

UN CRC	Ratification Date	Care-Related Concluding Observations
	<p>21 Sep 1990</p>	<p>CRC/C/PRK/CO/5</p> <p>23 October 2017</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPRK%2fCO%2f5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPRK%2fCO%2f5&amp;Lang=en</a></p> <p><b>IV. Main areas of concern and recommendations</b></p> <p><b>A. General measures of implementation (arts. 4, 42 and 44 (6))</b></p> <p><b>Data collection</b></p> <p>9. The Committee notes the State party's recent efforts on data collection. However, it remains concerned about the overall absence of published information and the limited availability of official data, which prevents the systematic and comprehensive monitoring and evaluation of progress achieved and assessment of the impact of policies adopted with regard to children. The Committee is seriously concerned about the lack of availability of data disaggregated by age, gender and location on child poverty, violence, abuse and neglect, stateless children, children with disabilities, adolescents, children deprived of a family environment, juvenile justice, children in street situations, education, health and the impact of climate change and disasters on children.</p> <p><b>C. General principles (arts. 2, 3, 6 and 12)</b></p> <p><b>Best interests of the child</b></p> <p>16. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:</p>

		<p>(a) Ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, particularly to prevent the unnecessary separation of children from their parents and their placement in residential care institutions, as well as in all policies, programmes and projects that are relevant to or have an impact on children;</p> <p><b>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</b></p> <p><b>Violence, abuse and neglect</b></p> <p>28. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>...</p> <p>(b) Take prompt measures to assess the situation of children in residential facilities in border regions, ensuring full respect for the rights of the child, investigate any acts of violence against these children, and prosecute and punish any perpetrators of such acts, including sexual abuse;</p> <p><b>F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))</b></p> <p><b>Family environment</b></p> <p>30. The Committee notes the measures taken by the State party to support families and recommends that the State party:</p> <p>(a) Strengthen its efforts to promote the common responsibilities of parents and to involve fathers continuously in their children's education and development;</p> <p>(b) Assist parents in their child-rearing in a supportive and constructive manner without undue pressure and provide support and counselling to them to solve family conflicts in a manner that respects their privacy;</p> <p>(c) Review the legislation regarding divorce to ensure that custody decisions are based on the principle of the best interests of the child;</p>
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		<p>(d) Ensure that children are separated from their parents only as a last resort and when it is in the best interests of the child.</p> <p>31. The Committee also recommends that the State party take measures to allow and promote regular communication and the development of a personal relationship between the child and his or her parents and family members who do not reside in its territory.</p> <p><b>Children deprived of a family environment</b></p> <p>32. While noting the measures taken by the State party to improve the living conditions of children in institutional care, the Committee regrets that its previous concluding observations (CRC/C/PRK/CO/4, para. 37) remained largely unaddressed. The Committee remains concerned about:</p> <ul style="list-style-type: none"><li>(a) The significant number of children who continue to be placed in institutions, from birth to the age of 16 years, and the construction of new baby homes and orphanages, indicating an increasing trend of institutionalization, with no clear guidelines on the criteria for their placement;</li><li>(b) The lack of information on individual follow-up to regularly review children's institutionalization and avoid the lasting consequences of long-term institutionalization;</li><li>(c) The existence of separate schools for children living in institutions and the campus-like living conditions, which hinder reintegration in society;</li><li>(d) The limited and anecdotal information provided on other forms of alternative care;</li><li>(e) The policy of placing children with disabilities in residential institutional care.</li></ul> <p>33. Drawing the State party's attention to the United Nations Guidelines for the Alternative Care of Children, and recalling its previous concluding observations (CRC/C/PRK/CO/4, para. 37), the Committee recommends that the State party:</p> <ul style="list-style-type: none"><li>(a) Undertake a study to identify why children are placed in public care, with a view to developing family-based alternatives, and support children in singleparent families;</li><li>(b) Establish criteria and safeguards, based on the needs, views and best interests of the child, for determining whether the child, particularly a child with disabilities, should be placed in public care. The fact that his or her parents divorce should not be considered a ground to place a child in an institution;</li></ul>
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		<p>(c) Develop and implement procedures for the periodic review of the placement of children in institutions and foster care, and monitor the quality of care therein, including by providing accessible mechanisms for reporting and remedying ill-treatment of children;</p> <p>(d) Review the policy of establishing campus-like institutions with a view to facilitating the regular interaction and reintegration of children in institutions into society;</p> <p>(e) Seek technical cooperation in this respect from, among others, UNICEF, regarding experiences, best practices and lessons learned in deinstitutionalization.</p> <p><b>Adoption</b></p> <p>34. The Committee recommends that the State party review its legislation on adoption to ensure that the best interests of the child are the paramount consideration, and remove the current criteria on the political views of the prospective adoptive parents. The Committee recommends that the State party consider acceding to the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.</p> <p><b>Children of detained parents</b></p> <p>35. The Committee urges the State party to ensure that children are not in any way punished, sanctioned or detained for their parents' crimes, and that children have regular contact with their detained parents if they so wish, including when parents are detained in political prison camps.</p> <p><b>I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)</b></p> <p><b>Children in street situations</b></p> <p>56. The Committee notes the information provided by the State party during the dialogue that there are no children in street situations (kotjebi) but remains concerned about children who migrate to cities due to poverty and neglect and are forcibly returned to their place of origin where they may face further abuse and forced institutionalization. With reference to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:</p> <p>(a) Assess the number of children living and/or working on the streets, and conduct a study on the root causes of their situations;</p>
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		<b>Country Report</b>
		<p>CRC/C/PRK/5</p> <p><b>25 October 2016</b></p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPRK%2f5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPRK%2f5&amp;Lang=en</a></p>
<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	10 Nov 2014	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
<b>ICCPR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>

	14 Sep 1981	
<b>ICESCR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	14 Sep 1981	
<b>CEDAW</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	27 Feb 2001	
<b>CRPD</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	6 Dec 2016	
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	1 May 2014	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/KPIIndex.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/KPIIndex.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Accession Date</b>	<b>Link to Country Profile</b>
	N/A	N/A

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

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[www.bettercarenetwork.org](http://www.bettercarenetwork.org)



Country Care Review:  
Democratic People's  
Republic of Korea

OPSC to CRC    Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography  
UN              United Nations  
UPR             Universal Periodic Review