



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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7 March 2014

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, in the course of its 84th session, considered the follow-up report submitted by the Government of the Republic of Korea, pursuant to Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the timely submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 11, 12 and 13 of the Concluding Observations (CERD/C/KOR/CO/15-16), adopted following the consideration of the State party's combined 15th to 16th periodic report during its 81st session in August 2012.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues to be included in its combined 17th to 19th periodic reports to be submitted in a single document on 4 January 2016.

Paragraph 11 of the Concluding Observations: The Committee thanks the State party for its response covering all aspects raised in the recommendation. While noting the improvement in the equal enjoyment of the right of undocumented migrant workers to join and form labor unions since 2012, as well as the introduction of less strict criteria for the transfer of migrant workers to other workplaces, the Committee expresses its regret at the State party's assessment that no further reforms to the Employment Permit System are necessary, in particular with regards to the maximum employment period.

His Excellency Mr. Choi Seokyoung
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The Committee requests that the State party considers its call for further reforms to be necessary and urgent. It requests that the State party include information on the outcome of the review by relevant government offices of a potential ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in its next periodic report.

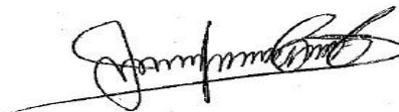
Paragraph 12 of the Concluding Observations: The Committee thanks the State party for its response and the statistics provided, noting however that they only cover part of the information initially requested and does not include any reference to measures ensuring that migrant workers who entered the country legally do not become undocumented as a result of the inflexibility of the work-permit system. It notes the lack of statistical data on the detention and expulsion of undocumented migrant workers, and observe that the State party's response does not fully correspond to the spirit of the original concern.

Paragraph 13 of the Concluding Observations: The Committee thanks the State party for its response addressing all aspects of the recommendation, and note the numerous recent efforts undertaken to improve the situation of refugees. It may wish to request additional information on new developments, such as statistics on the hearings held and rulings issued by the Refugee Committee, the appointment of additional language experts and interpreters, more concrete information on the functioning and actions of the newly created refugee support facility, and the outcome of efforts in view of securing a budget for refugees' living expenses by 2014, to be included in the State party's next periodic report. The Committee expresses its appreciation for the State party's willingness to address these issues, yet notes with concern the lack of legislative reforms envisaged that could permit the development of a comprehensive birth registration system for children of refugees. The Committee thanks the State party for featuring the statistical data that it called for in its next periodic report.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of the Republic of Korea, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



José Francisco Calí Tzay
Chair
Committee on the Elimination of Racial Discrimination