

It is an obligation of each and every state to provide a legal guarantee for unhindered and unconditional participation and free expression of one's opinion in the elections. Of course, those who have been disenfranchised by a court and legally certified insane are generally not given the right to elect and to be elected and many countries accept this exception.

In the DPRK, all the citizens exercise the right to elect and to be elected regardless of their sex, nationality, occupation, length of residence, property status, education, party affiliation, political view or religious belief. Exercise to this right is guaranteed by Article 66 of the Socialist Constitution and several laws and regulations including the Law on Election of Deputies to the People's Assemblies at Different Levels.

The election of deputies to the people's assemblies at all levels is conducted on the principle of universal, equal and direct suffrage by secret ballot.

All the citizens who have reached the voting age exercise the right to elect and to be elected without any limitations and all the voters can participate in the elections on an equal footing and can be elected as a deputy to a power organ. Voters elect the deputies to the people's assemblies at all levels with their own hands according to their own will and balloting is done in secrecy.

When electing deputies to state power organs, the whole country is partitioned into constituencies with the same number of population and one deputy is elected in each constituency. The election committee is formed as a temporary organization to arrange for and hold elections of the deputies to the people's assemblies at all levels, and for every election, the list of voters are made and announced to the public with each sub-constituency (constituency) as a unit.

The candidates are nominated by the voters themselves or by a political party and social organization jointly or independently. Soon after the results of the voting are confirmed (by opening the ballot boxes and counting the ballots), the elected deputies to the Supreme People's Assembly are announced by the Central Election Committee, those to the provincial (municipal) people's assemblies by relevant provincial (municipal) election committees and those to the city (district) and county people's assemblies by the relevant city (district) and county election committees.

Currently in the DPRK, 100 % of the voters cast their ballots for the nominated candidates for deputies to the people's assemblies. This has long been quite usual in the DPRK. The main reason behind the unanimous support for the candidates is that the voters themselves have nominated as candidates the working people including workers, farmers and intellectuals who have worked with devotion for the independent rights and interests of the voters.

In the election of the deputies to the 13<sup>th</sup> Supreme People's Assembly held on March 9, 2014, 99.97% of voters registered on the lists of voters took part in the election and 100 % of them voted for the candidates for deputies to the Supreme People's Assembly registered in the relevant constituencies. This is an expression of absolute support and trust of all voters in the Government, which relies on them and strives to defend and realize their rights and interests; it is a manifestation of the steadfast faith and will of the people to strengthen and further develop the people's power.

In the DPRK, citizens serving in the army also have the right to elect and to be elected and exercise it. With the exception of those who have been disenfranchised by a court decision and legally certified insane, there is no limitation in the elections.

## (2) Freedom of Speech and of the Press

The freedom of speech and of the press is an indispensable element of democracy and one of the important issues concerning political rights.

The freedom of speech and of the press includes the rights to search for information, freely express one's idea and opinion and receive and convey those of others, regardless of whether it is through speech, writing, printing, radio, TV, movie, electronic means, music, chart or whatsoever.

The DPRK has more than 480 kinds of newspapers published at national and provincial levels and factories, enterprises and universities, hundreds of magazines printed by scores of publishing houses and several TV and radio channels.

All citizens freely exercise their rights to express their view and will anywhere through publications including various kinds of newspapers, magazines and books and through TV and radio broadcasts.

The rights to free writing and creation of works are legally guaranteed (by the Constitution and laws on intellectual property rights), and according to the law on complaints and petitions the rights to making proposals to improve the work of state organs, enterprises, organizations and officials are ensured.

Making complaints and petitions reflecting their will and demands is a legitimate right of citizens as masters of the state. A citizen, on the basis of justifiable reasons and grounds, may make a complaint or a petition to an individual official, an organization, an enterprise and an organization and even to the supreme power organ. A complaint and petition may be made in the name of an institution, an enterprise or an organization.

In the DPRK complaints and petitions are regarded as the voice of the masses of the people and the reflection of public sentiment, and therefore, investigating and dealing with them are an important work of championing the requirements and interests of the people.

Citizens are also provided with the rights to obtain, process, manage and convey information under information-related laws.

\* The DPRK laws related to information are categorized into the laws on information property rights and the laws on intellectual property rights and etc., according to the subject and method of regulation.

The first category includes the relevant regulations of the Socialist Constitution and the laws on education, library and operation of computer networks, and the second category includes the laws on copyright and invention.

Freedom of speech and of the press can be fully enjoyed only when the conditions for it are provided.

The DPRK modernized printing means and technologies to boost the quality of publications and develop the culture of publishing. It also promotes the development of information technology so that people can promptly acquire accurate information and utilize it with convenience and freely convey their ideas and opinions by up-to-date means.

Thanks to the policies and efforts of the DPRK Government which attaches importance to the development of science and technology, greater improvements will be made in promoting people's rights to freedom of speech and of the press.

All kinds of advocacy of war of aggression, discrimination and violence, acts of instilling and instigating national, racial and religious antagonism and propaganda aimed at threatening or harming the security of the state and social order are absolutely prohibited. Such acts are also prohibited by Articles 19 and 20 of the International Covenant on Civil and Political Rights.

### (3) Freedom of Assembly and Association

The DPRK citizens, above all, are fully provided with the freedom of assembly and demonstration.

Freedom of assembly and demonstration is the right to freely hold gatherings to realize certain purposes and take collective action to express their assertions or demonstrate their might, and they include national and international assemblies, parades, demonstrations, religious meetings and talks.

According to the regulations on assemblies and demonstrations, a notice should be given to the people's committee and people's security organ in the local area three days prior to holding one. The written notice should specify the purpose, date and time, location, organizer and scope of the event. The notified organs (people's committee and people's security organ) provide assistance to ensure necessary conditions, safety and order for it.

Only peaceful assembly or demonstration is permitted. Such events as to endanger the security of the state, disturb social stability, order, soundness of society and morality and encroach upon other people's rights and freedom are prohibited. It is also stipulated in Article 21 of the International Covenant on Civil and Political Rights.

The US and the Western countries' bloody suppression on peaceful assemblies and demonstrations by mobilizing soldiers and policemen and their arrest and imprisonment of the participants are an infringement upon human rights and violation of international human rights laws.

The DPRK citizens are fully provided with the freedom of association.

The freedom of association is the right to establish various kinds of organizations to realize certain purposes or to join such organizations. Such organizations include political parties, socio-economic and cultural organizations and human rights organizations. State organs, organizations and courts established by law or administrative measures of the state are excluded.

The state provides all citizens with conditions for freely organizing political parties and social organizations of democratic nature in line with the Socialist Constitution and relevant regulations and for unhindered activities of such organizations.

In order to organize a democratic political party or social organization, an application for registration has to be sent to the Cabinet 30 days prior to the organization of the party or the organization. The application should mention the purpose of the association, number of members, organizational structure, date of establishment and the name of the leader, and the constitution of the association should be enclosed in it.

At present, the DPRK has several political parties and social organizations, such as the Workers' Party of Korea, Korean Social Democratic Party, Chondoist Chongu Party, General Federation of Trade Unions of Korea, Democratic Women's Union of Korea, **Kim Il Sung** Socialist Youth League and Union of Agricultural Workers of Korea.

Associations with an aim of committing hostile acts against the state are absolutely prohibited. This is an exercise of the legitimate sovereignty of the DPRK, just measure to realize and protect people's human rights and fulfillment of the responsibility of a sovereign state for the international human rights laws.

Prohibition of anti-government associations is a matter of vital importance affecting the destiny of the DPRK and the prospect of the protection and promotion of people's human rights, as the US and the Western countries are attempting to undermine its socialist system by forming such associations within the DPRK and instigating them.



#### (4) Right to Freely Participate in State Administration

The state power of the DPRK is the people's power where the people are masters and that serves their interests.

The DPRK provides everyone with equal and ample opportunities and conditions to hold public office of the state and display their ability in state administration.

Anybody with a certain level of knowledge and capacity can become a civil servant.

The DPRK takes measures to make the civil servants work with devotion, being aware of their mission and duty to serve the people.

In the DPRK, a civil servant is a person who works in a state organ with certain administrative obligations and rights.

The state makes a regular assessment of civil servants' competency according to relevant laws and regulations for the purpose of correctly assessing and enhancing their competency.

The criteria of the competency assessment are correct understanding of state policies and laws and regulations for the relevant field, professional knowledge, and capacity to organize and direct certain undertakings, achievements in the past, law observance and possession of noble moral traits.

Those who do not take part in the assessment exams without presenting justifiable reasons or fail to pass them are disqualified.

Such measures do not limit or exclude them from freely participating in the administration of the state.

In the DPRK where gender equality is fully ensured, the proportion of women's participation in state affairs at power organs ranging from the supreme power organ down to local people's committees is very high.

#### (5) Freedom of Religion and Thought

Everyone is free to choose their religion and thought. That is why international human rights laws require the issues of religion and thought to be solved according to every individual's free will, not by coercion of the state or others.

In the DPRK, everybody is fully provided with the rights to choose and follow their religion and thought according to their own free will.

Every citizen has chosen to follow the Juche Idea which is a world outlook centred on people, an ideology for the realization of their independence, and firmly believe in the idea, thinking and acting according to its requirements.

This has not been forced by the state or anybody else. It is the faith and will all the DPRK citizens have acquired through their everyday life and experience that the Juche idea defends and realizes their independence and truly guarantees human rights and that when they advance along the road indicated by the idea genuine happiness and prosperity will be achieved.

The people take great pride in having and following the Juche idea and living as required by it. They do not allow on any account acts of promoting and spreading reactionary and anti-human rights ideas such as racism and national chauvinism.

The moves of the US and the Western countries to instill reactionary and corrupt ideas and culture into the people of the DPRK who believe and follow only the Juche idea are a wanton violation of the rights to free choice of ideology that all states are obliged to provide as explicitly stipulated by international human rights laws.

The US and the Western countries are touting about the so-called “freedom” of religion, but in the DPRK the church and the state are clearly separated and everybody is fully provided with the freedom of religious belief.

According to the Socialist Constitution people choose and follow any religion or thought on their own conviction. They officially or personally, privately or jointly, hold religious service, ritual and ceremony. They are free to build religious structures or conduct religious education.

The DPRK Government has never forced or influenced people either to believe or not to believe any kind of religion, and moreover, it has never opposed, tormented, oppressed or restricted religion or believers.

At present there exist in the DPRK the Korean Christians Federation, the Korean Buddhists Federation, the Korean Catholic Association, the Korean Chondoist Society and the Korean Association of Religionists. These religious organizations have their own well-organized structural systems (central committee at national level, sub-committees at provincial, city and county levels and sub-units under them) and their own churches, publications, educational institutions and so on. They also promote cooperation and exchanges with several religious organizations of the world (World Religionists Peace Conference, World Council of Churches and Asia Religionists Peace Conference).

Recently the Pongsu Christian Church and Jangchung Catholic Sanctuary in Pyongyang and the Ryongthong Buddhist Temple in Kaesong have been refurbished and expanded, and the Singye Temple in Mt. Kumgang and the Pobun Temple in Mt. Ryongak have been almost restored.

\* The construction of Jangchung Catholic Sanctuary that began in March 1988 was completed in a matter of six months. On October 2, 1988, the special envoy of the Pope of Rome visited the church to consecrate it and for the first Mass there.

Foreigners resident in the DPRK and expatriates are also given complete freedom of religion. A Russian Orthodox church was built in Pyongyang in August 2006 and Russian Orthodoxies resident in or visiting the DPRK hold religious rituals there.

Publications of religious organizations in the DPRK include Chondoist Scriptures, Chondoist Epitome, Old Testament, Hymns, Selection and Practice, Let’s Learn Catholicism, Steps of Religious Life and Catholic Prayers.

Freedom of religion is allowed and provided by the state law within the limit necessary for ensuring social order, health, social security, morality and other human rights. Especially, the Government prevents religion from being used to invite foreign intervention or disturb the state and social order.

## 2) Civil Rights

Civil rights constitute an important element of the rights to be provided by each state according to the international human rights laws and regulations.

In the DPRK, people’s rights to existence, freedom and fair justice including their physical, mental, legal and property rights are fully ensured under the state’s legal guarantee.

### (1) Right to Life

The right to life is inherent in a human being and it is of primary importance in ensuring human rights.

Human beings have a physical life, without which they cannot exist. Only when they are physically strong and healthy and their physical life continues, can they lead a social and political life as well as a cultural and aesthetic life.

Hence, Paragraph 1, Article 6 of the International Covenant on Civil and Political Rights stipulates that no one shall be arbitrarily deprived of his/her life. The Universal Declaration of Human Rights, in its Article 3, provides that everyone has the right to life.

In the DPRK, life and health of man are most highly valued and any act of violating them is never tolerated.

Man's life is fully protected from arbitrary arrest and execution by state institutions, organizations and individuals as well as from diseases and natural disasters.

In recent years, the US is kicking up a row about "arbitrary imprisonment", "extrajudicial execution", "torture" and "abduction" by using all sorts of ruffraff. This is nothing but a farce designed to distort the reality of the DPRK and tarnish its image. As far as those ruffraff that the US is using as "witnesses" are concerned, they are fugitives that committed extremely serious crimes against their country and fellow people. They are terrorists who are opposed to the social system of the DPRK where people enjoy a genuine life and happiness, and they should be punished by the Criminal Law of the DPRK

In the DPRK, no one shall be deprived of the right to life, which is guaranteed by its Constitution, Criminal Law and regulations.

Death penalty is the harshest punishment that deprives criminals of their physical life, which is imposed for the most serious crime on an extremely limited basis. The subjects of death penalty are the criminals that committed extremely serious crimes of plotting to overthrow the government, terrorist acts, treason, subversive acts, intentional murder, drug trafficking and smuggling.

According to Paragraph 2, Article 29 of the Criminal Law, death penalty is imposed neither on those who are under 18 years of age at the time of committing crimes nor on pregnant women.

Capital punishment does not constitute a violation of the right to life. According to the International Covenant on Civil and Political Rights and other international human rights instruments, capital punishment is imposed for the most serious crime under the law in force at the time of the commission of the crime.

The issue of applying death penalty is related to the sovereignty of the state concerned. Maintaining or abolishing death penalty in a country cannot be a criterion by which to judge whether or not the country protects human rights. This is not just and fair from a viewpoint of the principles of international human rights laws as well as practices of law enforcement.

Moreover, slandering and abusing the countries, which are not signatories to the international human rights instruments concerning the abolition of capital punishment, by connecting the issue of applying death penalty with human rights issues, is a violation of the sovereignty of the other countries.

The DPRK guarantees by law the inviolability of every part of human body.

Those who sell or buy organs of human body and disable any part of organ are subject to severe legal punishment. Acts of buying or selling organs of human body, fetus or blood for the purpose of medical treatment also constitute a crime.

Such numerous laws and regulations as the Constitution, criminal law and other laws related to prosecution, judgment, people's security, labour and public health firmly guarantee the right to life.

The DPRK Government, in order to ensure its people's right to life, has invested an enormous amount of funds in developing vaccines and importing necessary medicines to prevent damage especially from contagious diseases. At the same time, the Government is taking positive steps to minimize the damage likely to be caused by natural disasters.

## (2) Right Not to Be Subjected to Torture

It is strictly prohibited, irrespective of whether it is mental or physical, to intentionally torture, to inflict pain upon a human being or to treat and punish him/her in an inhumane and degrading manner.

Torture is an act that forces a human being to confess or make a statement by inflicting physical or mental pain upon him/her. This is the most barbaric act that violates his/her personal rights. It is treated as a crime and thus prohibited under Article 5 of the Universal Declaration of Human Rights, Article 7 of the International Covenant on Civil and Political Rights, the Convention against Torture and other international human rights instruments.

According to the Criminal Law of the DPRK, it is regarded as a crime to interrogate suspects in an inhumane manner, especially by torture, exaggerate and fabricate cases, and deliver unjust judgments. Serious punishment is dealt out to those who inflict a serious injury or cause death or throw penal responsibility upon a person by using torture or other illegal methods during interrogation. In case of endangering a person's health or life or giving him/her mental pain by using the above methods, one shall be held responsible for compensating for the damage. It is prohibited to make suspects admit to an offence or lead them to make a statement by torturing, beating or other inhumane methods.

Students at the institutes of training law-enforcement officials are educated in such a way that they, with a proper understanding of illegality and harmfulness of torture and other inhumane and degrading methods of interrogation, fully ensure scientific accuracy, objectivity and prudence in dealing with a case and that they strictly abide by the "evidence-first principles". Law-enforcement organs, on their part, take proper steps within themselves such as strict control, education and punishment so that inhumane treatment including torture is not committed.

Institutions of prosecution enhance their roles in prohibiting inhumane treatment or punishment including torture.

They regularly monitor the work of institutions of investigation, preliminary examination and reformation so that the right not to be subjected to torture is ensured. If such practices as inhumane treatment and punishment including torture are exposed, strong legal punishment is imposed. If petitions are made by examinees, defence counsels and others, they conduct inquiry in time and take necessary legal measures.

## (3) Right Not to Be Subjected to Slavery

Every human being has the inherent right not to be subjected to slavery, which is inviolable and cannot be deprived of under any circumstances.

Slavery means a state of a human being who is deprived of any rights and whose independence is ruthlessly infringed upon. Enslavement is the most extreme expression of power that a man exercises over the other, and a direct act of hostility against human personality and dignity.

Enslavement includes selling and buying of slaves, prostitution, human trafficking, forced labour and child labour.

The DPRK regards independence of a human being as his/her life and soul and never tolerates slavery which deprives him/her of his/her independence.

There exist no such acts as selling and buying slaves, prostitution, human trafficking and forced labour in the DPRK. In case such acts are committed, severe punishment is imposed out by law.

According to Article 15 of the Socialist Labour Law and Article 19 of the Law on Protection of Child's Rights, child labour is strictly prohibited, and institutions, enterprises, entities and individuals cannot employ children. According to Article 181 of the Criminal Law, those who employ minors under working age are subject to criminal responsibility.

The abolition of slavery in the world was officially proclaimed in 1983. However, slavery, slave dealing and other similar systems and customs still exist in many countries around the world, with their forms getting ever more diversified.

What should be noted here is the issue of slavery forced upon the Korean people by Japan in the past. Such criminal acts were committed in an organized way under the approval of the Japanese government.

The world history has not witnessed such barbarians as the Japanese who forcibly drafted or kidnapped a great number of women (among them were 200,000 Korean women) and took them to the battle fields like animals and forced them into sexual slavery. Subjecting Koreans to a miserable state little better than that of a dog in a house of mourning, a state of no rights and slavery—this is the review of history of colonial rule in Korea by Japan in the past.

Japan negates its crime-ridden history of slavery in Korea and does not make any apologies and compensations for it. Even today, selling and buying of slaves, prostitutions, forced labour, human trafficking and child labour are rampant in Japan.

Without apologies and compensations for the past crimes of slavery, the current issue of slavery cannot be solved properly. For this reason, Japan's crime of slavery is by no means an issue of the past and the statute of limitations can never be applied to this issue.

Since liberation, the DPRK has made strenuous efforts to educate all people to shape their own destiny independently as masters of their own destiny, with a high sense of independence. As a result, all its citizens are firmly defending their dignity and their national sovereignty, categorically rejecting slavish mentality and worship of big countries.

#### (4) Rights to Personal Liberty and Security

The rights to personal liberty and security include the right not to be arrested or imprisoned without any reason and the right of a person, who is deprived of freedom, to be treated with respect for his/her dignity as a human being.

The DPRK strictly prohibits arresting and detaining a person without a legal warrant.

A DPRK citizen is guaranteed inviolability of the person and the home, and privacy of correspondence. No citizen can be placed under control or be arrested nor can his/her home be searched without a legal warrant.

In accordance with Article 241 of the Criminal Law, the law-enforcement official who has illegally arrested, detained or confined an individual, searched his/her body or house, or seized or confiscated his/her property is subject to criminal responsibility.

No one shall be deprived of his/her personal freedom without recourse to the conditions and procedures provided by the Criminal Law, the Criminal Procedure Act and other regulations. Anyone, who is to be arrested, is informed, at the time of arrest, of the reason for arrest and suspicion.

A person who is arrested or imprisoned for having committed a crime has the right to stand trial or to be released within a prescribed period.

A person, who is deprived of freedom by law, is treated with due respect for the inherent dignity as a human being. A suspect is kept separate from those who are sentenced guilty and receives treatment due to an innocent person.

Those who suffer damage from illegal arrest or detention have the right to demand compensations.

## (5) Right to Fair Trial

All the people in the DPRK are equal before law and have the right to legal protection on an equal footing without any distinctions. They are entitled by law to a fair trial at a competent and independent court organized by law in determining suspicion of any crime.

The state has set up an adequate number of competent and independent courts so as to guarantee the right to fair trial, and empowered them to settle all criminal and civil cases in a fair and just manner.

In the DPRK, there are the Supreme Court, provincial (municipal) court, city (district) or county people's court and the Special Court (military court, railway court, etc.). The courts are independent in administering justice and their judicial proceedings are carried out in strict accordance with law. Justice (first trial) is administered by a court consisting of a presiding judge and two people's assessors elected at the respective people's assemblies.

All the suspects are presumed innocent until proved guilty by law and they have the right to be informed promptly of the charges, given enough time for defence and not examined without undue delay. They have the right to be provided with legal and interpretation assistance free of charge, and call for the presence of witnesses and their examination. They are not forced to give a statement against themselves or to confess. They also have the right to appeal (within 10 days after judgment) against conviction and to receive compensations for misjudgment.

Under any circumstances, the suspects are not punished retroactively. They are not subject to more severe punishment than that which could be applied at the time of their committing a crime.

Court proceedings, in principle, are heard in public. Even if they are held behind closed doors, the verdict is made public.

Ensuring independence in justice is an important work for a fair and just judgment. The state takes strong measures to prevent any institution from violating the independence of a court set up for the settlement of a given case. It also makes sure that unfair verdicts and decisions devoid of the independence of the court do not have legal effect.

It sees to it that public prosecutors and lawyers enhance their roles in ensuring the right to fair trial.

Public prosecutors regularly monitor whether or not cases are examined and settled in a just and correct way on the basis of law, and take relevant measures.

Lawyers work hard so that the rights of the accused to legal procedures are fully ensured and the truth of a case is correctly revealed and properly analysed and decided in the examination and trial.

In case of a misjudgment of a case, which leads to the violation of the interests of the accused (finding an innocent person guilty or inflicting a heavy punishment in comparison to the crime committed), an appeal is made to put things right. In particular, such acts as violating human rights and abusing power by law-enforcement officials in dealing with a case are brought to court to take relevant measures against them.

### 3) Socio-economic Rights

Socio-economic rights take an important position in human rights issues as they are related with the creative activities and material life of people in their efforts to conquer nature.

All the people in the DPRK are fully provided with the rights to economic activities and economic life, and enjoy a genuine material and economic life.

#### (1) Right to Labour

Labour is an activity of human beings to create life and improve their living conditions. Right to labour constitutes an important element of the socio-economic rights.

Right to labour is the right to work, which includes right to a job, right to stable working conditions, right to fair compensation for the work done, etc.

The working people in the DPRK have become genuine masters of work and beneficiaries of the work done.

All the citizens, who have reached the working age, irrespective of sex, nationality and social affiliation, choose their jobs according to their wishes and aptitudes and are provided with stable jobs and working conditions by the state. Therefore, there exists no problem of unemployment in the DPRK.

When they have reached the retirement age (60 years old for men, 55 years old for women) and are entitled to enjoy the benefits of the social security services, working people may give up their jobs. Child labour is prohibited.

According to the characteristics of the working sectors, the DPRK makes differences of daily working hours into 8, 7 and 6 hours respectively.

In case of short working hours such as 7 and 6 hours, they are considered the same as the 8-hour work and workers get the same wages. The short working hours are applied to the working people in difficult, labour-consuming and special sectors and to female workers with several children—a special benefit granted by the state to them.

The right to labour in the DPRK is exercised under completely safe, cultured and hygienic working conditions according to the state's principle of giving priority to labour protection over production and steadily improving and perfecting labour protection facilities.

The state has made it a rule to give, first of all, education in labour safety to the working people who exercise the right to labour.

Newly-enrolled workers, workers who shift to new occupations within their factory and those who have violated or have not abided by labour safety rules and regulations are subject to intensive education in labour safety for five to twenty days in general. In particular, those who are posted to very harmful, dangerous jobs and heavy labour sectors do an internship for three months, receiving education in labour safety.

It is the economic law of socialism to distribute according to the quality and quantity of work done. Distribution according to work done is an effective means for stimulating the workers' zeal for production, improving the level of their technical skills and promoting the development of productive forces.

The DPRK strictly enforces the socialist principle of distribution according to the quality and quantity of work done while steadily enhancing the political and ideological consciousness of the working people.

The working people are rewarded equally for the same work done, irrespective of sex, age and nationality.

The basic forms of salary for shop-floor and office workers and cooperative farmers are piece wage and fixed wage. The supplementary forms of salary are extra allowance and bonus.

The state accurately assesses the production plan of factories and enterprises in terms of production indices and the implementation of their cost plan according to the independent cost-accounting system. Based on this, it distributes the money for salary to them. On their part, the factories and enterprises correctly assess the implementation of the production plan, quality of products and usage of equipment and materials before giving additional bonus to the workers who have worked well.

The working people in cooperative farms, including farmers, are rewarded according to the assessment of their work-points.

The working people in the DPRK fully exercise the right to rest.

The right to rest is exercised through such systems as daily rest after 8-hour work, rest on Sundays and holidays, annual paid leave, supplementary leave, maternity leave, and accommodation at health resorts and holiday homes at state expense.

Such systems help the working people fully recover their energy consumed during work and participate in labour, full of vigour.

As the right to labour is fully ensured in the DPRK, labour is considered the most noble and honourable and the working people display voluntary enthusiasm and creativity in their work for the prosperity of their country, the well-being of the people and their own happiness.

## (2) Right to Social Security

Right to social security is the right of the elderly, those with disabilities due to illness or physical dysfunction, the old and children who have no means of support to receive material assistance from the state.

The welfare beneficiaries have the right to receive social security pensions or allowances from the state to maintain their living.

The DPRK gives preferential treatment to them and systematically increases investment in the social security sector so as to build up its material and technical means.

Relevant organs of the state make a thorough registration of the welfare beneficiaries and periodically pay pensions and allowances to them. They regularly learn about their living conditions and take necessary measures. They also make arrangements to help them and provide them with preferential treatment on several occasions.

In particular, the state makes efforts to establish a proper system of managing and operating such establishments for social security services as home for the elderly and recuperation centre, and



steadily improve their conditions, thus fully ensuring the living conditions of the welfare beneficiaries.

Thanks to the measures taken by the state, the welfare beneficiaries are fully provided with conditions and environment for living without any inconvenience.

They are supplied with daily necessities on a regular basis and enjoy the benefits of modern public service amenities, like study rooms, bedrooms, dining rooms, clinics, barbershops and bathrooms. They receive regular health checkup. Should they need special medical care, they are taken to specialized hospitals in time.

The state provides manpower, fund, equipment and materials necessary for the social security services in a responsible manner.

### (3) Right to Adequate Standard of Living

The right to adequate standard of living holds an important place in the socio-economic rights of human beings. Only when they are fully provided with the right, can they successfully conduct the creative activities to harness nature and transform society, enjoying the dignity and value as human beings.

Distribution according to the quality and quantity of work done serves as an important means for improving the people's standard of living as it is the basic form of remuneration in socialist society. As it is a form of remuneration that is set on the results of the quality and quantity of work done, it is fair and just for everyone. But, this form of reward alone cannot narrow the differences of living standards between shop-floor workers, farmers and office workers, especially the differences between the families with more working persons and the families with less working persons. This makes it impossible to ensure the right of people to an equal and adequate standard of living.

The right to adequate standard of living defined by international human rights instruments includes one's own and family's right to adequate standard of living and conditions, such as food, clothes and houses.

The DPRK applies such a new form of remuneration as additional benefits by the state and society, together with the reward for work done, thus ensuring the right to adequate standard of living.

Everyone in the DPRK, from birth, has the right to food and is supplied with food grain at prices which are next to nothing.

The DPRK builds dwelling houses for the people through state investment in capital construction, and house rent is paid at small and trifle prices. Farmers are excluded from the payment of house rent.

Thanks to this people-oriented policy of the state, the people have no worries about paying for food grain and house rent.

At present, people in capitalist countries are in deep agony under the heavy burdens of living expenses but the people in the DPRK have no such worries of payments of food and housing. This fact alone proves that the socialist system of the DPRK is a paradise for people.

The DPRK makes efforts to guarantee the right of its people to adequate standard of living on a higher level by increasing agricultural production, developing light industry and bringing about a turn in construction.

## 4) Social and Cultural Rights

Social and cultural rights are the rights of human beings for enhancing their creative abilities and satisfying their cultural and emotional demands.

Only when they enjoy their rights to scientific and technological knowledge – the spiritual assets accumulated by them – cultural life and medical assistance, can they maintain their own dignity and value and enjoy a happy and worthwhile life.

People in the DPRK are enjoying to their heart's contents the social and cultural rights including right to education.

### (1) Right to Education

Through education, people acquire profound knowledge of nature and society and develop their cognitive and practical ability to transform them. Therefore, the right to education is a right that should be possessed by man, an independent and creative being.

It is from this that international human rights instruments including the Universal Declaration of Human Rights stipulate that the right to education constitutes an integral part of human rights, and lay down in detail the norms with regards to the right to education.

But, these instruments confine the right to education only to free and compulsory primary education and deal mainly with the contents related to school education.

However, the DPRK, surpassing the requirements of the relevant international human rights instruments, has introduced free education for all people and provides enough the right to education for all the working people.

The DPRK follows the educational policy that meets the demands of developing education in the era of the knowledge-based economy and global trend. It is aimed at training talented technicians and experts by putting onto a higher stage the universal 12-year compulsory education, developing full-time education and various forms of study-while-work system and enhancing the scientific and theoretical level of education of technology, social sciences and basic sciences.

At the same time, the DPRK provides free education to all students, grants scholarships to university and college students, intensifies social education and creates every condition for all the working people to study. In particular, children at preschool age are brought up at kindergartens and nurseries at the expense of the state and society.

All citizens in the DPRK receive compulsory general secondary education until they reach the working age.

The local power bodies and educational organs are obliged to identify all children at school age in the relevant areas and enroll them in schools. All the parents and guardians of school-age children are also obliged to send them to schools.

The local power bodies take necessary measures to ensure that all children get access to compulsory secondary education including those with disabilities and those in remote mountainous areas and on far-flung islands.

In the DPRK, all education is free and the educational institutions are strictly prohibited from charging parents or guardians of children with fees for admission, lesson, study tour, internship and field trip.

Despite this, the state grants scholarship to students at universities under high education system of study work, students under the meritocracy and those at deaf, dumb and blind schools. It also

provides special scholarship to brilliant students, incentive scholarship to post-graduate students and in-service wages to students who are involved in while-work-education system.

The state provides food to students according to their educational levels and compensates in providing school supplies and daily necessities at low prices. Honorary disabled soldiers and supportless students are provided with the same supplies free of charge.

The state gives special attention to meeting the educational conditions through good staffing of educational institutions and improving the contents and methods of education, all of which are aimed at providing all the working people with full right to education.

The state makes investment in building more and renovating social education institutions such as primary, junior secondary and senior secondary schools, colleges, universities and post-graduate schools, as well as social education institutions such as study houses, libraries, schoolchildren's palaces, students' halls, children's camps and gyms as befitting educational purposes, and in building public service facilities including dormitories, dining halls and clinics at educational institutions. It takes necessary measures to create an educational atmosphere and maintain the buildings and campuses in a cultured and sanitary manner in conformity with the pedagogical requirements.

The state takes steps to make sure that educational institutions formulate the proper contents of education in accordance with the educational purposes and characteristics of students and they apply advanced education methods, including the heuristic one, to raise the level of students' independence and creativity, combining them with various teaching methods that can improve the level of effectiveness of teaching and education.

The state ensures production and supply of educational equipment and materials on a planned basis before a new school year begins. It sees to it that public transportation organs and other relevant organs, enterprises and establishments provide, before anything else, the conditions for internship, study tour and field trip.

Comprehensive and universal free education, regular education that offers everybody higher education, study-while-work system, developed social education system and educational conditions under which one can learn to one's heart's content irrespective of residence and jobs —these are the main features of the educational system in the DPRK.

This clearly shows that the DPRK has the most advanced educational system and provides all the people with the right to education at a higher level.

## (2) Right to Participate in Scientific and Cultural Activities

Providing conditions for free participation in scientific and cultural activities and ensuring legal protection of what have been achieved in such activities are important works that can't be avoided in helping people raise their intellectual abilities and enjoy the cultural and emotional life.

Ensuring participation by the broad sections of the masses in the work of science and technology and giving full play to their creative inquiry and wisdom are a consistent stand of the DPRK government which attaches great importance to the development of science and technology.

The DPRK encourages all the working people to learn science and technology and actively engage in developing them. It also provides enough conditions for them.

The state encourages them to induce inventions, ingenuity devices and rationalization plans and properly evaluates them.

In particular, when scientific and technological problems arising in the development of production and upgrading of production lines have been resolved, the achievements are applied in good time to prove their effectiveness.

If a person makes outstanding contributions to the development of science and technology, he/she receives commendations including honorary titles, even if he/she is a worker, and bonus is also given according to the fixed system if the achievements have brought economic profits to the state.

The state fully provides the working people with the right to cultural life.

The state remains consistent in maintaining these principles in building socialist national culture. These are to build genuine popular and revolutionary culture that serves for people, fight against cultural infiltration by dominating forces and tendencies to restorationism, protect the national cultural heritage and develop them in conformity with the realities of socialism, eliminate outdated lifestyles and establish a new socialist lifestyle in an all-round way.

Any citizen in the DPRK can either write or create artistic and literary work.

The state exercises various popular policies which are aimed at making writers and artistes produce works of high ideological and artistic value which have socialist contents in national form and the broad sections of the masses take part in the artistic and literary activities.

The state firmly protects by law the copyrights of the people who have produced works in the fields of art and literature and science and technology. The state gives same kind of protection to those who held the intellectual property rights including patent rights, industrial design rights and trademark which made it possible to make scientific and technological successes enabling to produce new replicable technical and economic effects.

Sports have become for all and everyday life. This promotes the right to cultural and emotional life.

Every organ, enterprise and institution has its own non-standing mass sports organization which is in normal operation. This organizes mass sports activities and provides necessary sports facilities and apparatuses.

Sports month and sports day have been designated, and in this period, colourful sports events of various kinds take place throughout the country.

Such places as parks and recreational grounds are furnished with facilities and apparatuses that are necessary for making sports mass-based. Sports facilities and apparatuses are maintained on a regular basis, making it comfortable for all working people to participate in sports activities.

### (3) Right to Health

The right of all the DPRK citizens to health is fully ensured by complete and universal free medical service and preventive care system.

#### — Right to Health Ensured by Free Medical Care System

In the DPRK, all kinds of medical services – medication, diagnosis, experimental test, treatment, operation, doctors' visit, hospitalization and meals – are provided free of charge to the patients, including the outpatients. Preventive medical care including recuperation, medical service, delivery, medical checkup, consultation and vaccination is also provided free of charge.

The state sees to it that modern people's hospitals and clinics are evenly distributed and kept in urban and rural areas, factories, enterprises, fishermen's villages and even in remote lumbermen's villages. Specialized hospitals and sanatoriums such as maternity and pediatric hospitals have been set up in various parts of the country, and necessary steps are taken to continuously improve the quality of the specialization of medical service so that people can get easy access to medical service anywhere and anytime.

The state saw to it that Koryo treatment method, traditional one Korea, and its treatment network expanded. It also encourages health institutions to widely introduce the traditional Koryo treatment method based on modern diagnosis.

Many sanatoriums equipped with modern facilities have been set up at places with spas, mineral waters places and other places with favourable climate so that people can enjoy the benefits of medical treatment by natural agents.

### — Right to Health Ensured by Preventive Medical Care System

Right of the working people to health is also realized through preventive medical care aimed at taking preventive steps against diseases, together with free medical service.

The DPRK makes sure that organs, enterprises and institutions, including public health organizations, promote dissemination of and education in hygiene-related information so that people voluntarily keep sanitary environment, protect and preserve their health with scientific knowledge and take preventive steps against diseases.

In order to protect healthy living environment, measures are taken to prevent pollution, plant roadside trees, increase green areas, and protect the air, rivers, streams and soil from harmful gas and hazardous materials.

The state supplies items to workers for labour protection and safety, including nutrients, as well as hygienic and protective tools to prevent occurrence of industrial diseases.

Hygiene regulations set by the state are strictly observed in the production and handling of goods including foodstuffs, and preventive measures are taken against epidemics.

The section doctor system in the DPRK is an advanced system, under which medical doctors are in charge of certain communities to regularly visit residents and look after their health for the purpose of preventing diseases.

This is a people-oriented system only to be found in the DPRK, where the state takes full responsibility for people's life and health.

Under this system, hospitals work out a record for every resident as soon as he/she was born. The record keeps his/her health conditions and history of preventive treatment. When a resident moves his/her residence to another district, his/her medical record is automatically transferred to the hospital of that district. This shows that the people in the DPRK, from the moment of their birth to death, are under the meticulous care of the state.

Public health organs and workers in the DPRK are educated to do their best in protecting people's life and improving their health with a high sense of honour and responsibility for their tasks so that people can enjoy a happy life and actively participate in social activities.

In addition, social and cultural rights, including the rights to international cultural cooperation, information, free academic activities and cultural heritage, are fully ensured in the DPRK.

## 5) Rights of Specific Groups

How the rights of a special group are ensured is an important indicator for estimating human rights situation in a country.

In the DPRK, due attention is paid to ensuring rights for special groups including women, children and the elderly, so that they can fully exercise their rights.

### (1) Rights of Women

Women in the DPRK have equal rights with men and fully enjoy their independent and creative life in all sectors of social life.

The following shows how they enjoy their rights in some spheres of their life.

#### — Political Life

Women in the DPRK have the right to elect and to be elected and freely take part in an election. As representatives of state power, they actively participate in its activities.

The election of deputies to the people's committees at provincial, city and county levels, the first of its kind in the history of the DPRK, was held on November 3, 1946. Since then, women have been exercising the same rights to election as men.

They enjoy freedom of and right to socio-political activities of all kinds, including speech, publication, assembly and demonstration.

All women are enrolled in political organizations guided by the Workers' Party of Korea and the state, and work hard to implement the lines and policies set out by the government.

Many of them are working as full-time officials at the Party organizations and state organs as well as at social organizations.

#### — Education

Women in the DPRK enjoy equal rights with men in learning free of charge. That, in a literal sense word, is complete free education.

The universal 12-year compulsory education system and tertiary education system, which are well established in the DPRK, enable all people including women to learn.

Today, there are millions of intellectuals in the DPRK. Among them, the number of women technicians and experts is more than a million.

The DPRK is the only country where all people have access to free education throughout their life.

#### — Public Health

Ensuring the right of women in the public health sector forms a solid foundation in not only protecting their health but also further improving the overall health conditions of the mankind. Only when women are healthy, can they give birth to a healthy child and children grow up healthily.

In this context, protection and improvement of women's life and health is posed as an important matter, which is dependent on how the public health service for women is provided.

All children and housewives in the DPRK let alone the working people, enjoy the benefits of free medical service.

Special benefits are granted to nursing mothers as well as to new-born babies.

The Pyongyang Maternity Hospital, equipped with sophisticated medical facilities, assists women with safe delivery based on the latest achievements of science and technology. At the same time, it completely cures nursing mothers of other diseases and recovers their health when they are in hospital.

The Breast Tumor Institute under the maternity hospital, which was open to the public on October 8, 2012 with a total floor space of 8,500 square metres, covers an area of 1,974 square metres. It has diagnosis and treatment rooms such as mammographic rooms, X-ray rooms, cancer treatment rooms, physiotherapy rooms, body weight and temperature measuring rooms, ultrasonography rooms and operation rooms and dozens of wards.

Besides the Pyongyang Maternity Hospital, the people's hospital in every province, city (district), county and rural ri has an obstetrical department. The hospital registers all pregnant women in the relevant region and provides medical assistance during delivery, and takes care of their health after delivery.

The state takes every measure to prevent diseases in women.

Thanks to the advantageous health system centred on people, the average span of life of women is growing.

### – Labour

Selecting suitable jobs and the types of work for women and assigning them to such jobs constitute an important condition that enables them to work creatively according to their physical conditions and abilities.

The DPRK takes measures to protect and treat women at work on a preferential basis.

It is strictly prohibited to allocate women to the working places that are harmful to their health and unsuitable for their physical conditions. Night-time work is not allowed for nursing mothers and pregnant women. No one is allowed to make married women work overtime and on off-days and send women who are over four months pregnant either to the work far away from the original work place or on a business trip.

When triplets are born, the state provides them with clothes, blankets and dairy products free of charge and gives a subsidy to them until they reach school age. It also allocates a doctor for the responsible care of the health of children and their mother.

Female workers with babies under 1 year old are allowed enough time for breast-feeding within the working hours. Six months pregnant workers are assigned easier work until their maternity leave starts.

The state makes it an obligation for organs, enterprises and institutions to lay out separate toilets for women according to regulations set by it and set up necessary public service facilities such as nurseries, kindergartens and medical ward for children.

Relevant public health institutions regularly undertake physical and medical checkups for all female workers, especially pregnant women, in order to protect and promote their health.

## (2) Rights of Children

To ensure the rights of children is a matter of weighty importance, which is related with the development of the country and the nation, as well as with the future of the mankind.

In the DPRK where children are valued as the kings and queens of the country, all children enjoy equal rights, irrespective of sex, social positions of their parents or guardians, property and physical defects.

### — Nationality

In the DPRK, every child, soon after being born, is entitled to have a name and receive care from the state and society and their parents.

In acquiring nationality by birth, they have the right to the nationality of the DPRK in the following cases:

- Child born between citizens of the DPRK

- Child born between a citizen of the DPRK who is resident in the territory of the DPRK and a citizen of other countries or a stateless person

- Child born between stateless citizens who are resident in the territory of the DPRK

- Child born in the territory of the DPRK but the status of his/her parents are not identified

Children have the right to preserve their nationality, names and identity including family relations.

Children can join children's organizations including the Korean Children's Union. They are free to express their views and opinions through speeches, writings, publications and works of art.

Privacy, family, correspondence, dignity and honour of children are protected by law.

Child labour, kidnapping and trafficking of children is strictly prohibited.

Children are entitled to submit complaints and petitions.

### — Education and Healthcare

Children in the DPRK have the rights to receive universal 12-year free compulsory education and to develop their talent and realize their hopes.

Children who are not under the care of their parents or guardians are brought up in baby homes, orphanages and boarding schools at state expense.

Children in the DPRK have the right to the benefits of complete and universal free medical care system. All expenses for diagnosis, sample test, medication, in-patient treatment, recuperation, travel to and from sanatoria, medical check-up, medical consultation, vaccination and prosthetic apparatus are paid by the state.

### — Civil Rights

Children in the DPRK have the right to education and upbringing by their parents under the family environment favourable for their growth and development.

Parents or guardians pay special attention to education and edification of their children who are physically deficient, and take responsibility for their life and health.

Children's opinions are duly respected, not neglected or ignored in families. Such acts as ill-treating, remaining indifferent to, cursing, reprehending or beating children are not allowed.



A guardian is appointed for a child who cannot receive parental care. The guardian may be selected from among his/her grandparents, brothers or sisters.

Anyone can foster or adopt a child of other people. In this case, the person nurses and educates the child like his/her own. The rights of fostering and adoption are legally protected.

The following persons are not allowed to foster or adopt children:

- Person deprived of the right to vote
- Person with diseases that may cause harm to the child's health
- Person incapable of nursing and educating

Children are granted the right to inheritance. Violation of this right, simply because he/she is a child, is considered an illegal act.

### — Administration of Justice

Every child in the DPRK has the right to be treated as a child in all legal procedures.

Criminal punishment is imposed only upon an offender who is over 14 years old at the time of committing a crime, and death penalty cannot be imposed on a person who has not reached 18 years at the time of committing a crime.

A child above 14 years old, who has committed a crime, has the right to receive help from a defender. Law-enforcement organs, in any case, are not allowed either to force children to admit an offence or induce them to make statements. When a law-enforcement organ interrogates a child as a witness, it lets his/her parent, custodian, teacher or other guardians be present in the interrogation. Law-enforcement organs cannot examine a child as a witness without presence of his/her guardian.

When a law-enforcement organ arrests or detains a parent of a child, they inform the child of the reasons for the arrest or detention, the place of detention, etc, unless it gives harm to the child.

Regarding it as a consistent policy to attach an importance to children and ensure their rights and interests on a preferential basis, the DPRK continues to pay close attention to their growth and development. On the principle of "Best Things to Children!", it takes every necessary measure to ensure that all children fully exercise their rights and enjoy a happy life with nothing to envy in the world.

### (3) Rights of the Elderly

The elderly are the old generation who dedicated their wisdom and zeal to the development of the state and society and to the creation of economic and cultural wealth.

It is the DPRK policy to treat the elderly with respect and look after their life and health in a responsible manner. The state steadily increases investment in the protection of the elderly and strives to provide them with a civilized and happy life. By intensifying education in socialist morality and fine traits, it ensures that the whole society be pervaded with a trait of assisting, respecting and caring for the elderly.

In DPRK, obligations of supporting the elderly lie under the care of their spouses, sons or daughters and grandchildren who live with them or left homes. Their brothers or sisters can also be their supporters.

The elderly receive regular pension and allowances of various forms from the state. Even if they have their supporters, they may receive the support from the state according to their wish.

The elderly have the rights to possess and dispose of their personal property, receive regular check-up and treatment from public health organs in charge of them and other medical institutions and to be supplied with nutritional foods and tonics abundant in micronutrients like vitamin and calcium on a preferential basis and according to their physiological characteristics.

They also have the right to be provided with conditions they need for participating in mass sports activities of various kinds and forms, including rhythmic exercise and Taekwon-Do for the elderly.

Those who are over 100 years old receive special social benefits which the state established for those.

The elderly, according to their wish, can go for holidays, sightseeing, tourism and excursion in spring or autumn or on significant days. According to their will and abilities, they can participate in social activities of various kinds, and organize and operate groups of merited persons or of old persons or associations.

Government organs at all levels have non-standing committees for caring for the elderly in order to accurately carry out the policy on protecting them. The Korea Federation for the Care of the Elderly and other relevant institutions are dealing with practical matters.

The DPRK has established the Fund for the Care of the Elderly and raises fund in various forms and by various methods.

Fine traits and optimistic way of life displayed by the elderly and examples in taking care of them are given wide publicity through mass media including newspapers and radio. Commerce, public service and transport organs treat the elderly preferentially in such a way as to set “Seats for the Elderly” and “Day for the Elderly” and render catering order services.

As shown in the above, the DPRK provides all conditions to the elderly so that they can perform their roles as old generation and elders of society and family.

#### (4) Rights of Persons with Disabilities

Persons with disabilities are the persons in need of special care by the state, as they have limited physical and mental functions or have lost them.

In order to provide these people with favourable environment and conditions for recuperative treatment, education, cultural life and labour, the DPRK respects their personalities and grants them equal social and political rights, freedom and interests commensurate with healthy citizens.

In order to fully ensure their rights, the state sets it as a principle to steadily increase investment in the sector engaged in looking after them and modernize its material and technical means, to find and treat in time the diseases which cause disabilities, and to take preventive steps against occurrence of traffic accidents and labour disasters. The state intensifies educational work among people so that they kindly treat and help disabled people with noble consciousness and obligation. It also sets it as a principle to give a favourable treatment to the disabled persons including honorary disabled soldiers who dedicated themselves to the country and people.

According to such principles, persons with disabilities in the DPRK have the following rights:

##### — Healthcare Service

In case of recuperation, persons with disabilities can receive medical assistance in a special or comprehensive organ specially organized for them in necessary places. They can also be treated in organs, enterprises, entities or families under the assistance of medical workers.

In recuperative treatment, western medicine and traditional Koryo medicine are combined to take effect, together with the utilization of natural factors. Modern treatment equipment and scientifically recognized curing methods are applied for the treatment.

### — Education

Intensifying education of persons with disabilities constitutes a major method that enables them to acquire profound knowledge and qualifications.

Disabled persons, who are under school age, are entitled to be nursed and educated at nurseries, kindergartens or recovery and treatment organs. Expenses for their nursing and education are paid by the state or organs, enterprises and organizations.

Those at school age can learn in special classes organized at ordinary schools or in special schools for the blind, dumb and deaf and for intelligence cultivation according to their physical and mental features and forms of disability.

Disabled persons have the right to be provided with special educational materials and equipment and facilities of special schools from the state.

According to their hopes, they can enter either colleges or universities. In this case, main stress is put on their real academic performance.

They have the right to learn at vocational schools of massaging, computer typing, painting or designing in accordance with their academic career, age and degree of disability.

### — Labour

Persons with disabilities have the right to select jobs in conformity with the degree of disability, sex, age and physiological conditions. If necessary, they can work at enterprises or organizations established exclusively for them.

Working time for them is less than 8 hours a day according to the degree of disability.

It is not allowed to let them work in an environment where full working conditions are not provided.

### — Cultural Life and Others

Persons with disabilities can select and play a sports event conducive to promoting their health and improving their abilities of independent activities. They can enjoy themselves at cultural and recreational centres built for them by the state.

Those who engage in labour have the right to adequate rest. Preference is given to them in recuperation, rest and holiday-making.

Those who have rendered distinguished services for the state awarded with orders, medals and honorary titles. Allowances are provided to those who have completely lost the ability to work.

It is encouraged in the society to give convenience to persons with disabilities in the use of means of communication and transport and welfare service facilities, and serving them on a preferential basis.

The blind and other persons who have limited independent abilities or have lost them are entitled to use means of public transport such as bus, trolley bus, commuting train and ferry in the region concerned free of charge.

In order to better protect and support the persons with disabilities, the DPRK has set June 18 as Day of Persons with Disabilities and, on this day, conducts a wide-ranging campaign to protect and support them.

### **3. DPRK's Stand towards Ensuring Human Rights at the International Level and Its Efforts to This End**

This part is dedicated to explaining the DPRK's view of and principled stand towards ensuring human rights at the international level, its implementation of international human rights instruments and its international cooperation in the human rights field.

#### **1) Principled Stand of the DPRK towards Ensuring Human Rights at the International Level**

Human rights are justice as well as a universal ideal common to the mankind. Every country is duty-bound to protect and promote human rights on a global scale.

As a member of the international community, the DPRK is faithfully implementing its obligations to ensure human rights based on its correct view of and stand towards ensuring human rights at the international level.

##### **① View of Ensuring Human Rights at the International Level**

###### **– What Gave Rise to Human Rights Promotion at the International Level?**

Between the late 19<sup>th</sup> century and the early 20<sup>th</sup> century, the imperialist powers intensified moves for war and aggression to divide the world for domination. This gave rise to numerous human rights issues in imperialist countries.

Progressive peoples have made great efforts to address the human rights issues both on a national and international scale. Such efforts resulted in the conclusion of international human rights instruments including the Geneva Convention in 1864, Treaty on Banning Sales of Slaves and Treaty on Protecting Minorities, as well as in the formation of international organizations including the International Red Cross Committee and the International Labour Organization.

However, such efforts were confined to a few countries, regions and fields. At that time, there was neither a clear idea nor standard for ensuring human rights at the international level.

It was only in the mid-1940s that the problem of protecting human rights at the international level became an issue of global significance and great efforts began to be made to solve it.

Lessons from World War II highlighted the issue of promoting human rights at the international level.

Fascist Germany and its allies started World War II to enslave mankind and dominate the whole world, bringing immeasurable misfortune, pain and disaster to the mankind.

The Hitlerites who occupied many countries including Poland indiscriminately massacred innocent civilians, infringed upon the people's basic democratic freedom and rights and established a fascist rule over these countries, which was unprecedented in history. The Japanese imperialists that joined in World War II occupied most parts of Southeast Asia and the Pacific region, and committed atrocities including plundering and killing. They massacred over two million people in Vietnam and Indonesia, respectively, and 1.1 million people in the Philippines.

In the period from their occupation of Korea until their defeat, they killed over one million Korean people, forcibly drafted or kidnapped more than 8.4 million people and forced two hundred thousand Korean women to serve as sex slaves for the Japanese army.

While experiencing the bloody tragedies in World War II, the international community keenly felt the need to check and foil the imperialists' moves for war and aggression and their violation of human rights both internally and externally. At the same time, there were strong voices from the international community that if international human rights instruments or mechanisms binding every country had existed and played its proper role, such violations of human rights as the holocaust of Jews and mass-killing of civilians could have been prevented, though they may fail to check the outbreak of the worldwide war.

Such lessons gave birth to the UN and led the issue of ensuring human rights to be discussed at the international level as a main agenda.

Another reason why human rights issue arose at the international level was that the struggle for human rights and democracy was staged worldwide.

After World War II, socialism gained in scope worldwide and the contradictions of capitalism escalated. This clearly revealed that capitalist system is a social system that violates human rights.

After World War II, many peoples in Asia, Africa and Latin America unfolded a vigorous struggle to overthrow social systems that went against human rights and build a new society that would fully defend their rights to independence, and finally achieved national independence.

These countries strived to defend their sovereignty and national resources and promote their rights to socio-economic development.

Meanwhile, people in capitalist countries actively turned out in the struggle to achieve their rights including the right to existence.

Such global trend for human rights and democracy posed the issue of ensuring human rights at the international level as the most important issue in the world.

Another reason why ensuring human rights was discussed at the international level was the severe violation of human rights on a global scale.

With the end of World War II, mankind believed that peace had finally settled. However, the Cold War started by the US put an end to such belief.

Under the excuse of protecting the "Free World" from the "threat of communism", the US declared the Cold War aimed at obliterating socialism and intensified its moves for war and aggression against other countries and interference in their internal affairs in an undisguised way. By the moves of the US and its followers governments were toppled in various countries, their people's rights were severely violated, and the sovereignty and human rights of many countries and nations were threatened.

Violation of human rights including racial discrimination became ever more blatant in the capitalist countries such as the US and South Africa. Violation of human rights became more vicious and disgraceful in such colonies of imperialists as south Korea.

Grave human rights violations on a global scale called for a settlement of this issue by concerted efforts of the world people and raised the issue of ensuring human rights worldwide.

### **– Seriousness and Complication of the Issue of Human Rights Promotion at the International Level**

At present, the issue of ensuring human rights at the international level is becoming more serious with each passing day, due to the strengthened moves of the US and the Western countries to violate human rights of their own people and infringe upon the human rights of the people of other countries.

The US and the western countries ruthlessly trample down political freedom and rights as well as socio-economic and cultural rights of their own people, increasing the intensity of suppression of their human rights.

The US, with only 5% of the entire world population, has 25% of the world prisoners. Most of them are behind bars because they asked for their political freedom and rights. Mediaeval and barbarous tortures are inflicted in the US prisons even now, when the world is in 21<sup>st</sup> century on its way to reach a new level of human civilization. In the US, a self-styled good example of human rights, racial discrimination is still prevalent under the connivance of the US and at its instigation.

EU countries boast of material civilization. However, as people in these countries are not adequately provided with the rights to labour, food and housing, a huge number of jobless people are wandering about on the streets. In Germany alone, the unemployed number 2.92 million as of June this year. Japan has a 2.33 million unemployed population as of May this year.

People in the US and the Western countries live in constant anxiety and horror as extreme individualism, misanthropy, corrupt lifestyle and superstition are widespread. In addition, such crimes as murder, robbery, rape, prostitution, racial discrimination, national chauvinism, torture, discrimination and maltreatment of indigenous people and immigrants are prevalent in these countries.

Under the signboard of “protecting human rights”, the US and the western countries provoke wars against other countries to enslave their people, openly interfere in their internal affairs and severely infringe upon the rights of their people.

The aggressive wars trample down the sovereignty of those countries, take a heavy toll of lives of innocent people and threaten their right to existence and hold back their socio-economic and cultural development.

Typical examples are the armed invasion against Grenada, indiscriminate air raids on the former Yugoslavia and wars against Afghanistan and Iraq, all carried out by the US under the pretext of “protecting human rights”.

Having set up secret prison camps in different countries, the US kidnaps people on a worldwide scale and conducts torture against them. There are 160 prisoners in the prison in a US naval base in Guantanamo Bay.

The indiscriminate drone attack by the US in various countries including Pakistan, Yemen and etc, takes many lives of innocent civilians.

The US committed such crimes as wiretapping and intercepting e-mails of citizens of many countries. This is not only an illegal and outrageous act of espionage but also a disgraceful violation of human rights. The US has so far installed wiretapping facilities in over 80 different places of the

world and mobilized intelligence agencies including NSA to wiretap conversations not only of high-ranking officials including the presidents of its allies but also of ordinary population.

The US and the western countries capitalize on “human rights issue” to interfere in the internal affairs of the countries that are advancing along the path of independence, topple their governments and instigate reactionary forces to suppress human rights.

They are also egging international human rights organizations on to clamor about “human rights issue” of the DPRK. This is obviously an act of interfering in the internal affairs of the DPRK and infringing upon human rights aimed at overthrowing its government.

Conflict and internal strife persist in many parts of the world, resulting in the violation of human rights, including people's rights to life. The main reason is the motives of the US and the western countries to try to fish in troubled waters.

Many countries are experiencing economic difficulties and their people's rights to existence are threatened. This is attributable to the economic blockade and sanctions imposed by the US and the Western countries.

The issue of ensuring human rights at the international level is becoming ever more complicated day by day due to the high-handedness, arbitrariness and double standard of the US and the western countries.

At present, dialogues and cooperation for the protection and promotion of human rights have diminished in the international human rights field. Instead, high-handedness, arbitrariness and double standard based on political interests of some countries are becoming ever more pronounced.

The US and the western countries, in disregard of the principles of mutual respect, non-interference in other's internal affairs, trust and mutual benefit, force their unilateral demands upon other countries to “cooperate” and “collaborate” in the sector of human rights, so as to interfere in their internal affairs.

It is true that collaboration and exchanges are needed for ensuring human rights at the international level. Such collaboration and exchanges should be conducted, to all intents and purposes, in line with the recognized principles of international law, and they should not be used as a means for interfering in the internal affairs of other countries.

The US and the western countries bring the issue of human rights not only to international political organizations, like the UN, but also to international economic and trade organizations, complicating the issue. Owing to these countries' hostile moves, human rights issue, which has nothing to do with the economy and trade, is discussed in the forums of the international economic and trade organizations, resulting in sharp conflict of opinions among countries.

It is none other than the US and the western countries that abuse international organizations to satisfy their own interests but ignore these organizations and act on their own when their interests might be infringed upon.

The US publishes Report on Human Rights on an annual basis and adopts federal bills against other sovereign countries. This fact clearly shows what an extreme pitch the US has reached in its arbitrariness, high-handedness and double standard.

This year, too, the US published 2013 Report on Human Rights and stretched out the truth that such countries as China, Russia, Cuba and Iran infringe upon the human rights of their own peoples, claiming with a lose of its shame that no country strives harder than the US to defend human rights.

The annual Report on Human Rights published by the US State Department is a document of vicious political provocation aimed at slandering and vilifying other sovereign states by means of the “human rights standards” based on the American-style view of values. And it is a prelude to

aggression and intervention against sovereign states by the US, the self-appointed “human rights judge” of the world.

### — Principled Ways to Promote Human Rights at the International Level

Thanks to the noble aspirations and desires of the mankind and the efforts of the international community to protect and promote human rights, a number of international human rights instruments and organizations have been adopted and established, and numerous successes have been achieved so far.

Promoting human rights at the international level, however, remains one of the global issues that require an urgent solution.

In order to properly address the human rights issue at the international level, independent development and prosperity of each country and nation should be achieved beyond anything else.

Human rights should be defended by each country and nation itself, not by any foreign country, nation or any international organization, and, to this end, it is essential to bring about independent development and prosperity of each country and nation.

Without the principle of independence, a country and nation cannot develop; without strong national power, it will end up relying on foreign forces and become a slave of imperialism, far from promoting human rights of its people. This is the truth proven by history and reality.

Only when a country and nation achieves independent development, can it ensure, promote and defend the human rights of its people.

It is important in achieving independent development and prosperity of each country and nation to maintain independence in politics and realize self-sufficiency in the economy and self-reliance in national defence.

Secondly, the deceptive moves of the US and the western countries to “protect human rights” should be foiled in order to correctly solve the problem of ensuring human rights at the international level.

The issue of defending and promoting human rights at the international level came into being because of the forces that infringed upon the independence of other countries. And the main obstacle in the way of promoting human rights at the international level today is the deceptive moves by the US and the Western countries for “human rights protection”.

Without frustrating these moves, it is impossible to address the issue of human rights at the international level and build a free and prosperous new world.

Each country should regard the maneuvers the US and the Western countries perpetrated under the pretext of “human rights protection”, as acts of severe violation to the principles of respect for sovereignty and non-interference in other’s internal affairs, and never tolerate them. Every country should also firmly safeguard its sovereignty.

Unity among anti-imperialist, independent forces and close cooperation among countries are essential to opposing and rejecting high-handedness, arbitrariness and double standard of the US and the Western countries in the international human rights field.

Thirdly, enhancing the role of international human rights organizations is vital to properly address the issue of human rights at the international level.

Currently, there exist many international human rights organizations such as the UN General Assembly and the UN Human Rights Council, whose efforts have resulted in some progress in promoting human rights at the international level.



However, most of these organizations have a series of shortcomings in their activities as compared to their objectives and missions, and thus serious issues remain unresolved in the international human rights field.

The role of the UN General Assembly is most important in enhancing the role of the international human rights organizations.

The UN General Assembly should make its contribution to the promotion of human rights at the international level in conformity with the basic spirit of the UN Charter which sets the respect for and provision of human rights as one of its key objectives.

The conspiratorial, interfering and bellicose attempts committed by the US and the western countries in the name of protection of human rights by abusing international organizations such as the UN General Assembly should never be tolerated. In particular, the UN Human Rights Council, one of the auxiliary agencies of the UN General Assembly, should never be abused as a tool for satisfying the interests of particular countries. It should review human rights situation in each country in an objective and impartial manner.

- \* The “Commission of Inquiry (COI)” on human rights situation in the DPRK, a marionette of the US and its satellite forces, worked out and circulated its “report” based on the “testimonies” of human dregs who had betrayed their motherland and fellow people and run away.

Members of the “COI” are despicable human rights abusers bribed by the US and its satellite forces to distort the truth and deliberately tarnish the image of an independent and sovereign state.

The UN Human Rights Council makes a fuss about someone’s “human rights situation” with the documents fabricated by such scum and attempts to bring political pressure upon the DPRK. This arouses doubt of whether the council is an international body dedicated to promoting human rights or violating them.

The Council should, in conformity with its objectives and mission, make a substantial contribution to preventing human rights violations and improving human rights situation in the world.

It is also important to constantly amend and supplement the existing international human rights instruments and adopt new ones so as to respect the sovereignty of countries and nations and reflect noble aspirations and desires of the mankind and requirements of the developing situation. Strictly maintaining objectivity, prudence and impartiality by the international human rights organizations in their activities is of great importance.

In particular, the existing mechanisms such as periodic review of national reports, inter-state communications and individual communication procedures set up by international human rights instruments should never be abused for interference in internal affairs of others and other sinister purposes.

## ② View of and Principled Stand towards International Human Rights Instruments

### — Assessment of International Human Rights Instruments

International human rights instruments are part of the international laws which reflect the unanimous desire of countries and nations to set uniform criteria and code of conduct for the universal promotion of human rights and the law-governed requirements of developing international relations.

International human rights instruments have been adopted through agreement among countries. They define obligations of each country, cooperation among countries, the establishment of human rights-related organizations and the principles and methods of their activities for protecting and promoting human rights.

So wide in their scope and contents as to be called a “small international law”, they are divided into several categories according to the contents and subject of application, coverage and specific theme. They are distinguished from other international laws as they cover all issues concerning human rights and lay down principles for their promotion.

They set forth the respect for dignity and value of man, prohibition of all forms of discrimination and guarantee of freedom and equality as their basic principles.

These instruments play an important role in promoting human rights both at the national and international level.

Every country is duty-bound to respect the instruments and observe their requirements.

However, the international human rights instruments have shortcomings in view of the aspirations of the mankind to defend and realize independence and in the light of the present times.

First, not a few examples of reflecting the demand and interests of the dominating forces in pursuit of western values are reflected in their formulation and adoption as well as in their contents.

Due to the assertions and schemes by the US and the western countries, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which are regarded as major and comprehensive human rights instruments, do not mention several rights presented in the Universal Declaration of Human Rights. Even though the trusteeship itself is a violation of human rights, some international human rights instruments point out so-called “promotion of human rights” under trusteeship. Apart from this, there are some stipulations that are or may be used as a tool for interference in the internal affairs of other sovereign states.

At present, in many cases, the US and the Western countries abuse the international human rights instruments as a means to justify their suppression of their peoples and their invasion, interference and human rights violations against other countries and nations.

The international human rights instruments were adopted driven by the unanimous desire and demand of mankind aspiring after the promotion of human rights. Therefore, they must reflect the interests of the masses of the people and respect the sovereignty of each state.

So-called “cooperation” among the US and the western countries in the field of human rights is nothing but a collaboration to infringe upon the sovereignty of other countries, interfere in their internal affairs and bring the world under their control.

Therefore, “treaties” or “agreements” on the promotion of human rights made among these countries cannot constitute, in essence, international human rights instruments.

The second shortcoming of international human rights instruments is that they fail to respond effectively to the expressions and forms of human rights abuse and their catastrophic consequences.

A typical example is the crime of genocide.

Genocide is a crime aimed at cleansing the whole or some of the national, ethnic or religious groups. Therefore, the UN adopted the Convention on the Prevention and Punishment of the Crime of Genocide as one of the first international human rights instruments after its founding.

Nevertheless, genocide continues owing to the aggression, dominationist policy, national chauvinism, rejection of other religions committed by the US and the western countries, and has become one of the serious international issues, human rights issues.

Under these circumstances, the Convention needs to be amended and supplemented to specify various forms of genocide and prevent it. In addition to this, it is necessary to adopt new international regulations which include strict punishment of perpetrators of genocide. In this regard, efforts by the UN are needed.

In 1993, the UN Security Council set up a provisional tribunal to investigate the “genocide” in former Yugoslavia, and in 1994 expanded its jurisdiction to deal with the “genocide” in Rwanda.

What should be taken into consideration here is that UN, influenced by the US and the western countries, failed to take steps to punish the crime of genocide committed by them against other national, religious and ethnic groups on a worldwide scale.

It is none other than the US and the western countries that are major criminals committing the crime of genocide and violating human rights and they should naturally be punished in accordance with international law.

#### — View on the Parties to International Human Rights Instruments

Each state becomes a party to the international human rights instruments.

The reason for this is that the instruments are concluded upon agreement among countries and all issues arising among them should be solved by themselves.

Sovereignty is the basic factor defining the capacity to exercise the right and fulfill the obligation stipulated in the international human rights instruments, and it is the fundamental condition for defending the dignity and equal rights of a state in the international human rights field. Only when a country exercises its sovereignty, can it resolve all issues related to promoting human rights according to its own decision and judgment.

Since the US and the western countries are now intensifying their attempts to interfere in the internal affairs of other sovereign states and dominate them, the issue of national sovereignty of a country is of special importance in properly addressing human rights issues as a full-fledged party to the international human rights instruments.

The DPRK, as a sovereign state that firmly maintains national independence, fully exercises its sovereignty in the international human rights field and faithfully discharges its obligations to the international human rights instruments on its own independent will.

Every nation is equal and has a sacred right to self-determination, the right to decide its own destiny. It deserves such right whether or not it has founded its own sovereign state.

For a nation without a sovereign state, external relations in the protection and promotion of human rights fall under the responsibility of an organization representing the nation. Therefore, an organization fighting for national liberation can also be a party to the international human rights instruments. If such an organization is to become a party to international human rights instruments, it should be the only legitimate representative of the whole nation with leadership mechanism and certain structure.

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— Fundamental Principles in the Interpretation and Application of International Human Rights Instruments

As international human rights instruments are adopted upon agreement among countries with different social systems, they differ in their interpretation and application of the instruments.

Any of these instruments can be interpreted and applied either properly or improperly, depending on the attitude of a given country.

As mentioned in the above, there are many unreasonable and outdated aspects in the international human rights instruments that go against the aspirations of the mankind for independence and fall behind the developing times.

Under these conditions, setting proper principles for interpretation and application of these instruments and observing them is a very important theoretical and practical issue in ensuring human rights at the international level.

The basic principle of the DPRK in its interpretation and application of the international human rights instruments is to firmly adhere to its independent stand.

Every nation applies a relevant international human rights law upon its approval and ratification of the rules and regulations of the international human rights law.

But, elements set forth in the law should not be applied without proper consideration.

As the situation and conditions of human rights vary from country to country, it is necessary to consider the intention and demand of the country concerned in interpreting and applying the international human rights instruments. That is why some countries have certain reservations in approving and ratifying such instruments and apply them to meet their demand and situation of human rights.

Each nation should not allow any foreign pressure or interference in the interpretation and application of the instruments.

If a country is placed under the pressure and influence of others not to solve the issues related with provision of human rights according to its own decision, it is as good as being deprived of one's right as a party to the instruments. Likewise, following others' intentions and acting against the interests of its own people means giving up one's right to independence.

This fact is proved by the developments in several countries; under the pressure and coercion of the US and the western countries, these countries approved and applied several international human rights instruments against the demand of their peoples and in ignorance of their domestic situation, resulting in growing social unrest, disorder and inequality.

As human rights abuses become ever more serious throughout the world, developing international cooperation in the field of human rights to establish a new international relationship that opposes human rights infringements and ensures genuine human rights does not contradict the stand of independence. But this does not abate the need for a country to stand on its own in solving the human rights issues.

As the international human rights instruments are applied in the specific conditions of each nation, stereotyped viewpoint and dogmatic way of thinking restrict the creativity in the solution of human rights issues and make it impossible to correctly understand the developing and varicoloured reality and find a proper solution to those issues.

Accordingly, each state should base itself in an independent way of thinking and clear understanding of the situation before solving the human rights issues by discarding dogmatic

attitude towards the international human rights instruments, formulating its human rights policy and law and taking other necessary measures.

## 2) Faithful Implementation of International Human Rights Instruments

### ① DPRK-acceded International Human Rights Instruments

Many international human rights instruments have so far been adopted for protection and promotion of human rights, notably International Covenant on Civil and Political Rights (ICCPR – Covenant A), International Covenant on Economic, Social and Cultural Rights (Covenant B) and Convention on Elimination of All Forms of Discrimination against Women.

The international human rights instruments signed by the DPRK are as follows:

- International Covenant on Economic, Social and Cultural Rights

The DPRK acceded to the International Covenant on Economic, Social and Cultural Rights on July 30, 1981. It took effect in September 1981.

- International Covenant on Civil and Political Rights (ICCPR)

The DPRK acceded to the International Covenant on Civil and Political Rights (ICCPR) on July 30, 1981. It took effect in September 1981.

As one of the comprehensive and key international human rights instruments, this convention has been used after the end of the Cold War as a tool for the US and the western countries to find fault with progressive and developing nations over their human rights situation, impose their “human rights standards” on those countries and interfere in their internal affairs.

Especially, at the 49th Session of the UN Human Rights Sub-committee, the US and the western countries openly attempted to slander and criticize the DPRK and interfere in its internal affairs by invoking such international human rights instruments as ICCPR.

In this regard, the DPRK announced its decision to quit the ICCPR and submitted a written notification to the UN Secretary General in August 1997.

- Convention on Elimination of All Forms of Discrimination against Women

The DPRK acceded to the Convention on Elimination of All Forms of Discrimination against Women on February 8, 2001. It took effect on March 29, 2001.

- Convention on the Rights of the Child

The DPRK signed the Convention on the Rights of the Child on August 23, 1990 and ratified it on September 21, 1990.

- Convention on the Rights of Persons with Disabilities

The DPRK signed the Convention on the Rights of Persons with Disabilities on July 3, 2013. Ratification of the instrument is now under examination.

## ② Implementation of International Human Rights Instruments to Which the DPRK Is a Party

### — Submission and Examination of National Report

#### ○ International Covenant on Economic, Social and Cultural Rights

The first and second national reports of the DPRK were submitted in November 1991 and in November 2003 respectively, and the examination of the reports has been made.

#### ○ Convention on Elimination of All Forms of Discrimination against Women

The first national report of the DPRK was submitted in July 2005 and reviewed.

#### ○ Convention on the Rights of the Child

The first national report was submitted in June 1998, the second report in June 2004 and the third and fourth reports in January 2009 and all these were reviewed.

\*Mechanism on periodic review of national reports is a process through which member states regularly submit their national reports on implementation of their commitments to respect and protect human rights stipulated under these instruments and participate in the review of the reports.

This mechanism plays the key role in ensuring human rights of member states and developing the cooperation between member states.

But the review process in the form of dialogue between members of the instruments and reviewers and its ensuing recommendation and assessment have cropped up several issues that infringe upon national sovereignties and interfere in internal affairs of others.

#### ○ Universal Periodic Review (UPR) under the UN Human Rights Council

The DPRK had its first-cycle UPR in December 2009 and the second-cycle UPR in May 2014. It has been sincerely implementing the recommendations from these reviews.

At present, the DPRK is stepping up preparations for ratification of the Convention on the Rights of Persons with Disabilities. These include the adjusting of its domestic Law on Protection of Persons with Disabilities and relevant regulations to the UN Convention on the Rights of the Persons with Disabilities.

And the relevant institutions of the DPRK are discussing the matter of acceding to a series of international instruments such as Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.

### — Adoption and Adjustment of National Laws and Other Measures

All the rights stated in the international human rights instruments are fully safeguarded by the Socialist Constitution and human rights laws of the DPRK. All this is a result of the human rights policy and effort of the DPRK government which is popular, democratic and socialist.

The rights stated in the DPRK human rights laws cover all the sectors of social life including politics, the economy and culture, and many of them stand far beyond the requirements of the international human rights instruments and are ensured at much of higher levels.

As a party to international human rights instruments, the DPRK specifies the requirements and contents of the international human rights instruments in the texts of domestic human rights-related laws and regulations, and apply them. Or components of the international instruments are directly applied.

Since the latter half of the 1990s, the country has amended, supplemented or newly adopted many human rights laws, taking into consideration the principles, fundamental ideas and basic elements of international human rights instruments and in conformity with the demands of its people, its actual conditions and the requirements of the developing times.

In recent years, new laws including the law on enforcing universal 12-year compulsory education, law on protection of child's rights, law on protection of women's rights, law on protection of persons with disabilities, law on labour protection, law on general education and law on higher education have been adopted, and the laws on public health, copyright and dwelling houses amended or supplemented.

Other measures have been taken for the promotion of human rights in different sectors including adoption of legal and practical measures to reduce the ratio of penalty of reform through labour and terms of disciplining and reform through labour.

In January 2012 a general amnesty was granted to the convicted persons, and measures have been taken for exemption and reduction of penalties to those who have turned themselves in. This is a typical example of the provision of civil and political rights.

The DPRK amended and supplemented its Criminal Procedures Act in 2011 to ensure independence of justice and fair jurisdiction, and has taken measures to punish or prevent human rights violations and abuse of power among law-enforcement officials during the process of handling cases.

It also amended and supplemented the law on complaints and petitions, and enhanced the functions and role of complaints-handling departments in institutions and enterprises including people's power organs at all levels so that they can settle complaints and petitions in a quick and fair manner.

With a view to further improving the quality of education and providing more effective guidance to educational work, measures have been taken one after another, including reorganizing the Ministry of Education into the Education Commission comprising Ministries of Higher Education and General Education.

On the occasion of Day of Human Rights, International Women's Day (March 8), International Children's Day (June 1), International Day of Older Persons and International Day of Persons with Disabilities, mass media in the DPRK give wide publicity to the principles, requirements and contents of international human rights instruments with the main focus on the Conventions signed by the country.

Meanwhile, several people-oriented policies and measures are being enforced to provide people with adequate conditions for their material and cultural life.

Research work on interrelations between the domestic and international human rights laws is under way at several organs including the Law School of **Kim Il Sung** University, Research Institute for Legal Affairs under the Academy of Social Sciences, Korea Association for Human Rights Studies and Lawyers Association of Korea.

The DPRK gives serious consideration to the suggestions and recommendations by international bodies for the implementation of human rights instruments and takes measures to apply them in accordance with the realities of the country.

All these facts show the steadfast will and sincere efforts of the DPRK to faithfully implement the international human rights instruments.

### 3) International Cooperation in the Field of Human Rights

The DPRK pays due attention to cooperation and exchanges with international organizations and other countries in the field of human rights.

— The DPRK has maintained cooperation with the Amnesty International, International Association against Torture, Commission on the Rights of Child, UN Human Rights Council and other international organizations.

It provided assistance to members of the Amnesty International, International Association against Torture, Commission on the Rights of Child, and Special Rapporteur on Violence against Women of the then UN Commission on Human Rights so that they can witness first-hand its real human rights situation: It arranged their meetings with its law-enforcement officials and persons under forced labour at reform institutions and visit to reform institutions and detention rooms.

○ From April 29 to May 4, 1991, members of the Amnesty International visited the Pyongyang Municipal Court and met with the officials from the Presidium of the Supreme People's Assembly and Law Research Institute (the present Research Institute for Legal Affairs) under the Academy of Social Sciences and Director of the Reformation Department of the Ministry of Public Security (the present Ministry of People's Security). They also visited the Public Security Station (the present People's Security Station) of Central District, Pyongyang. In April 1995, every convenience was provided to the members of the Amnesty International who visited the DPRK on the occasion of the International Sports and Cultural Festival held in Pyongyang.

○ From May 23 to June 6, 1995, members of the International Association against Torture visited many places in the DPRK and had meetings with law-enforcement officials.

○ From July 15 to 18, 1995, UN Special Rapporteur on Violence against Women visited Pyongyang and met with the chairperson of the Investigation Committee on Damage during Japanese Occupation of Korea and had talks with officials responsible for the issue of sexual slavery by the Japanese army, during which they listened to testimonies by the victims and collected materials concerning the sexual slavery.

— Broad dialogue and cooperation on human rights were conducted between the DPRK and the EU.

After the establishment of diplomatic relations with the EU, the DPRK involved its human rights experts in all the bilateral political negotiations with the EU and gave answers to questions raised by the EU.



- In June 2001 a preliminary contact for human rights dialogue took place between the DPRK and the EU in Brussels, Belgium.
- In September 2001 French MPs from different political parties visited a reform institution and met with officials concerned.
- In October 2001, a political negotiation was held between the DPRK and the EU.
- In May 2002, the head of the division for Eastern Asia at the Ministry of Foreign Affairs of Germany visited the DPRK and met officials concerned and persons who had served their term at reform institutions.
- In June 2002, another round of political dialogue was held between the DPRK and the EU in Pyongyang.
- On September 13, 2004, the Minister of State for Asia-Pacific & Human Rights at the Foreign & Commonwealth Office of the UK had talks on human rights with a Vice-Minister of Foreign Affairs of the DPRK in Pyongyang.

The DPRK's human rights experts had regular contacts with officials concerned from EU countries to inform them of the DPRK's activities and position on human rights including submission of national reports on the implementation of international conventions.

Despite the DPRK government's sincere efforts and cooperation, at the 59th Session of the UN Commission on Human Rights in 2003, the EU unexpectedly tabled a "draft resolution" on human rights situation in the DPRK and pursued a hostile policy against it.

Since then, the EU railroaded on an annual basis the "resolutions" against the DPRK at the UN Commission on Human Rights and at its succeeding UN Human Rights Council and at the UN General Assembly, resulting in interruption of human rights dialogue and cooperation between the DPRK and the EU.

— Recently, the DPRK is making every effort to promote cooperation with international human rights organizations and other countries in the field of human rights.

The DPRK has responded with a good faith and tolerance to the questions raised by UN human rights organizations, including the UN Human Rights Office of High Commissioners, and NGOs.

Meanwhile, the DPRK government is showing its maximum cooperation with various countries (including EU). The DPRK government, upon their requests, used to inform them of its principled stand on human rights situation and alleviate their doubts.

"Human rights resolution" was adopted on an annual basis at UN human rights fora since 2003. This was followed by the setup of a "Commission of Inquiry" and its announced annual "reports." All this has nothing to do with the international cooperation in the field of human rights. This is only a product of the political confrontation and stratagem of the US and its following forces.

Political confrontation in the international human rights area is incompatible with sincere dialogue and cooperation on human rights. If such a scheme is tolerated, only distrust and enmity between countries would follow and international human rights settlement can't be made indefinitely.

It is the DPRK's consistent stand to reject politicization, selectivity and double standard in the field of international human rights and promote dialogue and cooperation on the principles of respecting sovereignty, non-interference in each other's internal affairs and maintaining impartiality and objectivity.

The DPRK will continue to stand on these principles in fulfilling its obligations under international human rights instruments and promote genuine cooperation and dialogue.

#### **4. Main Obstacles to Promotion of Human Rights in the DPRK**

This part deals with the hostile policies of the US and the western countries against the DPRK and their anti-DPRK human rights campaign which are the main obstacles to the protection and promotion of human rights in the DPRK.

##### **1) Hostile Policy of the US and Its Attempts to Stifle the DPRK**

###### **(1) Political Stifling Act**

The US remains hostile in its policy towards the DPRK since its foundation. This stands in the way as the most serious external factor and obstacle to its effort for independent development and peaceful construction. This also cools down the burning desire of the people to enjoy genuine human rights.

— The US hostile policy against the DPRK is tantamount to a policy of aggression and war to keep a firm control over the Korean peninsula at any cost out of its criminal purpose.

From the geopolitical point of view, the Korean peninsula is a gateway to the Asian continent for maritime power and an outlet to the sea for the continental power.

For this reason, the US has regarded control over the Korean peninsula as a vital link in the whole chain of its policy formulation for realizing its strategy to dominate the world. After its occupation of south Korea, the US revealed more openly its ambition to dominate the whole Korean peninsula.

In August 1945, immediate after Korea's liberation, MacArthur, commander of the US forces in the Far East, who practically controlled the US policy towards Korea, said that, in case of US occupation over the whole of Korea, US will be able to break away the only supply line which connects Siberia of the Soviet Union with the southern part into pieces... and that it can hold sway over the whole territory between Vladivostok and Singapore.

Former US Secretary of State, Dulles, called Korea a “dagger” with which to cut a “lump of meat” in Asia.

Ever since its invasion of south Korea, the US, prompted by an criminal design of occupying the whole of Korea, has never wanted the Korean people to develop their country into an independent and sovereign state and pursued a hostile policy against Korea, defining north of the 38th parallel as its enemy.

The US established diplomatic relations with the former Soviet Union and other East European countries which had different ideas and systems. But it refuses even to use the official name of the DPRK, far from establishing diplomatic relations with the latter.

Despite the fact that the sovereignty of the DPRK was recognized with its entry into the UN in 1991 and it has established diplomatic relations with 166 countries representing 86% of the member states of the UN, the US remains unchanged in its refusal to recognize the DPRK as a partner to co-exist in the international society.

Out of the 193 member states of UN, only a few states like the DPRK have yet to establish diplomatic relations with the US. The US is pursuing an extreme hostile policy against these countries. This is unprecedented in present international relations.

The US hostile policy against the DPRK finds its intensive expression in the fact that it remains deadest against the latter's proposal for replacing the armistice agreement with a peace treaty.

In modern history, no other countries but the DPRK and the US are at a belligerent state with each other for over 60 years, even though the war was over. The Korean Armistice Agreement which was concluded on July 27, 1953 is neither a treaty on terminating the war nor a peace treaty. The armistice agreement was a transitional measure aimed at withdrawing all foreign troops from the Korean peninsula and ensuring permanent peace. But the US intentionally took the road of prolonging the armistice system.

In November 1953, the US formulated it as its final goal to prevent the "communization" of the Korean peninsula by making south Korea as its military ally and maintaining the armistice system until the realization of a "pro-US unification" of Korea. (Decision No. 170 of the US National Security Council)

It is according to this goal that the US intentionally disrupted the Geneva conference on peaceful solution of the Korean issue in June 1954, and steadily aggravated the situation on the Korean peninsula while systematically nullifying the key articles of the armistice agreement by deploying nuclear weapons and other latest military hardware and intensifying various kinds of aggressive war exercises.

There are innumerable incidents like the Pueblo Incident and Panmunjom Incident that the US orchestrated to escalate tension and ignite a war on the Korean peninsula.

\*Pueblo Incident is an incident whereby the US intruded its armed spy ship "Pueblo" deep into the territorial waters of the DPRK and perpetrated acts of espionage against it. When the ship was captured by the Korean People's Army, the US pushed the situation of the Korean peninsula to the brink of war.

Panmunjom Incident is an incident provoked by the US according to its prearranged plan on August 18, 1976 in the joint security area in Panmunjom with a view to making an excuse to start a war.

The US denied all peaceful proposals and initiatives of the DPRK such as the proposal for concluding a peace treaty between the two countries (1970s), the proposal for holding tripartite talks which also involves south Korea in DPRK-US dialogue (1980s) and the proposal for establishing a new peace mechanism (1990s).

In the latter half of the 1990s, four party talks (DPRK, US, China and south Korea) were held in a bid to set up a durable peace-building system on the Korean peninsula, but they produced no results due to insincere US attitude.

In the new century, the US also turned its face away from the DPRK proposal to announce the end of war with the attendance of all parties related to the armistice agreement and the proposal for an early opening of talks to replace the armistice agreement with a peace treaty on the 60<sup>th</sup> year of the outbreak of the Korean war.

The unchanged US attitude is, in short, that it only wants to maintain the state of armistice, regarding any peace treaty with the DPRK as premature.

Maintenance of armistice is the main obstacle in creating a peaceful atmosphere for the promotion of human rights.

The US has persistently escalated tension on the Korean peninsula, regarding the DPRK as an enemy and flagrantly violating the armistice agreement. This has seriously jeopardized the rights of the Korean people to peace and development and plunged them into a constant danger of war.

After all, it is the intention and unchanged policy of the US that it will continue to regard the DPRK as a belligerent party and an enemy and it will occupy the whole of Korean peninsula by means of military invasion at anytime.

— The US hostile policy against the DPRK is aimed at toppling the socialist system of the DPRK, starting from its inveterate negation to the DPRK that advances holding high the banner of independence against imperialism.

The US purpose to adhere more frantically to the hostile policy against the DPRK is that it will not recognize the political and economic systems of the DPRK and will destroy its state and social systems and socialism through international sanctions and pressure and, in the long run, obliterate socialism on the earth.

The ratio between the DPRK and the US is 1:78 in terms of territory and 1:10 in terms of population.

The US, together with its followers, has long resorted to its desperate efforts to collapse the socialist Korea at a dash, but the latter has advanced straight forward along the road of socialism.

Notably, even after the collapse of socialism in the former Soviet Union and east Europe, the DPRK held high the red flag as before and stepped up its dynamic march to pioneer the brilliant future of socialism.

Dr. Bill Cranel, a senior researcher at the International Relations Institute, Georgetown University, US, said that north Korea is a military entity that can challenge the US most toughly in today's world and that the socialist entity of north Korea is the most dangerous being that can make a breakthrough in the international order of a new age led by the US.

Even the VOA reported that it is an undeniable fact that north Korea is the only country to speak out against the US as it wishes. In the 1960s-70s when the communist movement existed, north Korea was virtually the only one that threatened and challenged the US. Even today when nobody dares to comment on the US, it is none other than north Korea that tries to subdue Washington.

The DPRK is struggling actively to safeguard justice and truth in the international arena by holding high the banner of independence and standing face to face against the US that advocates a "unipolar world" by relying on its military strength. For this reason, the US regards the man-centred Korean-style socialism as the biggest "cancer", and is clinging more eagerly to its hostile policy against the DPRK to undermine and obliterate its socialism at any cost.

The US reaffirmed in the DPRK-US agreement on February 29, 2012 that it has no longer hostile intent towards the DPRK and that it is prepared to take steps to improve bilateral relations in the spirit of mutual respect for sovereignty and equality. Meanwhile, it promised in the DPRK-US Joint Statement on June 11, 1993 that it would neither use forces including nuclear weapons against the DPRK nor threaten the DPRK with these forces.

However, all this was no more than hypocrisy for hiding its hostile policy against the DPRK. On the contrary, after the proclamation of these announcements and stands, the US hostility against the DPRK was further intensified.

Recently, it even unveiled its hypocritical mask of “no hostile intent”. It is now openly threatening and blackmailing the DPRK with such preposterous remarks as “Iraq-style collapse” and “Libya-style victory”, saying that it will keep pressure on the DPRK until it chooses another road and that it is ready to cooperate if the latter changes its road. Besides, it is misleading public opinion by enlisting government-patronized mass media to trumpet “change” in the DPRK, in order to put a check-bar on its way.

This does not end here. The US is continuously cooking up extra-large provocations that infringe upon the right to independence of the DPRK, a sovereign state, and the right to peaceful development of its people, unreasonably taking issue with the latter’s satellite launch for peaceful purposes.

## (2) Military Pressure

The Korean people love peace and are desirous of a happy life and genuine human rights, but their aspiration has not yet come true owing to the US maneuvers.

The Korean war started by the US and the ensuing war games are crimes against human rights as they trample upon the rights of the Korean people to live and develop independently in a peaceful environment.

### —Start of the Korean War and Violation of Human Rights by the US

The US started the Korean War on June 25, 1950 and hurled into the war a huge force of its own aggressive forces together with those of its 15 satellite states under the signboard of the UN. During the war, it blatantly violated war-related laws and convention to bring unimaginable pain and misfortune to the Korean people.

To ban assault on and destruction of civilians and civilian targets in any war is an established custom and law from the past. Nevertheless, uttering that it would wipe 78 cities of the DPRK off the map, the US made indiscriminate bombing and shelling and used without hesitation weapons banned by international conventions, reducing the whole territory in the northern half of the Korean peninsula to ashes.

It dropped 18 bombs per square kilometre in the northern half of Korea and as many as 428,000 bombs in Pyongyang, a good many more than its population.

The US bombing and shelling was the most unprecedented barbarous act in the world history of wars in terms of target, scale, form and method.

As a result, 50,941 factory and enterprise buildings, 28,632 school buildings, 4,534 hospitals, clinics and other healthcare facilities, 8,163 buildings of press and cultural establishments and 2,077,226 dwelling houses were laid waste in the northern half of Korea. Not only these, 4,879km of railways, 4,009km of roads, 1,109km of bridges, 1,715 reservoirs and their facilities were destroyed, causing tremendous human, material and environmental damages. 563,755 hectares of arable land were devastated and 155,500 hectares of paddy and non-paddy fields decreased. And precious cultural heritage of the Korean nation, national treasures that cannot be bartered for any tremendous wealth, were brutally destroyed or robbed.

During the three-year-long war, US troops massacred innocent and peaceful civilians in the most brutal and cruel manner in human history.

Massacres were committed in every region of the northern half of Korea occupied by US troops; they used such cruelest methods as shooting, burying alive, burning, flaying and quartering, regardless of sex and age. Such a massacre had seen all kinds of most barbarous and cruel killing method which goes beyond the imagination of the mankind. In particular, they killed 35,383 people in Sinchon County, South Hwanghae Province, one-fourth of its population.

The US launched full-scale germ warfare which is strictly banned by international law and even used chemical weapons, a kind of WMD. In the period from early January to March 1952, they airdropped germ bombs 804 times on 160 regions in the northern half of Korea. Those bombs contained many kinds of harmful insects like fly, mosquito and flea that carried infectious bacteria like pest, cholera and typhoid. From February 1951 to July 1953, they used chemical weapons in the frontline areas and other areas such cities and counties in the northern half of Korea including South Phyongan, Kangwon and South Hwanghae provinces on dozens of occasions. These notorious germ and chemical warfare killed many people.

During the three year period of war, more than 1.23 million innocent people were mercilessly killed in the northern half of Korea by the US imperialists.

The untold misfortune and pain, which the US inflicted upon the Korean people during the war, remain wounds of grudge for the victims.

#### —Aggressive War Exercises Staged for More Than Half a Century

After the Korean War, the US has continuously perpetrated aggressive war exercises against the DPRK, hindering the realization of the Korean people's independence.

Even before the ink on the armistice agreement it had signed was dry, the US waged wildly an aggressive war game against the DPRK and has systematically increased its scale and duration.

The constant war drills staged by the US and south Korean warmongers over the past 60-odd years were the largest in scale in the world and extremely dangerous in content.

RIMPAC, Cobra Gold and Cope North, the world's large-scale military drills, take a week or a month at the longest, and they are conducted once every two years or at intervals of several years. In terms of the content and mode, the war games are not targeted on a particular country. They are mainly focused on general military exchange and capacity building for cooperative operations and drills by services and arms, marine operation, war on terrorism, disaster relief and so on.

In contrast, hundreds of thousands of huge armed forces from the US mainland, the Pacific and Japan, to say nothing of the US aggressive forces in south Korea and south Korean puppet army, are mobilized in the DPRK-targeted Key Resolve and Foal Eagle joint war games staged in and around the Korean peninsula. And the troops of such satellite states of the US as Britain, Australia, Colombia, Canada and Denmark participate in them.

US troops in south Korea, US reinforcement troops, the south Korean puppet forces of three services, government organs and local autonomous bodies 400,000-500,000 strong, are committed to the Ulji Freedom Guardian joint military exercise. These huge troops are more than enough to wage a full-scale war. These forces are mobilized to launch a war against the north.

Since the armistice agreement was signed, DPRK-targeted war drills and joint military exercises staged by the US and south Korean puppet forces reportedly number more than 18,000.

In terms of content of the war drills, their target is the DPRK, and "occupation of Pyongyang" is openly cried out. The war exercises include aggressive and provocative moves such as precision

strike at commanding forces and strategic places, removal of nuclear weapons, landing and surprise attack, urban warfare and maintenance of public order after occupation.

Entering the 2010s, the US openly declared that the joint military exercises against the DPRK are aimed at seeking a “regime change of the north”. It has mapped out a most dangerous operational plan to impair the dignity of the supreme leadership of the DPRK and conducts simulation training. All these facts show that the war drills staged by the US and south Korean war maniacs are nothing but a preliminary war, a test war.

While ceaselessly conducting aggressive war drills together with the south Korean puppet forces, the US has strengthened the latter’s war capability by systematically handing over large quantities of latest military hardware.

Over the past 60 years, the Korean peninsula has seen the passage of time while being the most dangerous hotspot, which is always thick with the smell of gunpowder in the world. All this was caused by the US reckless aggressive war moves.

This situation proved a grave challenge for the Korean people to enjoy human rights and compelled the DPRK to direct increasing efforts to defending the country and the right to independence of its people.

### (3) Economic Sanctions

Economic sanctions and blockade are one of the moves, the arrogant US employs against other countries to interfere in their internal affairs and stifle them.

The decades-long economic sanctions and blockade imposed by the US and its satellite forces upon the DPRK are extremely persistent and wicked.

In a word, US-sponsored economic sanctions and blockade against the DPRK are intended to economically isolate and stifle the DPRK and create unrest in it so as to overthrow its system.

The international economic sanctions and blockade did not start as the US revenge against the DPRK after its defeat in the Korean War. They began to be applied after Korea was liberated from the Japanese colonial rule.

The economic sanctions and blockade were imposed viciously through its domestic laws and international economic organizations and international treaties.

#### — Economic Sanctions through Federal Legislation

The US imposed the same economic sanctions against the DPRK as they did against other socialist countries after the end of World War II. During the Korean War, it fabricated its domestic laws aimed at imposing economic sanctions upon the DPRK.

The US framed up such laws as Export Control Law (June 28, 1950), Trading with the Enemy Act (December 17, 1950) and Trade Convention Extension Law (September 1, 1951), and thus prohibited export, commerce and trade dealings and the treatment of the most favoured nation.

After its defeat in the Korean War, it applied persistent and wicked economic sanctions and blockade against the DPRK through 20 different kinds of laws, including Trade with Enemy Act, Export Control Law, External Aid Law, and Export & Import Banking Law.

According to the US economic sanctions laws against the DPRK, any US goods and technical services except official bulletins are not allowed to be exported to the DPRK directly or indirectly through a third country without permission of the US State Department. It is also prohibited to give

any help to the DPRK with regard to the export and import of goods as it is regarded as service export.

It is not allowed for an American to conduct any dealings with any DPRK citizen whether or not he/she lives in the DPRK or runs a business in other countries.

Properties of the DPRK citizens in the US have all been frozen, and if DPRK banks settle accounts by the US dollar, US banks have to block all the money related. The Koreans in the US are not allowed to transfer money, even one US dollar, to their relatives in the DPRK or for other purposes.

The US prohibits credit loan, external aid and investment by individual investors. If an inheritor or a bereaved family member is a citizen of the DPRK, the properties in the US are blocked and even the life insurance fee is not provided to them.

When an American citizen pays an official visit to the DPRK, he/she can pay only for accommodation, food and personal consumer goods for travel purpose but not even one US dollar for other purposes. Besides, an American visitor returning home after visit to the DPRK is allowed only to buy goods of the DPRK worth below \$100.

Here is a simple example that shows how persistent and wicked economic sanctions of the US are: The US government fines more than \$500,000 and sentences to a jail term of up to 12 years an American citizen, institution or organization that trades or undertakes financial transactions with the DPRK.

#### — Economic Sanctions through International Organizations and Treaties

In November 1949 the US set up the Coordinating Committee for Export to Communist Area (COCOM) and included the DPRK in the list of the countries in this area, and together with its satellite countries, imposed collective economic sanctions and blockade upon it.

Through this committee, the US made a list of prohibited export items such as strategic materials, cutting-edge technologies, machineries, electronic and semi-conductor devices, and tightened control over the export of those goods to the DPRK. When a member state of this committee was going to export any products to the DPRK, it had to get approval from all other member states. If it exported them without observing due formalities, it had to face heavy economic sanctions.

With a view to strengthening the collective economic blockade by gathering all sorts of good-for-nothings, the US concocted on July 12, 1996 the Wassenaar Arrangement of Export Controls for Conventional Arms and Dual-Use Goods and Technologies in place of COCOM, in which it implicated as many as 33 vassal states. It made evermore frantic efforts to control the export of conventional arms and dual-use goods and technologies to independent countries, including the DPRK.

In particular, instead of apologizing to the DPRK for infringing upon its right to peaceful use of outer space, the US tried to adopt a “sanctions resolution with teeth” at the UN Security Council and turn the economic sanctions into “eternal international sanctions” against the DPRK, just like a thief crying “Stop thief!”

As a result, the UN Security Council framed up a resolution on applying sanctions against the DPRK, which denied its independent right as a sovereign state and ignored international practices as regards satellite launching. The resolution has been revised for the worse on several occasions.



The resolution does not limit the items and extent of goods to be sanctioned and intends to put barriers to everything helpful for the DPRK citizens to enjoy human rights and thus plunge the DPRK into a humanitarian crisis. It is full of vague and dubious expressions and words unworthy of such terminologies as “transparency” and “responsibility” much-touted at UN meetings, and most of its contents are ambiguous and thickly tinged with political colours.

As the economic sanctions and blockade the US applies against the DPRK by instigating its followers obstruct the right to development of a sovereign state and exert harmful influence upon the people’s enjoyment of human rights, they are crimes against human rights and humanity, a genocide far surpassing wartime massacre.

#### (4) Nuclear Racket

##### — Nuclear Issue on the Korean Peninsula Caused by the US

No nation in the world has been exposed to nuclear threats so directly and for so long as the Korean nation. As far as the Korean nation is concerned, the threat posed by nuclear weapons has, by no means, been an abstract concept but a practical problem and a concrete experience. Koreans suffered directly from the US nuclear attacks on Hiroshima and Nagasaki; the death toll of Koreans from the above-mentioned attacks was the second largest next to that of Japanese.

Since Koreans had already experienced first-hand the terrible calamities caused by A-bombs, the nuclear blackmail by the US during the Korean War was a recurring nightmare.

On November 30, 1950, the then US President Truman publicly referred to the need for using A-bombs on the Korean front. That day, an order was issued to the US Strategic Air Command to “put bombers on stand-by for an immediate atom bomb attack in the Far East”.

In December 1950, MacArthur, commander of the US army forces in the Far East, made a sabre-rattling remark that “a radioactive corridor will be set up in the northern part of Korea covering the area between the east coast and the west coast. No living thing will be found in this area for 60 or 120 years.”

This nuclear blackmail resulted in the mass exodus of "A-bomb-driven refugees" from the north to the south of the Korean peninsula during the Korean War.

Many families who found it impossible to move to the south had their husbands or sons take refuge in the south for the purpose of carrying on their family lines. This is how millions of “separated families” came into being; they still live separated in the north and south of the Korean peninsula.

The Korean people are the direct victims of the US nuclear weapons, and still today they live under the continued nuclear threats of the US.

In the latter half of the 1950s, the anti-nuclear movement grew stronger in Japan, jeopardizing the fate of the pro-American government. The US transferred its nuclear weapons deployed in Japan to south Korea.

With the official declaration in July 1957 of arming the US forces in south Korea with nuclear weapons, the US shipped “Honest John” nuclear missile and 280mm atomic cannons into south Korea on January 29, 1958.

In the long run, the US “denuclearized” Japan at the sacrifice of the Korean peninsula.

It steadily deployed nuclear weapons in south Korea, with the result that the US nuclear weapons in south Korea amounted to over 1,000 pieces in the middle of the 1970s.

Today, south Korea has been turned into the largest US nuclear outpost in the Far East and its frontline military base where tens of thousands of US troops and more than 1,720 nuclear weapons of various kinds are deployed.

As seen above, the US shipment of nuclear weapons into south Korea gave rise to the nuclear issue on the Korean peninsula.

### — Persistent Nuclear Threats of the US

The US is not only the culprit that incurred the nuclear issue on the Korean peninsula but a nuclear fanatic that has directly infringed upon the right of the Korean nation to existence through the rackets of persistent nuclear threats.

It has staged joint military exercises for the purpose of training its forces to use nuclear weapons deployed in south Korea in an actual war of aggression against the DPRK.

The first US-south Korea joint military exercise for a nuclear war, codenamed Operation “Focus Retina”, was staged in 1969. Since then, the exercises have been conducted every year for more than 40 years, changing their names – “Freedom Vault”, “Team Spirit”, “RSOI”, “Key Resolve”, “Fool Eagle”, “Ulji Freedom Guardian”, etc.

It is the stark reality of the Korean peninsula that even the post-war generations of the DPRK have had to live under the threats of US nuclear weapons deployed in south Korea for action that target them.

When the Cold War came to an end, the US, posing itself as the “world’s only superpower”, became evermore pronounced in its moves to disarm the DPRK by manipulating the International Atomic Energy Agency (IAEA) and the UN Security Council and, at the same time, conducted nuclear war games in south Korea.

The US nuclear threats against the DPRK were further intensified with the start of the Bush administration in the new century.

In March 2002, the Bush administration made public “Nuclear Posture Review” that included the DPRK on the list of “targets for nuclear pre-emptive strike”, which endangered the security of the DPRK with extreme nuclear threats.

The nuclear weapons shipped into south Korea by the US every year are more than enough to plunge the Korean peninsula into a nuclear holocaust.

The density of nuclear weapons deployed in south Korea exceeds that of the NATO region by five times, and all kinds of nuclear weapons with different missions, ranging from the “first-generation nuclear weapons” to the “third-generation neutron bombs”, are deployed there.

What should be pointed out here is that the US is free to use the nuclear weapons in south Korea. If it intends to use nuclear weapons in Europe, it must have prior consultation with NATO members. But, no such consultation is needed in south Korea and the decision of the US commander on the spot is regarded as the final. Such being the situation, there exists a state of emergency on the Korean peninsula where any accidental factor may lead to the outbreak of a nuclear war anytime.

The US has intensified nuclear threats against the DPRK by means of its military bases in Japan and around the Korean peninsula.

There are over one hundred US military bases in Japan, and especially in Okinawa nuclear strike units and mobile strike forces are concentrated. All the US forces and military bases in Japan and other areas of Northeast Asia are always ready to launch nuclear strikes on any parts or objects in the DPRK.

This situation brings obstacles to clearing away the dark clouds of a nuclear war on the Korean peninsula and constantly threatens the Korean people's rights to existence and development.

### — DPRK's Countermeasures against US Nuclear Threats

The DPRK Government, regarding the removal of the US nuclear threats as a prerequisite for easing the tension on the Korean peninsula, has made strenuous efforts to this end.

Its efforts can be divided mainly into three phases.

In the first phase, the DPRK Government endeavored to remove the US nuclear threats by the method of establishing a nuclear-free zone through peaceful dialogue and negotiations.

In 1959, it proposed to set up an atomic weapon-free peace zone in Asia; in 1981 it put forward a proposal of establishing a nuclear-free zone in Northeast Asia; in 1986 it proposed denuclearization of the Korean peninsula, and made active efforts to this end.

On January 10, 1984, it proposed to hold three party talks by including the south Korean authorities in the DPRK-US talks aimed at removing the danger of a nuclear war. On June 23, 1986, it released a Government's statement, in which it solemnly declared that it would not test, produce, store and bring in nuclear weapons, that it would not tolerate the installation of any foreign military bases including a base for nuclear weapons, and that it would not allow the passage of foreign nuclear weapons through its territory, territorial airspace and territorial waters.

However, the US turned a blind eye to the DPRK's efforts to denuclearize the Korean peninsula and increased nuclear threats against it.

In the second phase, the DPRK Government tried to eliminate the US nuclear threats on the basis of international law.

In 1978, the US, the then Soviet Union and the UK, signatories to the NPT, made public a statement on "negative security assurance" albeit *de bene esse*, stating that they would not use nuclear weapons against the non-nuclear states that are parties to the NPT. The DPRK Government acceded to the NPT in December 1985, with an expectation that this would help remove the US nuclear threats against it.

As the US promised to suspend the "Team Spirit" nuclear war game, the DPRK, pursuant to relevant provisions of the NPT, actively cooperated with the IAEA in ad hoc inspections on six occasions from May 1992 to February 1993.

But the US began to voice a so-called "suspicion of nuclear development" even before the IAEA wound up the ad hoc inspections and rigged up a "resolution on special inspection" targeting on not only nuclear facilities but on military installations of sensitive nature in the DPRK by instigating some foul forces in the IAEA.

In an attempt to force the "special inspection", it openly threatened the DPRK with nuclear weapons by resuming the Team Spirit joint military exercise it had temporarily suspended.

On March 12, 1993, the DPRK Government declared that it would, pursuant to Article 10 of the NPT, withdraw from the NPT in order to safeguard the sovereignty and security of the country and duly notified its decision to the signatories to the NPT. Later, the US agreed to the talks with the DPRK and a DPRK-US joint statement was released on June 11, 1993. In this context, the DPRK took a unilateral measure of temporarily suspending the effectuation of its withdrawal from the NPT in the period of the DPRK-US talks.

The DPRK-USA Agreed Framework, aimed at solving the nuclear issue of the Korean peninsula, was adopted on October 21, 1994 during the Clinton administration. However, when the Bush administration came to power, the US unilaterally scrapped the Agreed Framework. It went to the lengths of openly revealing its inveterate animosity towards the DPRK and waged nuclear military exercises in a more frenzied way.

It became clear for the DPRK that all its efforts came to naught, be it through dialogue or reliance on international law.

The only choice left for the DPRK was to “counter nuclear weapons with nuclear weapons”.

On January 10, 2003, the DPRK Government took a resolute self-defensive measure of lifting the ten-year moratorium on its withdrawal from the NPT and thus completely withdrew from the NPT. As it was no longer bound by the NPT, it made a policy change, on an utterly legitimate basis, of weaponizing the entire portion of plutonium extracted in the course of generating electricity at a pilot nuclear power station.

The DPRK, after its withdrawal from the NPT, conducted the first nuclear test in October, 2006. This was followed by the second nuclear test in May 2009. This has put an end to the nuclear imbalance in northeast Asia which was filled with nuclear weapons and under nuclear umbrellas, where only the DPRK had remained as a vacuum of nuclear weapons.

The mounting nuclear threats by the US pushed the DPRK to possess nuclear weapons.

It was the inevitable choice for the DPRK to possess nuclear weapons as its last countermeasure in its efforts to denuclearize the Korean peninsula and ease the tension there. The nuclear deterrence of the DPRK serves, in all respects, as the means to deter and repulse the US aggression and attack on the country and the nation until the denuclearization of the whole Korean peninsula and the world come true.

## **2) Anti-DPRK Human Rights Campaign by the US and Its Followers**

### **(1) Reactionary Nature of Anti-DPRK Human Rights Campaign**

The US and its followers conduct the smear campaign against the DPRK on the ground of human rights issue with an intention to raise the non-existent “human rights issue” in the DPRK as an international issue and thus defame the prestige of the DPRK in the international arena and topple its socialist system in the name of “defending human rights”.

As it has learned that military threats were helpless in bringing down the socialist system of the DPRK, the US is trying to internationalize the anti-DPRK human rights campaign by instigating its followers.

The smear campaign conducted by the US is a move of fascist dictatorship to ignore the political mode and social system of the DPRK and change them as desired by it. It is also a brigandish act of destroying the foundation of international human rights mechanisms.

Promotion and protection of human rights for people in a state are regarded as a matter that belongs to its sovereignty and internal affairs. It is because the realization and guarantee of human rights are decided by the social system, the level of economic development and cultural traditions of the state.

According to the UN Charter which stipulates the need to realize international cooperation in the field of human rights, the issue of human rights is completely an internal affair of a state. Therefore, the principles of respect for a state's sovereignty and non-interference in its internal affairs should be observed in the international protection of human rights.

The Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty was adopted at the 20<sup>th</sup> Session of the UN General Assembly in December 1965. This Declaration confirms that no state has the right to intervene directly or indirectly, for any reason, in the internal affairs of any other states. It also points out that the states should stop all threats which oppose political, economic and cultural elements of a sovereign state and orient towards opposing the national sovereignty.

The matter of realizing the unanimous desire and demand of all countries aspiring for independence, that of maintaining global peace and security and that of developing the relations of friendship and cooperation among countries are inconceivable apart from these principles.

The US smear campaign under the cloak of "defending human rights" is aimed at infringing upon and stamping out the sovereignty of independent states by abusing the mechanism of international cooperation and collaboration in the field of human rights and finally overthrowing their systems. Herein lies the ulterior intention of the US that is making a clamor about the human rights in the DPRK.

## **(2) Contents of Criminal Moves by the US and Its Followers to Internationalize Anti-DPRK Human Rights Campaign**

### **① United States**

Through the whole course of history of confrontation with the DPRK, the US has learned that it could not overthrow the people-centred socialist system only by means of political and military threats and pressure and economic blockade on the pretext of nuclear issue in the DPRK. What it found next was the human rights issue.

In the past, too, the US openly attempted to interfere in the internal affairs of the DPRK and bring down its system under the signboard of "defending human rights".

North Korean Human Rights Act enacted by US Congress in 2004 is a typical example. Under the veil of promoting "human rights", "democracy" and "market economy" in the DPRK, this abnormal "Act" aims at inciting dissatisfaction among the DPRK citizens with their Government and thus leading them to change their system and overthrow their Government. It includes such clauses as the 12-hour-per-day radio broadcasting in Korean language against the DPRK, massive shipment into the DPRK of mini-radios tuned to the frequency of its broadcasting, temptation of

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DPRK citizens to “defection” and “immigration” to and “asylum” in the US, financial and material support to this end, etc.

\* The US administration appropriated \$24 million for the implementation of this “Act”.

Many non-governmental “human rights” organizations were mobilized to fulfill this task with the financial support from the US administration.

But these efforts cut no ice with the DPRK, thanks to its powerful countermeasures.

Therefore the US tries to internationalize the “human rights issue” in the DPRK and apply international and collective pressure to it under the international pretext of “defending human rights” and thus take the initiative in the human rights offensive against the DPRK.

Every year it releases “human rights report”, full of distorted human rights situation in the DPRK and spreads it widely to the international community.

In particular, it instigated its followers to form within the UN Human Rights Council a “commission of inquiry”, a group that exclusively investigates the human rights situation in the DPRK, and release a “report”.

This “report” was concocted to satisfy the interests of the US that is attempting to sling mud at the image of the DPRK and create an atmosphere of international pressure on it so as to bring down its socialist system. It is, from A to Z, run through with such contents as interfering in the internal affairs of the DPRK, falsehood, fabrication and exaggeration, turning a blind eye to the realities of the DPRK where its people are enjoying genuine human rights.

That is why many countries and even some Western media expressed their apprehensions about the “report”, saying how come this “report” which lacks fairness and credibility could be circulated as a UN document.

On several occasions, the DPRK made clear its stand that it does not acknowledge or accept the anti-DPRK “resolution” and the “special rapporteur” and the “commission of inquiry”—the outcome of the “resolution”—and their “reports”.

## ②European Union (EU)

The DPRK, which attaches great importance to cooperation and exchange in the field of promoting human rights in international arena, has maintained extensive dialogue and cooperation with the EU after establishing diplomatic relations with it.

The sincere efforts made by the DPRK Government towards dialogue and cooperation found expression in the replies it gave with generosity to the EU’s questionnaire, though they were characterized by interference in its internal affairs.

But the EU consistently tried to use the human rights dialogue as an opportunity to interfere in the internal affairs of the DPRK, ignoring the latter’s sincere attitude and efforts. As it could not achieve its purpose because of the DPRK’s principled stand, it shut down the door of human rights dialogue with the DPRK and brought the “human rights issue” in the DPRK to the UN.

The anti-DPRK “draft resolution” suddenly brought forward by the EU at the 59<sup>th</sup> UN Commission on Human Rights held in 2003 is an example.

Every country has its own history and traditions of human rights and its own view on values.

The DPRK makes no comments on the EU’s view on human rights and its human rights mechanisms because they reflect the view of its own people on human rights and the DPRK, too, respects it.

Nevertheless, the EU showed no respect for the DPRK's human rights mechanisms and forced it to change them into the Western style, putting it as a precondition for dialogue and cooperation. In order to achieve its goal it also forcibly adopts anti-DPRK "resolutions" on human rights at the UN Human Rights Council and the UN General Assembly.

All these "resolutions" are run through with the contents aimed at defaming the DPRK and removing the ideology and system chosen and maintained by its people, far from protecting and promoting genuine human rights.

This notwithstanding, the EU and the US, co-sponsors of the "resolutions", are making absurd allegations that they are aimed at "cooperation" and "collaboration" for the "protection and promotion of human rights".

Interference in the other's internal affairs is incompatible with "cooperation" and "collaboration".

### ③ Japan

As a criminal nation that committed hideous inhumane crimes against the Korean people, Japan still has responsibility for making apologies and compensations to them at international human rights organizations.

About 70 years have passed since Japan's defeat in World War II, but its crimes against humanity, unprecedented in all ages and countries, still remain as wounds unhealed in the memory of the Korean people.

However, Japan, since its defeat, has never made sincere apologies for its crime-ridden history and reflected on it, but run amuck to deny its past crimes at any cost and flee from its responsibility.

Some forces in Japan are misusing the "abduction" issue in a bid to brand the DPRK as a violator of human rights.

Out of a politically-motivated sinister intention, Japan is hell-bent on anti-DPRK human rights campaign in the UN human rights arena and taking part in the invention of anti-DPRK "human rights resolution" of international organizations.

The human rights racket of Japan against the DPRK is another criminal act aimed at calming down the international accusations and condemnation on its past crimes against human rights, tarnishing the image of the DPRK and thus realizing its old dream for a "Greater East Asia Co-Prosperity Sphere", its aggressive design, on the pretext of the "human rights issue".

### ④ South Korea

The south Korean authorities, availing themselves of the US smear campaign on the human rights situation in the DPRK, have taken the lead in the plot to sling mud at the dignity and system of the DPRK.

The Intelligence Service and other plot-breeding organs are engaged in taking to south Korea those who have committed crimes in the DPRK and those who have fled to a third country leaving their parents and families behind. They bribe the human dregs to speak ill of their motherland and even take them to international arena to play the role of "witnesses" in the smear campaign against the DPRK.

In particular, the south Korean authorities use those human scums as "witnesses" in fabricating anti-DPRK human rights reports in the UN, and instigate them to slander the system of the DPRK

in parliaments and in various seminars held in the US, UK, Switzerland and other countries. Furthermore, they are engaged in such despicable acts as making films and publishing books full of testimonies given by these scum.

They have showed Hana Centre to the ambassadors of several countries in Seoul to mislead the public opinion against the DPRK over the world; the Hana Centre is devoted to brainwashing the human scum and training them into a shock brigade in the malicious propaganda against the DPRK.

This year hundreds of thousands of leaflets defaming the system and dignity of the DPRK have been scattered in the areas around the Military Demarcation Line, including Cholwon in Kangwon Province of south Korea and Ryonchon and Phaju in Kyonggi Province. Such acts were conducted entirely under the patronage of the south Korean authorities. Meanwhile, the south Korean authorities, hand in glove with outside forces, expanded the scope of the anti-DPRK human rights campaign in the UN arena and proposed to prepare documents on the human rights situation in the DPRK at the UN Human Rights Council, claiming that “evidence is needed for the international community to take military interventions concerning the human rights situation in the North”.

They went to the lengths of volunteering to set up a UN “office of north Korean human rights”, a plot-breeding body against the DPRK, and finally established it in south Korea.

Whatever desperate efforts the US and its followers make to slander the human rights situation in the DPRK, they can neither cover up the actual situation in the DPRK nor bring down its socialist system that ensures the protection and promotion of genuine human rights of the people.

## **5. Prospects for Guarantee of Human Rights in the DPRK**

This part is dedicated to the policies and measures taken by the DPRK Government to guarantee the human rights of its people more satisfactorily, and its efforts to perfect the human rights mechanisms and create a peaceful environment.

### **1) Policies and Measures for Protection and Promotion of Human Rights of People**

Despite the continued moves of the US and its followers to isolate and stifle the DPRK, the Government has advanced policies for the protection and promotion of human rights of the people and is making every effort to bring them into effect.

An explanation is given to the following policies and measures to which the DPRK Government is attaching special importance.

#### **① Economic Construction and Improvement of People’s Living Standards**

The DPRK is keeping up agriculture as a major thrust of its effort in the struggle for economic construction and improvement of the people's standard of living, and concentrating all efforts on farming.

It is increasing agricultural production remarkably by promoting the drive to expand the area of crop land and transform the system of agricultural production structure into the one of giving first consideration to grain production while stepping up the efforts to carry out the seed revolution, bring about innovations in farming methods and develop agricultural science and technology.



It sees to it that efforts are directed to improving animal husbandry and doing greenhouse vegetable and mushroom farming on an extensive scale so as to ensure that larger quantities of meat, vegetables and mushrooms are supplied to the people. Especially, with a plan to build a large-scale stockbreeding base covering an area of over 50,000 hectares on Sepho Tableland in Kangwon Province by 2015, it is concentrating all efforts to this end.

Vigorous drive is in full swing for boosting production in the sectors of metallurgical and chemical industries by relying on the raw materials and fuels available in the country and on the latest science and technology, holding high the slogan of making them Juche-oriented and modern.

Definite priority is given to the electric-power and coal-mining industries, and great efforts are directed to developing light industry.

Various measures are being taken to increase the generation of electricity and the drive to boost coal production is in full swing. Light-industry factories are making efforts to put production on a normal footing, and all the cities and counties are making endeavors to produce various kinds of quality consumer goods in larger quantities by developing local industry in conformity with their specific conditions.

The state is taking measures to shore up the fishing sector, and protect and increase the country's priceless natural resources, including underground, forest and marine resources, and conduct an energetic mass-based tree-planting drive to cover all the mountains with thick forests.

The Government is making efforts to improve the guidance and management of the economy by intensifying the state's unified guidance of the economy, enhancing the sense of responsibility and creativity of enterprises and encouraging all the working people to discharge their responsibility and role as masters of production and management.

## ② Healthcare

The DPRK Government is directing great efforts to laying sufficient material and technical foundations to enable all the people to receive quality medical service at a time they need though they live in the capital city or in a remote mountainous area while ensuring that they enjoy the benefits of the complete and universal free medical service.

The state drew up a plan and is working to reach the international standards in major public health indices. Those indices are life expectancy, delivery of babies, infant mortality and prevention of infectious diseases.

It is making a systematic increased investment in public health sector to facilitate the use of telemedicine between hospitals in the central and local areas and build modern medical service facilities as much as possible.

It is also taking various measures to step up the modernization of existing hospitals and pharmaceutical factories, normalize the production of medicines and put the production of traditional Koryo medicine on a scientific and industrial basis.

It is the plan and intention of the DPRK Government to make people enjoy full benefits of the socialist healthcare system more satisfactorily by further improving the preventive and curative medical service.

## ③ Education

Upholding the slogan of making all the people well versed in science and technology, the DPRK Government is promoting several projects to this end.

Following the enactment of the law on enforcing the system of universal 12-year compulsory education, the system is planned to be put on a normal basis throughout the country in 2-3 years.

Branch schools have been built and commuting trains, buses and boats are running at state expense for students in remote mountainous villages and small islands. School things and fixtures are supplied to them every year so that they can enjoy the right to education without any inconvenience on an equal footing with the schoolchildren in urban areas.

The sector of higher education is exerting efforts to further updating the teaching conditions at all universities and colleges in the country and improving the quality of teaching at the institutions of tertiary education.

It is planned to use TV channels for education in a bid to improve the academic abilities of students in all aspects by televising the achievements made at different universities, results of national software contests, exhibitions and other academic contests among students, lectures given by high-profile professors and the news about latest science and technology of different fields.

Tele-education system that links libraries, scientific research centres and educational institutions in the capital city and all provinces, cities and counties is widely used with the result that scientists, technicians, officials and students have prompt access to latest scientific and technological information helpful to solving the problems arising in their practical activities.

At present, favorable conditions are being created one after another to achieve the government's goal of making all the people well versed in science and technology.

#### ④ Construction

It is the DPRK Government's policy to set up world-class structures and build many other structures that could contribute to improving the conditions for the people's cultural life, thus solidifying the foundations of the self-supporting national economy and providing the people with conditions for a more affluent and civilized life.

Construction of power stations in tiers on the Chongchon River, livestock farming bases in the Sepho area, Kosan Fruit Farm and waterway in South Hwanghae Province, reclamation of tidal flats and other major projects are rolling full steam ahead.

Modern dwelling houses and dormitories are built and construction for improving the conditions and environment for education is in full swing.

Modern cultural recreation grounds and other bases for emotional and cultural life, including pleasure ground, sports park, folklore park, water park, ski resort and shooting gallery, have been built in recent years to provide the people and students with better environments for their leisure activities.

#### ⑤ Protection for Special Groups

The state regards as important to protect and promote the rights of special groups, including children, women, the elderly and people with disabilities and is making strenuous efforts for its implementation.

In order to train all children to be the able and talented of the country, who are knowledgeable, virtuous and healthy, it is renovating Children's Union camps, schoolchildren's palaces and halls while providing updated teaching conditions and improving the contents of education.

Soya milk factories have been built not only in Pyongyang but in rural areas to improve the health and nutritive conditions of the children and students. The state takes responsibility for the supply of raw materials, production and distribution of soya milk.

On the principle of taking good care of the orphans in a responsible manner, the state pays attention to the growth, healthcare and education of students at the orphans' primary and secondary schools and takes all measures necessary for the construction of baby homes and orphanages, the improvement of diets and the provision of nutritious foodstuffs, clothes, school things, etc.

November 16 has been instituted as Mother's Day in 2012 and the 4th National Meeting of Mothers was held in Pyongyang. This marked an important occasion to highly appreciate the contributions made by mothers for the development of society and the well-being of families and encourage such traits as respecting women and protecting their rights in society.

The government plans to take various measures to respect women, put them forward in society and provide adequate working and living conditions for them.

It also helps the Korea Federation for the Care of the Elderly to improve its work. In particular, it ensures that national attention is paid to the elderly with no one to support them so that such traits as respecting and assisting them materially and morally prevail throughout the country.

The Korea Federation for the Protection of Persons with Disabilities is expanding the scope of its activities. A number of measures are being taken for the early detection of and early recovery from disabilities among children and for the development of art and sports and vocational education for the persons with disabilities.

It is the firm determination and will of the DPRK government to ensure that its people, who had lived, tightening their belts, to frustrate the anti-DPRK, anti-socialist moves of the hostile forces, enjoy full benefits of socialism.

The DPRK government will, in future, too, devote all of its work to put production on a high and normal footing, thus to satisfy the demand of the people for material and cultural life by maximizing the effective use of the foundations of the independent national economy.

## **2) Continued Efforts to Perfect the System of Human Rights Laws**

The DPRK will make constant efforts to perfect the system of human rights laws to give fuller play to the superiority of the people-centred socialism of the Korean style, on the basis of the experience and lessons gained in the establishment of human rights mechanisms.

It will develop the system of socialist human rights laws by stipulating afresh the omitted parts of the system and amending and supplementing the existing ones and formulating new rights in the direction of raising the effectiveness of human rights legislation to the maximum and fully reflecting the demands of norms of international human rights laws.

It will ensure that legislation organs adopt new laws or amend and supplement the existing ones in consideration of the order of priority in order to raise the efficiency of legislation so that it can contribute to the promotion of human rights better.

It will encourage people to actively participate in the enactment of human rights laws by fully reflecting their demands and interests in their legislation.

Officials in the legislation of human rights laws will be encouraged to have consultation with the masses, give an ear to their voice and accept their good opinions. The system of petition will be applied more effectively so that everyone can present his/her opinion on the work to adopt new human rights laws or amend and supplement the existing ones.

Deep attention will be paid to improving the way of enacting laws in order to adopt excellent human rights laws which conform to the requirements of the state's policies and specific conditions and have a refined form as a code of behavior.

Collection of laws and other books on human rights, divided into several sectors, will be published and distributed on a regular basis to help people have a full, systematic understanding of the regulations and rules of human rights laws, which they should know before exercising them in their state and social life.

### **3) Safeguarding of National Sovereignty and Creation of Peaceful Environment**

Safeguarding the national sovereignty is a prerequisite for the protection and promotion of human rights.

If the sovereignty of a country is violated, it leads to infringement upon human rights of its people. This is well illustrated by the human rights situation in those countries which have been embroiled in the wars the US unleashed under the pretext of establishing a new order of "human rights" and "democracy".

National sovereignty can be defended only by force of arms.

The UN Security Council was born with a mission to ensure international peace and security. It, however, fails to prevent the high-handed and arbitrary acts of the US, which denies the DPRK's legitimate and righteous exercise of its sovereignty, deviating from the principle of justice and universal international laws. The UNSC was rather turned into a stage to patronize the US act. This is the present world we live in.

Such being the situation, no great power or international organization can defend one's sovereign rights. Only powerful self-defensive capabilities can defend the destiny of a country and a nation and reliably guarantee the human rights of the people. This is the conclusion the DPRK has drawn in its showdown with the US.

The DPRK has already built its own powerful self-defensive capabilities with the nuclear force as a deterrent.

It is DPRK's firm stand to steadily build up these capabilities to safeguard its sovereignty and its right to existence and achieve its national prosperity.

It is self-evident that, as long as the US nuclear blackmail and threat of aggression against the DPRK go on, the DPRK will steadily build up its defence capabilities in every way in order to deter and repel the US aggression and attack on the country and the nation until the denuclearization of the Korean peninsula and the world comes true.

At the same time, the DPRK will continue to make sincere efforts to achieve peace on the Korean peninsula.

Independence, peace and friendship are underlying ideals it constantly adheres to in its foreign policy.

It has never taken any hostile attitudes towards other countries on the plea that they have differing ideologies and political systems, but made strenuous efforts to prevent the recurrence of a war and achieve durable peace on the Korean peninsula for over six decades of the ceasefire.

Its intense call to remove war threats by outside forces, achieve national reunification and ensure the national peace reverberated across the planet year after year. This was followed by fair and square proposals and follow-up practical steps for the realization of such a call on a continued basis.

But, the US has defied with no particular reason all the proposals made by the DPRK for ensuring peace. The past history can be said to be the repetition of the process which is characterized by the DPRK's peace-loving proposal for dialogue and the US's belligerent defiance of the dialogue.

No matter what others say, the DPRK government has put forward constructive proposals to ensure peace and is displaying its enduring and patient efforts to this end, in order to ease tension and ensure peace on the Korean peninsula.

The DPRK government remains unchanged in its stand to contribute to protecting and promoting human rights in the world through genuine dialogue and cooperation while opposing high-handedness and arbitrariness in the field of international human rights.

We have never opposed a dialogue on human rights.

What we had opposed only is the an attempt to use the dialogue on human rights as a tool to infringe upon the sovereignty of other countries and interfere in their internal affairs and as a means to put a "legitimacy" over the criminal act to seek a regime change.

The DPRK will, in future, too, be faithful in implementing its obligations entrusted upon it in the field of the international human rights and continue to develop the friendly and cooperative relations with the countries which respect its sovereignty and are friendly to it.

## Conclusion

This report basically reveals the truth. Each individual would be depended upon his or her viewpoint on how to accept the truth. But, what is clear here is that the truth will come out. The truth is not something which may change by denial or distortion.

This report, from A to Z, is based on the objective data. Readers may find some insufficient contents in the report, but those come from a limited space and lack of abilities of those who contributed to drafting this report.

The Korea Association for Human Rights Studies will, in the future, too, deepen its research into human rights mechanisms in the DPRK, advance constructive ideas for the protection and promotion of human rights and thus make tangible contributions to guaranteeing human rights around the world.

It will continue to release the results of its research into human rights which would help understand the human rights situation in the DPRK in a much more comprehensive and detailed way.

## Appendix

### About the Korea Association for Human Rights Studies

The DPRK has long conducted studies of human rights in different forms. Entering the 1990s, the studies began to be made in an organized way and, on August 27, 1992, the Korea Association for Human Rights Studies was formed as a non-governmental organization.

Its main mission is to research into measures for meeting more satisfactorily the ever-increasing demand of people for human rights under the socialist system of the DPRK.

According to the mission, the association conducts the following activities:

First of all, it studies in a comprehensive and concrete way how the people's human rights are being ensured in all sectors of social life and how the people's demand for human rights is reflected in the legislation and execution of laws, and then presents opinions to relevant state's organs.

It also makes an analysis of and researches into the guarantee of human rights in the world through exchanges of information and human rights experts not only with domestic organs but with international and other national human rights organizations. It examines the implementation of the international human rights instruments to which the DPRK has acceded.

It also investigates into human rights violations foreign forces have committed or are committing against the Korean people and makes efforts to arouse the international community to pay due attention to taking measures for their solution.

It also publishes study reports and documents, and arranges various forms of publicity activities, including round-table talks, public lectures and photo shows.

The association is staffed with well over a hundred legal experts, lecturers, lawyers, law-enforcement officials and human rights experts.

Any citizen of the DPRK who wants to be a member of the association should recognize its mission and go through a relevant deliberation, which is to test the applicant's knowledge on human rights.

The General Assembly is the highest organ of the association, and the Committee and the Executive Committee assume the work during the intervals of sessions of the General Assembly.

The General Assembly meets more than once every three years and special sessions are convened upon the request of the Committee and the Executive Committee.

The General Assembly deliberates and decides the measures for guaranteeing human rights to be presented to the relevant state's organs, and elects the members of the Committee.

The Committee meets every six months. It elects its chairperson, vice chairpersons and the members of the Executive Committee. It reviews the annual work of the association, discusses and decides next year's work plan and takes measures for implementing the matters decided at the General Assembly. It screens and decides applications for membership of the association.

The Executive Committee meets every quarter. It drafts the report on the annual work and next year's work plan of the association and presents them to the Committee. It discusses and takes measures for the tasks assigned by the Committee or the questions of urgency arising between sessions of the Committee, and accepts the applications for membership and submits them to the Committee.