

Opening Speech by the Head of the Delegation of the Republic of Korea, Mr. Doo-Hyeon Kim, Director General for Child and Youth Activities of the Ministry for Health, Welfare and Family Affairs

<Introduction>

Honorable Chairperson and distinguished members of the UN Committee on the Rights of the Child.

It is an honor for me, as head of the delegation, to attend the consideration of the initial report of the Republic of Korea on the implementation of the Optional Protocol. I would like to extend my gratitude to the committee members for your time and efforts in the evaluation and consideration of member states' implementation of the Convention on the Rights of the Child as well as the Optional Protocol to promote 'the Best Interests of the Child.'

The Convention on the Rights of the Child and the Optional Protocol have had a strong influence on the government of the Republic of Korea in protecting and promoting the Rights of children. The recommendations of the UN Committee on the Rights of the

Child have provided a framework for improving laws and policies towards a better protection of the Rights of children in Korea.

In this regard, I firmly believe that the consideration of the initial report on the Optional Protocol will prove to be a valuable opportunity for the Republic of Korea to move onto the next level as a nation respecting the rights of children. Last May 5th marked the 86th anniversary of Korea's Children's Day instituted in 1923 by a social educator, Jeong-Hwan Bang. In the Republic of Korea, many pioneers, including him, have since strived for the promotion of the rights of children. In 1957, the government of the Republic of Korea adopted the Children's Charter, influenced by the revision of the League of Nations' Declaration of the Rights of the Child in 1948, and has since made efforts to protect and extend the rights of children.

However, despite this long history of efforts, social and cultural prejudices against children still exist and as a consequence their rights have sometimes been violated. In this regard, I would like to add that we are ready to freely engage in a constructive discussion with the Committee to resolve related problems and will be glad to take suggestions and recommendations home.

I sincerely hope the rights of all children in the Republic of Korea will be further enhanced thanks to this consideration. Now let me briefly share with you the main progress the Republic of Korea has made on the implementation of the Optional Protocol to the Convention on the Rights of the Child.

< Main Body >

■ Introduction to the State Report on the Optional Protocol

Recognizing the importance of partnership between the government and civil society organizations for the effective implementation of the Optional Protocol, the state report on the Optional Protocol was written in collaboration between line ministries, ombudspersons for children's rights and civil society organizations.

■ Information Dissemination and Implementation Mechanisms of the Optional Protocol to the UN Convention on the Rights of the Child

In 2004, in order to strengthen the implementation of the Optional Protocol, the government of the Republic of Korea established the Child Policy Coordinating Committee, chaired by the Prime Minister, through the revision of the Child Welfare

Act. The Child Rights Monitoring Center was set up in 2006 and has been operating since then with the collaboration of commissioned ombudspersons.

In addition, the 2004 Youth Welfare Support Act specifies that state and local governments are to carry out publicity on the Convention on the Rights of the Child.

In order to improve social awareness on the rights of children, the government of the Republic of Korea has been making constant efforts to disseminate information and provide education programs on the rights of children in partnership with civil society organizations such as the Korean Committee for UNICEF, Save the Children and Good Neighbors.

Futhermore, the government of the Republic of Korea is in the process of developing various teaching materials on the rights of children such as education system, cartoons, videos, and etc., combining the previous materials based on texts and web sites as a three-year project beginning this year. Through this, human rights education and promotion are expected to target more actively people engaged in children affairs, teachers, government officials, police, doctors, children, and general public.

< The Optional Protocol on the Involvement of Children in Armed Conflict >

■ Prohibition of the Involvement of Children under the Age of 18 years in Armed Conflict

Now allow me to share with you the progress made regarding the Implementation of the Optional Protocol on the Involvement of Children in Armed Conflict. In the Republic of Korea, the involvement of children under the age of 18 in armed conflict or their participation in armed groups is strictly prohibited by law.

Indeed, the Military Service Act was revised in 1999 to prohibit the enlistment of a person under the age of 18 for active or selective service, and, in 2004, it was further amended to adjust the minimum age for voluntary enlistment from 17 to 18, in order to conform to the provisions of the present Protocol.

Additionally, in the past, trainees at military academies under the age of 18 were made to perform basic wartime duties, such as base patrols and restorations. However, in order to comply with the Protocol, the Provision on the Operation of Wartime Education was amended in 2005 to delete the provision providing for the performance

of such duties. Accordingly, no person under the age of 18 may be involved in armed conflict under any circumstance.

*<The Optional Protocol on the Sale of Children, Child Prostitution and Child
Pornography>*

Next, let me share with you the progress made regarding the Implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

■ Child trafficking is prohibited in the Republic of Korea and no such cases have been reported.

Child trafficking is a grave crime that should not be allowed under any circumstance. It is punished under the provisions of the Criminal Act, the Juvenile Protection Law Against Sexual Exploitation, the Act on the Punishment of Acts of Arranging Sexual Traffic and the Child Welfare Act. So far, child trafficking has not been found in the Republic of Korea.

■ Strengthening of Laws and Policies for the Elimination of Child Prostitution and Child Pornography.

Recognizing the necessity of pan-governmental measures to deal with prostitution and pornography, in 2002, the government of the Republic of Korea established the Comprehensive Measures for Child Protection and Development and in 2003, the Comprehensive Measures for Child Safety. In addition, the Master Plan on the Prevention against Prostitution was put in place in 2004 and a monitoring commission has been established under the office of the Prime Minister in order to monitor and evaluate the implementation of the plan.

To eliminate and prevent crimes related to child prostitution and pornography, since 2000, the government of the Republic of Korea has been operating the Public Disclosure System of Sex Offenders. Under the Strengthened system taking effect this year, the extent of disclosed personal information of sex offenders and the accessibility to them are expanded, and employment restrictions are placed on sex offenders. This act prohibits producing, distributing and arranging child pornography and punishes offenders. In addition, in order to combat child pornography through the internet, the Act on Promotion of Information and Communication Network Utilization and Information Protection, etc. will be revised to impose direct responsibility to

information and communication network service providers on monitoring and cutting off illegal and harmful contents. In particular, to punish causal acts through communication networks such as internet, the Juvenile Protection Law Against Sexual Exploitation is in the process of being revised.

The Act on Punishment of Arranging Prostitution, etc. was enacted in 2004 to correct, treat, and educate sex offenders related to child prostitution and sexual violence and to strengthen the punishment on prostitution arrangers. Furthermore, the revision of a legislation on electronic tracking systems was passed in the parliament yesterday and will take effect from September this year.

Along with these, through the amendment of the Juvenile Protection Law Against Sexual Exploitation, sexual offenders shall be spared punishment only if a victim clearly expresses that he or she does not want the offender punished, as opposed to past practice where sexual abuse was a crime indictable only upon complaint. Broadcasting providers are also required to air the promotion video clips aimed to prevent and guide sexual offenders.

■ Measures to protect and support Victims of Child Prostitution

In order to expand and support facilities for the rehabilitation of victims of prostitution, including child victims, as well as their protection and treatment, in 2004, the government of the Republic of Korea enacted the Act on the Prevention of Sexual Traffic and Protection, etc. of Victims Thereof. Under this act, medical expenses for the treatment of victims of sexual violence and prostitution are covered by the state and local governments, and 14 one-stop support centers are established in hospitals nationwide with the intention to support victims of prostitution and sexual violence. 3 Sexual Violence Centers for Children especially under the age of 13 have also been set up and are operating.

The said act also stipulates that specialized prosecutors or police officers shall investigate victims of sexual crime, and the dignity and privacy of the latter shall be protected during investigations with a full consideration of age, psychology or impediments. In particular, if a victim is under the age of 16 or a victim lacks the ability to make his or her own decision, the act allows the victim to make a statement via video recording.

Along with these, the government of the Republic of Korea obliges youth sex offenders as well as victims to go through mandatory education and treatment. The youth

department of the court of justice has adopted an education system which is mandatory in certain degrees such as protection disposal, order of enrollment by the prosecutor, and etc. in order to devise independence and self-support of the youth. In order to implement the system, professional education, consultation, and treatment have been developed and its service system has been set up.

■ Active Participation in International Cooperation and Assistance

The government of the Republic of Korea has set up a task force between the Prosecutor's Office and the National Police Agency to prevent overseas travel for the purpose of child prostitution, has been monitoring overseas travel, and has been publicizing the fact that overseas prostitution is also subject to punishment under domestic law. The Passport Act was amended this year to make it possible to restrict the issuing of new passports to those convicted of arranging prostitution and purchasing sex overseas, and confiscate their passports.

Furthermore, if Korean citizens commit sex crimes against children and are subject to punishment outside Korea, the government of the Republic of Korea makes every effort to quickly acquire information on the case from the country involved, and punish the criminal through active participation in international cooperation.

<Conclusion>

Madam Chairperson and Committee members,

The accomplishments I have mentioned so far were possible thanks to international support, the willingness of the Republic of Korea to implement the UN Convention on the Rights of the Child and the spirit of the Optional Protocol, and the participation and partnership of NGOs.

Despite these achievements, sexual crimes such as violence against children, prostitution, and harrassment still exist. In order to solve these problems, I would like to ask the committee members to suggest good solutions during this consideration. The representatives of the Republic of Korea will respond sincerely to the committee members, will welcome their suggestions and recommendations through interactive dialogue, and try their best to implement them.

I have no doubt this consideration will represent an important step forward in improving the situation of the rights of children in the Republic of Korea. Finally I would like once

again to express my appreciation and respect to the Chairperson and committee members who strive on a daily basis to advance the rights of children.

Now I will give the floor to my delegation to touch upon more specific issues.

Thank you

Closing Speech by the head of the delegation of the Republic of Korea, Mr. Doo-Hyeon Kim, Director General for Child and Youth Activities of the Ministry for Health, Welfare and Family Affairs

Honorable Ms. Yanghee Lee, Chairperson of the UN Committee on the Rights of the Child, and distinguished members.

First of all, I would like to extend my gratitude to Madam Chairperson and the committee members for your time and efforts in the consideration of the initial report of the Republic of Korea on the Optional Protocol to the UN Convention on the Rights of the Child.

Since the Republic of Korea signed the UN Convention the Rights of the Child in 1990, the government has improved as well as developed laws and policies to promote 'the Best Interests of the Child'.

In particular, the government has made numerous efforts to implement the two optional protocols ratified in 2004. However, unfortunately, children have not always been fully considered, their rights have sometimes been violated and they have been exposed to sex crimes such as child prostitution and sexual abuse.

This consideration to solve existing problems has been a productive and promising process. I have no doubt that righteous indications and recommendations were also given with new insights and wisdom on many issues. In addition, I firmly believe that this consideration will prove to be invaluable in further strengthening the rights of children, and we promise to make every effort to promote 'the Best Interests of the Child' through partnership with NGOs and civil society organizations.

Once again, I would like to express my appreciation to the Chairperson and committee members for the concerns you have expressed today about the rights of children in the Republic of Korea, and we hope to receive continued advice and cooperation from the UN Committee on the Rights of the Child.

Thank you