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**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Second periodic reports submitted by States parties under
articles 16 and 17 of the Covenant**

Addendum

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA* **

[9 April 2002]

* The initial reports concerning rights covered by articles 6 to 9 (E/1984/6/Add.7) and 10 to 12 (E/1986/3/Add.5) submitted by the Government of the Democratic People's Republic of Korea were considered by the Committee on Economic, Social and Cultural Rights at its first session in 1987 (see E/C.12/1987/SR.21-22). The initial report concerning rights covered by articles 13 to 15 (E/1988/5/Add.6) was considered by the Committee on Economic, Social and Cultural Rights at its sixth session in 1991 (E/C.12/1991/SR.6, 8, 10).

** The information submitted by the Government of the Democratic People's Republic of Korea in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.108).

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
Introduction	1 - 2	5
I. ARTICLE 6 - RIGHT TO WORK	3 - 14	5
A. Guarantee of the right to work	3 - 4	5
B. State of employment	5 - 9	5
C. Technical and vocational education	10 - 14	7
II. ARTICLE 7 - RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK	15 - 26	9
A. Pay scale	15 - 17	9
B. Additional State and social benefits	18	10
C. Equal pay for equal work	19	10
D. Safe and healthy working conditions	20 - 24	10
E. Equal opportunity for promotion	25	11
F. Right to leisure	26	11
III. ARTICLE 8 - RIGHT TO JOIN A TRADE UNION	27 - 31	12
A. Right to form and join a trade union	27	12
B. Registration of a trade union	28 - 30	12
C. Freedom of assembly and demonstration	31	13
IV. ARTICLE 9 - RIGHT TO SOCIAL BENEFIT	32 - 36	13
A. Social benefit	32 - 33	13
B. Raise in social security funds	34 - 36	14
V. ARTICLE 10 - FAMILY PROTECTION	37 - 49	14
A. Meaning of "family"	37	14
B. Age at which majority is attained	38	14
C. Protection of free marriage	39	15
D. Protection of family	40 - 41	15
E. Maternity protection system	42 - 45	16
F. Protection of the child	46 - 49	18
VI. ARTICLE 11 - RIGHT TO AN ADEQUATE STANDARD OF LIVING	50 - 64	19
A. Improvement of livelihood	50 - 51	19
B. Right to adequate food	52 - 58	20
C. Right to adequate housing	59 - 64	23

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
VII. ARTICLE 12 - RIGHT TO ENJOYMENT OF PHYSICAL AND MENTAL HEALTH	65 - 83	24
A. Physical and mental health	65 - 67	24
B. Health policy	68 - 72	25
C. Infant mortality	73	26
D. Living conditions and environment	74	27
E. Preventive inoculation against infectious diseases	75 - 77	27
F. Right to health of elderly persons	78	28
G. Primary health care	79 - 81	28
H. Education concerning prevailing health problems	82 - 83	29
VIII. ARTICLE 13 - RIGHT TO EDUCATION	84 - 99	30
A. Education policy	84	30
B. Right to compulsory and free primary education	85	30
C. Right to secondary education	86	30
D. Right to higher education	87 - 88	30
E. Difficulties in the realization of the right to education	89	31
F. Fundamental education	90 - 91	31
G. Education system	92	31
H. Equal right to education	93 - 95	32
I. Preferential treatment of teachers	96 - 97	32
J. Private school	98	33
K. International cooperation for realization of the right to education	99	33
IX. ARTICLE 14 - COMPULSORY PRIMARY EDUCATION	100	34
X. ARTICLE 15 - RIGHT TO TAKE PART IN CULTURAL ACTIVITIES AND ENJOY THE BENEFITS OF SCIENTIFIC PROGRESS	101 - 124	34
A. Popular participation in culture	101 - 105	34
B. Role of mass media	106	35
C. Preservation of national cultural heritage	107	35
D. Freedom of artistic creation and dissemination	108	36

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
E. Professional education in culture and art	109	36
F. Application of scientific progress	110 - 112	36
G. Preservation of natural heritage	113 - 114	37
H. Information system of science and technology	115 - 116	37
I. Protection of intellectual property rights	117 - 118	38
J. Creation of conditions for scientific research and creative activity	119 - 120	38
K. International cooperation in science and culture	121 - 124	39

Introduction

1. The Democratic People's Republic of Korea (DPRK) acceded to the International Covenant on Economic, Social and Cultural Rights on 14 September 1981. The Covenant entered into force on 14 December 1981 for the DPRK. The initial report was submitted on 14 January 1989 and considered at the sixth session of the Committee on Economic, Social and Cultural Rights on 27 November 1991.

2. The present second periodic report covers the measures taken for the implementation of the Covenant after the submission of the initial report, and successes and difficulties. As far as the general provisions (arts. 1-5) of the Covenant are concerned, the Core Document (HRI/CORE/1/Add.108) and the second periodic report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/PRK/2000/2), paragraphs 4-27, may be referred to.

I. ARTICLE 6 - RIGHT TO WORK

A. Guarantee of the right to work

3. In the DPRK, everyone is entitled to work. The Socialist Constitution, the Socialist Labour Law and its enforcement regulations guarantee this right. Article 70 of the Constitution declares: "Citizens have the right to work" and provides for the freedom of choosing occupation, the right to be provided with stable jobs and working conditions and the right to work according to ability and to be paid in accordance with the quantity and quality of the work done. Article 25 of the Constitution defines it as the obligation of the State to use the material wealth of society entirely for the promotion of the well-being of the working people and to provide all working people with every living condition. The Labour Law stipulates the details of the fundamental principles of labour, the right of citizens to work, the duty of the State and citizens towards work, distribution by the work accomplished, labour protection, labour and recreation, benefits by the State and society, etc., so as to firmly guarantee the constitutional rights of citizens to work.

4. Everyone who is able and has a hope to work is entitled to a stable job provided by the State. Under article 70, paragraph 2, of the Constitution and article 5, paragraph 3, of the Labour Law, all able-bodied citizens choose occupations in accordance with their wish and skill and are provided with stable jobs and working conditions. The guarantee of this right is more concretely institutionalized by the Regulation on Labour Allocation and other regulations and rules. Following this legislative measure the State labour administration organ and the State bodies, enterprises and social cooperative organizations concerned provide jobs without fail in view of the hope and ability of the person.

B. State of employment

5. In the DPRK, the working age is from 16 to 55 for women and to 60 for men. Anyone with working ability may continue to work on the job of his or her choice even after this age. At present, everyone of the working age works on his or her job, except the students and the dependent housewives. Unemployment or semi-unemployment is never found in the DPRK

where the means of production are owned by the public. The State assumes the responsibility and obligation to provide every citizen with a job and working conditions, and the gigantic construction of economy and culture for national prosperity constantly needs labour. The universal 11-year compulsory free education system is introduced for children up to the age of 16. Child labour is prohibited by law and the handicapped take jobs appropriate to their constitution and ability. Under the legal requirement to secure equality in labour and to organize labour rationally on a nationwide scale, there exists no such phenomenon of particularly vulnerable or disfavoured conditions of employment for some specific groups, regions or areas.

Table 1**State of employment**

Classification	(in thousands)	
	1995	1999
Total number of employees	11 214	11 527
Male	5 674	5 846
Female	5 540	5 681

Table 2**Male/female employment rate in different sectors**

Classification		Industry	Agriculture	Construction and geology	Transport and communication	Commerce and procurement	Traffic, culture and public health	Land and city administration
Year	Gender							
1995	Male	2 001	1 751	350	294	161	348	157
	Female	2 283	1 703	110	121	353	515	101
2000	Male	2 063	1 806	367	310	169	356	161
	Female	2 347	1 761	115	124	360	530	104

6. The State provides women with every condition to launch into public life. Article 77 of the Constitution states: "Women are accorded an equal social status and rights with men. The State shall afford special protection to mothers and children by providing maternity leave, reduced working hours for mothers with many children, a wide network of maternity hospitals, crèches and kindergartens, and other measures. The State shall provide all conditions for a woman to play a full role in society." Local power organs and the State institutions, enterprises, social cooperative organizations concerned provide working mothers with nurseries, kindergartens, children's wards, public service establishments as well as suckling time within working hours. And residential districts are equipped with food-processing factories like rice-cooking shops or *kimchi* factory and morning and evening shops so that women may be freed from the heavy burden of cooking and other household chores to participate in public life. Housewives' workteams and cooperatives are organized for the women who cannot go to work due to family affairs to work according to their wish.

7. Women with many children are entitled to special protection of the State. Under the Labour Law, the Public Health Law and the Law on the Nursing and Upbringing of Children, pregnant women may not be put on night shifts and the working day of a woman worker with three children or more is six hours. In addition to the regular and additional holidays working women take maternity leave, 60 days before and 90 days after childbirth at full pay, rations and dividend irrespective of the length of their service. Under the Regulation on Labour Discipline, women are not permitted to be assigned to hard and detrimental types of occupation.

8. In accordance with article 9 of the Labour Law, the State took measures to increase labour productivity. The Government of the DPRK attached primary importance to explanatory work to bring working people to display voluntary enthusiasm and initiative for the prosperity of the country and the welfare of themselves. The Government has combined a full-time education system with different forms of study-while-working education, including factory or farm college, evening or correspondence courses, passing-on-techniques, etc., to improve the technical and cultural level of the working people. It dovetailed labour resources of the State with requirements to the finest detail, let factories and enterprises rationally organize production and labour and secured every condition for work and life of the working people. The Government mapped out and vigorously pushed forward with the technical development plan of the State, strengthened the creative cooperation between scientists, technicians and producers for an energetic mass technical innovation campaign and took the measure of preferentially treating those who contributed to the development of the national economy with invention, ingenuity and productive renovation, for steady technical advance.

9. The State took legislative steps to prevent encroachment on the political and economic right of citizens to employment conditions. The State has provided in the Labour Law, the Criminal Law and the regulations on labour allocation, labour discipline, labour protection, etc., the indiscriminate and unconditional supply of jobs to working people in view of their wish and ability, the prohibition of putting women in illegal types of occupation or work, the prevention of loss of life or accident by thorough labour protection and safety facilities, the strict adherence to the principle of distribution in accordance with the quantity and quality of work done, the fair and prompt dealing with complaint and petition of a citizen concerning employment and other details, and imposes administrative or penal responsibility on the violation of the provisions.

C. Technical and vocational education

10. There is established in the DPRK a well-organized technical and vocational education system to improve the level of working people's technical skill. The State operates various types of study-while-working (spare time) education system along with the full-time education system. In order to enable all working people to be versed in the science and technology of their respective fields and master the machines and facilities they handle, the State has established in large factories, enterprises and the production points of farms and fishing villages factory colleges, farm colleges, fishermen's colleges, skill-training schools or centres, technical skill study classes, skill training classes, farm site study classes, etc., where scientific, technical and vocational education is given. In a factory college, a farm college or a fishermen's college, the workers of the factory, enterprise, farm or fishing village concerned whose school career is more than senior middle schooling have two-hour lectures a day on average after work. The president's post of the college is concurrently taken by the leading manager of the unit, and the

deputy president and the teachers work on full-time basis. The term of education is five years, the total curriculum consists of 3,400 hours and the students are qualified as engineers when they finish it. A skill-training school is to give vocational education needed for productive work to the graduates of senior middle schools who just begin to work while re-educating the workers on the spot to elevate their skill level. The term of education is basically one year but in some types of occupation two to three years long. The curriculum consists of elementary technical theory and the theory of special subject (30 per cent), and educational and productive practice (70 per cent) to give the knowledge and skill needed for the occupation concerned. A technical skill study class is organized by production units and occupation types, carries out a study programme of 100 hours a year, two hours a week, in consonance with the realities of the enterprise and is operated with the technicians and highly skilled workers of the factory or enterprise as the lecturers. A skill training class gives short-term elementary technical education necessary for the occupation type concerned by intensive course and apprenticeship to the unskilled workers and those who are directly assigned to the factory or enterprise without going through a skill-training school. These systems prove to be significant in meeting the increasing needs of a field, factory or enterprise for skilled workers on its own and in teaching the technical skill applicable to production realities.

11. To attain the objectives of productive and freely chosen employment, the State took the measure of preferentially treating those who work in hard jobs while assigning a right man in a right place in view of his or her wish and ability. Thus those who work in hard jobs had their salary sharply increased and came to be highly appreciated by the State and society for their merits under such titles of honour as merited coal miner, merited miner, merited lumberman, merited hair cutter, merited welfare service man, merited town keeper, etc. As a result, those who work in hard jobs or in the branches that used to be regarded as mean before liberation now show the social trait of valuing their jobs highly for the country and themselves.

12. The State assigns a right person in a right place in consideration of his or her gender, age, constitution, wish and level of technical skill so that his or her creative wisdom and ability is given full scope to, and does not permit any distinction, exclusion, restriction or preference made on the basis of race, colour, sex, religion, political opinion, nationality or social origin. Citizens enjoy equal rights in their choice of occupation by article 65 of the Constitution and foreigners have their right indiscriminately protected by article 16 of the Constitution that guarantees the legal rights and interests of foreigners.

13. In view of the intrinsic requirements of certain jobs, the State directs special attention to providing female workers with stable, cultural and hygienic working conditions and environment. Article 49 of the Regulation on Labour Protection adopted by Cabinet decision No. 68 in 1999 stipulates: "Institutions and enterprises shall direct special attention to the labour protection of female workers, allocate them to the jobs appropriate to their physiological characteristics and constitution and provide them with conditions for labour protection and facilities for labour sanitation." Under this provision, women are not permitted to do harmful labour including the work related with poisonous matters, the labour in a place above 30° C, above 80 per cent relative humidity or coldness without special protection facilities, the labour dealing with radioactive or other harmful rays or in a place of severe noise and vibration, the labour of dragging or in the water which is harmful to the female constitution, the labour in a pit of coal or ore mines, the labour of carrying by hand the things heavier than 20 kg for over

four hours a day, etc. and under this provision, pregnant women or the women with infants may not be engaged in night shift, overtime labour or labour on holiday, but work in light labour sectors. In agriculture pregnant women stay away from direct dealing with insecticide or herbicide and women working constantly on their feet are given sit-down rest for 10 minutes an hour. No complaint or dispute has arisen in this respect.

14. There are no people in the DPRK who have two or more full-time jobs to secure an adequate standard of living for themselves and their families. Under article 25 of the Constitution, the State provides all working people with every condition for obtaining food, clothing and housing. That is why working people have no need to hold more than one full-time job to secure an adequate standard of living for themselves and their families. Some work as a writer at a publishing house, an invited lecturer of a university or others on their own jobs. This is not for the livelihood of themselves or their families but is a voluntary service to meet social requirements.

II. ARTICLE 7 - RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

A. Pay scale

15. The salary of a citizen is determined by the pay scale fixed on the principle that the working people need to restore the physical and mental energies expended in work and that it guarantees their living conditions. The institutions, enterprises and social cooperative organizations give pay to workers depending on the quality and quantity of the work done and according to the pay scale and the principle of payment stipulated by the State. The pay standard varies to some extent in view of the degree of labour expenditure and harmfulness of work and the personal qualification of technical skill. One pay standard is applied to one and the same category of work irrespective of sex, age and nationality of the worker.

16. In the DPRK, salary is paid in accordance with pay scale, and a system of minimum wages has not been established, for the principle is thoroughly carried out that the State assumes the responsibility of providing every citizen who has working ability with a due job and stable conditions for material and cultural life.

17. The State, in order to evenly improve the living of all working people, raised lower salaries more rapidly than average salaries, while decreasing differences between labour, in conformity with article 45 of the Labour Law which reads: "The State maintains the principle of rationally readjusting the balance of pays between the workers and office employees in all branches with the development of industry and agriculture and the growth of labour productivity, of raising the incomes of the farmers in different areas equally, and of improving the general living standards of the workers, office employees and farmers proportionately." The State issued on 13 February 1992 the decree: "On increasing the salary of all workers, technicians and office employees, and enhancing the income of cooperative farmers" to raise from 1 April 1992 the salary of workers, technicians and office workers by 43.4 per cent on average, lower salaries by more than 50 per cent but higher salaries by less than 10 per cent.

B. Additional State and social benefits

18. All working people get many additional State and social benefits besides the distribution by work accomplished under chapter 8 of the Labour Law. The State provides working people with dwellings free of charge and brings up their children in nurseries and kindergartens at State and public expense. The State gives free education to children in schools and universities until they reach working age and provides all working people with completely free medical service. The additional benefits given by the State to citizens in a year besides the distribution by the work done amount to as much as their average annual money income. One example is that the average house rent is no more than 0.3 per cent of the living expenses and comes to 3 per cent only when it is added by fuel and other expenses. The State buys from peasants white rice at 65 won a kilogram and minor grains at 41 won a kilogram but provides them to people at the price of 8 won and 6 won respectively. This alone constitutes sizeable additional benefits.

C. Equal pay for equal work

19. Working people get equal pay for equal work. Article 37, paragraph 3, of the Labour Law stipulates: "Irrespective of their sex, age and race, the working people shall receive equal remuneration for equal work." The principle of equal remuneration for equal work is realized by the unitary system of salary grades fixed by the State in the industrial sector and by the assessment system of work points in the agricultural sector whereby one is remunerated depending on the quantity and quality of the work one has done. The principle of equal pay for equal work is not infringed in any case. Women not only get pay equal to men for equal work, but also are entitled to other additional benefits laid down by laws. For example, a woman worker with three children or more works for six hours a day but her pay is equal to eight hours workday.

D. Safe and healthy working conditions

20. The State underlines labour safety and protection as the most important work in the administration of enterprises and a meaningful work to provide working people with safe, free, cultural and hygienic working conditions and to protect and improve their life and health. The State has regulated the safe and healthy working conditions in the Labour Law, the Law on the Protection of the Environment, the Regulation on Labour Protection and the regulations on labour safety in different fields and grasps and promotes the implementation through the unified national system for labour protection. As a result, there is no sector or region excluded from the existing legal system.

21. The State maintains the principle of putting labour protection ahead of production. Under article 54, paragraph 2, of the Labour Law, no one is allowed to put people to work before instructing them about labour protection and giving them technical knowledge on labour safety in that particular branch of work. Following the laws and regulations on labour protection, the scientific research institutions develop new progressive technology and equipment to be introduced in work sites; technical universities, colleges, special schools and the training institutions of skilled workers give regular education on labour protection and the State

institutions, enterprises and social cooperative organizations set up the “room for education on labour safety” where newly entering workers are given labour safety education before they begin work.

22. To protect the health of working people, the State examines the health of workers periodically in view of occupational categories and supplies on regular basis labour necessities, nutritive, skin protector and other labour protection materials while securing labour protection and safety equipment and the conditions for industrial sanitation.

23. The State has fixed every November as the “month for taking accident prevention measures” to prevent accidents by relying on the masses.

24. The State has strengthened supervision over labour protection work. The supervision is undertaken by the Ministry of Labour, which is the branch executive body under the Cabinet and the labour administration departments of the people’s committees at all levels. The Ministry of Labour is equipped with an exclusive department for the supervision of labour protection, which leads the superintendents in every factory, enterprise or organization to enhance their role and responsibility. Under article 92 of the Criminal Law: “A person in a position of responsibility in a State organ or enterprise or in a public cooperative organization who causes a loss of life or a serious accident because of a failure to provide labour protection and labour safety facilities, shall be committed to a reform institution for up to two years” and article 96 of the same law: “A person who makes women do the kinds of work that are prohibited for them by law shall be committed to a reform institution for up to one year” Any violation of the legislation for labour protection is regarded as an offence to be put to criminal penalty, which enhances further the responsibility and role of the personnel concerned.

E. Equal opportunity for promotion

25. Every citizen is entitled to equal opportunity for promotion. Under article 65 of the Constitution that stipulates the equal rights of citizens in all spheres of State and public activity, the opportunity for promotion is open to anyone who has passed the ability examination in accordance with the regulation on the examination for grades or public service qualification based on article 52 of the Labour Law which provides for the examination system for engineers’ grades and technical skill rating. The examinations are organized by the State science and technology institutions and the labour administration organs. Women enjoy equal rights with men in political, economic and cultural activities. Women amount to a good number of the deputies to the people’s assemblies at all levels and the officials of the State administrative and economic institutions. As of 1998, the female proportion among the deputies to the Supreme People’s Assembly was 20.1 per cent and the number of female technicians and experts was over 726,000.

F. Right to leisure

26. The right to rest, leisure and reasonably limited working hours is guaranteed by article 71 of the Constitution and articles 62-67 as well as 76 of the Labour Law. This right is ensured by the fixed system of workday, the provision of holidays, paid leave, accommodation at health resorts and holiday homes at State expense and by a growing network of cultural facilities.

The workday is eight hours and overtime work is forbidden. Working people have one day off each week and the gala days set down by the State are holidays. If the State institutions, enterprises and social cooperative organizations make people work on a holiday due to unavoidable circumstances including continuous process of production or anti-calamity mobilization, they must give them a day off within the following week. Working people have a fortnight's regular holiday every year and, in some kinds of occupations, an additional holiday of 7 to 21 days may be granted. In addition to the regular and additional holidays, working women are entitled to maternity leave, 60 days before and 90 days after childbirth, irrespective of the length of their service. Nobody is excluded by law or in practice, or both, from the enjoyment of the rights.

III. ARTICLE 8 - RIGHT TO JOIN A TRADE UNION

A. Right to form and join a trade union

27. Working people are ensured the right to form trade unions and join them. This right is protected by article 67 of the Constitution which provides that citizens are guaranteed freedom of association and the State shall guarantee conditions for the free activity of democratic political parties and social organizations. By virtue of this constitutional right, working people are free to form and join a trade union of their choice. But the forming and activities of a trade union that endangers the State security and harms the healthy State and social order is forbidden.

B. Registration of a trade union

28. If a trade union is going to be formed, a written application for the registration should be filed with the Cabinet 30 days in advance. The application should clarify the purpose, the number of members, organizational structure, the date of forming, the name of the chief, etc. and be appended to by the full text of the rules. This is not intended to limit or interfere in the free establishment of democratic social organizations but for the State to grasp the situation and cooperate if need be.

29. There are such trade unions as the General Federation of Trade Unions of Korea (GFTUK) and the Union of Agricultural Working People of Korea (UAWPK). The trade unions of factory and office workers are in two forms. One is the trade unions organized in State institutions, factories and enterprises and the other is the trade unions in private organizations under article 21 of the Law on Foreign Enterprise. The GFTUK was established on 30 November 1945 and includes factory and office workers apart from the agricultural branch. There is the central committee in the centre and due committees at the levels of province (or municipality directly under the central authority), city (or district) and county. Factories and enterprises have their trade union committees and sub-organizations. The highest governing organ is the congress held once every five years. Under it comes the plenary, the executive committee, the organizational committee and the central auditorial committee. Affiliated with the GFTUK are the Metal, Engineering, Mining and Power Trade Union of Korea, the Light Industry, Chemical and Commercial Trade Union of Korea, the Transport and Marine Trade Union of Korea, the Construction and Forestry Trade Union of Korea, the Education and Cultural Trade Union of Korea and the Public Servants' Trade Union of Korea.

The total membership is over 1.6 million. The GFTUK joined the World Federation of Trade Unions on 2 May 1947 and its branch unions are members of the international trade union organizations concerned. The UAWPK was established on 15 March 1965, as a popular organization of agricultural working people. It has the central committee in the centre and due committees at each province (or municipality directly under the central authority), city (or district) and county, and sub-organizations in the agricultural enterprises and cooperative farms. Its membership is over 1.3 million.

30. The workers of State institutions, factories and enterprises are not mere employees but are the masters of the State and society as well as of their factory and enterprise who personally participate in the planning, administration and management of the institution, factory and enterprise. Therefore there arises no such issue as collective bargaining against an enterprise owner and a labour dispute or a strike for the protection of the right to labour, except for individual opinion or complaint. However, those employed by foreign enterprises rely on trade unions to safeguard their right and interest, conclude and implement a contract with the foreign enterprise for the guarantee of their working conditions. There has not been any special problem concerning the activities of a trade union in a foreign enterprise.

C. Freedom of assembly and demonstration

31. By article 67 of the Constitution, citizens are guaranteed freedom of assembly and demonstration. If a demonstration is going to be staged, the local people's committee or people's security organ should be notified of it three days before according to the Regulation on Guaranteeing Assemblies and Demonstrations. The notification should include the purpose of the assembly or demonstration, date and time, place, organizer and the scale. The people's committee or the people's security organ that has been so notified ensures the conditions needed for the assembly or demonstration and helps the maintenance of security order. The assembly or demonstration that harms healthy State security and public order may be controlled in accordance with the procedures and method provided for in the Law on Control for Public Security.

IV. ARTICLE 9 - RIGHT TO SOCIAL BENEFIT

A. Social benefit

32. In the DPRK, every citizen is entitled to State social insurance and social security. Article 72 of the Constitution provides that all persons who are no longer able to work because of old age, illness or a physical disability, the old and children who have no means of support are all entitled to material assistance and this right is ensured by the State social insurance and social security systems. Articles 73-79 of the Labour Law provide for the temporary subsidy and disability pensions under the State social insurance system and the State social security system, old-age pensions, pensions for bereaved families, special benefits for people of distinguished service and their families, protection of incapable old people and cripples who have no other means of support. The State thoroughly enforces the Regulation on State Social Insurance and Security (enacted by the Cabinet Decision No. 22, 13 March 1999) to guarantee the right of citizens to State social insurance and security provided for in the Constitution and the Labour

Law. By article 7 of the Regulation an office or factory worker gets temporary benefits when he or she is absent from work for illness, wound care of a sick family member, recuperation and other reasons. And by article 12 women get full pay during their maternity leave. The Regulation also provides for the social security pension for those who are unable to work on the job or who have lost the capability to work, the nursing grant for those who take care of the seriously disabled honoured soldiers or veterans and wounded persons, the funeral grant for the death of a person under social security or the dependent family, the benefits to support the family of a serviceman, the benefits for sick persons, etc.

33. Under the law on introducing the complete universal free medical care system and the Public Health Law, every medical service is free of charge including diagnosis, medicine, in-hospital treatment, operation, use of medical facilities, preventive care and recuperation. That is why the Labour Law and the legislation on social insurance do not stipulate the system of invalidity benefits. Nor is unemployment benefit stipulated in the legislation on social insurance, as the DPRK does not have unemployment.

B. Raise in social security funds

34. For a better life for those who are under social security benefits, the State has systematically raised their pension and benefits. The Government increased the social security pension by 50.7 per cent on average on 13 February 1992 when it took the measure of radically raising the salary of office and factory workers and the income of cooperative farmers.

35. The State social insurance and security funds are supplied by the State budget and is supplemented by the social insurance dues paid by working people. In 1999 the social insurance dues paid by working people took only 7 per cent of the State social insurance and security expenditure.

36. The benefit of State social insurance and security is applied to the whole society and to every person. Therefore there is no vulnerable or disadvantaged group that does not enjoy the right to social security in the DPRK.

V. ARTICLE 10 - FAMILY PROTECTION

A. Meaning of “family”

37. Article 3 of the Family Law provides that the family is the basic unit in society. In the DPRK, a family is a cell of the society where such close blood relations as parents, wife, children, brothers and sisters live together.

B. Age at which majority is attained

38. A citizen's age of majority is 17 years under article 20 of the Civil Law. This provision is based on the reality that a child is fully mature physiologically and physically and reaches the level of an adult intellectually, spiritually and morally. By the universal 11-year compulsory

education system a child finishes the higher secondary school course at the age of 16 and continues to go through 1-year vocational education before he or she goes out into the world as a grown-up.

C. Protection of free marriage

39. Article 8 of the Family Law states: "Citizens are entitled to marry freely. Marriage shall be undertaken between a single male and a single female." In the DPRK, marriage is established freely on the basis of true love and mutual agreement. It is forbidden to force parties to marry against their will captivated by wealth or other temptations. For a marriage to be legally valid, it should go through due procedures. Article 11 of the Family Law reads: "Marriage is recognized legally and protected by the State only after it is properly registered at a registry office. In cases where the marriage is not registered, a married life shall be forbidden." By article 13 of the Family Law, such marriage is null and void as a forced marriage which is not based on free consent of the parties, a marriage before the minimum age, a marriage of a person who already has a registered husband or wife and a marriage between blood relatives up to and including third cousins or between relatives by marriage up to and including first cousins. A marriage is declared invalid by the court. A marriage that is recognized as invalid is regarded as never having taken place by article 14 of the Family Law.

D. Protection of family

40. The State pays great attention to the protection of family. The Family Law provides for the obligation of citizens to ensure that their families are harmonious and cheerful, stating that the consolidation of the family is an important guarantee for the sound development of society. The law also provides for the relationship between family members including between husband and wife, between parents and children, between step-parents and stepchildren, between grandparents and grandchildren with no parents, between brothers and sisters, etc. so that family ties may be consolidated. The law stipulates that a child who is under age or a person who has no ability to work shall be supported by a member of the family who has the ability to provide for him or her, and if there is no family member who has the ability to support him or her, either of the parents, children, grandparents, grandchildren, brothers or sisters who live separately shall support him or her.

41. The State has enforced various policies for the protection of the family. The State provides all working people with every condition for obtaining food, clothing and housing under article 25 of the Constitution basically with the family as the unit. The State provides food not only to the breadwinner but also through him or her to all of his or her dependent family members including the children under age in accordance with article 6 of the Regulation on National Food Provision. Besides, the State takes various practical measures to secure a stable life of the family, such as supply of dwelling house to working people free of charge, subsidization of more than 50 per cent of the price of children's commodities or school things for a family with three or more children, etc.

E. Maternity protection system

42. Mothers are protected by the Constitution, the Law on the Nursing and Upbringing of Children, the Public Health Law and other laws and regulations. Article 20 of the Law on the Nursing and Upbringing of Children reads: "The State affords special protection to mothers with children. The State grants women maternity leave. Their wages, provisions and shares of distribution for the period of maternity leave are borne by the State or by the social and cooperative organizations. The State has all pregnant women registered in good time through maternity hospitals or other medical establishments, provides systematic medical service and midwifery to them free of charge and protects their health after childbirth. The State assigns pregnant women to suitable light work and allows mothers with babies the suckling time during working hours. The State reduces the working hours of mothers with many children on full pay." Under this provision, the State grants women maternity leave, provides pregnant women with medical service, midwifery and suitable working conditions, reduces the working hours of mothers with many children on full pay, etc. to protect mothers.

43. The maternity protection system includes all pregnant women and women in childbed. They are protected by the State and society irrespective of their occupation, residence, education, political view, religious belief, etc. Working women are entitled to maternity leave, 60 days before and 90 days after childbirth, totalling 150 days. Women basically get the following benefits before and after childbirth:

(a) Every pregnant woman is registered in the medical establishment concerned within 12 weeks of pregnancy;

(b) Pregnant women are examined and receive necessary medical service 18-22 times by the obstetrician in charge in the period of pregnancy and until one month after childbirth;

(c) Pregnant women are assisted at childbirth. The assistance is usually given in hospitals. According to the MICS conducted by UNICEF in 1999, out of the 1,229 women surveyed, 26.9 per cent delivered children at maternity hospitals, 32.5 per cent at county hospitals, 21.4 per cent at *ri* hospitals, 18 per cent at *ri* clinics, 1.2 per cent at home and 0.1 per cent at other places. For in-hospital childbirth assistance, all provincial seats and large cities have maternity hospitals and the city (or district), county, as well as *ri* hospitals are equipped with maternity wards and beds.

Table 3

**Per cent distribution of women with a birth by type of personnel antenatal care
(2000 MICS)**

Area	Person delivering antenatal care					Total	Any skilled personnel	Number of delivered women
	No antenatal care received	Doctor	Nurse	Midwife	Other			
Urban	2.6	44.6	1.3	64.2	0.1	100.0	96.8	707
Rural	2.4	30.9	2.4	56.6	0.4	100.0	97.6	531

Table 4

Per cent distribution of women with a birth by type of personnel assisting at delivery (2000 MICS)

Area	Person assisting at delivery					Total	Any skilled personnel	Number of women
	No assistance received	Doctor	Nurse	Midwife	Other			
Urban	0.1	42.5	2.3	53.5	1.6	100.0	98.3	707
Rural	0.5	28.1	3.4	63.2	4.8	100.0	94.7	531

44. The State has constantly maintained the policy of increasing the scope and improving the quality of the benefits of maternity protection. The principle of the Government is to afford the greatest possible scope and highest possible level of benefits in maternity protection without being impeded by the objective economic, social and cultural conditions.

(a) In June 1946 when the situation was difficult just after the national liberation, the State introduced the system of 77-day paid maternity leave and banned by law the night shift and overtime work for pregnant women;

(b) While enforcing free medical care system by social insurance for office and factory workers from February 1947, the State afforded all pregnant women with babies of the country free medical care, even if they did not work and pay social insurance dues;

(c) While reconstructing the devastated public health facilities after the Korean War (1950-1953), the State saw that the hospitals above city (or district) and county level be equipped with obstetrical and gynaecological departments and paediatric departments above anything else and systematically increase the number of doctors, nurses and beds of the sector;

(d) Midwives were trained in large numbers from 1956 and as a result in early 1960s all pregnant women were able to get childbirth assistance by qualified medical workers free of charge;

(e) While introducing the section-doctor system in 1960, the State gave priority to an obstetrical, gynaecological and paediatric section-doctor system, whereby all women and children were placed under the health care of the doctor in charge;

(f) By the policy of strengthening maternity facilities for women in rural areas and of developing the clinics of rural *ris* into hospitals adopted in 1970, rural *ris* have been equipped with maternity wards and beds for in-hospital childbirth assistance;

(g) In March 1986, the paid maternity leave was increased from 77 days to 150 days.

45. In the DPRK, there is no woman who does not enjoy maternity protection at all or does so to a significantly lesser degree than the majority of the population. But there still remains some difference between regions in service and benefit. The remote mountainous areas where

population is not dense, travel is inconvenient and service distance is far lower as compared with cities and lowland areas in the quantity and quality of service for women. The State separately set the standard number of special doctors per a certain number of inhabitants in view of the natural and geological characteristics and posted obstetricians, gynaecologists and midwives to remote mountain *ris* even if the population was small. Also, the State preferentially allocated ambulances to remote county hospitals so that maternity first-aid and other obstetric services might be offered speedily, and developed *ri* clinics into hospitals equipped with obstetric department, maternity ward and delivery room. From the mid-1990s, mobile reproductive health service activities were conducted in remote mountainous areas. As a result, the quality of medical service was improved, diseases were discovered and treated at an early stage, and the incidence of certain women's diseases, including genital infection, was lowered. But still the shortage of essential medicines and medical facilities such as service cars, abdominal supersonic plexors, etc. prevents further extension of mobile service teams and the assurance of an exact circuit cycle.

F. Protection of the child

46. The child is under special protection by the State and society. The State, in conformity with the principle of "the best of all to the child", provided in the Constitution for the bringing up of rising generation into human beings who are knowledgeable, morally sound and physically healthy (art. 43), universal compulsory 11-year education (art. 45), education of all pupils and students free of charge (art. 47), maintaining all children of pre-school age in crèches and kindergartens at State and public expense (art. 49), consolidating and developing the system of universal free medical service (art. 56), special protection of mothers and children (art. 77), etc., to protect the rights of the child. The various policies for the protection of the child are stipulated in the Law on the Nursing and Upbringing of Children, the Education Law, the Public Health Law, the Family Law and the Civil Law as well. The Government strictly supervises the assurance and protection without fail of the legal rights of the child by institutions, enterprises and social cooperative organizations.

47. In the DPRK, the minimum working age of citizens is 16. Article 31 of the Constitution and article 15 of the Labour Law prohibit the employment of children under the minimum working age. The minimum working age of 16 has been decided in view of the fact that children finish the universal compulsory 11-year education at the age of 16 either to go out into the world or to go up to a higher special school or a university. Those going out into the world after the senior middle school get one-year vocational education. Following the Regulation on Skill-Training Schools, the skill-training schools have been established by factories and enterprises either independently or sectorally and by cooperative farms with city or county as a unit, where the senior middle school graduates are educated in technical skill and labour safety for one year at State and public expense before they join productive work. Without going through this education course, the graduates of senior middle school may not go out to the production site. Therefore although 16 is the legally defined minimum working age, the work virtually begins at the age of 17. There is no employment of children under the minimum working age.

48. The State offers special protection to the children who either have lost family environment or are in an unfavourable situation. Article 72 of the Constitution provides that the children who have no means of support are entitled to material assistance, and article 18 of the Law on the Nursing and Upbringing of Children stipulates that the State brings up in baby homes and orphanages the children who enjoy no parental care. The children who have no parents, nor anyone to support them, are nursed and brought up at the baby homes and orphanages at the State expense and go to the orphans' primary and secondary schools to get 11-year compulsory education before they reach their working age.

Table 5

Number of baby homes, orphanages and orphans' schools (2000)

Level	Number of institutions	Number of children
Baby homes	15	1 863
Orphanages	12	1 544
Orphans' schools	17	4 410

49. The State, in order to reliably protect and soundly bring up stepchildren, has established stepchildren's schools in each province (or municipality directly under central authority) and protect and educate at State and public expense the children at primary and senior middle school age who are not harmonious with their step-parents until they finish the 11-year compulsory education. The State pays special attention to handicapped children. Those at pre-school age are medically treated at district or special hospitals and those at school age are supplied with every convenience so that they may get education at school while continuing medical treatment. The schools for the handicapped include three schools for the blind and nine schools for the deaf and dumb. At these schools about 1,800 children are learning special technical skills proper to their physical characteristics while getting primary and secondary schooling. The children live in the school dormitory built specifically for them on a scholarship given by the State.

VI. ARTICLE 11 - RIGHT TO AN ADEQUATE STANDARD OF LIVING

A. Improvement of livelihood

50. The DPRK Government, regarding it as the supreme principle of its activities to steadily improve the material and cultural life of people, has adopted various policies and legislative steps to meet the requirement of people for better food, clothing and housing. The Government assumes the entire responsibility of taking care of the material and cultural life of working people under article 25, paragraph 3, of the Constitution: "The State shall provide all working people with every condition for obtaining food, clothing and housing."

51. The systematic overall improvement of people's livelihood is secured by the systematic even growth of distribution by labour, the steady expansion and increase of the State and social benefits, the socialist commodity supply system, the reduction of commodity prices, etc.

Following the principle put forward in article 68 of the Labour Law, the State drastically raised the salary of office and factory workers on several occasions based on the speedy growth of the national income. In 1992, the salary was increased by 43.4 per cent on average, and the income of cooperative farmers was also boosted. The life of working people is evenly improving thanks to the State and social benefits, which include by law the nearly free supply of food to the office and factory workers, provision of dwelling to the urban and rural inhabitants at State expense, the systems of universal compulsory free education and completely free medical care, the paid leave system for office and factory workers, the upbringing of children and operation of sanatorium and rest homes at State expense, the subsidization by the State of a great part of the price of the clothing supplied to the children and students, support by the State of the old people and children who have nobody to take care of them. In view of the difference in distribution by labour, the price of commodity was fixed uniformly on the national scale, including towns and countryside, while that of mass consumer goods at a low level and that of the luxury and high-grade goods of restricted quantity at a high level so that the general livelihood of working people could be evenly enhanced.

B. Right to adequate food

52. The State has introduced the policy of responsibly supplying food to all working people. In the DPRK, rice is the staple food. Under article 70 of the Labour Law: "The State supplies the workers and office employees and their dependants with provisions at low price." Under the Regulation on National Food Provision, the State keeps workers, technicians, office employees and their dependants regularly supplied with food. The cooperative farmers are not supplied food by the State but put aside their annual amount of food needed after the year-end account settlement and income distribution, and sell the surplus to the State. According to the Regulation on National Food Provision, old people and children are supplied food by the State as dependants, but the students and the old people in an institution for the aged as the principals. Those under old age pension or social security and their dependants are also equally supplied food by the State.

53. The State pays deep attention to the sufficient supply of foodstuff. The State has taken measures to develop the foodstuff industry with the purpose of improving working people's diet and emancipating women from the heavy burden of household chores. Thus, the omnifarious foodstuff industry has been created including cornstarch factories, riced corn flour factories, fruit and vegetable processing factories, meat and fish processing factories, oil mills, etc. and meets the requirement of people for basic and subsidiary food, snacks, refreshing drinks, etc. For more convenient foodstuff supply a greengrocery, a fruit shop, a fish shop, a grocer's shop, etc. have been set up in a complete set in not only towns and workers' districts but also in rural *ris* and remote villages, and mobile sale is organized if necessary. As a result, the average life expectancy of people lengthened from 38 years in 1944, prior to national liberation, to 73.2 years in 1993.

54. However, a number of industrial facilities and equipment were submerged and destroyed by pouring rain, drought, tidal waves, typhoons and other natural disasters that successively occurred in several recent years. The shortage of power, fuel, facilities and materials affected the overall national economy and people's lives.

Table 6

Background of the country

Indicator	1993	1999	Fluctuation
Total population	21 213 000	22 754 000	+ 1 541 000
Total fertility rate	2.2	2.0	- 0.2
Average lifespan	73.2	66.8	- 6.4
Infant mortality rate	14/1 000	23/1 000	+ 9/1 000
Under-5 mortality rate	27/1 000	48/1 000	+ 21/1 000
GNP per capita	US\$ 988 (1992)	US\$ 457 (1998)	US\$ 531

55. The aftermath of natural disasters was more serious in the agricultural field. Agriculture suffered the following damage:

- In 1994, 170,000 hectares of paddy field suffered from hailstones as big as 5 cm in diameter in the major grain production areas, losing 1,020,000 tons of rice;
- In 1995, the pouring rain which was the first of its kind in 100 years, caused damage of more than US\$ 15 billion, reduction of 2 million-odd tons of grain production and the loss to the flood of 1 million-odd tons of grain in stock;
- In 1996, flood caused damage of US\$ 2.2 billion;
- In 1997, intense heat lasting for more than 50 days brought about a reduction of 1.7-odd million tons of grain production;
- In 1998, flood caused damage of US\$ 3.5 billion;
- In 1999 and 2000, pouring rain and extraordinary high temperatures inflicted immense damage.

56. This radically reduced grain production caused the relapse of the long-forgotten diseases and seriously attacked the general livelihood of people, especially the enjoyment by inhabitants of the right to adequate food.

Table 7

Recent annual grain production

Year	Production (t)
1990	9 100 000
1994	7 083 000
1995	3 499 000
1996	2 502 000
1997	2 685 000
1998	3 202 000
1999	4 281 000
2000	3 262 000

Table 8

Amount of grain needed annually

Category	Amount (t)
Provisions	4 899 000
Industrial raw material	1 200 000
Fodder	1 400 000
Public catering	200 000
Seed	210 000

Table 9

Malnutrition rate of children under seven years

Year	Rate (%)
1999	15.6
2000	10.4

57. The Government tried to stabilize the lives of flood victims by mobilizing every possible food resource and even supplying substitute food. The Government also appealed to the international community for cooperation and received a lot of valuable humanitarian assistance.

58. The State roused all the people to throw off the after-effects of the natural disasters in every field of national economy as early as possible and normalize production. Steps were taken especially for the development of agriculture and the resolution of the food problem. As the country is restricted in its cultivatable acreage (20 per cent of the territory), the State boldly conducted in a big way the work to enlarge the crop area by acquiring new land, tideland reclamation, and land levelling and rezoning projects to improve the fertility of the soil and to significantly boost the per-hectare yield by cropping 2-3 times a year. The entire people,

uplifting the motto: "Let's be cheerful even if our way is thorny", vigorously unfolded the second *Chollima* upsurge in the spirit of having eradicated the war damage with the *Chollima* movement immediately after the Korean war. Thus, the different sectors of the national economy gradually recovered their production ability, readjusted the basis of the independent national economy and laid the firm foundation for a new leap forward.

C. Right to adequate housing

59. In the DPRK, the State assumes the responsibility of supplying dwellings to all citizens. Citizens have the right to be provided with a house or hostel free of charge under article 69 of the Labour Law, the right to use a house which is transferred and protected by the State under article 50 of the Civil Law and the right to inviolability of the home under article 79 of the Constitution.

60. Thanks to the legislation and popular policy of the State, the overwhelming majority of working people live in modern houses built by the State at its expense. There are some houses built by social cooperative organizations at their expense and some private houses handed down by former generations.

Table 10

Housing situation (1999)

(Unit: 1,000 houses)

Number of houses	Category of ownership		
	State	State organs and enterprises	Cooperatives
5 387	3 534	1 255	598

61. But flood destroyed many houses, causing a shortage of dwellings. The State stresses the construction of houses to stabilize people's lives as soon as possible even if they lack many things and the situation is still hard.

Table 11

Number of households with insufficient dwelling conditions

(Unit: 1,000)

Total number	Category	
	Households needing separation	Households sharing house
186	151	35

62. In accordance with article 2 of the Construction Law, the State constructs and provides dwellings in towns and the countryside. The houses are built by the construction enterprises at every province, city or county, in accordance with the demand and ability. The construction

fund and materials are supplied under the State plan. The designs are worked out by the institute specializing in construction design and the owner institution, enterprise or organization of construction and building operation has examiners to check the construction quality. The completion check-up is done by the completion check-up board. A building that has not passed the completion check-up may not be used.

63. Under articles 19-29 of the Law on City and Town Administration, the city or town administrative organs as well as the institutions, enterprises and organizations concerned should ensure drinking water, heating and disposal of excrement in conformity with the supply standard or the hygienic norm. The facilities for water supply and drainage or for heating of dwellings may not be taken away or transformed in structure without permission, nor may a set-up that disturbs lighting be installed.

64. As the DPRK Government and the people's power organs at all levels are the bodies responsible for the livelihood of inhabitants, there is nobody who is homeless and lives outdoors although there are households with insufficient dwelling conditions.

VII. ARTICLE 12 - RIGHT TO ENJOYMENT OF PHYSICAL AND MENTAL HEALTH

A. Physical and mental health

65. Every citizen is entitled to have his or her life protected and to enjoy physical and mental health under the Constitution, the Public Health Law and the Labour Law.

66. By the popular public health policy of the State, infectious and other diseases were reduced, the mortality rate decreased and the average life span lengthened to 74 years in the 1990s. But in the mid-1990s some health indices got worse. Some acute epidemic diseases increased: TB, malaria, etc., which had disappeared, revived; infant and general mortality grew; and the average life expectancy shortened. This was due to the successive natural disasters from 1994 and the collapse of the socialist market in the early 1990s, which brought about unexpected difficulties in industry, agriculture and various other sectors of the national economy.

Table 12

Major health indices

Year	Birth rate	Mortality	Infant mortality
1995	40.5	20.9	56.4
1960	38.5	10.5	37.0
1970	44.7	7.0	22.7
1980	21.8	4.5	14.2
1990	22.0	5.9	9.2
1993	20.0	5.5	14.1
1996	20.1	6.8	18.6
1998	18.2	9.3	23.5
1999	17.8	8.9	22.5

Table 13
Average life expectancy

Year	Average	Male	Female
1936-1940	38.4	37.3	39.5
1957	57.0	55.0	59.0
1960	58.3	56.0	59.0
1964	59.9	57.5	61.9
1969	63.8	62.0	68.0
1972	66.0	62.9	68.9
1986	74.3	70.9	77.3
1991	74.5	71.0	77.6
1993	72.7	68.4	76.0
1996	70.1	67.3	75.0
1999	66.8	62.8	70.7

67. By the concerted active efforts of the Government and people and the effective assistance of the international community, a great deal of damage from natural disasters has been repaired, people's lives markedly stabilized, and the material support to public health gradually improved, thereby producing advances in people's health.

B. Health policy

68. The DPRK has introduced the universal free medical care system. Under article 9 of the Public Health Law: "The State provides every citizen with the benefits of complete free medical service. The workers, farmers, working intellectuals and all the rest of the citizens have the right to free medical treatment." All citizens enjoy the benefit of free medical service irrespective of sex, occupation, place of residence, party affiliation, religious belief, etc. Every medical service is free including all medicine supplied to patients, diagnosis, tests, treatment, operations, sick calls, hospitalization, medical check-ups, consultations, vaccinations, midwifery, blood transfusions, dental prostheses, etc. The State pays even the travel costs to and from the sanatorium, not to speak of the recuperation fee.

69. The State, under articles 3 and 18-28 of the Public Health Law, directs efforts first and foremost to prophylaxis. The Government leads public health and other agencies, enterprises and organizations to widely conduct hygienic propaganda and education activities in various forms and methods so that the masses of people may participate voluntarily in hygienic work, protect and look after their health in a scientific way and prevent diseases. Also, the Government takes measures to prevent pollution, create and maintain hygienic and a cultural labour environment and conditions, secure labour protection supplies and hygiene protection instruments, prevent industrial diseases, and intensify sterilization, inoculation, quarantine and anti-epidemic work so that epidemic diseases may be prevented. The Government, in order to carry out the prophylactic line, consolidates and develops the section-doctor system, an advanced medical service system.

70. The State pursues in preventive and curative medical care the policy of attaching primary importance to the settlement of scientific and technological issues and developing *Juche*-oriented medical science by rationally combining modern with traditional *Koryo* medicine.

71. The State trains medical workers in a planned way in conformity with the developing realities, and brings them to be devoted to patients as engineers of human life and faithful servants of the people, incessantly improve their scientific and technical quality and strengthening collective discussion in their medical care.

Table 14

Number of medical workers

Year	Number of medical workers per 10 000 population
1949	3
1960	19.5
1970	34.3
1980	43.4
1990	39.9
1998	44

72. The Government pays deep attention to properly meeting the requirement of primary health care in its fulfilment of the public health policy.

C. Infant mortality

73. The State takes good care of the health and nutrition of children and mothers. But the natural disasters did a great injury to the health of children.

Table 15

Infant and under-five mortality rate

Year	Infant mortality	Under-5 mortality
1993	14	27
1994	15	28
1995	15	32
1996	19	40
1997	21	43
1998	24	50
1999	23	48

D. Living conditions and environment

74. The State makes great efforts to create appropriate living conditions and a cultural and sanitary environment for all inhabitants. Under the Law on City and Town Administration, the Law on Public Sanitation and the Law on Prevention of Infectious Diseases a certain space around a water source, a water-supply reservoir and a pumping station is fixed as a hygienic protection district so as to prevent contamination of water; drinking water of the required quality is supplied to inhabitants; the waste pipe network is kept in good repair and waste water is purified as required before it flows out beyond the hygienic protection district.

Table 16

State of drinking water use by sources (2000 MICS)

Category	%
Indoor water service	79.7
Yard water service	1.4
Public water service	1.6
Pump	6.6
Sheltered well	10.8

The MICS conducted in 1998 showed that all households were using excretion-disposal facilities.

E. Preventive inoculation against infectious diseases

75. The State maintains the policy of eradicating epidemic diseases and of protecting the life and health of people by strictly establishing a preventive inoculation system and order against infectious diseases. In accordance with the Law on Prevention of Infectious Diseases, the bodies to prevent infectious diseases investigate and contact the persons to be inoculated on a periodic or temporary basis and vaccinate them in a planned way.

Table 17

Immunization rate (1998)

Index	Rate (%)
Tuberculosis	63.9
Diphtheria	37.4
Poliomyelitis	76.5
Measles	34.4

76. The number of pregnant women who are cared for by a qualified medical worker is mentioned in paragraph 43.

77. The health situation does not vary by region or population groups. Now that all health facilities are owned by the State and society and the Government values health promotion of working people without any thought of profit, the citizens are guaranteed medical service of the highest possible quality on an equal footing, irrespective of region, stratum, occupation, etc.

F. Right to health of elderly people

78. As medical care is completely free in the DPRK, elderly persons' right to health is never infringed by the "rising costs" of health care. The State took measures to foresightedly cope with the aging of the population. In 1976, the State set up the Cooperative Research Centre of Gerontology under WHO and the gerontological laboratories in various research institutions to inquire into the aging of the population, gerontological contraction, the life and activity of the aged, especially the everyday behaviour of the bed-ridden aged, and lay the foundation of possible foresighted measures. The State provided the scientific basis for gerontological sanitation and improvement of life organization through a national prognostic survey and strengthened the health care and the hygienic administration corresponding to the specific characteristics of individual old persons through the section doctors. In 1992, gerontological departments were established anew in central and provincial hospitals. The hospitals at city (or district) and county level organized gerontological laboratories as well, to take account of the special characters and requirements of old people in their treatment and nursing. From the early 1990s, the *Taekwondo* and rhythmic gymnastics, particularly for the health protection of the aged, were developed and widely disseminated through TV, newspapers and magazines and by the section doctors.

G. Primary health care

79. The State took measures to let broad masses of people participate in the work for primary health care. The Almati Declaration, the National Health Strategy and the concepts of primary health care have been put into a plain version and distributed among the health-related institutions, departments, public organizations, press and report organs, educational and cultural establishments, etc. and lectures have been given on them. On the occasion of the WHO South-East Asia Regional Conference on the primary health service held in September 1983 in Pyongyang, examples were set in three counties and two cities (or district) which developed primary health service into a mass drive. The Conference further enhanced the social attention to primary health care and promoted it.

80. In order to popularize primary health care, the State originated the "Campaign to Win the Title of Model Public Health County". This was a mass movement for collective innovation in hygienic, cultural, anti-epidemic and medical service work by mobilizing all the institutions, enterprises, public organizations and inhabitants within the region with a county (or district) as the unit. The unit that passed the State judgement was conferred the title and flag of "Model Public Health County" and the advanced workers were commended officially. This campaign served as a powerful propelling force of the fulfilment of the National Health Strategy.

81. On 31 August 1988, the DPRK Research Institute of Public Health Administration was designated a WHO cooperative primary health care research centre. WHO activated the exchange of information on the implementation of the primary health-care strategy as well as on the achievements, experiences and lessons of different countries and regions of the world. And by the selection of some counties and districts as the research base, the models of primary health care were created for the various regions with different natural, geological, productive and economic characteristics. The State generalized the models to energetically promote primary health care on a higher level in the whole country.

H. Education concerning prevailing health problems

82. The State took measures to educate on prevailing health problems and the ways to prevent and control them. Attention was focused on regular education to enhance the sanitary awareness level of the new generation and on mass hygienic propaganda to improve hygienic knowledge and the cultural level of life of the general public, with the aim of preventing acute epidemic diseases, parasitosis and common diseases, avoiding loss of working ability, encouraging popularization of physical culture and reforming dietary customs. The regular hygienic education includes education in personal and public hygiene from kindergarten, "hygienics" as a subject from the secondary school, including human anatomic physiology, common knowledge of preventing acute epidemic diseases and parasitosis, etc. and teaching schoolgirls female physiology and baby nursing about 20 hours a year from third to sixth grade of secondary school. For mass hygienic propaganda and education, there is the people's public health agency directly under the Ministry of Public Health in the centre, the hygienic propaganda hall in each province and the full-time hygienic propaganda doctors in each city or county hospitals and sanitary prevention centre. The people's public health agency is the centre of the organization, methodology and technique of mass hygienic propaganda and the production base of visual aids and propaganda articles including publications and models. The provincial hygienic propaganda hall offers organizational, methodological and technical guidance to the hygienic propaganda work in view of the realities of the province, under the direction of the people's public health agency. And the full-time hygienic propaganda doctors of the city or county hospitals and sanitary prevention centres are responsible for the dissemination of the hygienic propaganda articles to the medical workers, schools, public establishments, cinemas, clubs, etc. within the city or county and the organization and guidance of the hygienic propaganda by doctors, nurses, teachers, students and pupils. The doctors and nurses of all hospitals, clinics and sanatoria are also in charge of the institutions, enterprises or a certain number of households within their districts for hygienic propaganda. Besides, hygienic education is given to the public by publications, hygienic propaganda teams and women's sanitary propaganda rooms.

83. International assistance plays an important role in ensuring the right to enjoyment of physical and mental health. With material and technical assistance, WHO, UNICEF, etc. are contributing practically to the development and realization of the various programmes of the State for the health protection of citizens and to the training of experts and the raising of the technical ability of the functionaries on the job.

VIII. ARTICLE 13 - RIGHT TO EDUCATION

A. Education policy

84. The State, under the policy of putting education ahead of all other work, spares nothing for the education of the rising generation. By the progressive education system and the popular policy of education, every citizen fully enjoys the right to education. The right to education and its realization is guaranteed by the Constitution and the legislation on education.

B. Right to compulsory and free primary education

85. The universal compulsory free primary education system was introduced in 1956. The State established branch schools even in remote mountainous areas or secluded islands so that there might not be any school-aged child who has no access to primary education. The children who have nobody to support them lodge at the dormitory of primary and secondary orphans' schools to live and get free education at State expense.

C. Right to secondary education

86. The State provides all school-aged children with compulsory free secondary education. This has been realized in three stages. At the first stage, universal compulsory 7-year secondary education was enforced in 1958, when 3-year junior secondary education was made compulsory by law. As a result, all pupils who finished the 4-year primary schooling could get lower secondary education. At the second stage, 5-year secondary schooling was made compulsory by the law on introducing universal compulsory 9-year technical education proclaimed in 1967. The former 3-year secondary schooling was combined with 2-year technical schooling to be turned into 5 years of secondary schooling, enabling all pupils to get a basic technical education along with general secondary education. At the third stage, the 6-year senior secondary schooling was made compulsory by the law on enforcing the universal 11-year compulsory education in 1972. This was to give complete general secondary education to all children until they reached the age to work. Based on this achievement, the State stipulated in article 45 in the Constitution: "The State shall develop universal compulsory 11-year education which includes a compulsory 1-year pre-school education at a high level in accordance with the trend of modern science and technology and the practical requirements of socialist construction." The adoption of the Education Law in July 1999 consolidated the right to secondary education. Secondary education is completely free.

D. Right to higher education

87. Higher education is enforced through the spare-time higher educational system as well as the regular higher educational system. Article 8 of the Education Law provides: "Making all members of society intellectuals is the long-term objective of socialist education. The State shall further develop the spare-time higher educational system along with the regular higher educational system as conditions mature, so as to make all members of society intellectuals and help the entire people continue study throughout their lives." Those who have finished the 11-year compulsory education are entitled to get higher education according to their hope and aptitude under the Constitution and the Education Law. Such spare-time higher educational

institutions as factory colleges, farm colleges and fishermen's colleges have been established for the young people who work in factories, enterprises or cooperative farms instead of going on to regular universities. And evening courses are attached to universities. The State emphasized expanding the spare-time higher educational institutions and consolidating their education in recent years. Education has been completely free in every educational institution since March 1959 by the Cabinet Decision on abolishing tuition fees. The State grants scholarship to the students of universities and higher specialized schools and gives free education to spare-time students paying them a salary according to the job position they occupy.

88. In the DPRK, there is nobody who has not received primary education thanks to the universal compulsory primary education system that has been enforced since 1956.

E. Difficulties in the realization of the right to education

89. In the reporting period, difficulties were also caused in the realization of the right to education by natural disasters. The flood of 1995 alone destroyed 2,290 schools and 4,120 kindergartens and washed away a lot of educational facilities. And normal production was hindered by the damage in paper factories, production units of educational apparatus and other related sectors. What was most serious was that teachers and schoolchildren were not supplied with enough to eat owing to the shortage of food and thus their health suffered greatly. The State took such urgent measures as allocating funds preferentially to repairing the damage in the educational field, mobilizing the whole country to assist it, etc.

F. Fundamental education

90. The State, by conducting the nationwide "anti-illiteracy campaign" after liberation, completely abolished illiteracy by the end of 1949. And in 1956 the universal compulsory primary education system was introduced, whereby everybody received primary education, and the issue of fundamental education was finally settled.

91. There is nobody who leaves in mid-course primary and senior secondary schools, the institutions of universal compulsory 11-year education. In accordance with article 14 of the Rules under the Enforcement Regulation of the Education Law issued by the Ministry of Education in April 2000, general educational schools postpone until 19 years of age the duration of compulsory education of the children who cannot finish their secondary general education for illness or other justifiable reason subject to medical certificates or confirmation of the county-level preventive and curative institutions or other organs concerned.

G. Education system

92. The State enforced universal compulsory 11-year education, which includes a compulsory 1-year pre-school education under article 45 of the Constitution. As of 1999, the number of primary school pupils was 1,657,000 and that of senior secondary school pupils 2,195,000. In rural areas, school-attending distance should, in principle, be less than 2 km for primary school and 4 km for senior secondary school.

Table 18**Education system in 2000**

Higher class of kindergarten	1 year
Primary school	4 years
Secondary school	6 years
Specialized school	2-3 years
College/university	3-6 years

H. Equal right to education

93. Every child has the right to school education at all levels. All children are enrolled in primary and secondary schools without any exception. Every child, boy and girl, receives compulsory education between 6 and 16 years of age.

94. The State takes positive measures to let every child enjoy an equal right to education. Education is completely free at all levels and therefore is not affected by the difference in the income of the parents. The State grants subsidies as well as scholarships to the students of university, college and specialized schools belonging to the higher educational system and the pupils of the schools for the blind or the deaf and dumb. Such benefits are bestowed without discrimination to all of the urban or rural areas and social groups.

95. The State has put forward the task of realizing compulsory higher education in the future on the basis of the compulsory general education enforced through the universal compulsory 11-year education system. The State also plans to gradually extend the scope of free education. The State will expand boarding facilities to support the life and study of students at the public expense.

I. Preferential treatment of teachers

96. The State ensures that educational workers are preferentially treated and respected by the community. Article 27 of the Education Law provides: "Educationalists shall have sound moral traits and acquire profound scientific and technological knowledge and great teaching ability, and teach students with a strong sense of responsibility. The State shall ensure that society gives prominence to educationalists and respects them." It is one of the major policies of the Government and the social morality to treat preferentially and respect teachers. Many teachers participate in the administration of the country as deputies to the supreme and other people's assemblies. The teachers who have rendered distinguished services for education are conferred the title of merited teacher or people's teacher and the teachers successful in scientific research the titles of merited scientist, people's scientist and such academic titles or degrees as academician, professor, doctor, master, etc. so that they may be highly respected by the society.

97. The State pays deep attention to the livelihood of teachers. Dwellings are preferentially supplied to teachers and teachers' shops or counters are set up at their residential districts lest they should have any inconvenience in their life. Single teachers are secured lodging with priority by local government organs and the teachers with long service records are treated as men of merit.

Table 19

Number of teachers at various educational levels (1999)

(Unit: 1,000)

Primary school	69
Senior secondary school	112
College	13
University	35

J. Private school

98. There is no private school in the DPRK. Educational institutions are established by the administrative organs concerned. Primary and senior secondary schools are set up by the educational department of the provincial, city or county people's committees with the consent of the Ministry of Education and the organ concerned, and universities, colleges and other higher educational institutions by the organs concerned with the consent of the Cabinet.

K. International cooperation for realization of the right to education

99. Article 11 of the Education Law stipulates: "The State shall develop exchanges and cooperation with other countries and international organizations in the educational sector." The State appreciates international cooperation for the full realization of everybody's right to education and makes efforts to develop the exchanges and cooperation with other countries and international organizations. In the reporting period, international cooperation made an important contribution to overcoming the damage caused by natural calamities to the educational sector. The damage in the educational sector amounted to US\$ 150,903,000 in 1995 and US\$ 213,735,000 in 1996. Teachers and children suffered from food shortages and the destruction of schools and dormitories adversely affected education. In such a situation, the DPRK received a lot of assistance, including rice, from various countries and governmental or non-governmental international organizations. International cooperation contributed to the qualitative improvement of all education from primary to university level. International cooperation of various forms including mutual exchange of educational delegations, experiences, visiting scholars, scientific, technological and educational books, information data, etc. remarkably contributed to enhancing the quality of education and the realization of the right to education.

IX. ARTICLE 14 - COMPULSORY PRIMARY EDUCATION

100. Universal compulsory free primary education has been enforced since 1956 in the DPRK.

X. ARTICLE 15 - RIGHT TO TAKE PART IN CULTURAL ACTIVITIES AND ENJOY THE BENEFITS OF SCIENTIFIC PROGRESS

A. Popular participation in culture

101. Citizens have the freedom and the right to scientific, literary and artistic activities. The Constitution provides in article 74: "Citizens are free to engage in scientific, literary and artistic pursuits" and in article 52, paragraph 2: "The State shall encourage creative workers and artists to produce works of high ideological and artistic value and enlist the working masses widely in literary and artistic activity."

102. The State, in conformity with the policy of popularizing literature and art, supplies broad masses of people with every condition to fully enjoy cultural life, and the expense is all borne by the State, institutions, enterprises and social cooperative organizations. There are the Grand People's Study House, grand theatres, art theatres, drama theatres, cinemas, libraries and various other cultural institutions and facilities at the central and provincial levels, a house of culture and libraries in each county and a cultural centre or a cultural propaganda hall in the lowest unit, that is the *ri*, institution or enterprise, for working masses to make extensive use of. The institutions, enterprises, social cooperative organizations, educational establishments and the units where there are working people have various art circles or propaganda squads so that workers, peasants, youth, students, children and all citizens may take part in the literary and artistic activities according to their wish. And the singing contests of different sections such as working people, agricultural workers or housewives, the national festivals of art or drama, the prize contest of literary and artistic works, the exhibition of fine art or photos and various other functions are organized for all citizens to broadly participate in. The winners receive a prize. The workers, peasants, youth and students contribute to the festivals or performances novels, poems, drama scripts, music, dances or fine art of their own creation. The distinguished persons are enrolled to develop as professionals.

103. Younger generations are educated from an early age to be possessed of the basic knowledge needed to enjoy and create literary and artistic works as well as the skill and emotion to play one or more musical instruments. Youth and children are given enough opportunity to give full scope to their artistic aptitudes and talents by the widely conducted extracurricular art circle activities at all levels from kindergarten to university. Such extracurricula activities include literature, music, dance, fine art, etc. and are taken part in by all children and young people irrespective of whether they live in urban or rural, flat or mountainous areas.

104. Cultural institutions have a convenient infrastructure to encourage the enjoyment of culture by the masses. The cultural institutions and facilities including theatres, museums, cinemas, gymnasiums, etc. have organizational and planning departments, inquiry departments, ticket departments, etc. to enable people to freely participate in cultural life without any

inconvenience. For example, the Grand People's Study House, which is a library with a capacity of 30 million volumes and one of the centres of national intellectual and cultural life, has infrastructure convenient for everyone to attend short courses, lectures, retraining and various services as well as book services. It has departments for translation, recording or publishing of foreign books, research of data needed in different sectors of the national economy, reading, scientific research, etc. as well.

105. The DPRK is a homogeneous nation and has a single cultural tradition. However, some regional characteristics may be found. The Government encourages, gives wide publicity to, inherits and develops in conformity with the modern aesthetic sense the native regional cultures that have been handed down historically, to let the whole nation enjoy them together.

B. Role of mass media

106. The State pays deep attention to enhancing the role of mass media and communications media to meet better the daily growing cultural and sentimental requirements of the masses of working people. The TV network and the radio broadcasting take an important place in promoting the participation of the masses in cultural and sentimental life. In February 1997, the channel of education and culture was newly arranged to broadcast multifarious cultural programmes covering literature, art, education, sports, health and many other sectors of social life. Radio broadcasting by different stations propagate music and the information helpful to people's cultural life. *Rodong Sinmun*, *Minju Joson*, *Chongnyon Jonwi*, *Pyongyang Sinmun* and other central, local or public organizational newspapers carry multifarious information necessary for the cultural life of working people. They also introduce new literary works and the programmes for literary and artistic prizes to help participation of the masses in cultural life.

C. Preservation of national cultural heritage

107. The State carries out the policy of preserving in its origin, properly inheriting and developing the national cultural heritage to heighten the national pride of people. Article 5 of the Law on Preservation of Cultural Relics stipulates: "It is the invariable policy of the State to preserve cultural relics. The State shall pay deep attention to the preservation and maintenance of cultural relics and ensure that the work is conducted in conformity with the historical facts and the requirement of the developing reality." To this end, the State has set up such State institutions as the General Bureau of Cultural Preservation and the Research Institute of Cultural Preservation, and adopted the Law on Preservation of Cultural Relics so that the work is attended to by the whole country and society. A lot of historical relics have been unearthed of the primitive, the Paleolithic, the Neolithic, the Bronze, the mediaeval and other ages and have been restored to their original state. The *Tangun Tomb*, the Tomb of King *Tongmyong* and the Tomb of King *Wanggon*, the tombs of the three major founder kings and many old castle gates and buildings have been reconstructed and demonstrate the advanced architecture of the forefathers. Large-sized central and provincial museums of history have been built splendidly and serve as the preservation bases of historical relics, and the centres of academic research and education in history and culture.

D. Freedom of artistic creation and dissemination

108. Every citizen has the freedom of artistic creation and dissemination under the Constitution, the Copyright Law and the legislation on the press that provide for the freedom of literary and artistic activities. The State took various steps to let popular masses as well as creators and artists actively participate in creative and other literary and artistic activities. Those who have a taste for literature and art are enrolled as literary correspondents from factories, countryside, institutions, enterprises, etc. and are encouraged in their creation work. And national prize contests of literary works are organized to praise and give due prizes to the excellent ones, enhancing the creative zeal of working people. The works created by working people are widely disseminated through mass media and the local or central stages like the art festival, singing contest, etc. organized on the scale of institutions, enterprises, regions, production branches or the whole country.

E. Professional education in culture and art

109. The State consolidates professional education in culture and art to give full scope to the talent and aptitude of the rising generation and the working people. In view of the characteristics of cultural and artistic education, the State has attached art educational institutions to the Ministry of Culture, enabling the latter to give comprehensive guidance. There are central artistic universities in the capital including the Music and Dance University, the University of Drama and Cinematics and the University of Fine Arts, and in provinces, city or county art colleges, early vocal music or actors' courses of senior secondary school and music classes of kindergarten for systematic art education. The students and pupils are recruited by selection on a nationwide scale each year. The artistic universities have 4 to 5-year diverse special courses, 2 to 3-year post-graduate courses and doctoral institutes. Able persons in active service are allocated as teachers or part-time lecturers for the highest possible educational quality.

F. Application of scientific progress

110. Citizens have the freedom of scientific and technical activities and the right to enjoy the benefits of progress. The DPRK carries out the policy of valuing science and technology. Under articles 25 and 27 of the Constitution, the State conducts all economic activities giving primary preference to technical development, pushed ahead with scientific and technical development and the technical renovation of the national economy, vigorously launches the mass technical innovation movement so as to free the working people from difficult, tiresome labour, narrows down the distinctions between physical and mental labour and allots the material wealth of society to the promotion of the well-being of the working people.

111. The State enacted the Invention Law in 1998 and revised and supplemented the Law on Science and Technology in 1999 to encourage the scientific research work and let everyone enjoy the benefit by immediately putting the successes into production. By virtue of the laws, the State institutions of planning, labour administration, material supply, finance and banking ensure timely supply of labour, materials and funds necessary for invention and research, and new science and technology, either invented or imported, are examined in time to be introduced

into production. The Regulation on Examination, Registration and Introduction of Scientific and Technological Achievements (Cabinet Decision No. 42, 9 May 1999) encourages the introduction of the progressive and economically effective achievements of science and technical renovation and imported technology, comprehensively stipulates the rational procedures and methods of examination, registration and introduction of scientific and technological achievements, and provides that the work of groups or individuals in research or innovation shall be fairly estimated, and that the creators receive high tribute from the community, commendations, prizes and other material or monetary benefits and are treated preferentially.

112. By the State policy and the new legislation of attaching importance to science and technology, remarkable progress, including globally recognized successes, has been achieved in science and technology in recent years, a change has taken place in the modernization of the national economy and the benefits to people through science and technology have speedily increased.

G. Preservation of natural heritage

113. In order to preserve scenic spots, natural monuments and other natural heritage and make the environment healthy and pure, the Law on Preservation of Scenic Spots and Natural Monuments and the Law on the Protection of the Environment have been adopted and their execution is seriously attended to. The preservation and maintenance of scenic spots and natural monuments are undertaken by the whole country under the responsibility of the General Bureau of Cultural Preservation. The State has surveyed and registered all of the scenic spots and natural monuments, defined their protective districts and ensures that not only the administrative organs but also the institutions, enterprises and organizations concerned take care of the scenic spots and the natural monuments in a scientific and technical way.

114. The State has enacted the Law on the Protection of the Environment, the Law on Prevention of Sea Pollution, the Law on Protection of Useful Animals, the Law on Control for the Protection of Land and Environment, etc. to protect the environment for the popular masses. The State has fixed special protection districts such as the protection districts of nature, of animals, of plants and of marine resources to preserve the natural environment in its original state. The months of general mobilization for land administration, of planting trees, of beautifying towns and of other environmental protection have been fixed to let all citizens pay attention to the protection of the environment.

H. Information system of science and technology

115. The State has established an integral system of collecting, analysing and processing the internal and external information necessary for the development of the country's science and technology to regularly impart them to the scientists, technicians and officials concerned. The State has the Central Information Agency of Science and Technology and the branch agencies under it in each province, and serves all counties, factories and enterprises various scientific and technological information through the Intranet connecting them. Besides, the State periodically publishes and disseminates 40-50 kinds of technical information matters such as the Information

of New Technology, the Data of Practical Technology, etc. The Central Information Agency of Science and Technology not only translates and informs about up-to-date scientific and technical materials of other countries, but also searches for and serves the technical materials required by factories and enterprises.

116. The State organizes scientific and technological exhibitions, seminars, meetings for exchanging experiences at the central, provincial, municipal or country levels to give wide publicity to inventions and contrivances of economic significance, by which the scientific and technological achievements are introduced into production promptly.

I. Protection of intellectual property rights

117. A citizen has the right to benefit from the protection of the moral and material interests resulting from the work of which he or she is the author. Article 74 of the Constitution states: "Citizens are free to engage in scientific, literary and artistic pursuits. The State shall grant benefits to inventors and innovators. Copyright, inventions and patents shall be protected by law." Cabinet Decision No. 17 of 11 March 2000, On Approving the Enforcement Regulations of the Invention Law, stipulates: "Inventions and patents shall be protected by law. The State administrative body of science and technology, the institutions and enterprises concerned shall protect and ensure the accurate exercise of the right of the inventors and patentees." The State adopted the Copyright Law in cooperation with the World Intellectual Property Organization to encourage the writing activities of citizens and protect their copyrights more thoroughly.

118. The State administrative bodies of science and technology, the institutions and enterprises concerned, while protecting creations by law, let the community pay a high tribute to and confer commendations, higher degrees of science and technology and prizes upon the citizen who has either greatly benefited the State or distinguished himself or herself by introducing an invention, in accordance with the laws, regulations or enforcement rules concerned. By articles 41 and 42 of the Invention Law and article 64 of its enforcement regulation, those who encroach upon the right of inventors or patentees pay due damage or are subject to administrative or penal responsibility according to the gravity. The damage is determined by the institution concerned in view of the loss caused by the encroachment.

J. Creation of conditions for scientific research and creative activity

119. The State ensures every condition and convenience for the scientific research and creative activity of scientists and creators in conformity with the Law on Science and Technology, the Invention Law, and the Copyright Law and their enforcement regulations. The State systematically increases its investments in the field of science and technology, and preferentially provides scientists with dwellings, laboratories, research rooms, intermediary pilot plants, labour, facilities, materials and funds. To persons of literature and art, the State supplies at its own expense theatres, rooms for creative work, musical instruments, costumes and other materials needed for their creations and performances.

120. Scientists and the scientific research institutions exchange views and experiences through public discussions, seminars, exhibitions and publications. Full-time writers and artists exchange their achievements and experiences through panel discussions, examinations or consideration of their work, public skills presentations, experience exchange meetings, etc. and part-time writers and artists through prize contests, national festivals, competitions, exhibitions, shows, etc.

K. International cooperation in science and culture

121. The State maintains a policy of developing exchanges and cooperation in science, technology and culture with other countries and international organizations under the ideal of independence, peace and friendship in its external relations.

122. The Regulation on Exchange and Agreement in Science and Technology with Foreign Countries (Cabinet Decision No. 31 of 17 March 1999) enacted under the Law on Science and Technology encourages the conclusion of agreements, protocols, programmes, contracts, etc. between Governments, academies of science and institutions, dispatching or accepting lecturers, technical advisers, scientists, technicians and experts in the form of delegations, inspection parties or practice groups, exchange of periodicals, books on science and technology, technical documents and samples for research, organization of exhibitions, joint research, and other international scientific and technological cooperation, stipulating their detailed procedures, methods and guarantees.

123. The State exchanges delegations and art troupes with other countries in accordance with its programme of science, technology and culture and actively participates in the conferences, short courses, seminars, exhibitions, etc. organized by the international scientific and cultural organizations including the United Nations Educational, Scientific and Cultural Organization or WIPO.

124. The Government exerts itself to promote international contacts, exchanges and cooperation in culture by hosting the April Spring Friendship Art Festival, the Film Festival of the Non-Aligned and Other Developing Countries and various international meetings.
