**Opening Speech of the Head of Delegation of the Republic of Korea to the Committee on Economic, Social and Cultural Rights**

Review of the Fourth Periodic Reports of the Republic of Korea

1. **Introduction**

Madame Chair and distinguished members of the Committee on Economic, Social and Cultural Rights,

On behalf of the government of the Republic of Korea, it is a great honour for me to have a constructive dialogue with the Committee on the Economic, Social and Cultural Rights (CESCR) on the fourth periodic report that the ROK government submitted pursuant to Article 16 of the International Covenant on the Economic, Social and Cultural Rights in May 2016.

The new administration that took office in May 2017 prioritizes human rights as the cornerstone of state affairs and objectives.

As such, the government re-examined the existing practices and policies and designed its policy tasks which encompass policies that guarantee individual’s basic human rights as well as policies for enjoyment of economic, social and cultural rights such as the right to labour, right to health and right to education.

The government, for the next five years, will promote various policies for human rights protection, to take an exemplary step in complying with the international human rights norms, and to foster a culture of respecting human rights in the Republic of Korea.

1. **Persistent Efforts to Advance Economic, Social and Cultural Rights in the Republic of Korea**

With regard to the recommendations made by the Committee in the third review held in 2009, the Korean government has made efforts to deliver on the recommendations which include greater independence of the NHRCK, protection of non-regular workers and compliance with minimum wage requirement, expansion of labour inspectors, and certification of migrant workers’ trade union. Furthermore, the Government has strived to advance economic, social and cultural rights across the board.

I would like to elaborate on the specifics of the efforts.

***National Action Plan for the Promotion and Protection of Human Rights (NAP)***

First, regarding the National Action Plan for the Promotion and Protection of Human Rights, as the second NAP expired in 2016, the development of the third NAP is currently under way.

For the third NAP, not only the traditional human rights agenda, but also our response to changes in our society caused by low fertility and population ageing will be included. The third NAP will emphasize the right to health, the right to healthcare and the right to environment, with more specific implementation plan introduced to strengthen civil and political rights, and economic, social and cultural rights, and the protection of the socially vulnerable.

The Government, with a view to encouraging human-rights friendly business activities, is considering positively the introduction of a new chapter on “business and human rights”.

The Government will conduct a prudent review of the recommendations made by the National Human Rights Commission of Korea (NHRCK) and the international human rights mechanism. In particular, human rights agenda and policy tasks of the new administration which took office in May 2017 will be reflected in the third NAP, for which we will make sure to develop in a prompt manner.

***National Human Rights Commission of Korea (NHRCK)***

I would like to speak of the changes we made regarding the National Human Rights Commission of Korea.

The *National Human Rights Commission of Korea Act* was amended in February 2016. The amended Act stipulated specific qualification criteria for commissioners, ensured people across different social sectors participate in nomination and selection process, and introduced a clause that exempts commissioners from responsibility for any remarks made in the course of performing their duties.

In 2009, the NHCRK had an organizational downsizing but is now on a recovery path to the previous level.

The new administration, in particular, is promoting policy tasks to increase personnel and organizational scale of the NHRCK with a view to assuring the competence of the NHRCK in its function.

***Enforcement of the Improper Solicitation and Graft Act***

With respect to fighting and preventing corruption and its punishment, the *Improper Solicitation and Graft Act* has been enforced since September 2016.

Under the Act, anyone who makes improper solicitations to public officials is subject to punishment, and public officials are prohibited in principle from receiving money and goods from others including those unrelated to work and those not seeking reciprocation.

With the enforcement of the Act, we expect that corruption of public officials will be significantly reduced.

***Foreigners and Refugees***

Next, on foreigners and refugees.

The Government, pursuant to the *Framework Act on Treatment of Foreigners Residing in the Republic of Korea,* develops a Basic Plan for Immigration Policies every five years in response to the growing number of foreigners residing in the ROK. In 2013, the Government developed and started enforcing the Second Basic Plan so as not to create any blind spots in human rights protection of foreigners.

Furthermore, by expanding the grounds for workplace change and providing for exceptions as to the number of workplace change, the Government complemented the Employment Permit System (EPS).

In 2015, the Government certified migrant workers’ trade union to protect the labour rights of migrant workers.

Meanwhile, the ROK became the first Asian country to enact a refugee law *in 2013*, ensuring fair and effective refugee recognition procedure and protecting the rights of refugees, as stated by the *Convention Relating to the Status of Refugees*.

***ODA***

Next is on official development assistance (ODA) efforts.

Despite the difficult economic conditions, the ROK acceded to the OECD Development Assistance Committee (DAC) in 2009 and has been fulfilling our ODA commitment with a view to gradually increasing the amount.

As a result, the total ODA has seen a steady increase from USD 810 million in 2009 to USD 1.96 billion in 2016, accounting for 0.14% of GNI as of 2016.

The Government will continue to work on a steady and sustained increase in ODA to eliminate inequality among states.

***Gender Wage Gap, Work-Family Balance, Gender Equality***

Regarding gender equality, the Government enacted the *Act on Gender Impact Analysis and Assessment* in 2011, which helped to develop and implement policies from a gender perspective through analysis and assessment, and to take the results into account in budgeting process. This allowed policies on gender equality to be adjusted in a more practical direction.

Also, given that gender wage gap mainly stems from career interruption of women due to childbearing and childrearing, to prevent such career interruption and share the childrearing burden which is imposed mainly on women, the Government has reinforced policies on work-family balance.

To this end, the Government has strengthened childcare leave, created a conducive environment for telecommuting, and provided assistance to business owners who introduced a flexible working scheme.

Moreover, to help with women’s re-entry into labour market, the Government has steadily increased the number of the nationwide Women’s New Job Centres to 154 places as of 2017, and expanded high value-added employment training program for quality jobs.

The new administration increased the amount of monthly benefits for the first three months of parental leave starting September 2017. The fathers' childcare leave bonus scheme will be strengthened from 2018 to encourage fathers to take childcare leave and to achieve work-family balance for women.

In January 2017, there were only two female members in the cabinet out of a total of 22 positions, accounting for a meager 9.1% of the cabinet, but as of September 2017, the number of female members in the cabinet has increased under the new administration to six out of 19, accounting for 31.6%.

As can be seen, the Government will make continuous efforts to increase women’s representation in public high level positions, laying the groundwork to achieve true gender equality.

***Labour Rights***

Next, on labour rights and working conditions.

The Government, in 2013, amended the *Act on the Protection, etc. of Fixed-Term and Part-Time Workers* and the *Act on the Protection, etc. of Temporary Agency Workers* to redress undue discriminatory practices against non-regular workers.

The amendment clarified the prohibited areas of discrimination, and expanded the scope of the corrective order from the affected worker to other non-regular workers in a given business.

Also, on discrimination against non-regular workers with a flagrantly discriminatory intent or with repeated nature, the amendment ensured punitive damages be imposed.

As regards employment rules and collective bargaining agreements that provide grounds for discriminatory practices against non-regular workers, the amendment ensured that corrective orders demand improvement, so as to completely eliminate discrimination.

Meanwhile, in order to proactively address any violation of the three major labour rights, the Government has recruited, 45 new labour inspectors in 2016 and 204 in 2017, and the number of labour inspectors will continue to increase.

Since the new administration took office, the Government is making efforts to substantially improve protection of labour rights and working conditions.

Most importantly, in order to promote conversion of non-regular workers in public sector to regular status and prevent excessive use of irregular employment for cost-cutting purposes, in July 2017, the Government announced the guidelines for conversion of non-regular workers to regular status in public sector.

Moreover, in August 2017, with a key focus on preventing “outsourcing of risks” and imposing a heavier responsibility on contractors for keeping safe working environment, plans to prevent deadly industrial accidents were announced.

Additionally, in August 2017, the Government announced new minimum wage for 2018, which increases by 16.4%, which considerably exceeds the annual average increase of 7-8% for the past four years.

***Social Security***

Now, I am going to introduce our efforts on social security.

By providing stable income for vulnerable groups, the government is working towards stronger social security.

In May 2014, the Basic Pension Act was enacted, which was followed by the introduction of the Basic Pension scheme.

Under the scheme, the elderly aged 65 or older with incomes in the bottom 70% are entitled to basic pension benefits, which contributes to their stable livelihoods and welfare. KRW 250,000 by 2018 and KRW 300,000 by 2021 are the increases in pension benefits promoted by the new administration.

Also, in August 2017, the new administration developed the first Comprehensive Plan for Basic Living Security, which revokes the criteria for obligatory support providers and expands the scope of housing benefits beneficiaries. We expect that this would significantly reduce the blind-spots of poverty management.

***Right to an Adequate Standard of Living, including Right to Housing***

With respect to housing policy, creating a safe housing environment for working families and easing the burden of housing costs on the newlyweds and the young adults have been our policy tasks through which the Government has strenuously worked to alleviate housing cost burden on working families

The new administration is making efforts for steady supply of public rental housing, by aiming to increase the stock of long-term public rental housing from 6.3% in 2016 to above the OECD average of 9% by 2022.

We expect that the supply of public rental housing would mitigate the burden of housing costs on the newlyweds and to expand housing assistance to young adults who are struggling with tight life expenses.

***Right to Health***

Regarding the right to health, by 2020, policies to consistently reduce the amount of co-payment for uncovered medical services and to place a cap on co-payment costs based on the recipient’s income level will be promoted.

By 2022, through measures to expand the coverage of the National Health Insurance and reduce co-payment amounts, the Government is exerting efforts to strengthen the coverage of the National Health Insurance and to reduce the burden of medial expenditures.

***Right to Education***

Next, I would like to talk about the right to education.

Currently, at primary and middle school level, free and compulsory education is being provided. The Government is promoting an institutional reform to expand free education to high school level on a gradual basis. .

To mitigate the college tuition burden, in 2011, the Government amended the *Higher Education Act*, which placed an upper ceiling on tuition increase and established the Enrolment Fee Deliberation Committee. These efforts have actually contributed to a tuition increase maintaining at modest levels, heading for a downward trajectory, according to analysis.

In the meantime, bearing in mind the criticism that the assessment of entire students breeds the culture of excessive ranking competition among schools and students, in June 2017, the Government conducted the National Assessment of Education Achievement on only a selected group of students under a sampling assessment scheme, in line with the intended purpose of the Assessment.

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Also, with a view to strengthening the competitiveness of higher education, the Government plans to foster National Hub Universities starting from 2018.

***Right to Culture***

Lastly, I would like to introduce our efforts in the areas of cultural right.

Since 2012, the Government has implemented the Rainbow Bridge Project to provide cultural minority groups such as immigrants with an opportunity to express their cultural identity. Also, towards raising public awareness on cultural diversity, various projects have been promoted.

Also, in 2010, the ROK ratified the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and for the domestic implementation of the UNESCO Convention, in 2014, enacted the *Act on Protection and Promotion of the Diversity of Cultural Expressions*.

Under the Act, the Government, on grounds of nationality, ethnicity, and race, prohibits discrimination in cultural expression and government assistance to artistic activities. Also, by expanding opportunities for cultural minority groups to express their cultural identity, the Government encourages social integration and the creation of new culture.

**3. Conclusion**

Madam Chair and distinguished members of the Committee,

The Government has strived to achieve universal respect for human rights and freedoms so that enjoyment of economic, social and cultural rights is guaranteed for all, as enshrined in the UN Charter and the Universal Declaration of Human Rights.

During the review of our periodic reports, the ROK is fully committed to engaging in a constructive dialogue with the Committee through which we expect to monitor the implementation status of the Covenant.

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Your opinions will be an invaluable asset to the ROK as we move forward on making policies on human rights protection and advancement.

Lastly, I would like to pay my deepest respect to all members of the Committee for your strenuous efforts to advance economic, social and cultural rights, which derive from a unique human dignity.

Thank you.