

**Introductory Statement by**  
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**The Republic of Korea**

**At the Forty-third Session of the Committee on**  
**Economic, Social and Cultural Rights**

**Geneva, 10 November 2009**

## **1. Introduction**

Mr. Chair,

Distinguished Members of the Committee,

It is a great honour to present the Third Periodic Report of the Republic of Korea for consideration by this Committee.

This report, which was submitted in July 2007 in accordance with Articles 16 and 17 of the Covenant, sets out details of the government's efforts to promote and protect economic, social and cultural rights, since the Committee's consideration of our Second Periodic Report in 2001. In addition, on 13 August 2009, we submitted written replies to the list of issues raised by this Committee on the report.

The report and the written replies are the result of close cooperation and combined efforts among the relevant government ministries and agencies. Moreover, 30 representatives from 12 ministries have traveled a great distance to participate in this process. This serves as a further demonstration of our keen interest in and commitment to conforming with universal human rights standards.

My delegation welcomes this opportunity to engage in a constructive dialogue with the distinguished members of the Committee. We believe

that, with the benefit of your extensive experience and considerable wisdom, the comments and recommendations will indeed serve to broaden our horizons. It is our sincere hope that this important process will prove to be another milestone in our efforts to build a society where all people living in Korea can benefit from the full enjoyment of all rights.

## **2. Changes in the Economic and Social Conditions and Social Policies of the Government**

Mr. Chair,

Distinguished Members of the Committee,

In this Introductory Statement, I would first like to outline the extensive and far-reaching economic and social changes that have been evident in Korea recently. I would then like to turn to the government's efforts to promote the rights upheld in the Covenant in response to such changes.

### ***Global economic crisis and marginalization***

The first change is the global economic crisis and marginalization. The recent situation clearly illustrates that it is the socially and economically marginalized that are hardest hit by a global financial crisis. In times of economic crisis, the role of the government in protecting the poor assumes

even greater importance. It is at such times that the government has a key role to play in providing them with adequate assistance.

Against this backdrop, economic growth and equitable distribution of prosperity are not seen as mutually conflicting but rather complementary. In this regard, government spending in the social and welfare area should be seen not as a cost but rather as an investment for enhanced social integration. Recognizing this, the Korean Government has continued to increase its social and welfare budget. Indeed, it now accounts for the biggest budget item, amounting to 26 percent of all government spending.

The Government has also taken various measures to protect the poor and underprivileged facing financial difficulties. For example, the Government has continued to expand eligibility for the National Basic Livelihood Security System, a safety net to guarantee the 'national minimum' to the low income class, by easing the criteria for the recipients. With the revision of the Emergency Welfare Provision Act, the Government has also expanded the eligibility for and access to emergency welfare.

Furthermore, the Government has worked to expand essential public healthcare with a view to achieving the universality of the healthcare system. Low income people are provided with various forms of support and assistance including exemption from, reduction in or temporary suspension of National Health Insurance premium payments. Those who

are not covered by the national health insurance can benefit from the Medical Aid Programme, designed to provide medical benefits to recipients of livelihood assistance.

### ***Increased interchanges and multi-cultural society***

The second is the dramatic increase in migrant workers and international marriages. Korean society is rapidly becoming a multi-cultural society. The number of foreigners living in Korea now exceeds 1.1 million. The Korean Government has therefore been pursuing a number of measures aimed at ensuring the smooth integration of foreigners and fostering cultural diversity in Korean society.

The government launched the Immigration Policy Commission in 2006 and introduced the Act on the Treatment of Foreigners in Korea the next year. Based on the Act, the first National Plan for Immigration Policy was formulated last December. The Multicultural Family Support Act was also introduced last year to facilitate the social integration of families with multicultural backgrounds.

The Government has set up Multicultural Family Support Centers. These provide comprehensive services including counseling, language and cultural education, and legal advice. There are 100 centers across the country and the number is expected to increase to 140 next year.

Recognizing the importance of education as key in bringing about lasting changes, the Government has introduced a new educational curriculum, teaching our children cultural sensitivity, tolerance and respect for other cultures.

### ***Low fertility and rapid population aging***

The third is a dramatic demographic change due to low fertility and rapid population aging. As of 2009, 10.7% of the total population of Korea is aged 65 or over: a total of approximately 5.2 million people. This figure is expected to almost double by 2026, reaching 20%.

To address the phenomenon of rapid population aging, the Government enacted the Basic Act on Low Fertility and Aging Society in 2005. Based on the Act, the first Five-year Plan for Aging Society and Population Policy was drawn up and this is being implemented at the central and local government level. Pursuant to this, a comprehensive yearly assessment of the Government's performance in the implementation of the Plan is conducted.

In 2008, the Korean Government introduced the Pension System for Older Persons to alleviate poverty amongst older persons and provide them with greater economic and social stability. Approximately 60% of older

persons, aged 65 or above, benefited from the system last year, and we are planning to increase the beneficiaries to 70% this year.

Meanwhile, recognizing that women's economic participation and employment are essential in a society with a rapidly aging population, the Government has established a comprehensive plan to develop the female workforce along with measures to promote women's employment. The Government has also established a public childcare system. It has taken measures to ensure that society assumes greater responsibility in the areas of childcare and child birth: such as increasing the number of public childcare centers and extending the scope of support for childcare costs.

#### **4. Actions Taken in Response to the Committee's Concluding Observations**

Mr. Chair,

Distinguished members of the Committee,

The Government of the Republic of Korea has given careful consideration to the Committee's recommendations made on our Second Periodic Report.

I would like to briefly refer to major actions taken in response.

##### ***Legal and institutional framework***

### **(Establishment of National Action Plan)**

My Government, taking heed of the recommendation of this Committee, established the National Action Plan for the Promotion and Protection of Human Rights (NAP) in May 2007.

The Action Plan is the first comprehensive roadmap for human rights policies at the national level. It aims to improve human rights-related laws, institutions, and practices in order to better promote and protect the fundamental freedoms and human rights prescribed in the Constitution as well as international human rights instruments ratified by the country. The observations and recommendations by the UN treaty monitoring bodies, including this Committee, provide important guidance in the establishment and implementation of the NAP.

To faithfully carry out the plan, the National Human Rights Policy Council, a Vice-Ministerial consultative body, regularly monitors the implementation of the plan and releases the results to the public every year.

### **(Establishment of the Human Rights Bureau in the Ministry of Justice)**

In order to comprehensively pursue various human rights issues and policies in an integrated manner, the Government established the Human



Rights Bureau in the Ministry of Justice in May 2006. The Bureau is responsible for formulating and implementing national policies on human rights, including the NAP. It also coordinates many areas of human rights policies through policy consultative channels such as the National Human Rights Policy Council.

### ***Women's rights***

#### **(Abolishment of the Ho-ju system)**

In the Concluding Observations on our Second Report, the Committee noted with concern the continued unequal status of women, pointing to the patriarchal head-of-family (Ho-ju) system as an example. In March 2005, the Korean Government finally abolished the Ho-ju system, amending the relevant Korean civil law to establish a more equitable family system.

The abolishment of the Ho-ju system is of great significance: it has far-reaching implications and is indeed a historic step. Korean society, deeply entrenched with the Confucian tradition, has taken a resolute step to eliminate a major gender discrimination practice which had dominated Korean society for hundreds of years.

#### **(Promotion of women's participation in the labour market)**

To promote women's participation in the labour market and help them strike a balance between their work and family life, the Korean Government has introduced the 4<sup>th</sup> Basic Plan for Equal Employment and Work-Family Life Reconciliation. The Act on the Promotion of the Economic Activities for Women with Discontinued Work Experience was also enacted. Furthermore, 50 support organizations were designated as New Occupation Centers for Women. These provide a one-stop overall employment support service for women, especially those who have stopped working due to childcare or to take care of their families.

**(Elimination of violence against women)**

The Government has taken various steps to prevent and eliminate violence against women as well as to protect women's rights in the investigative process. It has also strengthened legal measures against sexual offenders, procurers and brokers in the sex trade, while protecting and rehabilitating the victims engaged in such trade.

***Labor relations***

**(Three labour rights of civil servants)**

With the Committee's recommendation in mind, in January 2005, the Government enacted the Act on the Establishment, Operation, etc., of

Public Officials' Trade Unions. This gives civil servants the right to form and join trade unions and to engage in collective bargaining. However, the right of civil servants to strike remains restricted due to the public nature of their jobs and the need to ensure the continuity of the functions of the State.

**(Measures for non-regular workers)**

As for non-regular workers, the Act for Fixed-term Workers and the Act for Dispatched Workers both stipulate that the employment period for non-regular workers is limited to two years. Furthermore, if a fixed-term worker has been employed for two years or more, the employer must convert his/her contract into an open-ended one (a contract with no fixed term). Along with the legal protection, the Government is seeking to identify appropriate measures to secure job stability for non-regular workers, taking into careful consideration their possible effect on the labor market.

It has also taken steps to improve the working conditions of non-regular workers. Such measures include banning discrimination against them, allowing them to seek remedies for such discrimination, extending the application of social insurance, and providing them with vocational ability development programmes.

## ***Vulnerable groups***

The Korean Government has also taken steps to assist the vulnerable groups in society, such as children, persons with disabilities, and migrant workers.

### **(Protection of children)**

In its previous consideration of our report, the Committee expressed concern about the rising incidence of sexual exploitation of children and child abuse. In April 2008, the Government Announced a Comprehensive Counter-measures Plan to Protect Women and Children. Based on the plan, a system for the protection of children from sexual violence was established under the Office of the Prime Minister with the participation of nine ministries. To actively respond to the problem of child abuse, the Child Welfare Act was revised in 2000 and stricter punishment has been imposed for such cases. Furthermore, the Sunflower Center, dedicated to sexually abused children, was established in June 2004 to provide comprehensive support including treatment, psychological counseling, and legal aid for victims and their families.

### **(Protection of persons with disabilities)**

In terms of equal opportunities for persons with disabilities, the most

significant progress in Korea may have been the introduction of new legal frameworks for the rights of persons with disabilities. The Republic of Korea ratified the Convention on the Rights of Persons with Disabilities last December, and became the 45th State Party to the Convention. Prior to this ratification, we had also introduced the Disability Discrimination Act aimed at advocating the rights of persons with disabilities and ensuring their full participation in society.

**(Protection of migrant workers and their children)**

In 2004, The Government introduced the Employment Permit System (EPS). This system aims to protect the legal status of migrant workers and prohibit discrimination, to recognize their right to access to a system of redress and to ensure their access to national health insurance. Under the EPS, Korean labor laws are applied equally to foreign workers.

The Government also guarantees the right to education of the children of migrants irrespective of their residence status. Furthermore, the Government has introduced various programmes to secure high quality education for the children of multicultural families.

**5. Conclusion**

Mr. Chair,

Much work has been done since the previous consideration of our report. The economic and social changes the Korean society has undergone over the years have been extensive and far-reaching. However, we have strived to be an active agent of change rather than a passive respondent to challenges.

In spite of our efforts, there still remains work to be done for the full realization of the rights enshrined in the Covenant. This is not because of a lack of our will, but because the dynamic process of reaching a social consensus among various walks of life is often time-consuming.

We believe that the primary duty and responsibility to guarantee fundamental freedoms and human rights for all lie with the government. However, government efforts alone are not sufficient. The Korean Government recognizes the National Human Rights Commission and NGOs as important partners and appreciates their valuable contribution in the field of human rights.

My delegation reiterates Korea's strong commitment to promoting and protecting economic, social and cultural rights. We look forward to hearing your valuable insights and advice. And we will take these into full consideration in our future endeavors for the further protection and promotion of human rights in Korea.

In the spirit of continuing the process of constructive dialogue between this Committee and my delegation, I assure you that we will be pleased to answer, to the best of our knowledge, any comments and questions you may have. Thank you. [The End]