



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Eighty-eighth session**

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Item 4 of the provisional agenda

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms of  
Discrimination against Women**

**Replies of the Republic of Korea to the list of issues and  
questions in relation to its ninth periodic report\*\*\***

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\* The present document is being issued without formal editing.

\*\* The annexes to the present document may be accessed from the web page of the Committee.



## **Visibility of the Convention and the Optional Protocol thereto**

1. In the Republic of Korea, the Institute of Justice (IOJ) established human rights and gender equality education as mandatory subjects in its basic curriculum for legal public officials, such as the prosecution, and provided education on content related to the Convention and the Committee's recommendations, such as elements of gender discrimination and improvement tasks, gender-equal organizational culture, human rights, relevant laws, systems, etc. (5,598 persons in 2022).
2. The Korean National Police Agency (KNPA) formulated its own Basic Plan for Gender Equality Policies while conducting gender equality education, customized by rank, for the entire police force on gender equality leadership, organizational culture, public security capacity building, etc. Ref. Appendix 1: Status of human rights and gender equality education at the IOJ in 2022 and Appendix 2: Education related to gender equality at KNPA.
3. The Government of the Republic of Korea published the Convention and its Optional Protocol, the Committee's concluding observations, etc., on the websites of the Ministry of Gender Equality and Family (MOGEF) and National Human Rights Commission of Korea (NHRCK) and produced a report on the 8th periodic review for distribution to relevant organizations, including related ministries, legislative and judiciary bodies, and local governments, thereby disseminating efforts at home and abroad to eliminate discrimination against women. In addition, the Gender Equality Council, presided over by the Prime Minister, regularly monitors the implementation of the Committee's previous recommendations.

## **Women's rights and gender equality in relation to the COVID-19 pandemic, recovery efforts, and global crises**

4. In response to deepening socio-economic gender inequality induced by the COVID-19 pandemic, the Korean government formulated, through inter-ministerial efforts in 2021, "Measures to support women's recovery from the employment crisis caused by COVID-19" for at-risk women in the economically active age groups (35 to 60 in age). Specifically, the state of the employment crisis facing women resulting from the prolonged pandemic was analyzed, and concrete policies were devised to expand public and private sector jobs for women, bolster employment and start-up support for their return to the labor market, close the gender gap, etc. Moreover, to preemptively tackle the rising suicide rate among women in their 20s and 30s due to employment insecurity and social isolation, measures have been introduced to provide customized psychological and emotional support, employment, care assistance, etc.

## **Legislative framework and definition of discrimination against women**

5. With regard to a comprehensive anti-discrimination law that sets forth gender as one of the prohibited grounds of discrimination, a total of four bills were proposed by lawmakers and are now pending in the 21st National Assembly (from 2020 till now). A public hearing was held in May 2022 to gather diverse opinions. Under the current laws, Article 11 of the Constitution of the Republic of Korea promulgates equality before the law and the principle of prohibition of discrimination, which are rendered concrete by individual laws that correct discrimination based on gender, marriage, status within the family, pregnancy, childbirth, disability, age, etc. Meanwhile, various laws and institutions are being put in place to prohibit discrimination against women, such as through a procedure, etc., for filing a petition

with the NHRCK to seek remedy for discriminatory acts committed on comprehensive grounds, including gender. See Appendix 3: Legal provisions related to comprehensive prohibition of discrimination.

### **National Human Rights Machinery**

6. The Gender Equality Council, pursuant to the Framework Act on Gender Equality, is headed by the Prime Minister and participated by 15 government and ten private sector members representing civil society, law, administration, economy, women, etc., to explore and discuss various agendas for gender equality. The Council monitors the implementation of the Basic Plan for Gender Equality Policies and diagnoses the level of national gender equality to deliberate on and coordinate areas for institutional improvement while overseeing policies aimed at narrowing the gender awareness gap. See Appendix 4: Provisions related to the establishment and operation of the Gender Equality Council.

7. To enhance the efficiency of policies that support women, families, youth, etc., which the MOGEF is mandated with, a bill to amend the Government Organization Act was put forth in October 2022 that calls for the establishment of the Office of Population, Family, and Gender Equality under the Ministry of Health and Welfare (MOHW) as an organization that brings together and coordinates gender equality policies. Once reorganization is completed, the Minister of Health and Welfare, as the head of a ministry that directs overall social welfare policies, will serve to integrate and coordinate gender equality policies of each ministry, among other roles, and be empowered with stronger bargaining power within the government as well as a broader scope of work that includes health, healthcare, childbirth, child-rearing, children, women in poverty, older women, women with disabilities, etc., which will lead to expansion in their executive authority and function. In addition, by incorporating a gender equality perspective into policies for an aging society and population, it will become possible to pursue comprehensive policies such as enhancing gender equality within families, broadening support for childbirth and child-rearing, increasing women's economic participation through work-life balance, etc. Furthermore, the Office of Population, Family, and Gender Equality under the MOHW will undertake to coordinate and integrate roles for the implementation of the National Action Plan for UNSCR 1325, thereby continuously reinforcing inter-governmental cooperation.

### **National human rights institutions**

8. The NHRCK established a Gender Discrimination Remedy Team in 2018 and upgraded it to the Gender Discrimination Remedy Division (headcount: seven persons) in 2022, which was given strengthened functions for addressing gender-based discrimination, such as by pursuing investigations of and remedy for acts of gender discrimination and sexual harassment and implementing related policy studies and research.

### **Temporary special measures**

9. The government established the Third Plan for Improving Gender Representation in the Public Sector (2023–2027) in an effort to enhance gender balance in decision-making positions in the public sector, such as Senior Civil Service officials, managerial public officials, executives and managers at public institutions,

etc. Performance is monitored twice a year, and as of 2022, targets in all 12 areas have been achieved.

10. To ensure gender representation and foster a gender-equal environment in the education sector, city/province offices of education are monitoring on their own the Plan to Increase the Number of Female Principals and Vice-Principals while following up on the Action Plan for Gender Equality at National Universities in an effort to improve gender diversity at decision-making bodies of national universities.

### **Status of Gender Representation in the Public Sector (2022, in %)**

<i>Sector</i>	<i>Target</i>	<i>Actual</i>
① Senior Civil Service Officials	10.2	11.2
② HQ manager level (Grade 4 or higher)	25.0	26.4
③ Local manager level (Grade 5 or higher)	24.5	27.4
④ Executives at public institutions	23.0	23.6
⑤ Managers at public institutions	28.0	28.8
⑥ Managers at local public institutions	12.0	12.9
⑦ Professors at national universities	19.1	20.2
⑧ Principals and vice-principals	46.0	46.4
⑨ Military officers	8.8	9.0
⑩ Police officers	15.0	15.1
⑪ Coast guards	14.6	16.6
⑫ Government committee members	40.0	41.3

### **Stereotypes**

11. Support for field experience programs is extended to encourage female students to choose STEM majors and advance into related fields.

12. Upon enforcement of the Framework Act on Education in 2022 after its amendment in 2021, it became mandatory for all schools to conduct gender equality education encompassing education on sex, gender awareness, sexual violence prevention, etc., and as such, guidance on the use of the School Sex Education Standards is not provided beginning in 2023. In the 2022 Revised Curriculum for elementary and middle schools, in particular, the Ministry of Education specified content related to the prevention of sexual violence (including digital sexual violence) and exclusion of stereotypes related to the description of specific types of families while cooperating with city/province offices of education as well as schools at all levels to ensure that students, through gender equality education in schools, do not take on stereotypical, discriminatory attitudes toward others and enhance empathy based on mutual respect throughout the entire education curriculum.

### **Gender-based violence against women**

13. The Act on Special Cases concerning the Punishment, etc. of Crimes of Domestic Violence (hereinafter referred to as the “Act on Punishment of Domestic Violence”) was amended to provide for criminal punishment of the perpetrator for violation of a restraining order, among others. Perpetrators are sternly dealt with as follows: a violation of a decision on ad hoc measures is subject to imprisonment with labor for not more than one year or a fine not exceeding 10 million won (newly

inserted in Oct. 2020); a violation of a decision on a protective order or victim protective order is subject to imprisonment with labor for not more than two years or a fine not exceeding 20 million won, or misdemeanor imprisonment (amended in January 2012); and a habitual violation of ad-hoc measures, protective orders, and victim protective orders is subject to imprisonment with labor for not more than three years or a fine not exceeding 30 million won (newly inserted in October 2020), etc. The Act does not have separate provisions related to sexual orientation or gender identity and applies regardless of gender. See Appendix 5: Status on amendment of the Act on Special Cases concerning the Punishment of Crimes of Domestic Violence.

14. The government formulates and implements five-year basic plans for preventing violence against women (VAW), including domestic violence. Under the First Basic Plan of Policies to Prevent Violence against Women (2020–2024) currently in place, tasks for bolstering support for victims of domestic violence are being carried out to ensure a pre-emptive response to VAW, establishing a victim-centered criminal justice system, deliver more substantive support to prevent VAW and assist victims thereof, etc.

15. A bill to amend the Act on Punishment of Domestic Violence in relation to the deletion of suspension of indictment on condition of counseling has been proposed three times and is being discussed in the National Assembly, yet given the diverse aspects of crimes of domestic violence in its type of behavior, nature, etc., the possibility of suspending indictment will need to be reviewed from the point of specific validity and thus, abolition of related systems should be approached with prudence. Currently, a disposition of suspension of indictment on condition of counseling is rendered to cases concerning matters not deemed serious, wherein the offender agrees to counseling, such is not against the victim's will, and consideration of family reconciliation and healing, etc., merit such disposition. Family Courts issue dispositions for a referral to counseling in most minor domestic violence cases. Where such a disposition is anticipated, a disposition of suspension of indictment on condition of counseling from the prosecution would enable more expeditious provision of professional counseling, which could help prevent recidivism and correct the perpetrator's personality and behaviors.

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Status of amendment of the Act on Special Cases concerning the Punishment, etc. of Crimes of Domestic Violence related to the suspension of indictment on condition of counselling:

- (Bill No. 11988): Suspension of indictment on condition of counseling shall not be granted to perpetrators of domestic violence when there is a risk of recidivism (proposed on August 10, 2021, currently pending in the National Assembly)
  - (Bill No. 17809, 20931): Delete the suspension of indictment on condition of counseling regarding perpetrators of domestic violence and exclude crimes of domestic violence from the application of no prosecution against the will of the victim (proposed on October 17, 2022 and March 28, 2023, currently pending in the National Assembly)
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16. Marital rape is already punishable even under the current law as Article 297 of the Criminal Act defines rape as an act of “having sexual intercourse with another by means of violence or intimidation,” hence, not excluding “spouse” from the subject of a criminal offense. Introduction of the so-called “crime of sexual intercourse without consent” is a matter that pertains to the fundamental framework of sexual violence crimes as it effectively shifts the burden of proof onto the defendant, thus leaving room for belittling women's will or abilities, among others, which give rise to various concerns that merit careful consideration.

17. The Supreme Court ruled that the victim of rape under Article 297 of the Criminal Act includes one's legal wife, and rape is established in cases where the marital relationship is dissolved as well as is being effectively maintained. (Supreme Court 2012Do14788, En Banc Ruling)

18. Pursuant to Article 5 of the Act on Special Cases Concerning the Punishment of Crimes of Domestic Violence, a judicial police officer, upon receipt of a report on any ongoing crime of domestic violence, shall arrive at the scene of the crime, without delay, and conduct a criminal investigation including the arrest of a flagrant offender, etc., under Article 212 of the Criminal Procedure Act. Moreover, the Act on Special Cases Concerning the Punishment of Sexual Crimes ("Act on Punishment of Sexual Crimes") was amended (May 2020), while amendment of the Act on Punishment of Stalking Crime, etc. is now underway to ensure and strengthen the criminalization of perpetrators of new forms of sexual violence; such as producing or distributing sexually exploitive videos; stalking crimes, etc. Furthermore, upon violation of a restraining order and a provisional measure (restriction on access) relating to the relevant violent crimes under Article 63 of the Act on Punishment of Sexual Crimes and Article 20 of the Act on Punishment of Stalking Crime, etc., the perpetrator becomes subject to criminal punishment and may be arrested as a flagrant offender pursuant to Article 212 of the Criminal Procedure Act.

19. A bill to amend the Act on Special Cases Concerning the Punishment of Sexual Crimes has been proposed, which aims to prohibit inquiries or investigations, hearings, and trials of false accusation cases until the prosecution's disposition of non-prosecution is terminated, or a court trial is finalized for cases wherein a criminal complaint or an accusation is filed against a victim of sexual violence crime on charges of false accusation. However, it is difficult to separate investigations of and trials for an initial sexual violence case and a subsequent false accusation case. While a need exists to investigate and punish an act of bringing false charges, equity with other false accusation cases should also be considered. The current Act on Punishment of Sexual Crimes ensures that victims of sexual violence seek legal representation freely, such as through the appointment of a legal counsel for comprehensive representation or a public defender whose representation is provided at no cost, among others, for the protection of their rights and interest in criminal proceedings.

20. Moreover, there are no provisions that restrict the use of the victim's sexual background, etc., as evidenced under current laws such as the Act on Punishment of Sexual Crimes. At present, bills to amend the Criminal Procedure Act and the Act on Punishment of Sexual Crimes have been proposed with the aim to prohibit the admission of the victim's sexual background as evidence and further prohibit subsequent inquiries, investigations, and questioning thereof. However, there is a need to account for the specificity in investigating sexual violence crimes as objective evidence may not be readily available and to also consider the fact that there is sufficient room for restricting unnecessary examination, etc., regarding sexual backgrounds through the exercise of the presiding judge's authority of litigation.

21. To systematically tackle new forms of sexual violence against women and girls, the government, through inter-ministerial efforts in 2020, formulated countermeasures to eradicate digital sex crimes and pressed ahead to realign laws and institutions, develop a dedicated investigation system, support victims, and enhance awareness thereof, etc.

22. To ensure the punishment of perpetrators, the Act on Punishment of Sexual Crimes was amended, thereby instituting and reinforcing punishment against the crime involving sexually exploitative videos and rendering aggravated punishment for intimidation or compulsion using sexually explicit photographs or videos (May 2020). The Act on the Protection of Children and Youth against Sex Offenses was

amended (2020–2021) to bolster statutory punishment and abolish the statute of limitation of crimes involving child or youth sexual exploitation materials as well as punishing “online grooming.” In addition, the Telecommunications Business Act and the Act on Promotion of Information and Communications Network Utilization and Information Protection were amended (June 2020) to enable deletion and prevention of the circulation of illegal filmed materials, and compliance of Internet Service Providers was monitored. See Appendix 6: Status of amendment of laws in response to new forms of sexual violence.

23. Furthermore, specialized investigation systems for sexual violence crimes were established in 60 Prosecutors’ Offices nationwide, and a dedicated prosecutor in charge of digital sex crimes was appointed at each District Prosecutors’ Office. A strengthened standard for case handling and a manual for blocking the dissemination of and deleting illegally filmed materials were devised, to name a few, to reinforce professional and systematic response.

24. In the meantime, the Advocacy Center for Online Sexual Abuse Victims was set up in 2018, providing support for a total of 234,560 cases in 2022, including counseling for victims, deleting illegal filmed materials, and referring to free legal aid, investigation, and medical care. In addition, preemptive monitoring and removal of child or youth sexual exploitation materials are facilitated. Additionally, to prevent digital sex crimes, Dicle, a content development and education platform for digital sex crime prevention education for students, parents, teachers, etc., was put in place, and the “It’s a Crime to Even Just Watch!” campaign was also waged.

#### **Support Provided by the Advocacy Center for Online Sexual Abuse Victims (2022)**

<i>Total (Number of cases supported)</i>	<i>Counselling support</i>	<i>Deletion support</i>	<i>Referral to investigation/ legal support</i>	<i>Referral to medical care</i>
234,560	19,259	213,602	1,525	174

25. To ensure a prevention-focused, effective system of management and oversight, intensive supervision is conducted on the status of operation of equal employment and maternity protection systems at worksites, etc., suspected of workplace sexual harassment, including small and medium-sized enterprises, and in cases where non-compliance is detected, judicial actions, corrective measures, administrative fines, etc., are imposed accordingly. A total of 996 worksites were inspected in 2022, and non-compliance was found in 4,364 detected cases of violation. Moreover, pursuant to Article 14 of the Equal Employment Opportunity and Work-Family Balance Assistance Act (“Equal Employment Act”), if the employer violates the obligation of taking necessary measures against a person who has committed sexual harassment in the workplace, such as a disciplinary punishment or the change of the place where the perpetrator works, the employer is imposed with an administrative fine not exceeding five million won, thereby ensuring strict compliance with the law.

26. To ensure stricter punishment of perpetrators of sexual violence in schools, the Educational Officials Act and others were amended to lay the ground for canceling an official position of the teaching staff to ensure their separation, without delay, when an investigation has been initiated on them for suspicion of a sexual crime and child abuse against children or juveniles while restricting persons punished for sexual crimes from qualifying as teaching staff. The Reporting Center for Sexual Harassment & Violence in the Education Sector has been in operation at the Ministry of Education since 2018. Upon amendment of the Higher Education Act, it became mandatory to install human rights centers in universities to prevent and counter victimization by

sexual harassment and sexual violence starting in 2022, thereby building a more robust reporting system, such as by providing for stricter confidentiality.

27. Moreover, the Military Court Act, etc., was amended to allow for the handling of sexual violence crimes committed by military personnel, etc., in civilian judicial institutions and apply heavier sentencing criteria in sexual violence crimes involving military personnel, etc., compared to those for civilians. To prevent the reinstatement of perpetrators in their professional functions, removal from the military register, retirement, restriction of the appointment, etc., were provided for in the Military Personnel Management Act and the State Public Officials Act. Furthermore, penalty provisions (imprisonment with labor for not more than three years or a fine not exceeding 30 million won), etc., are applied to prevent the personal information of victims being exposed.

28. Meanwhile, to eradicate sexual harassment and sexual violence in the public sector and reinforce the system of protection and support for victims, the Framework Act on Prevention of Violence against Women was enacted in 2018, thereby legislating the concept of secondary victimization and establishing guidelines for the prevention of such victimization while mandating education for investigative agencies, and so forth. In addition, a Comprehensive Support Center for the Eradication of Sexual Harassment and Sexual Violence was installed in 2020, and with the amendment of the Sexual Violence Prevention and Victims Protection Act and the Framework Act on Gender Equality, a response system was strengthened so that if a sexual harassment or sexual violence case occurs in the public sector, the incident is notified, preventive measures are submitted to the MOGEF while on-site inspections are conducted, among others.

29. In communities hosting a large population of women defectors from the Democratic People's Republic of Korea (DPRK), 10 local Family Centers as well as counseling centers for domestic violence and sexual violence were designated as centers for counseling and emotional healing, offering North Korean women defectors traumatized by violence with 4,552 counseling and 1,746 emotional healing sessions in 2022. In addition, Hanawon operates programs for psychiatric care, counseling, and mental stability for trainees who are North Korean women defectors; 25 Hana Centers nationwide conduct case management and professional counseling services for North Korean women defectors; and Inter-Korean Cultural Integration Center has rendered support for customized counseling and psychological tests as well as psychotherapies through play, art, and instrument performance, etc. Furthermore, a call center for North Korean defectors (1577-6635) was linked to the 1393 Suicide Hotline and 1366 Hotline for Women, thus establishing a round-the-clock counseling system.

30. The government extends support for counseling, protection, medical and legal services, etc., by operating 12 facilities for the protection of victims of domestic violence and sexual violence. For people with disabilities to have greater access, convenience facilities such as disability-friendly passages, elevators, bathrooms, and bedrooms were installed, while labor and transportation expenses were additionally subsidized. In addition, for people with disabilities and children that are victims of abuse, shelters are operated to extend temporary protection and support their return to society. When deemed necessary, professional counseling and education were provided in partnership with support agencies for victims of gender-based violence. When victims are discharged from shelters, referrals are arranged to local communities or welfare facilities to support their independence and vocational rehabilitation, etc., while information on discharge is notified to advocacy agencies for people with disabilities to conduct follow-up management. Furthermore, to prevent additional victimization of domestic violence victims due to exposure of their addresses, the Enforcement Rule of the Resident Registration Act, among others, was



amended in 2022 to simplify the application procedure for restricting the issuance of certified copies or abstracts of the resident registration record card against offenders.

31. Since 2018, the government has published reports on the status of abuse against people with disabilities every year to formulate effective policies for preventing abuse of women with disabilities. Cases of abuse of women with disabilities are disaggregated and analyzed therein by type of abuse (physical/emotional/sexual abuse, financial exploitation, abandonment, and neglect) and type of disability, etc. See Appendix 7: Statistics on women with disabilities who are victims of abuse (2021 Report on the status of abuse of people with disabilities).

## **Trafficking and exploitation of prostitution**

32. Upon the enforcement of the Act on Prevention of Human Trafficking and Protection of Victims, etc. (Prevention of Human Trafficking Act, January 2023), the Victim Identification Index was drafted in 2022 following a comparative analysis of indicators from domestic and international sources to ensure early identification of and provision of support and protection for victims of trafficking. The Index was announced in March 2023 following feedback and public hearing sessions involving related NGOs and public officials while annual performance monitoring is scheduled. Meanwhile, to provide support and protection pursuant to the Act, assistance for school education and employment, legal guidance, and medical and living expense support are extended, irrespective of nationality. Pursuant to the provisions of Article 43 of the Act, foreign victims are allowed to be granted a stay of execution for a written deportation order, a temporary release from detention, and an extension of the period of stay.

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### **Provisions on Victim Identification in the Prevention of Human Trafficking Act**

#### **Article 11**

① For the prevention of trafficking in persons and protection of and support for victims, the State and local governments shall implement education on the identification of victims of trafficking, among others, toward a person falling under any of the following subparagraphs, the results of which shall be submitted to the Minister of Gender Equality and Family.

1. Those with reporting obligations prescribed in Article 21 Paragraph 2
2. Employees of dedicated medical institutions prescribed in Article 29
3. Employees of support facilities for victims of trafficking, etc., prescribed in Article 33
4. Immigration control officials responsible for affairs prescribed in Article 25.2 and Article 46.2 of the Immigration Act

#### **Article 13**

① The Minister of Gender Equality and Family shall develop and announce the Index pertaining to the identification and protection of victims to discover victims early on and provide them with protection and support, and recommend their utilization to prosecutors, judicial police officials, immigration control officials, and heads of organizations to which public officials performing tasks related to foreigners belong.

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33. The steps taken to address the Committee's previous recommendations (Paragraph 25 of the Concluding Observations from the 8th Periodic Review) are as follows:

(a) To prevent potential human rights infringements against those employed as performers at entertainment establishments (E-6-2), the government has been periodically examining the authenticity and illegality of their performance activities by granting them a short-term stay of up to six months since 2022. They are required to fill out the Identification Index when applying for an extension of stay while evidence of illegal acts, such as sex trafficking and sexual violence, if discovered, is considered as part of visa application evaluation materials. In-person examinations are conducted when applications for permission to stay are handled to check if human rights abuses have occurred. Meanwhile, the government has been implementing inter-ministerial inspections on entertainment venues catering to foreigners since 2014 to survey the state of human rights violations and illegal acts against foreign women (E-6-2);

(b) Of foreigners who are staying in Korea, female victims of trafficking, such as forced prostitution, and those who suffer damages due to sexual violence, domestic violence, habitual assault and abuse, and other serious offenses have been granted G-1 status since 2019 regardless of their willingness or ability to cooperate with the prosecutorial authorities if a court trial, investigation by an investigative agency, or any other civil or criminal remedy procedures are underway;

#### **“Other (G-1-11)” Statuses Granted**

<i>Year</i>	<i>Before 2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>March 2023</i>	<i>Total</i>
Number of grantees	23	15	3	17	2	60

(c) To ensure women defectors from the DPRK are not exposed to sex trafficking, among others, due to livelihood challenges, etc., the government has steadily increased targeted job support based on their individual interests and characteristics, such as by offering employment, entrepreneurship training, consulting, and education specific to each settlement stage. As a result, they have achieved a higher employment rate than other groups of women, and the proportion of these women who remain economically inactive is low;

<i>Year</i>	<i>Employment rate</i>		<i>Ratio of economically inactive population</i>	
	<i>Women defectors from the DPRK</i>	<i>Other groups of women</i>	<i>Women defectors from the DPRK</i>	<i>Other groups of women</i>
2022	54.1%	53.8%	41.6%	44.4%
2021	52.3%	52.1%	42.6%	45.8%

(d) Additionally, the government has scaled up support for emergency living and medical expenses to promptly address various contingencies that may arise for vulnerable North Korean women defectors. Hanawon, Hana Centers, and alternative schools for young North Korean defectors, among others, have played a central role in implementing comprehensive human rights education from a gender equality perspective, thereby enhancing awareness of healthy gender roles and human rights among these women;

(e) Investigation units focusing on crimes against women and children have been installed at 11 District Prosecutors' Offices nationwide, while prosecutors dedicated to handling sexual violence and violent crimes have been designated, facilitating seamless and expeditious investigations of various trafficking and

kidnapping offenses. Trials are sought, in principle, against acts of arranging and purchasing commercial sex involving children and juveniles, and sentencing factors are meticulously collected and analyzed in case of serious crimes to pursue the investigation in custody, in principle, for a stern response. Moreover, every effort is made to uphold public prosecution and thus ensure trafficking offenders who commit kidnapping or abduction are sentenced to sanctions commensurate with the gravity of their offenses. The police have also been assigned specific roles corresponding to each phase of a case response to ensure prompt, precise actions on the scene as well as stringent investigations of trafficking cases;

(f) With the enforcement of the Prevention of Human Trafficking Act, victims, including women and girls, are assured access to aid and compensation for damages, the right to participate in investigations and trial procedures and access relevant information, the right to privacy and personal protection, etc. Moreover, advocacy agencies, as well as victim protection facilities, were set up at the central and local levels, providing school education and employment assistance, legal consultation, as well as support for medical expenses, livelihoods, and return to their home countries, etc., based on respective circumstances of victims. A hotline (1600-8248) is operated to provide relevant guidance and information regarding damages and arrange counseling and referrals by the type of harm suffered;

(g) To aid women wishing to leave prostitution, in partnership with the private sector, 96 support organizations in total were put into operation, including counseling centers, protection facilities (general, youth and foreigners), rehabilitation support centers, and commissioned institutions for alternative education. Comprehensive, phased assistance, starting from crisis intervention to protection and self-reliance support, etc., has been offered, covering medical, legal, and vocational training expenses while supporting participation in job projects at rehabilitation support centers, internships, etc.

#### **Status of Support Facilities for Sex Trafficking Victims and Number of Victims Assisted (2022)**

(In units, persons)

	<i>Total</i>	<i>Counselling centres</i>	<i>General youth protection facilities</i>	<i>Foreigner protection facilities</i>	<i>Group homes for self-reliance support</i>	<i>Rehabilitation support centres</i>	<i>Commissioned institutions for alternative education</i>
Number of facilities operated (units)	96	31	38	1	11	13	2
Number of victims assisted (persons)	5,277	3,493	799	77	45	782	81

#### **“Comfort women”**

34. In implementing the 2015 Korea-Japan “Comfort Women” Agreement, the Korean government has been endeavouring to actively consider the opinions of victims/survivors and their families to ensure their rights. Following up on the review results of the Korea-Japan Agreement on comfort women victims (December 27, 2017), the government gathered input from victims and relevant NGOs, contributed 10.3 billion won to a gender equality fund and worked to dissolve the Reconciliation and Healing Foundation, among others. (Announcement of the dissolution decision [November 2018] → revocation of the establishment permit [January 2019] → completion of the dissolution registration [July 2019] → liquidation process underway). Meanwhile, customized assistance, such as subsidies for livelihood stability and nursing services, is being increased to promote stable livelihoods and the well-being of victims themselves.

### Government Support for Japanese Military's "Comfort Women" Victims

(In 1,000 won/month)

<i>Year</i>	<i>Subsidies for livelihood stability</i>	<i>Subsidies for nursing services</i>
2018	1,337	1,120
2019	1,404	1,360
2020	1,474	1,519
2021	1,548	1,621

35. Memorial Day for Japanese Military Comfort Women (August 14) was designated in 2017 to restore the dignity and honor of the victims and raise the profile of their issues as a matter of women's human rights and peace in the international community and a range of commemorative projects have been implemented since, including the founding of a research institute focused on the Japanese military's comfort women issue.

### Participation in political and public life

36. The Political Funds Act was amended in 2022 to broaden women's participation in politics. "Subsidies for fielding female candidates" are no longer allotted and paid to only those political parties that field female candidates to account for at least 30/100 of the total candidates for nationwide local constituencies but are allocated and granted in differentiated ratios ranging from 20 to 50% based on the proportions of female candidates fielded at each political party.

#### Amendments to Article 26 of the Political Funds Act on the allotment method of subsidies for fielding female candidates

<i>Proportion of female candidates fielded out of the total candidates for nationwide local constituencies</i>	<i>Total amount of subsidies subject to allotment</i>	<i>Method of allotment (per total amount of subsidies subject to allotment)</i>
At least 30/100	50% of subsidies	1. 40/100 of the total amount of subsidies shall be allotted based on the ratio of the number of seats at the National Assembly for each political party at the time of allotment
At least 20/100 yet below 30/100	30% of subsidies	2. 40/100 allotted based on the ratio of votes of the recent election for National Assembly members at the expiration of terms of office (referring to the average of votes a relevant political party polled at nationwide proportional representative and local constituencies)
At least 10/100 yet below 20/100	20% of subsidies	3. The rest allotted based on the ratio of the number of female candidates for a local constituency of each political party upon the sum of female candidates fielded by each party

*The subsidy granted to a political party belonging to a category with lower ratios of fielded female candidates shall not exceed the minimum amounts allotted to each political party in categories with higher ratios of fielded female candidates*

### Proportion of Female Members of the National Assembly

Classification	Election title	Total	Gender	
			Men	Women (%)
The 18th National Assembly (2008)	Total	299	258	41 (13.0)
	Proportional representation	54	27	27 (50.0)
	Local Constituency-based	245	231	14 (5.0)
The 19th National Assembly (2012)	Total	300	253	47 (15.7)
	Proportional Representation	54	26	28 (51.9)
	Local constituency-based	246	227	19 (7.7)
The 20th National Assembly (2016)	Total	300	249	51 (17)
	Proportional representation	47	22	25 (53.2)
	Local constituency-based	253	227	26 (10.3)
The 21st National Assembly (2020)	Total	300	243 (81.0)	57 (19.0)
	Proportional representation	47	19	28 (59.6)
	Local constituency-based	253	224	29 (11.5)

Source: National Election Commission (2020), List of Members of the 21st National Assembly

37. Since the government began to apply gender-neutral recruitment at the Korea National Police University after abolishing the gender-segregated recruitment practices in 2021, the proportion of female students, which stood at 10% to 12%, has more than doubled (26% in 2021 → 34% in 2022 → 24% in 2023). Such integrated recruitment will be fully implemented for patrol officer recruitment starting in 2026. In addition, improvements were made to the previous physical fitness test standards that differed by gender due to concerns of potential reverse discrimination. Starting in 2024, the same Police Standard Test will be enforced for both men and women.

38. Efforts to raise women's representation in the police are reflected and managed under the government's joint Plan for Improving Gender Representation in the Public Sector. In 2022, the target of 15% was surpassed with a 15.1% representation. A breakdown of female police officers by rank as of February 2023 is shown below.

(In persons, %)

Total	Senior Superintendent General or higher	Superintendent General	Senior Superintendent	Superintendent	Senior Inspector	Inspector	Assistant Inspector	Senior Patrol Officer	Patrol Officer
19,649 persons	1	3	38	231	1,159	4,320	4,440	5,024	4,433
14.9%	2.5	3.2	5.7	7.4	4.8	10.5	20.5	20.9	25.8

### Nationality

39. Naturalization applicants are generally required to have a domicile in Korea for at least five years. Yet, migrants married to Korean nationals are required to have a domestic domicile for a shorter period of one or two years and are also exempt from a comprehensive examination stipulated in the Nationality Act. Moreover, if they are engaged in normal married life, such as having a child, their naturalization applications take about 10 months to be processed (general naturalization applications

take some 20 months). The Immigration Act allows married immigrants to extend their stay without restrictions upon their application, thereby ensuring the legal stability of their stay in Korea.

40. To promote a culture of international marriage grounded in personal dignity and gender equality and uphold equal rights and responsibilities of both parties during marriage or its dissolution, the State Party abolished the requirement for marriage immigrants to submit a spouse's letter of guarantee as part of the documentation for alien registration and extension of residency by amending the Enforcement Rule of the Immigration Act in 2011.

41. To establish a birth registration system for foreign children, the government built a consensus by engaging in discussions at the Ministry of Justice's Policy Committee (February 2021) and Women and Child Policy Deliberation Committee (April 2021) and sought input from relevant government agencies and civic groups through consultations. The Bill on the Birth Registration of Foreign Children, containing provisions on eligibility for birth registration, individuals required to apply for birth registration, applications, certificate issuance, etc., was proposed (June 2022) and is presently under discussion at the National Assembly. See Appendix 8: Key provisions of the "Bill on the Birth Registration of Foreign Children".

## **Education**

42. The government has endeavored to promote STEM education for elementary and middle school girls and support their advancement into science and engineering by formulating the "Fourth Plan for Fostering and Supporting Women Scientists and Engineers (2019–2023)." Female students in science and engineering undergraduate and graduate programs were offered assistance designed to enhance their employability and career choices in 2022, such as life stage-specific mentoring (568 students), funding for engineering research in teams involving middle and high school students (150 teams), and job support for regional female university students in emerging technology sectors (6,526 students). Moreover, the K-Girls' Day program was delivered to 2,054 female students to inspire them to pursue studies in science and engineering and enter the industrial sector. Meanwhile, to cultivate talent with convergent thinking skills and real-life problem-solving abilities, 300 elementary and middle schools nationwide have been operated as leading STEAM education schools to develop learning models, receiving support in the development of various education programs (91 types) and STEAM inquiry and research tasks.

43. To teach students age-appropriate sexual health and rights suitable for their respective developmental stage, the subject of health under the 2022 Revised Curriculum was developed in a manner that promotes balanced understanding regarding sexual development and relationships during adolescence, body images and sexual consciousness amid such social contexts as communities, gender responsiveness, cultural diversity, and digital literacy, and also fosters healthy citizenship on the foundation of knowledge on health, diseases, and healthcare (including early, unintended pregnancies, sexually transmitted infections, such as HIV/AIDS, sexual abuse, sexual violence, etc., presented by the WHO).

44. Gender equality education, as reflected in the 2022 Revised Curriculum, aims to expel gender stereotypes or biases, explore personal and socio-structural causes of gender-based violence, including sexual violence, and empower students to take proactive, voluntary actions in their daily lives.

45. It also seeks to teach empathetic and considerate attitudes towards social minorities, among others, who experience gender conflicts and sexual and other types

of discrimination, as well as rational conflict-resolution approaches, skills, and gender-equal perspectives.

## Employment

46. The Act on Promotion of Economic Activities of Career-Interrupted Women was wholly amended and renamed the Act on the Promotion of Economic Activities and Prevention of Career Interruption of Women (Women's Economic Activity Act) in 2022, supporting the reemployment of women whose careers have been interrupted due to childbirth and childcare and strengthening prevention of career interruption, such as by assisting working women in career retention and development. The Third Basic Plan for Promotion of Economic Activities of Career-Interrupted Women (2020–2024) was also formulated.

47. Comprehensive one-stop employment services were provided to career-interrupted women, from counseling, training, and job placement to follow-up management through 159 nationwide Women's Reemployment Centers (Saeil Centers), while vocational training courses on promising high added-value jobs have been scaled up (50 in 2020 → 59 in 2021 → 66 in 2022) to prepare for the transition to a digital society. In addition, employment subsidies for regular employment of career-interrupted women were increased (2.4 million won for businesses and 0.6 million won for individuals in 2020 → 0.8 million won additionally paid to businesses that maintain regular employment of women upon transition for six months or longer in 2021). Meanwhile, 80 institutions dedicated to the prevention of women's career interruption were operated, offering customized preventive services to women at high risk of career interruptions and their employers in consideration of women's life stages and risk factors at play.

### Track Record of Women's Reemployment Center Operation

Year	Jobs offered and Jobs sought		Vocational training		Centre internship	
	Number of jobs offered	Number of jobs sought	Number of trainees	% Share of trainees employed (%)	Number of referrals (persons)	% Share of referrals that led to job placement (%)
2022	547,082	553,590	12,586	N/A	10,145	96.7
2021	557,488	572,560	12,573	73.3	11,761	96.9
2020	576,043	552,198	11,023	73.8	6,945	97.4
2019	509,326	540,396	14,544	71.9	7,351	96.5
2018	511,953	483,802	14,796	73.0	7,410	95.9

48. Pursuant to Article 8(1) of the Equal Employment and Work-Life Balance Act, employers are required to provide equal pay for equal-value work within the same businesses. Pursuant to Article 37 of the same Act, a violation of such principle is strictly punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won based on investigations and other actions by labor inspectors who belong to the Ministry of Employment and Labor.

49. While short-time workers are not defined in the Labor Standards Act, if a worker contracted to work fewer than 15 hours per week qualifies as a part-time worker as defined in Article 2 of the same Act, the same provisions for protection apply. Strict working condition requirements for protection are stipulated in the Act on the Protection of Fixed-term and Part-time Employees, including provisions on the prohibition of overtime work without consent, a limit of up to 12 hours a week in

overtime, and payment of 50/100 or more of the ordinary wage for overtime work, all of which apply irrespective of gender.

50. The “Photo Exhibition of Korean Fathers” was organized jointly with the Swedish government from 2020 to 2022 to promote a more equitable care culture and fathers’ right to caregiving. In addition, businesses and institutions with best practices in operating systems for maternity and childcare leaves, flexible working, and family care were granted “family-friendly certification,” which offered diverse incentives, such as additional points in government project applications and preferential interest rates, as a way to foster an environment of work-life balance.

51. In 2022, the “3+3 Parental Leave System” was introduced to promote the uptake of paternity leave, while the income replacement ratio for childcare leave benefits was also raised. Additionally, the support provided to SME employers offering childcare leave was enhanced, making workplace childcare leave systems more readily accessible. Thanks to such initiatives, the number of recipients of childcare leave benefits rose 18.6% YoY to 131,087 in 2022, while the number of fathers on such benefits, in particular, surged over 30% from 29,041 to 37,885 during the same period.

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#### Current Status of Childcare Leave-related Systems

- (Childcare leaves) Pregnant female workers or workers with children under the age of eight or the second grade of elementary school are granted childcare leaves for up to one year upon application.
  - (3+3 Parental Leave System) Parents taking childcare leaves simultaneously with 12 months from the birth of their child are paid 100% of their ordinary wages for the first three months (up to 3 million won per month).
  - (Increased income replacement ratio for childcare leave benefits) The income replacement ratio for benefits during the 4th to 12th month of leave has been raised to 80% of ordinary wages, up from 50%.
  - (Enhanced support for SME employers) 300,000 won per month (2021) → 2 million won per month for the first three months (300,000 won per month thereafter) if leave is granted for three or more consecutive months for a child within 12 months from birth (2022).
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## Health

52. Korea provides national health insurance to all citizens irrespective of gender, income, etc., ensuring a right of access to medical services for sexual minorities without discrimination. To ensure and uphold women’s sexual and reproductive health and rights, Article 41 of the National Health Insurance Act guarantees medical care benefits for women during pregnancy and childbirth, while Article 50 of the same Act supports regular prenatal examinations for healthy childbirths by providing vouchers for pregnancy and childbirth medical expenses. In 2022, the NHRCK recommended that the President of the Korean Society of Obstetrics and Gynecology revise the Ethics Guidelines on Assisted Reproductive Technology that restricts in-vitro fertilization, among others, for unmarried women. To ensure the right of sexual minority women to access medical services, the Commission made the following recommendations: removal of transsexualism from Statistics Korea’s disease classification (March 2022), reexamination of standards to eliminate the requirement of gender reassignment surgery and loss of reproductive capacity for approval of gender reassignment by transgender people (October 2022), formulation of guidelines



for hospitalization of transgender women (January 2023), and establishment of relevant guidelines that ensure unnecessary questions or document requests are not made during gender correction trials pursued by transgender individuals (February 2023).

53. Following the Constitutional Court's decision that the "crime of abortion" was unconstitutional (April 2019), the government collected opinions from various groups and conducted inter-ministerial consultations before submitting amendment bills to the Criminal Act as well as the Mother and Child Health Act to the National Assembly in 2020. Under the proposed amendments, the Criminal Act includes permissible timing, grounds, and requirements for abortion operations, and the Mother and Child Health Act establishes detailed procedures for induced abortion operations and the basis for psychosocial counseling. Six bills to amend the Criminal Act, including a government bill, are currently pending before the National Assembly. The provision on the punishment of self-procured miscarriage under the Criminal Act (Article 269(1)) has now lost force since the legislative deadline of the Constitutional Court has elapsed (December 31, 2020).

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#### Key Amendments to Laws on Abortion

- (Criminal Act) During early pregnancy (up to 14 weeks), abortion is permitted upon the request of pregnant women without a separate process, including consultation. During mid-pregnancy (15 to 24 weeks), a consultation is required if abortion is sought on social or economic grounds.
  - (Mother and Child Act) The existing requirements for limited permission for induced abortion operations were deleted while the basis for providing support, such as psychosocial counseling, was introduced to permit abortion operations during mid-pregnancy (15 to 24 weeks).
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## Climate change and disaster risk reduction

54. The nation's ultrafine dust concentration improved by approximately 31% from 26  $\mu\text{g}/\text{m}^3$  in 2015 to 18  $\mu\text{g}/\text{m}^3$  in 2022, and the number of days rated bad or worse decreased by about 73% from 62 days in 2015 to 17 days in 2022.

#### Ultrafine Dust Concentration by Year

Classification	2015	2016	2017	2018	2019	2020	2021	2022
Annual average	26	26	25	23	23	19	18	18
Number of days rated "bad" or worse	62	62	60	59	47	26	23	17

*Ultrafine dust concentration levels ( $\mu\text{g}/\text{m}^3$ ): Good 0-15, Ordinary 16-35, Bad 36-75, Very Bad 76 or higher*

55. To achieve a "Climate-resilient Nation Together with the People," the government has jointly formulated and implemented the Third National Climate Change Adaptation Measures (2021–2025) under the Framework Act on Carbon Neutrality and Green Growth for Coping with Climate Crisis. The impact of climate change on the health and life of vulnerable populations in healthcare, such as the elderly, pregnant women, and children, has been investigated and evaluated every five years, and related measures have been prepared. Mobile schools for environmental health education were operated to prevent environmental diseases, while behavioral guidelines for children, the elderly, and the infirm have been produced and disseminated for coping with abnormal weather, such as extreme heat and cold waves.

## Rural women

56. The government has amended the Support for Female Farmers and Fishers Act and related laws under which steps have been taken to promote gender equality in rural and fishing communities and support the health of female farmers and fishers based on their life stage-specific needs. The Fifth Basic Plan for Female Farmers Fostering Policies (2021–2025) and Fifth Basic Plan for Female Fishers Fostering Policies (2022–2026) were also established. Moreover, female farmers and fishers who find it difficult to work due to pregnancy and childbirth, among others, were provided with replacement workers, while rural community childcare centers, as well as childcare centers during the busy farming season, were operated to improve the child-rearing environment and protect maternity. Meanwhile, a female spouse in a married couple who engages in fishing activities is now recognized as a co-business owner and thus accorded an improved occupational stature as well as various rights and benefits, including eligibility for fishing business-related loans and grants.

57. Pursuant to the Agricultural Cooperatives Act, agricultural cooperatives were guided to fulfill obligations to appoint women as directors, which led to increased female directorship (11.0% in 2020 → 11.5% in 2021 → 12.2% in 2022). Additionally, membership eligibility for Consultative Councils for Female Farmers and Fishers Fostering Policies was broadened to empower women in policymaking from “representatives of organizations” to “female farmers and fishers” while women were required to represent at least 30/100 of the prescribed number of members of a Consultative Council upon the amendment of the Support for Female Farmers and Fishers Act (December 2019).

58. Furthermore, an amendment bill for the Fisheries Cooperatives Act has been tabled before the National Assembly, which stipulates a broader scope of fisheries cooperatives obligated to appoint female executives (from those with at least 30% female membership to those with at least 20%) to boost female fishers’ engagement in the management of cooperatives and advance their rights and interests.

### Proportion of Female Directors in Agricultural and Fisheries Cooperatives

(In %)

	2019	2020	2021	2022
Agricultural cooperatives	11.1	11.5	11.5	12.2
Fisheries cooperatives	6.9	7.0	7.4	7.8

## Marriage and family relations

59. Under the existing laws, property jointly formed by a couple is subject to a division based on the level of each party’s contribution to its formation at the time of dissolution of a marriage or de-facto union, while property of which title is uncertain between the husband and wife is also divisible as it is presumed to be in their co-ownership (Article 830(2) of the Civil Act). However, the principle of equal division of a couple’s property upon dissolution of a marriage or de-facto union may fail to consider the specific circumstances of the parties concerned adequately and represents an important institutional shift that can potentially bring about substantial changes in society. Accordingly, building broad public support and social consensus is essential beforehand.

60. The Family Court is allowed to exempt a party seeking divorce by agreement from having a divorce deliberation period when such urgent circumstances as

domestic violence exist (Article 836.2(3) of the Civil Act). In addition, the Family Court may not refer a divorce by trial case to conciliation (Article 50(2) of the Family Litigation Act) so that the victims of domestic violence seeking divorce are not compelled by the Court to pursue compromise or undergo conciliation. Furthermore, a decision in lieu of conciliation or a ruling recommending a compromise may be rendered, taking into account the interests of parties involved, only to the extent not contrary to the purport of the claim or request (Article 30 of the Judicial Conciliation of Civil Disputes Act, Article 225 of the Civil Procedure Act).

61. The Family Court determines the custodial designation of a minor child's parent, whether it be a mother or father, in the most appropriate manner that best supports the child's growth and welfare by considering all relevant factors, including the child's gender and age, parents' affection levels, intent for child-rearing, economic capabilities, closeness, and the child's preferences. Gender-based violence is also included as part of all relevant elements comprehensively considered by the Family Court in determining matters necessary for raising a child. Meanwhile, capacity-building programs for child abuse and gender violence crimes have been offered by the IOJ since 2022 to prosecutors dedicated to sexual and domestic violence.

62. A proposed amendment to Article 781 of the Civil Act, primarily designed to abolish the existing patrilineal surname principle under which a child assumes the father's surname, is currently being debated at the National Assembly.

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