

Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the consideration of the third and fourth report of Republic of Korea.

Part I

Q1. Please provide the most recent activities report of the Child Policy Coordination Committee. Please briefly explain which government body now deals with issues relating to children and promotes coordination and cooperation across ministries and civil society organizations at all levels in the country.

[Activities of the Child Policy Coordination Committee]

1. Following the recommendations of the UN Committee on the Rights of the Child, the Korean Government revised the Child Welfare Act in 2003 to establish the Child Policy Coordination Committee. The Committee was organized in 2004, and has since held a total of four meetings.
2. The Child Policy Coordination Committee, chaired by the Prime Minister, has examined the implementation status of children's policies by ministries, and has discussed plans to support children and youth in poverty. In the most recently held fourth meeting, the following issues were discussed: the direction and efficiency of implementation of children's policies, establishment of a children's policy institute, the necessity of child benefit and its financial burden, reorganization of the child abuse hotline system, establishment of a statistical base and education for preventing safety accidents of children, institutionalization of the Korea

Monitoring Center for Children's Rights, and efforts to bring children's policies up to international standards.

3. The Government discusses policies that require much consultation and coordination among ministries at the National Policy Coordination Meeting. Since 2008, a total of eight child-related issues have been discussed at the Meeting. Moreover, the Committee on Aging Society and Low Fertility, consisting of eleven related ministries, also discusses various tasks for stable growth of children.
 4. The children-related issues discussed at the National Policy Coordination Meeting are as follows: evaluation of the education support policy for multicultural families, meal programs for children during school vacation periods, measures to improve the vacation meal programs, support measures for school meals, preventive measures against food poisoning in school meals, plans to implement measures to prevent recurrence of child sexual abuse, complementary measures for children's safety, and advancement of the adoption system.
 5. In 2005, the Government set up the Presidential Committee on Aging Society and Low Fertility to deliberate on the following matters: the analysis of mid- to long-term demographics and the outlook for socio-economic changes in preparation for low fertility and the aging of the population; the objective of mid- to long-term policies on low fertility in an aging society and the direction of implementation thereof; development of the Five-Year Basic Plans on Low Fertility in Aging Society and yearly implementation plans and evaluation of implementation results; the coordination and evaluation of policies on low fertility in an aging society.
- 5-1. With the overall reform of Presidential Committees in 2008, the

Presidential Committee on Aging Society and Population Policy came under the Ministry of Health and Welfare. The Committee has devised the Second Basic Plans on Low Fertility in Aging Society and selected a total of 231 tasks. In March 2011, the Committee held a meeting to draft detailed action plans for each selected task. The Committee has since pursued action plans such as improvement of the leave of absence system; promotion of part-time work and expansion of smart work centers; promoting childcare in the workplace; expansion of childcare and education subsidies and improvement of the service quality; and expansion of financial support for securing a residence for newly-weds.

[Coordination and Cooperation between the Government and Civic Organizations]

6. Multi-faceted efforts on the governmental level are being exerted to enhance coordination and cooperation between the Government and civic groups in child rights issues. The Korea Monitoring Center for Children's Rights was founded in October 2006 and has since been operated by a state-run research institute. In particular, the group of Children's Rights Ombudspersons, consisting mainly of nongovernmental officials such as civic group members, has been appointed and operated. Furthermore, the Government is strengthening collaboration with civic organizations through various efforts. For example, the Government financially supports the Korea Council of Children's Organizations, which is closely cooperating with domestic and overseas organizations related to children. The Government has also held dialogues with major children's organizations, and organized the Commission on Youth Protection.

7. The Government is operating the Children's Rights Ombudsperson system through the Korea Monitoring Center for Children's Rights, in order to monitor the implementation of the Convention on the Rights of the Child and develop and improve laws, policies, and institutions. The Children's Rights Ombudspersons engage in monitoring activities with a view to finding child rights violation cases and improving laws, policies, and institutions. The group of Children's Rights Ombudspersons consists of child experts in the nongovernmental sector and children from diverse backgrounds, such as those with disabilities, those from multicultural families, or those living in facilities. The first period group (from October 2006 to December 2009) consisted of 21 adults and 10 children, and the second period group (2011) comprises 10 adults and 10 children.
8. The Government has been financially supporting the Korea Council of Children's Organizations every year since 2004 to help the Council hold the Little Asian Conference and the Children's Forum. The Government also supports the annual Children's Day and Week events to actively raise awareness about enhancement of children's rights and development of children's welfare. Moreover, the Government held joint dialogues with major children's organizations (Good Neighbors, National Child Protection Agency, Korea Council of Children's Organizations, Save the Children, Child Fund Korea) to discuss issues such as promoting cooperation between the public and civic sector as well as creating legal and policy systems to eradicate domestic child abuse. The Government is enhancing cooperation with civic organizations by designating the Korea National Association of Child Welfare, an association of child welfare facilities, as the operator of the Child Development Account (CDA).

9. The Commission on Youth Protection consists of 11 relevant experts from the field of law, academia, youth facilities, and educational institutions. To protect the youth from harmful environments, the Commission holds monthly meetings to deliberate and make decisions on issues related to media, substances, materials, and entertainment establishments that are harmful to minors. The Government is continuing its financial support for the National Council of Youth Organizations in Korea to strengthen the capability of the youth and invigorate youth groups, thereby ensuring that the Council can play a pivotal role in the national youth movement led by the civic sector.

Q2. Please describe any impediments to the independence of the National Human Rights Commission of Korea and its members, and outline the safeguards in place to protect their independence. Please indicate whether the Commission has the competence to receive complaints and whether it has specific expertise to deal with children's rights. Please also briefly explain any limitations to the mandate of the Commission and the scope of geographic coverage.

10. The National Human Rights Commission Act stipulates the independence of the Commission in the performance of its functions and the organization of personnel, and prescribes the guarantee of status of members. Furthermore, the National Human Rights Commission of Korea(NHRCK) was established, based on the Paris Principles, as an independent body that does not belong to any of the legislative, judiciary, and executive branches of the Government. However, with the reduction and reorganization of the Commission in 2009, a lack of independence in terms of organization and

finance has become an issue. Therefore, consultation with related ministries is necessary to improve the system, on issues such as turning the Commission into a constitutional institution to secure independence.

11. The National Human Rights Commission of Korea receives complaints related to children and actively addresses violations of children's rights. Human rights issues among individuals can, in principle, be addressed when related to discrimination in the areas of employment, education, and goods and services. However, as for discrimination on the grounds of disability, human rights issues in all areas of life are addressed, including employment, education, goods and services, judicial and administrative procedures and services, political rights, maternal and paternal rights, gender, families, households, welfare facilities, the right to health, and harassment. Therefore, the Commission duly receives complaints related to children with disabilities.

11-1. The National Human Rights Commission of Korea is making multifaceted efforts to enhance the rights of children, such as designating an official exclusively responsible for child rights policies to actively address violations of children's rights. The Commission also operates the Child Rights Focus Group to enhance expertise in the area of children's issues. The Commission will work to expand its manpower and establish a dedicated department responsible for children's rights in the mid- to long-term. The Ministry of Health and Welfare, which monitors children's rights and operates the group of Children's Rights Ombudspersons, plans to discuss the issue of transferring the function to the National Human Rights Commission of Korea. This is to allow more independent operation of the monitoring and the Ombudspersons.

12. The National Human Rights Commission of Korea examines petitions, and when a case of human rights violation or discrimination is found, it takes measures on the respondent such as making recommendation for improvement, filing an accusation, or making recommendation for disciplinary action. In addition, the Commission can make recommendations and express its views to the related organizations on institutions such as laws and policies related to children's rights. It can also present opinions to the court or the Constitutional Court on proceedings liable to affect the protection and improvement of children's rights. The recommendation by the Commission has its limits in that it is not legally binding and the Commission cannot implement any special measures on the respondent's refusal to accept the recommendation. However, the respondent shall clarify the reasons for refusing to accept the recommendation and the Commission can publish the reasons. In order to complement the limitation stemming from the absence of legally binding force in the recommendation, the Commission will continue to consult with the Human Rights Policy Consultative Meeting to promote alternative means of remedy such as settlement and mediation and ensure that its recommendation is respected.

12-1. The National Human Rights Commission of Korea has established three regional offices in Busan, Daegu, and Gwangju to enhance geographic access for petitioners, and has been providing human rights consultation tour service since 2005 to directly meet the underprivileged. The consultation tour service was offered twice in 2005, four times in 2006, nine times in 2007, ten times in 2008, six times in 2009, and eleven times in 2010. As a result of the human rights consultation tour for children and youth, the current

status, condition, and problems of labor rights of minors were found in areas such as part-time jobs for youth, and violations of human rights in some schools were confirmed. This led to the development of tasks for the protection of youth labor rights on the Commission level and the review of policies. In order to further enhance the accessibility in the future, the Commission plans to vitalize the human rights consultation tour service and increase regional offices in the mid- to long-term.

Q3. Please provide updated data on government budget allocations for welfare, health and education systems for children, specifying the level of expenditure per child. Additionally, please explain how any inequalities caused by the difference in the budgets of local governments for children are addressed.

13. The children-related budget in 2011 was 38,697,800 million won, which is an approximately 16.5% increase from that of 2008. In particular, the direct budget for children in areas such as child welfare (including childcare), youth, and other child-related projects increased 70.6% from 2008, to 32,131,000 million won in 2011. In addition, the budget for preschool, elementary, and secondary education went up 13.5% from 2008, to 35,484,700 million won in 2011.
14. As of 2011, the region with the highest budget per child was South Jeolla Province with 7.327174 million won, while the region with the lowest was Seoul with 1.181057 million won, which shows a six-fold gap between the highest and lowest. In this regard, taking into account that local governments may have difficulty in increasing the children-related budget depending on their financial

self-reliance, the Government is actively encouraging local governments to expand children-related policies. To this end, the Government has included children-related tasks in the evaluation of metropolitan and provincial governments by the Ministry of Public Administration and Security, as well as in the evaluation of the welfare of local municipalities by the Ministry of Health and Welfare. Moreover, the central Government endeavors to minimize the budget disparity among local governments by directly leading the policies for children in poverty such as the Dream Start Project.

〈Table 1〉 Changes in children-related budget

		(unit: million won, persons, %)			
Category		2008	2009	2010	2011
Total budget expenditure(Fund included)		257,200,000	273,800,000	292,800,000	309,100,000
Children-related budget	Education in preschool, elementary, secondary schools	31,277,000	32,968,100	32,546,700	35,484,700
	Children's welfare (Including childcare)	1,511,800	1,895,400	2,276,000	2,653,400
	Youth	169,000	150,800	190,400	264,100
	Other child-related projects	202,200	253,100	341,700	295,600
	Total	33,160,000	35,267,400	35,354,800	38,697,800
	(Rate of growth)	(-)	(-6.20)	(-0.20)	(-9.50)
Population of children		10,491,000	10,247,000	9,976,000	9,688,000
Expenditure per child		3.2	3.4	3.5	4.0

Source: Ministry of Health and Welfare, 2011

〈Table 2〉 Child-related budget of metropolitan and provincial governments and expenditure per child

(unit: million won)								
Category	2008		2009		2010		2011	
	Child-related budget	Expenditure per child	Child-related budget	Expenditure per child	Child-related budget	Expenditure per child	Child-related budget	Expenditure per child
Seoul	1,509,230	0.772516	1,799,911	0.949932	1,955,325	1.067732	2,139,719	1.181057
Busan	2,677,627	3.509934	2,814,912	3.805313	3,014,806	4.189057	3,228,340	4.544500
Daegu	2,086,374	3.853380	2,249,110	4.287874	2,280,592	4.492936	2,274,119	4.529378

Incheon	2,305,401	3,401,917	2,389,428	3,592,044	2,512,196	3,837,300	2,455,469	3,769,109
Gwangju	1,467,991	4,138,777	1,587,799	4,554,866	1,738,012	5,090,226	1,735,187	5,081,953
Daejeon	1,320,799	3,802,775	1,449,797	3,803,375	1,522,472	4,308,472	1,472,289	4,493,988
Ulsan	422,448	1,481,260	655,436	2,353,696	526,340	1,944,575	563,639	2,107,274
Gyeonggi Province	8,766,104	3,105,737	9,444,220	3,372,692	9,419,589	3,383,582	9,462,709	3,420,525
Gangwon Province	1,938,348	5,904,593	2,052,216	6,368,417	2,223,512	7,052,231	2,064,741	6,548,663
North Chungcheong Province	813,052	2,553,788	902,560	2,890,865	1,059,373	3,321,023	883,682	2,795,657
South Chungcheong Province	970,017	2,258,785	1,222,759	2,859,760	1,112,918	2,630,800	1,068,674	2,548,375
North Jeolla Province	1,125,146	2,762,172	1,164,601	2,918,039	1,270,785	3,275,675	1,440,325	3,807,301
South Jeolla Province	2,534,350	6,455,594	2,646,535	6,946,833	2,603,132	7,050,011	2,668,491	7,327,174
North Gyeongsang Province	1,128,460	2,010,605	1,565,995	2,865,478	1,906,147	3,575,878	1,732,103	3,243,505
South Gyeongsang Province	3,150,085	4,379,632	3,214,887	4,564,688	3,254,529	4,417,821	3,430,849	4,657,164
Jeju Province	618,044	4,357,394	627,757	4,481,002	651,932	4,720,246	653,271	4,750,751

Note1: Child-related budget includes only the budget of metropolitan and provincial governments.

Source: Ministry of Health and Welfare, 2011.

Q4. Please provide data on the key indicators emanating from the child rights index. Please explain which agency has principal responsibility for collecting and disseminating data from the index and how such information is used in the context of child rights monitoring, policy making and programming.

15. In order to monitor the status of children's rights, the Government developed major indexes that suit the Korean situation, such as the Child Rights' Index in 2003, and the Key Indicators and the

Human Rights of Youth Index in 2006. The Government is responsible for collecting and disseminating these indexes. It entrusts state-run research institutes related to children, nongovernmental organizations, and scholars with the task of gathering and releasing to the public the indexes.

16. The Government is constantly monitoring the time-series change of the indexes, and based on these indexes, it evaluated policies for children in its Evaluation of Comprehensive Child Policies in 2008. The Government also utilizes the indexes in establishing the Five-Year Plan on Child Policies and monitoring children's rights.

16-1. The Evaluation of Comprehensive Child Policies was conducted in 2008 to evaluate the overall results of the Participatory Government's child policies. The evaluation covered two of the three comprehensive policies, namely the Comprehensive Plan for Child Protection and Development and the Comprehensive Measures for Children in Poverty. The evaluation results, acquired from 23 indexes, enabled efficient adjustment and examination of policies for children, as well as effective implementation of health and nutrition policies to improve basic quality of life for children in poverty. Moreover, the scope of the underprivileged has been expanded from the lowest income group to the near poor group. In addition, it has become possible to implement policies in a systemic and effective manner by strengthening the connection and cooperation among related ministries in their efforts to prevent children and youth from being exposed to harmful environments.

17. The time-series changes of the major indexes are as follows: The child poverty rate has continued to drop since 2005, to 7.7% in 2009 (by ordinary income standard). Backed by stronger policy

support by the Government, the number of children eligible for the state-funded meal support program increased from 415,519 in 2008 to 485,800 in 2010. The number of in-country adoption has surpassed that of inter-country adoption since 2007. In 2010, the number of in-country adoption recorded 1,462, whereas the number of inter-country adoption was 1,013. As of 2010, the participation rate of students in after-school programs was 63.3%, a 9 percentage point increase from 54.3% in 2008.

Q5. Please provide information on the initial results and impact of the National Action Plan for the Promotion and Protection of Human Rights 2007-2011 in respect of children's rights.

18. In May 2007, the Government set out the National Action Plan for the Promotion and Protection of Human Rights 2007-2011. The Government has been working on 27 tasks in direct relation with children's rights, based on the international standards such as the UN Convention on the Rights of the Child, the clauses related to children's rights in the Korean Constitution, the current domestic status of disadvantaged children and youth, and the recommendations of human rights treaty bodies. The tasks in direct relation with children's rights include the operation of the group of Children's Rights Ombudspersons; establishment and expanded operation of youth participatory organizations such as the Participation Committee for Underage Victims of Sexual Abuse; the treatment and rehabilitation of underage victims of sexual abuse to help their return to society; the Dream Start Project for supporting children from low-income households; establishment and enhancement of the comprehensive youth supporting system in the

local communities; establishment of the treatment and rehabilitation system for youth with internet addiction; promotion of youth club activities; and after-school academies for youth.

19. The Government is duly implementing the National Action Plan, and announces to the public the results of the implementation of the Plan submitted by respective ministries at the end of each year by publishing and distributing the results in booklets. As a result, the Government has come to see the children's rights issue within the context of the entire human rights policy, and the awareness of children's rights was heightened through efforts such as reconfirming the policy implementation results on a regular basis. As the First National Action Plan for the Promotion and Protection of Human Rights 2007-2011 is to be completed at the end of 2011, the Government will make a comprehensive evaluation of the results and effects of the Plan in 2012. Moreover, the Government will reflect the contents of the UN Convention on the Rights of the Child and the recommendations from the Committee on the Rights of the Child when developing the Second National Action Plan for the Promotion and Protection of Human Rights 2012-2016.

Q6. Please provide information on the progress made towards the enactment of a non-discrimination bill.

20. The non-discrimination bill that the Government submitted to the National Assembly in December 2007 was discarded as the session at the Assembly was closed in May 2008. The Government has since been reviewing the content of the bill and considering whether to pursue legislation based on the research on discrimination-related domestic laws and foreign legislation cases. In 2008, the Government conducted research on the EU Racial

Equality Directive as well as the legislation cases of the US, the UK, Germany, France, and Canada, and translated the research results to publish them as a sourcebook. In particular, the case of the General Equal Treatment Law (Allgemeines Gleichbehandlungsgesetz: AGG) in Germany, which is a continental law country as is Korea, was researched in-depth in terms of the enactment process, social evaluation of the law, and cases of law application. Moreover, a task force was operated twice in 2008 and 2009. In 2010, a Special Subcommittee on the Non-Discrimination Act was organized, consisting of relevant experts, persons concerned, and public officials, to discuss for eight months the necessity and key issues regarding the enactment of the Non-Discrimination Act as a general law.

21. The Government is thoroughly reviewing the social and economic burden that can arise from the enactment of the Non-Discrimination Act, such as defining the degree of remedy and establishing the regulation on the relationship between the Act and other laws on non-discrimination.

Q7. Please provide information on awareness-raising and public education campaigns and programmes carried out to combat discriminatory attitudes towards children, in particular owing to gender, nationality, disability, birth and appearance, and on measures to prohibit discrimination and help children victims of discrimination.

22. The Government is offering online education programs on gender equality to all students, and is examining the level of gender equality education while offering incentives to teachers with high performance. It is also conducting campaigns and programs to raise

awareness of discrimination against children, through education on understanding disability for preschool, elementary, middle, and high school students and broadcast of public service announcements. Moreover, the Government has established the Regional Multicultural Youth Centers in areas with large multicultural populations to provide customized services that reflect the regional circumstances and the situations and need of multicultural children.

22-1. As of 2010, 62.1% of all preschools, 84.6% of all elementary schools, 78.4% of all middle schools, and 72.7% of all high schools provided education on understanding disability more than twice a year. Furthermore, with a view to promoting gender equality education, the Government has strengthened the guidance on school curriculums, while providing the analysis of the level of gender equality using manuals and offering incentives to teachers with high performance in order to lay the foundation for gender equality education. In addition, training and workshops have been expanded to enhance the expertise of those in charge of gender equality education.

23. The Government has worked to redress discrimination against children through broadcasting Public Service Announcement (PSA) campaigns such as Delivering Happiness (2008) and Asking a Thousand Koreans (2009). Delivering Happiness is a PSA on multicultural families, aiming at bringing about a change in public perspective on multicultural children as close and amicable neighbors. Asking a Thousand Koreans (2009) is a PSA interviewing persons from all walks of life about the neglected class. The PSA is aimed at maximizing consideration for children from the neglected class by featuring a celebrity couple who have

been continuing modest but meaningful donation and volunteer work in their daily life.

24. To support child victims of discrimination, Article 750 and 751 of the Civil Act, the National Human Rights Commission Act, and the Act on the Prohibition of Discrimination against Disabled Persons, Remedy against Infringement of Their Rights, Etc. stipulate compensation for discrimination, petition and remedy, and criminal penalty. In particular, the National Human Rights Commission Act defines the term “discriminatory act of violating the right of equality” very broadly, and enables the person who suffered from discriminatory acts or any other person or organization that comes to know such acts to file a petition to the National Human Rights Commission of Korea. If the Commission deems that there occurred any discriminatory acts as a result of the investigation of any petition, it recommends implementation of remedial measures and rectification or improvement of any relevant Act and subordinate statute, institution, policy or practice. Furthermore, when deemed necessary, the Commission can recommend urgent relief measures, accusation, or disciplinary action. In particular, the Act on the Prohibition of Discrimination against Disabled Persons, Remedy against Infringement of Their Rights, Etc. stipulates as means of remedy not only the recommendation of the National Human Rights Commission of Korea but also order of correction by the Minister of Justice, remedial measures by the court, and a criminal penalty.

Q8. Please provide information on the outcome of the 2005 Five-Year Plan on the Prevention of and Countermeasure against Violence in Schools and on the concrete measures adopted to help children victim to violence.

25. Pursuant to the First Five-Year Plan on the Prevention of and Countermeasures against Violence in Schools, a planning committee was established in the Ministry of Education, Science, and Technology, regional committees in municipal and provincial governments, and autonomy committees in schools. Special teams in charge of school violence have also been set up and are being operated in municipal and provincial offices of education and individual schools to provide support for preventing and eliminating school violence. Protection of school violence victims has been strengthened by operating the One-Stop Support Centers for Abused Women and Victims of School Violence and implementing the Support System for School Violence Victims. In addition, various centers and programs to guide offending students have been created, including Youth Counseling Support Centers, Juvenile Delinquency Prevention Centers, and One-on-One Mentoring for Students on Probation.

25-1. In order to support school violence victims and guide student offenders, the Government is running the Wee (We + Education + Emotion) Project which prevents victims' maladjustment in school and provides professional counseling to high-risk students. The project is an integrated system for school safety that connects three safety nets, namely Wee Classes (offered in individual schools), Wee Centers (established in district offices of education), and Wee Schools (established in municipal and provincial offices of education). By operating the project, the Government is exerting its utmost to improve the quality of the system that guides student offenders and helps heal victims.

(Table 3) Wee Project System

Category	Service	Target
1st safety net (Wee Class)	-Offered in individual schools -Early detection and prevention of students' maladjustment, and assistance in adjustment to school	-Students in a crisis or maladjusted students due to underachievement in school, poor interpersonal skills, school violence, media addiction, delinquency, etc.
2nd safety net (Wee Center)	-Established in district offices of education -Tailored service consisting of diagnosis, counseling, and treatment for students who need constant care by experts	-Students whom schools have failed to discipline and sent to the Centers, or students who seek counseling
3rd safety net (Wee School)	-Established in municipal and provincial offices of education -Residential education service for high-risk students who need long-term treatment	-Students in a serious crisis situation who need long-term treatment and education -Students who have been sent by the Wee Centers, or dropouts

Source: Ministry of Education, Science, and Technology, 2011

26. As part of the First Five-Year Plan on the Prevention of and Countermeasures against Violence in Schools, the Government has operated the period for school violence reporting system for five years since 2005 to promote reporting and break up student gangs. As a result, 17,119 offenders were dismissed without charge and 439 gangs were disbanded during the three year period from 2008 to 2010. The percentage of students who have experienced school violence was 11.3% in 2009, a 6.3 percentage point drop from 17.6% in 2006.

27. The Government is making greater efforts to reduce dropout rates and guarantee the right of dropouts to education. For instance, since 2006, financial support has been provided for facilities that offer full-time education for dropouts. As a result of such efforts, the number of dropouts fell by 9,849 persons from 71,769 in 2009 to 61,920 in 2010. To establish a system to protect and support victims through the Wee Project, the Government plans to set up regional or municipal and provincial support groups and operate

programs that support families of school violence victims.

Q9. Please indicate whether the State party intends to introduce legislation to abolish corporal punishment in all settings, in particular in school and alternative-care settings. Please also provide information about the pilot "green mileage" system recently introduced as an alternative to corporal punishment in school.

28. In 2011, Article 31(8) of the Enforcement Decree of the Elementary and Secondary Education Act, which used to allow corporal punishment during unavoidable situations, was amended to expressly prohibit corporal punishment. In the previous year, the Seoul Metropolitan Government issued an order forbidding corporal punishment in school and had all elementary, middle, and high schools in Seoul make regulations that ban corporal punishment. Gyeonggi Province has also expressly prohibited corporal punishment in school by putting into effect the Student Human Rights Ordinance in 2010, which stipulates in Article 6(2) that corporal punishment is banned in school.

28-1. On 5 October 2010, Gyeonggi Province, the largest local government in the Republic of Korea, implemented the Gyeonggi Province Student Human Rights Ordinance which stipulates in Article 11 that students shall have the right to express individuality through appearance including clothing and hairstyle and schools shall not regulate hair length. In addition, to promote student human rights, Article 39 of the Ordinance creates the position of Student Human Rights Defender who provides counseling and help with student human rights violation issues. Currently, three Student Human Rights Defenders have been assigned to Seongnam City, Ansan City, and Uijeongbu City offices of education

28-2. A law prohibiting corporal punishment in alternative care settings including childrearing facilities has not been enacted. However, the Child Welfare Act stipulates in Article 29(1) that no person shall inflict an injury on a child's body. Compliance with the Act is checked in the child welfare facility evaluation conducted every three years pursuant to the Social Welfare Services Act.

29. The green mileage system has been introduced by the Ministry of Education, Science, and Technology as an alternative to corporal punishment in school. Under the system, students receive merit points for good deeds and demerit points for misbehavior. The system has been adopted by municipal and provincial offices of education and is being implemented in 4,444 schools as of 2010. Each school has autonomy in student guidance and can decide whether or not to implement such a merit and demerit point system as an alternative to corporal punishment.

Q10. Please provide information on periodic review of care and treatment provided to children in all public and private institutions providing alternative care.

30. The most representative alternative means of care in the Republic of Korea are foster care and group homes. There are different types of foster care such as foster care by grandparents, foster care by relatives within the eighth degree of kinship, and general foster care. When a child comes to need alternative care, social welfare officials or related public officials decide the most appropriate type of care for the child.

30-1. As prescribed under Article 9 of the Enforcement Decree of the Child Welfare Act, social welfare officials or related public officials

visit children who are in foster care or have returned home after foster care to provide follow-up service. In addition, pursuant to Article 3(3) of the Enforcement Regulations of the Child Welfare Act, the situations related to follow-up guidance and money and goods provided for foster children are documented.

30-2. Seventeen Foster Home Supporting Centers funded by the Government have a constant monitoring system for foster children which provides case management for foster children, foster families, and biological families, educates foster parents, and offers counseling to foster children and foster families. The centers provide foster children and their biological parents with various services in order to facilitate the return of children to their biological families. Every three months after foster placement, the centers monitor whether biological parents have recovered the ability to raise children, whether the causes of inappropriate childrearing have been removed, and whether the negative influences of biological parents' inappropriate care on children and consequent emotional and behavioral problems have been successfully addressed. Based on the review of the monitoring, the centers modify the content and goal of services.

30-3. In order to place children in reliable foster homes that will nurture them into adulthood, within 30 days of intake and assessment, the centers make a permanent placement plan including return to the biological family, adoption, and long-term foster care by relatives.

30-4. To ensure proper placement and protection of children, group homes are assessed every three years in accordance with the social welfare facility assessment stipulated by the Social Welfare Services

Act. The assessment criteria include expertise of workers and residents' satisfaction with service as prescribed under Article 27 of the Enforcement Regulations of the Act.

Q11. Please provide information on: the implementation of the Act on the Protection of Juveniles from Sexual Exploitation (amended in 2005 and 2007) and the Act on the Punishment of Sexual Crimes and Protection of Victims Thereof (amended in 2004) the prevention of child sexual abuse and the psychosocial rehabilitation services available for sexually abused children.

31. The Act on the Protection of Juveniles from Sexual Abuse was amended in 2005 to restrict employment of child sex offenders. The Act was amended again in 2007 to change a sex offense against a minor from an offense subject to prosecution only with the victim's complaint to an offense not subject to prosecution only when the victim objects to prosecution.

31-1. In order to prevent sex crimes and deter repeat offenses, child sex offenders are prohibited from employment at educational institutions for minors. As of 2011, there are 240,172 institutions and facilities that restrict employment of child sex offenders. From 30 June 2006 to 3 February 2008, the duration of employment restriction was five years, but has been expanded to ten years since 4 February 2008.

31-2. Supervision of sex offenders has been greatly strengthened with a view to preventing sex crimes and deterring repeat offenses. In February 2008, Registration and Disclosure of Sex Offenders' Personal Information was implemented, which allows persons to access information about child sex offenders at police stations. Through amendment of related laws in January 2010, it has been

expanded to online disclosure accessible to all citizens aged 20 and above, with the period of registration increased to the maximum of 20 years. As of the end of 2010, the number of child sex offenders publicly disclosed online is 151 and the number of offenders registered is 2,167.

- 31-3. Intoxication with alcohol or drugs is not anymore regarded as an extenuating circumstance for sex offenders against minors. Child sex offenders' personal information has been disclosed more widely, and the period of registration has been extended from 10 years to 20 years.
32. The Government employs print, broadcast, and on-line media to support the early discovery of child abuse and raise awareness of child abuse prevention projects among the general public and persons who are required to report child abuse including child sexual abuse. In 2010, 12,352 education sessions were provided for the general public, and 1,788 sessions for persons required to report child abuse.
33. There are forty four Child Protection Agencies, nine Sunflower Children's Centers, four Sunflower Children's and Women's Centers, and twenty one One-Stop Support Centers that provide psychosocial rehabilitation services for sexually abused children. These centers offer psychological assessments, individual therapies, group therapies, assessments and diagnoses of scars of sexual abuse, and regular support for treatment. In addition, child counseling centers and child psychiatric clinics also provide support for sexually exploited children.

<p>Q12. Please provide information on the adoption and implementation of the revised bill codifying the State party's obligation to intervene in</p>
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adoption procedures, and indicate whether the State party intends to ratify the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption.

34. The Government is in the process of amending the Civil Act to require the Family Court to examine adoptive parents' motive for adoption and their ability to rear a child before authorizing adoption. The amended Act would also abolish dissolution of adoptive relation by agreement and allow only judicial dissolution of adoptive relation. The amendment is scheduled to be introduced to the National Assembly in July 2011. Another amendment to the Civil Act was proclaimed in May 2011 and is scheduled to take effect in July 2013. Under this amendment, biological parents are not automatically given back parental authority upon dissolution of adoptive relation in case they are unqualified to raise a child, and the Family Court shall decide whether to grant parental authority to biological parents or to appoint a guardian after considering the welfare of the child. In addition, in June 2011, the National Assembly Standing Committee passed an amendment to the Act on Special Cases Concerning the Promotion and Procedure of Adoption which requires persons who want to adopt a child to submit an adoption request for approval by the Family Court. Through this, the Government is preparing to withdraw the reservations made to Article 21(a) of the Convention on the Rights of the Child. Meanwhile, the Government plans to set up and operate an interagency task force in the second half of 2011 to build a consensus among related ministries on the need to ratify the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption.

Q13. Please provide information on any studies, existing or planned, into the root causes of suicide among children, as well as measures taken by the State party to prevent and remedy this situation.

35. In 2011, the Government plans to commission a study to draft a basic plan for the prevention of suicide based on the Act on Prevention of Suicide and Creation of Culture That Respects Life which was enacted on 30 March 2011 and takes effect on 31 March 2012. The Government will also commission a fact-finding survey of suicide in the first half of 2012. Recognizing the seriousness of a growing number of suicides, the Government developed the Five-Year National Basic Plan on the Prevention of Suicide in 2004, and has instituted the 2nd Comprehensive Measures for Suicide Prevention for the period of 2009 to 2013.

35-1. The Act stipulates in Article 7 that the Minister of Health and Welfare shall devise a basic plan for the prevention of suicide every five years after consulting with heads of related central Government agencies and having the plan deliberated by the Suicide Prevention Expert Committee in the National Health Promotion Policy Review Committee as prescribed under Article 5 of the National Health Promotion Act.

36. In addition, the Government has initiated various suicide prevention projects including a project to strengthen the children's mental health care system, and has been operating a task force since May 2011 in order to enact the Enforcement Decree and Enforcement Regulations of the Act on Prevention of Suicide and Creation of Culture That Respects Life.

Q14. Please provide information on the outcome the 2004 Measures Taken to Reduce Private Education Spending, the 2007 Plan to Reduce Dependence on Private Education and the efforts made to strengthen public education and to improve the quality of in-school education.

37. In 2008, the Government took measures to reduce private education spending including tuition fees of private institutions. In the following year, the Government introduced various initiatives to enhance the competitiveness of public education, including measures to improve in-school education, establish advanced admission processes, strengthen services that can replace private education, supervise management of private institutions more efficiently, and build institutional and cultural infrastructure to reduce private education spending.

37-1. After-school programs that were launched in 2006 with a view to strengthening public education have been expanded to every elementary, middle, and high school across the country as of 2011. In June 2010, the number of programs offered was 494,965 (338,891 regular curricular programs and 156,074 extracurricular programs), which is a 3.8-fold increase from 130,351 programs in 2006.

38. As a result of the aforementioned measures, both the nation's total private education spending and private education expenditure per student fell for the first time ever in 2010, by 3.5% and 0.8% respectively compared to the previous year. There was also progress in areas where there is a short time lag between the implementation of policies and detectable effects, such as improvement in the high school admission system, diversification of schools, and more transparency in management of private institutions.

39. By creating a virtuous circle of enhancing public education and

reducing private education, the Government plans to fundamentally change in-school education, enhance the competitiveness of English and math education in school, and improve the quality of after-school programs based on greater responsibility of municipal and provincial offices of education as well as increased autonomy of schools in liberalization, diversification, and specialization, which have been pursued so far. In addition, measures that started in 2009 such as improving public education and expanding daycare services at school will be aligned with a new educational environment so that they can take root in school and help promote a virtuous circle of enhancing public education and reducing private education.

Q15. Please explain how the denial of the right of children to appeal court judgments is related to the unique circumstances of the State party, such as the security situation as a divided nation and restoring public order in situations of national emergency.

40. It is significant that the Constitution of the Republic of Korea itself allows the legislative branch to restrict the right to appeal court judgments in view of Korea's history and security situation. As for the appropriateness of the content of the Military Court Act that the legislature passed under the authorization of the Constitution, the Government concludes that Article 534 of the Act does not excessively restrict the right of children to appeal in court in view of the following facts.

41. The restriction applies temporarily and tentatively only when it is necessary to overcome a national crisis in emergency situations where a war or a conflict poses an obstacle to the administrative and judicial function. Moreover, the right to an appeal is not restricted when the death penalty is imposed. As a child under the

age of 14 does not receive a criminal penalty as prescribed under Article 9 of the Criminal Act, the right to appeal is an issue only for children aged between 14 and 17, who are generally perceived to have sound judgment. In addition, the restriction is applicable only to serious crimes that threaten the existence of the military, such as military espionage and criminal acts against sentinels and prisoners of war. There is also a procedure to apply for a new trial when new evidence is found.

Q16. Please provide further information on the measures taken to implement the Committee's previous recommendations in its concluding observations to the State party's reports submitted under the Convention (CRC/C/15/Add.197), the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/KOR/CO/1) and the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/KOR/CO/1).

42. As for the sixty one recommendations in the Committee's concluding observations, thirty eight have been implemented, eighteen are in the process of implementation, and five have not yet been implemented. Difficulties in implementing the five recommendations, which the Government will exert efforts to implement when making child-related policies, are explained in the following paragraphs.

42-1. Regarding the reservation to the guarantee of the child's right to appeal in court, the child's right to an appeal is partly restricted only in military trials under extraordinary martial law in view of Korea's unique security situation as a divided nation, as mentioned in an earlier section of this report. Considering future changes in the state of domestic and international affairs and inter-Korean

relations, the Government will seek for ways to bring domestic laws closer to the spirit of the Convention in order to guarantee the child's right to appeal to the maximum extent.

42-2. The Government has not yet withdrawn the reservations made to introduction of authorization-based adoption. However, the Government is making efforts to implement authorization-based adoption as soon as possible. As part of such efforts, the Government plans to introduce to the National Assembly an amendment to the Civil Act which requires adoption approval by the Family Court in July 2011. In addition, an amendment to the Act on Special Cases Concerning the Promotion and Procedure of Adoption, which includes provisions on adoption approval by the Family Court, has been introduced to the National Assembly.

42-3. As the Government considers introducing authorization-based adoption, it also endeavors to implement the recommendation concerning a comprehensive review of the system of domestic and inter-country adoptions.

42-4. The Government has not ratified the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption. The Government needs to sufficiently review and seek opinions on how to manage authorization-based adoption and how to deal with expected problems. To this end, the Government plans to set up and operate an interagency task force in the second half of 2011.

42-5. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has not been ratified as it contradicts domestic laws. However, the Government endeavors to promote human rights of migrant workers by improving related domestic laws and policies, and will continue to

discuss ratification of the aforementioned Convention.

43. As for the thirty five recommendations on the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, one has been implemented, thirty two are in the process of implementation, and two have not yet been implemented. Difficulties in implementing the two recommendations, which the Government will exert efforts to implement when making child-related policies, are explained in the following paragraphs.

43-1. The Committee on the Rights of the Child recommended that the Government continue to ensure that the National Human Rights Commission of Korea is provided with the necessary human and financial resources that would enable the Commission to establish a child rights division. However, due to limited human resources, the National Human Rights Commission of Korea currently does not have a separate division dedicated to the rights of children, and is not given active support on this front. Therefore, the Government and the Commission will continue to exert efforts and consult with each other to ensure that the Commission is provided with human and financial resources to establish a child rights division in the medium and long term.

43-2. The position of the Government regarding the recommendation to withdraw the reservations made to introduction of authorization-based adoption was discussed in an earlier section of this report dealing with the Committee's concluding observations.

44. As for the thirteen recommendations in the Optional Protocol on the involvement of children in armed conflict, five have been implemented, seven are in the process of implementation, and one has not yet been implemented. The one not implemented is the

recommendation on establishment of a child rights division in the National Human Rights Commission of Korea, and the position of the Government regarding this recommendation was discussed in an earlier section of this report dealing with the recommendations on the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

Q17. Please provide information on de facto working conditions of children, and indicate whether the State party intends to ratify ILO Conventions No. 29 (1930) concerning Forced or Compulsory Labour and No. 105 (1957) concerning the Abolition of Forced Labour.

45. The Government is educating employers, teachers, and youths to develop their awareness of the Labor Relations Act, and is promoting youth initiative projects such as youth leadership activities. The Government does its utmost to protect minor workers by improving related regulations. For example, the Government began to require workplaces to provide minor certificates (from May 2007) and stipulate work conditions in writing (from July 2007).

45-1. In 2008, the Government inspected 1,318 workplaces that hired minors (under the age of 18) and uncovered violations at 1,031 workplaces. In the following year, 1,641 workplaces with juvenile employees were checked and 1,408 of them were found to have failed to comply with regulations. In 2010, out of the 1,545 workplaces with underage workers examined, 1,300 turned out to have violated rules. All of these businesses that breached regulations underwent corrective measures. Among them, seven were prosecuted in 2008, three in 2009, and two in 2010. One company was fined in 2008 and two in 2009.

45-2. In October 2010, five ministries of the Government jointly

developed comprehensive measures for underage entertainers, whose rights had not been very well respected. The measures are aimed at, among others, protecting juvenile entertainers from sexual abuse and ensuring their right to education and fair working conditions. As part of the measures, the Government revised the standardized contract form for popular culture entertainers in June 2011 to include new provisions that prohibit entertainment agencies from asking underage entertainers to dress in excessively revealing clothing and protect their basic rights such as the right to education and personal rights.

- 45-3. In May 2011, the Government amended the Framework Act on Juveniles to prescribe the central and local governments' responsibilities to specially protect working juveniles and make policies that ensure work helps balanced growth and development of minors. As a follow-up measure, the Government plans to conduct a study to develop policy agenda to protect working minors.
46. The Government plans to consider ratification of ILO Conventions No. 29 and No. 105 As part of an effort to pursue ratification, the Government will conduct research on the ratification of ILO Conventions on Forced Labor in 2011. It will also continue to consult with relevant ministries to ensure that domestic laws and institutions are consistent with the standards of the ILO Conventions.
- 46-1. The Government has continued to pursue ratification of ILO Convention No. 29 for more than a decade. In 1998, the ILO advisory committee visited Korea to discuss ratification, and in 2006, ILO Convention experts were invited to a tripartite meeting of labor, management, and government. Government officials also met with the Director of the ILO International Labor Standards

Department in 2009. In the following year, the Government commissioned a study to consider ratification.

46-2. ILO Convention No. 105 forbids making use of any form of forced or compulsory labor as a means of political coercion, as a punishment for holding views ideologically opposed to the established political or social system, or as a punishment for having participated in strikes. In Korea, however, the National Security Act applies to political offenders, and criminal offense of obstruction of business applies to strikers. These offenders can be sentenced to penal servitude, and therefore it is currently difficult for the Government to ratify ILO Convention No. 105.

46-3. In particular, the ILO has an opinion that alternative service such as personnel for public interest service is not “work of a purely military character” and therefore should be regarded as forced or compulsory labor. However, alternative service is necessary for manpower management under the conscription system that is indispensable in view of Korea’s unique security situation as a divided nation.

Part II

Q1. New bills or laws, and their respective regulations

47. (Amendment to the Family Litigation Act, 2009) In May 2009, in order to make it easy to collect child support, the Government amended part of the Family Litigation Act to establish the system for property statement and property inquiry in cases claiming division of property, support allowance, and child support. Furthermore, in November 2009, the Government introduced the

Order for Direct Payment of Child Support, which, upon an application by a child support obligee, directly pays child support to the child support obligee by deducting the child support regularly from a child support obligor's salary if the child support obligor fails to pay the child support not less than two times without any justifiable reasons.

48. (Amendment to the Enforcement Decree of the Special Act on Children Eating Habit Safety Management, 2010) This Act prohibits commercials for high-calorie, low-nutrition food during TV programs for children from 5p.m. to 7p.m. every day. Moreover, as for the time other than the prohibited time, the Commissioner of the Korea Food and Drug Administration can also ban businesses that manufacture, process, import, distribute, or sell refreshments for children from placing commercials for high-calorie, low-nutrition food during children's TV programs.
49. (Amendment to Article 18(1) of the Enforcement Decree of the Juvenile Protection Act, 2010) The youth protection time, during which suggestive and violent programs are banned from television to protect juveniles, has been extended to morning hours. The regulations regarding the youth protection time are two-fold: First, harmful media materials shall not be broadcasted during the protection time. Second, media materials that are not harmful to juveniles should be aired only after broadcasters take into account the sentiment of children and youth based on the broadcasting regulations.
50. (The Act on the Punishment of Sexual Crimes and Protection of Victims Thereof was separated into two acts in 2010.) The Act on the Punishment of Sexual Crimes and Protection of Victims Thereof was separated into two acts, one on protection of victims and the

other on punishment of perpetrators. The former was enacted as the Act on the Prevention of Sexual Assault and Protection, Etc. of Victims Thereof, which comes under the jurisdiction of the Ministry of Gender Equality and Family, and the latter was enacted as the Act on the Punishment of Sexual Crimes, which falls under the jurisdiction of the Ministry of Justice.

51. (Amendment to the Enforcement Decree of the Infant Care Act, 2011) In order to reduce the child rearing burden of parents and ensure fairness with the parents receiving child care subsidy, the age limit for the fostering allowance for children who do not use nursery facilities has been raised from under 24 months of age to under 36 months of age.
52. (Amendment to the Enforcement Decree of the Elementary and Secondary Education Act, 2011) The Act made it mandatory for principals of elementary and secondary schools to reflect student's opinions when enacting or amending school regulations, with a view to ensuring a democratic process. Moreover, a complete prohibition has been placed on corporal punishment using parts of the human body or a tool to cause physical pain to students.
53. (Amendment to the Enforcement Regulations of the Act on the Treatment of Protected Juvenile, Etc. 2011) In order to help persons released from medical rehabilitation juvenile reformatories settle in society in a stable manner, the Act was amended to allow protected juveniles who are released or released on parole from medical rehabilitation juvenile reformatories to receive necessary treatment in the reformatories at the request of protected juveniles.
54. (The bill on partial amendment to the Support for Multicultural Families Act was passed in 2011) The bill passed the plenary

session of the National Assembly in March 2011, and is to go into effect in September 2011. Under the old Act, the term "multicultural family" means a family falling under any of the following items: (a) A family comprised of a married immigrant and a person who acquired the nationality of the Republic of Korea by birth; (b) A family comprised of a person who obtained permission for naturalization from the Minister of Justice and a person who acquired the nationality of Korea by birth. However, under the amended Act, the term "multicultural family" also refers to a family comprised only of persons who acquired the nationality of Korea not by birth but later in life (persons who were recognized at birth by a father or a mother who is a Korean national and thus acquired the nationality of Korea, or persons who obtained permission for naturalization). The Act has also secured grounds for establishment of the Policy Committee on Multicultural Families and the Multicultural Family Support Policy: Basic Plans, which are currently being operated. This is to strengthen interagency cooperation in implementing multicultural family policies.

55. (Enactment of and amendment to the child-related regulations in the Road Traffic Act, 2011) Since May 2011, it has become mandatory for drivers of commuter vehicles for children (including unregistered vehicles) to alight from the vehicle to check for safety when children get on and off the vehicle. In addition, the operators and drivers of children's commuter buses or vehicles are required to receive safety education on a regular basis.

56. (The bill on Supporting the Welfare of Disabled Children, 2011) The main contents of the bill pending in the National Assembly as of June 2011 are as follows: establishment and operation of the

central support center and regional support centers for disabled children, which are in charge of providing case management and linking various services for disabled children; provision of legal grounds for the reliable support for development rehabilitation services, care and respite services, local community transition services, and family support services; making it mandatory to provide information on the qualifications of development rehabilitation service providers in order to control the service quality.

57. (The bill on the overall amendment to the Child Welfare Act, 2011) To complement the current Child Welfare Act that consists of a total of 43 articles, a bill on the overall amendment to the Act that consists of 75 articles was submitted to the National Assembly in November 2011 and is currently being discussed. The main features of the bill are as follows: establishing basic plans for children's policies; conducting a comprehensive examination of the status of children; establishing and operating a deliberation committee on children's welfare; developing a process to select appropriate foster homes; clarifying the regulations related to prohibited conduct on children; expanding the range of persons with the right to request termination of parental rights and persons with the right to designate guardianship; expanding the range of persons required to report child abuse and imposing fines on those who failed to report; strengthening child protection and eliminating risk factors during crackdown on child abuse; deploying child protection workforce to prevent missing children and crimes against children and operating emergency shelters for children; providing integrated services for vulnerable regions and supporting self-reliance; aligning child welfare organizations; reclassifying child welfare facilities;

adding reasons for orders to improve, halt, or close down operation for illegal activities of child welfare facilities; and free use of national and public property when establishing and operating child welfare facilities.

Q2. New institutions (and their mandates) or institutional reforms
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58. (Expansion of rehabilitation services for children with disabilities, 2009) The voucher system for rehabilitation services for children with disabilities, which had started in 2007, was expanded to a nationwide project in 2009. In 2011, the target beneficiaries of the system are expanded from households with less than 50% of the average national household income to households with less than 100% of the average income. Rehabilitation services vouchers worth 220,000 won (including co-payment) are offered to each disabled child every month. Rehabilitation services such as speech, art, music therapies and behaviour, play, psychomotoric therapies are provided depending on service providers and the needs of the beneficiaries.
59. (Introduction of subsidies for diagnostic tests for developmental disorders, 2010) This is a system which provides an infant or a child from disadvantaged families with opportunities for early diagnosis and intervention of developmental disorders to prevent deterioration of the condition. Under this system, an infant or a child whose medical checkup shows signs of a developmental disorder is offered the maximum of 400,000 won for diagnostic tests such as an intelligence and cognition test, a language test, and an autism test. Thirty six thousand Medical Aid beneficiaries were given the subsidies in 2010. From 2011, sixty thousand persons

including those in the near poor group will be eligible for the subsidies.

60. (Expansion of childcare service, 2011) In an effort to help persons balance work and family, the Government has increased support for childcare service to ensure households can access the service in a timely manner. To meet the increasing demand for childcare among working parents, the Government supports part-time childcare service which is provided after business hours of childcare facilities or after elementary school hours. The service, which was offered to an average of 10,000 households per month in 2010, will be extended to 30,000 households in 2011. The target beneficiaries of full-time childcare service have also been expanded from households with less than 50% of the average national household income to households with less than 70% of the average income.
61. (Mail notification of sex offenders, 2011) Under this system, if a sex offender against a minor under the age of 13 lives in, moves into, or moves out of the neighborhood, the offender's personal information is promptly mailed to families with children in the neighborhood. The system is aimed at enabling local residents to get the information about offenders living in the nearby area and prevent potential sex crimes.
62. (Sexual abuse victims' priority right to residency to national rental housing, 2011) Since April 2011, the Government has provided child victims of sexual violence, victims of incestuous sexual abuse, and families caring for such victims with priority right to residency to national rental housing. Among the aforementioned victims, persons who have lived in shelters for domestic violence victims for more than six months or in group homes supported by the Ministry of Gender Equality and Family for over two years are

given with priority right to residency to national rental housing.

63. (The Shutdown System, 2011) The Shutdown System, which is aimed at preventing minors' addiction to online games, is scheduled to take effect in November 2011, as an amendment to the Juvenile Protection Act was passed in the National Assembly in April 2011. Under the system, online game companies are prohibited from providing game services to minors under the age of sixteen from 12a.m. to 6a.m. Violators will be sentenced to a maximum of two years in prison or face fines of up to 10 million won.

Q3. Recently introduced policies, programmes and action plans and their scope and financing

64. (Enhanced measures to block access to content harmful to juveniles, and wider distribution of a content-filtering program, 2009) To prevent access to blocked overseas websites that are illegal and harmful, internet service providers set up equipment to block URLs of such websites in December 2008 at the suggestion of the Government. As a result, the Government has enhanced the effectiveness of censorship and corrective measures on illegal and harmful materials such as child pornography on overseas websites, thereby more strictly blocking access to content harmful to juveniles. A software program that blocks access to harmful content to children, which has been provided free since 2003, has been distributed more widely since 2009. The Government continues to endeavor to protect minors by requiring all communication service providers over a certain size including portal sites to appoint a Youth Protection Officer who is in charge of blocking and controlling harmful content.

65. (Awareness raising programs for internet ethics, 2009) In 2009, the Government began to actively promote awareness raising programs for internet ethics, which had been part of media education. Through such programs, which include classes and online classes for minors and adults, public service advertisements, and special events, the Government exerts efforts to raise public awareness for sound use of the internet.
66. (Establishment of the Policy Committee on Multicultural Families and development of the Multicultural Family Support Policy: Basic Plans, 2009-2010) The Policy Committee on Multicultural Families (chaired by the Prime Minister) was established in September 2009 to take charge of and coordinate multicultural family policies. In May 2010, the Multicultural Family Support Policy: Basic Plans (2010-2012) were devised.
67. (Sending language teachers and visiting teachers for children of multicultural families, 2010) To help married immigrants and their families who do not receive adequate support in terms of language and education services, the Government launched a program that sends language teachers and visiting teachers who lend assistance in Korean language education, parenting, and daily-life guidance, and also began to provide interpretation and translation services. To build global competence of children and promote communication between parents and children, pilot bilingual classes have also been offered in 52 places.
68. (The Good Parents Program for and the Daily-life Guidance Project for multicultural families, 2010) In 2010, the Government launched pilot programs such as the Good Parents Program and the Daily-life Guidance Project for children to provide information on

childrearing in accordance with children's lifecycle stages (neonatal period, infancy, childhood).

69. (Crime prevention class, 2010) In an effort to prevent school violence, crime prevention classes were offered to 5,529,634 students in 14,979 schools in 2010. In this program, police officers (chiefs, captains, and instructors in charge of women and minors) visited schools and taught how to prevent and respond to crime.
70. (Programs for juvenile delinquents, 2010) In an effort to prevent repeat offenses by juvenile delinquents, specialized organizations were entrusted with providing character building education programs for underage offenders. In 2010, 33 organizations offered courses such as understanding delinquent behaviors, role plays, art therapies, and volunteer activities to 17,877 persons.

Q4. Recent ratifications of human rights instruments
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71. The Government has ratified the Convention on the Rights of Persons with Disabilities and has written a national report, which is to be submitted in June to July 2011. The report includes the essential particulars of the Convention, namely the protection of the rights of persons with disabilities in all aspects of life, such as equality and non-discrimination; freedom from exploitation, violence and abuse; personal mobility; education; health; work and employment; independent living; participation in political and public life. The report also contains the related ministries' implementation results of the substantial articles of the Convention (Article 1 to 33), relevant laws, policies, problems in the process of implementation, and plans for the future.

Part III

Q1. Please provide statistical data for 2008, 2009 and 2010, disaggregated by nationality, age, sex, ethnicity, geographic location, and socio-economic status on:

(a) The number of children deprived of a family environment and the type of care they receive, and the budgetary allocations for residential care institutions, foster homes and other forms of alternative care for children;

(b) The number of reported cases of children who were abused, neglected or sexually exploited. Please include information about any investigations or studies conducted thereon, as well as their outcomes;

(c) The number of suicides committed by children; and

(d) The number of children under the jurisdiction of the State party who have been victims of trafficking and sexual exploitation, both within and outside of the State party's borders, as well as the rate of prosecution and conviction of perpetrators

72. The total number of children in need is declining. As for the type of care they receive, adoption is on the rise, while the number of children who live in childrearing facilities, group homes, and foster homes is falling.

(Table 4) Type of care children in need receive

(unit: persons)

Year	Total	Childrearing facilities	Group homes	Foster care	Adoption
2008	9,284 (100.0)	4,297 (46.3)	667 (7.2)	2,838 (30.5)	1,482 (16.0)
2009	9,028 (100.0)	4,081 (45.2)	686 (7.6)	2,734 (30.3)	1,527 (16.9)
2010	8,590 (100.0)	4,219 (49.1)	623 (7.2)	2,124 (24.7)	1,629 (19.0)

Source: Ministry of Health and Welfare, 2008-2010

73. The Government's budget for alternative care for children is increasing. The budget for group homes, foster care, and adoption

has risen since 2008 whereas the budget for childrearing facilities decreased in 2010 compared to 2009.

(Table 5) Budgetary allocations for alternative care for children

(unit: million won)

Year	Childrearing facilities	Group homes	Foster care	Adoption
2008	220,402	9,465	78,153	8,580
2009	261,410	11,600	82,104	9,280
2010	247,615	13,306	91,875	9,307

Source: Ministry of Health and Welfare, 2008-2010

74. The number of child abuse cases nationwide reported to the National Child Protection Agency dropped in 2010 from the previous year's level. The number of abused children did not show significant difference by gender, and the 10 to 12 age group accounted for the largest proportion of victims. Meanwhile, the number of neglected children, which had been on the rise until 2008, has declined since 2009.

(Table 6) Reported cases of child abuse (disaggregated by gender and age)

(unit: persons, %)

Category	2008	2009	2010
Gender	Male	2,801(50.2)	2,889(50.8)
	Female	2,777(49.8)	2,796(49.2)
	Total	5,578(100)	5,685(100)
Age	Under the age of 1	131(2.3)	139(2.4)
	1-3	476(8.5)	487(8.6)
	4-6	697(12.5)	710(12.5)
	7-9	1,319(23.7)	1,249(22.0)
	10-12	1,452(26.0)	1,481(26.1)
	13-15	1,098(19.7)	1,248(21.9)
	16-18	405(7.3)	371(6.5)
	(16-17 for 2010)		405(7.2)
	Total	5,578(100)	5,685(100)

Source: Ministry of Health and Welfare, National Child Protection Agency

(Table 7) The number of neglected children (disaggregated by gender and age)

(unit: persons, %)

Category		2008	2009	2010
Gender	Male	1,691(54.5)	1,560(53.1)	1,472(51.1)
	Female	1414(45.5)	1,379(46.9)	1,406(48.9)
	Total	3,105(100.0)	2,939(100.0)	2,878(100.0)
Age	Under the age of 1	91(2.9)	95(3.3)	136(4.7)
	1-3	307(9.9)	283(9.6)	371(12.9)
	4-6	403(13.0)	415(14.1)	404(14.0)
	7-9	800(25.8)	691(23.5)	565(19.7)
	10-12	824(26.5)	723(24.6)	705(24.5)
	13-15	512(16.5)	567(19.3)	532(18.5)
	16-18	168(5.4)	165(5.6)	165(5.7)
	Total	3,105(100.0)	2,939(100.0)	2,878(100.0)

Note: Multiple abuses not classified.

Source: Ministry of Health and Welfare, National Child Protection Agency

75. According to the results of the National Police Agency's crackdowns on sex trafficking of juveniles under the age of 19, which is a type of sexual exploitation of minors, the number of arrested offenders fell considerably in 2010 compared to 2008. The number of victims of sexual violence against children under 13 years of age, which is another type of sexual exploitation, is also decreasing.

(Table 8) Crackdown on underage sex trafficking

(unit: persons)

Category	Arrested offenders	Indictment	
		Indicted with detention	Indicted without detention
2008	2,112	81	2,031
2009	2,182	125	2,057
2010	1,345	56	1,289

Note: sex trafficking of persons under the age of 19

Source: National Police Agency, 2011

(Table 9) The number of child victims of sexual violence

(unit: persons)

Category	2008	2009	2010
Child victims of sexual violence (under the age of 13)	1,220	1,017	1,012

Source: National Police Agency, 2011

76. The number of suicides committed by children rose in 2009 from the 2008 level. Child suicide is a serious problem regardless of gender.

(Table 10) The number of suicides committed by children

(unit: persons)

Category	2008	2009
Male	97	149
Female	93	128
Total	190	277

Note: The figure for 2010 is to be released in September 2011.

Source: Demographic trends, Statistics Korea

77. The names of crimes that constitute human trafficking, sexual exploitation, and abuse in the Criminal Act are listed in the following table. Statistics on penalties are not disaggregated by gender, age, or ethnicity of victims. As for violations of the Child Welfare Act and the Juvenile Protection Act, statistics on penalties for child abuse are not disaggregated by types of offenses and are disaggregated only by what Act is violated.

(Table 11) The rate of prosecution for human trafficking, sexual exploitation, and abuse

(unit: cases, %)

Category	2008				2009				2010			
	Pros ecuti on	Non-p rosec ution	Subt otal	prosec ution	Prose cution	Non-p rosec ution	Subt otal	Rate of prose cution	Prose cution	Non-p rosec ution	Subt otal	Rate of prose cution
Arranging for prostitution	0	0	0	0	0	0	0	0	0	0	0	0
Kidnapping of minor	31	143	174	17.8	34	153	187	18.2	30	148	178	16.9
Kidnapping and trading for gain	20	46	66	30.3	22	73	95	23.2	24	71	95	25.3
Kidnapping and trading for transportation to foreign country	0	1	1	0	0	1	1	0	0	1	1	0
Violation of Coercive conduct	40	68	108	37.0	66	71	137	48.2	51	81	132	38.6

	Trading	1	1	2	50,0	1	24	25	4,0	0	9	9	0
Act on the Protection of Children and Juveniles from Sexual Abuse	Purchasing juvenile sex	537	671	1,208	44,5	612	608	1,220	50,2	493	537	1,030	47,9
	Business of arranging prostitution	44	37	91	48,4	92	102	194	47,4	44	57	101	43,6
	Production, distribution, etc. of juvenile pornography	2	3	5	40,0	12	7	19	63,2	40	41	81	49,4
	Hard labor by children	0	0	0	0	0	0	0	0	0	0	0	0
	Violation of Child Welfare Act	56	106	162	34,6	39	117	156	25,0	28	63	91	30,8
	Violation of Juvenile Protection Act	6,838	4,146	10,984	62,3	5,955	5,701	11,656	51,1	5,616	4,879	10,495	53,5

Note: Prosecution consists of Trial and Summary Order. Non-prosecution consists of Charged Cleared, Indictment Suspended, Transferred to Juvenile Department, and others

Source: Ministry of Justice, 2011

Q2. Please indicate what percentage of families raising children with disabilities are eligible to welfare services, education assistance, allowances and tuition especially provided for children with disabilities.

78. Children with disabilities are provided with various welfare services. Under the Rehabilitation Program for Children with Disabilities, families raising severely disabled children under the age of 18 receive monthly vouchers worth from 160,000 won to 220,000 won for rehabilitation services such as auditory-verbal therapies; art and music therapies; behavior, play, psychological therapies. In addition, under the Childrearing Assistance Program for Families with Disabled Children, trained and qualified caregivers are sent to families raising severely disabled children under 18 years of age to care for children and offer respite to families. Currently, the two programs target households with less than 100% of the average national household income. In 2011, the target beneficiaries will be 37,000 persons, which is 74.5% of all severely disabled children.

79. The Government grants education subsidies to disabled children from low-income families. The subsidies for middle and high school students with disabilities cover not only school admission fees and tuition but also expenses for textbooks, auxiliary textbooks, and school supplies. In 2010, the subsidies were given to 1,242 students, which is 2.86% of 43,408 registered disabled children between the ages of 13 and 18.
80. Disabled Child Allowance of 20,000 to 200,000 won per month is offered to registered disabled persons under the age of 18 who receive the National Basic Livelihood Security benefits or are in the near poor group. In 2010, 23,057 persons (28.8% of 80,075 registered disabled children) received the allowance.
81. Article 18 (Medical and Rehabilitation Treatment) and Article 35 (Rendering Services for Rehabilitation and Support for Self-Reliance Classified by Type of Disability and by Degree of Disability, Etc.) of the Welfare of Disabled Persons Act and Article 25(2) (Assistance for Support of Families) of the Framework Act on Healthy Homes provide legal grounds for the Rehabilitation Program for Children with Disabilities and the Childrearing Assistance Program for Families with Disabled Children. Article 38 (Provision of Educational Expenses for Children) of the Welfare of Disabled Persons Act serves as a legal basis for education subsidies for disabled children. Article 50 (Allowance for Disabled Children and Guardian Allowance) of the Welfare of Disabled Persons Act provides a legal basis for Disabled Child Allowance.

(Table 12) Support for Children with Disabilities

(unit: persons)

Category	2008	2009	2010	Mar, 2011
Rehabilitation service	-	16,356	28,313	30,239
Childrearing assistance service for families	681	547	714	1,493
Education subsidy	1,333	1,373	1,242	1,100
Disabled child allowance	16,001	17,724	23,057	22,844

Source: Ministry of Health and Welfare, 2011

Q3. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

82. The Government will duly implement the UN Convention on the Rights of the Child by promoting the autonomy and participation of students; protecting children from crime; preventing juvenile workers from being victimized and strengthening remedies; preventing child abuse and enhancing support; providing equal opportunities and more support for children in poverty; placing priority on policies such as promoting in-country adoption over inter-country adoption and enhancing culture and art education for disadvantaged children. Detailed explanation is as follows:

82-1. Institutions have been improved to encourage students to have more autonomy and participate actively in school life and operation by designating and operating School Culture Leading Schools(elementary, middle, and high school) and making it mandatory to reflect students' opinions when enacting and revising school regulations. Such policies will be continued into the future to enhance the self-driven attitude of students, through efforts such as diffusing success cases of the School Culture Leading Schools.

82-2. The Government will build a social system that actively protects children from crime through efforts such as designating and

operating child safety houses and operating the 1319 Protection Teams for Children and Women.

- 82-3. Child rights will be protected to the maximum degree through measures such as toughening up penalties for business owners who violate the children-related regulations in the Labor Standard Act and enhancing education, guidance, and inspection.
- 82-4. The Government will do its utmost to protect children's rights by taking stern measures against child sexual violence, such as nationwide establishment of child protection agencies, introduction of electronic anklets, and use of chemical castration on sex offenders.
- 82-5. Equal opportunities will be given to children in poverty by strengthening measures for children in poverty, such as the Dream Start Project, the Child Development Account (CDA), and regional children's centers, and completing the child protection system centered on the local communities.
- 82-6. The Government will discourage inter-country adoption and promote in-country adoption by increasing financial support, including support for adoption fees, for domestic adoptive families, and providing child support for children with disabilities. In particular, the Government will continue to strengthen support to promote adoption of children with disabilities.
- 82-7. Disadvantaged children will receive active support to ensure that they are not excluded from culture and art education, through measures such as dispatching art instructors to elementary, middle, and high schools across the nation, and operating children's museums, children's art museums, and the National Gugak Center(formerly: National Center for Korean Traditional Performing Arts).