

Ending family violence in the Republic of Korea – challenging physical punishment of girls and boys



Global Initiative to
End All Corporal Punishment
of Children

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This briefing provides an update on the Republic of Korea in light of the state party's recent Universal Periodic Review in November 2017. In the Republic of Korea, corporal punishment of children is still lawful in the home, in some alternative care and day care settings, and in some schools.

We hope the Committee on the Elimination of Discrimination Against Women will raise the issue of violent punishment of girls and boys in its examination of the Republic of Korea and enquire about the state party's commitment to enacting legislation prohibiting all corporal punishment of children in all settings. In particular, we hope the Committee will, in its concluding observations on the eighth state party report, recommend that the Republic of Korea fulfil its commitment and ensure that *no* form of violence within the domestic sphere is condoned, including by parents against their children, and that legislation is enacted to prohibit domestic violence against all family members, including the violent punishment of girls and boys.

1 The third cycle of the Republic of Korea's Universal Periodic Review

1.1 In 2016, the Government reported that corporal punishment in the home was not prohibited unless it "violates social norms by lacking legitimate purpose or appropriate means for exercising parental authority" in which case the perpetrator would be punished for assault under the existing legislation,¹ and the 2017 national report to the Universal Periodic Review seemed to make a distinction between corporal punishment and "child abuse". However, during the review in November 2017, the Government supported a clear recommendation to prohibit corporal punishment of children in all settings.²

1.2 Following the Government's support of a recommendation to prohibit all corporal punishment at its latest Universal Periodic Review, we are seeking confirmation as to whether the Government is committed to enacting legislation explicitly prohibiting its use in all settings, in accordance with its international human rights obligation to do so.

Updated briefing prepared by the Global Initiative to End All Corporal Punishment of Children
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¹ 11 April 2016, CAT/C/KOR/3-5, Third/fifth report, para. 198

² 13 November 2017, A/HRC/WG.6/28/L.8 Unedited version, Draft report of the working group, para. 130(75)