



# CHILD SOLDIERS: CRC COUNTRY BRIEFS

Pre-sessional working group 36th session, February 2004

Prepared by The Coalition to Stop the Use of Child Soldiers

## NORTH KOREA

Democratic People's Republic of North Korea

### SUMMARY

<b>CRC-OP-CAC: Declaration:</b>	Not ratified
<b>Other treaties ratified:</b>	CRC; GC/API
<b>Legal minimum recruitment age: Conscripts: Volunteers:</b>	17 or 18 (unclear) 16
<b>Government Armed Forces:</b>	1,000,000 active 4,700,000 reserves, 189,000 paramilitary (active)
There are indications of under 18s in government armed forces. Children are believed to be militarised from an early age through military and ideological training in schools, camps and clubs.	

### GOVERNMENT

National Recruitment Legislation

According to Article 58 of the 1972 Constitution: "the Democratic People's Republic of Korea rests on the people's nationwide defence system". Article 86 states that: "National defence is the supreme duty and honour of citizens. Citizens shall defend the country and serve in the army as required by law". According to Article 85, "citizens shall constantly increase their revolutionary vigilance and devotedly fight for the security of the State".<sup>i</sup>

Military service is reportedly performed by all men between the ages of 18 and 24.<sup>ii</sup> According to US sources, military service lasts for five to eight years in the Army, five to ten years in the Navy, and three to four years in the Air Force. Active service is followed by part-time service in the military reserves or service in the Worker and Peasant Red Guard until the age of 60.<sup>iii</sup> The system was reportedly revised in 1996 to require service until the age of 30 for men and 26 for women or 28 in the case of women officers. The government has also introduced a system of "labour service", whereby an individual may be exempted from military service for six to seven years' labour at mines or other workplaces.<sup>iv</sup>

Contradictory information was provided in the government's 1996 report to the Committee on the Rights of the Child, which asserted that military service was strictly voluntary as provided by the Constitution although the Constitution itself appears to provide for compulsory military service and that the minimum voluntary recruitment age is 16.<sup>v</sup> During the Committee hearings, the government delegation claimed that the minimum age for military service is 17, adding that "after school and vocational training, young persons could volunteer to join the army, but as they had to meet high standards of physical fitness and development, they were often over 18 before they were allowed to start active service".<sup>vi</sup>

### Child Recruitment

It is not known how many children are recruited annually into the DPRK armed forces each year, or how many are currently serving within its ranks.

### **Paramilitary Groups**

In addition to military service within the regular armed forces, citizens are also mobilized two or three times through various institutions. All citizens are obliged to serve in several paramilitary bodies including the Worker and Peasant Red Guard, which was created in January 1959. It has units in every town, village, neighbourhood, college and workplace. In wartime, the Worker and Peasant Red Guard is required to wage guerrilla war against the occupiers. All people must have “a rifle in one hand and a hammer or sickle in the other, keeping an alert and standing posture.”<sup>vii</sup> All paramilitary troops are provided with arms and hold joint exercises with the regular armed forces.<sup>viii</sup>

### **Military Training and Military Schools**

There is reportedly widespread militarization of youth from a young age in North Korea. Foreign visitors and academic sources have reported that children from an early age are subjected to several hours a week mandatory military training and indoctrination in schools.<sup>ix</sup> The Red Guard Youth is an institution targeted specifically towards youth. It was created in 1970 and is regarded as a spiritual guide and mentor to the worker and peasant guard and has units in every high school. All high school students between the age of 14 and 16 receive basic military training within this guard. Moreover, it has been reported that North Korean students spend two months each summer in camps that combine military training with ideological studies.<sup>x</sup>

### **International Standards**

The prohibition on the recruitment of children under the age of 15 into both armed forces and armed groups has now acquired a customary international law status, and is therefore binding on all armed forces in the DPRK. The government has not signed or ratified the CRC-OP-CAC.

### **URGENT ACTIONS RECOMMENDED**

- The government of Korea (DPRK) should ratify the CRC-OP-CAC and declare its commitment to a straight 18 standard for recruitment.
- The government should take steps to ensure that domestic legislation and military regulations do not permit the recruitment and use of under 18s.

#### **⇒ QUESTIONS TO STATE REPRESENTATIVES**

- ⇒ Does the government intend to ratify the Optional Protocol on Children in Armed Conflict, and to abide by a “straight 18” standard for the recruitment of children in government armed and paramilitary forces?
- ⇒ Can the government clarify the laws, regulations and practice relating to national service and conscription?
- ⇒ Can the government provide up to date figures on the numbers of under 18s currently serving in government military and paramilitary forces?

## Are girls under the age of 18 currently being recruited into government military or

<sup>i</sup> Constitution of 27/12/72, as revised on 9/4/92.

<sup>ii</sup> Horeman, Bart and Stoljijk, Marc, Refusing to Bear Arms: a world survey of conscription and conscientious objection to military service. War resisters International, 1998.

<sup>iii</sup> US Department of Defence, North Korea Country Book, Marine Corps Intelligence Activity, Quantico, VA, 5/97.

<sup>iv</sup> [www.fas.org/irp/world/rok/nis-docs/defense04.htm](http://www.fas.org/irp/world/rok/nis-docs/defense04.htm).

<sup>v</sup> Initial Report of the Democratic People's Republic of Korea to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add. 41, 17/6/96, para. 191.

<sup>vi</sup> Summary Records of the 458<sup>th</sup> meeting, UN Doc. CRC/C/SR.458, 26/5/98, para. 37.

<sup>vii</sup> "Worker-peasant red guards 41 years old", Korean Central News Agency, 14/1/2000.

<sup>viii</sup> Horeman, Bart and Stoljijk, Marc, Refusing to Bear Arms: a world survey of conscription and conscientious objection to military service. War resisters International, 1998.

<sup>ix</sup> US State Department Human Rights reports, 2002, <http://www.state.gov/g/drl/rls/rrpt/2002/18249.htm>

<sup>x</sup> Centre for Non-proliferation Studies, Institute for Contemporary International Problems, The DPRK Report, No. 10, November – December 1997.