



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

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

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Draft report

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Addendum

**IV. Consideration of reports submitted by States parties under
article 18 of the Convention**

B. Consideration of reports

3. Third and fourth periodic reports

Republic of Korea

1. The Committee considered the third and fourth periodic reports of the Republic of Korea (CEDAW/C/KOR/3 and CEDAW/C/KOR/4) at its 400th and 401st meetings, on 7 July 1998 (see CEDAW/C/SR. 400 and 401).

Introduction by the State party

2. The representative noted that the fourth report had been produced by a consultative body, comprising representatives from 25 non-governmental organizations (NGOs) and 7 women's policy specialists and that the Republic of Korea had ratified the amendment to article 20 of the Convention in August 1996.

3. The representative stated that ratification of the Convention had impacted significantly on the lives of Korean women. The comments of the Committee members on the second report in 1993 had provided substantial guidance in implementing women's policies, particularly in respect to women's participation in decision-making and the elimination of gender-discriminatory laws relating to citizenship.

4. The representative described several major legal reforms, including the Equal Employment Opportunity Act 1987, the Mother-Child Welfare Act 1991, the 1993 Punishment of Sexual Violence and Protection of the Victim Act, the 1995 Women's Development Act and the 1997 Prevention of Domestic Violence and Protection of the Victim Act. Amendments to the Nationality Act had been enacted in 1997 and the Republic of Korea's reservations to article 9 would soon be withdrawn.
5. The representative described Government efforts to make the Convention widely known, including a 1994 symposium observing the tenth anniversary of the country's ratification of the Convention, and the publication of annotations to the Convention in 1996.
6. The representative noted that, since February 1998, the Government had made it a policy priority to promote women's rights as an integral part of human rights. It had established the Presidential Commission on Women's Affairs (PCWA) and had introduced the Master Plan in Women's Policies (1998-2002), which aimed to increase the participation of women in all sectors of Korean society. The Government also planned to increase the ratio of women in Governmental committees to 30 per cent by the year 2002.
7. The representative noted the significant impact of the Fourth World Conference on Women and that the Beijing Platform for Action actively contributed to the further empowerment of women. In follow-up to the Conference, the Government had identified ten policy priorities for the advancement of women, including the expansion of child-care facilities, the upgrade of child care services, and the establishment of a women's information network.
8. The representative emphasized that increased participation by women in politics was a prerequisite for the enhancement of women's social status and further democratic development of the society. A female public employee target system had been instituted in 1995 to facilitate the recruitment of a prescribed number of women into the public sector each year and ratios of women employees were expected to rise from 10 per cent in 1996 to 20 per cent by the year 2000.
9. The representative noted the impact of the economic crisis and its potential adverse affects on Korean women, particularly low-income female-headed households, and indicated that the Government intended to increase its efforts to provide a safety net for these families and prevent the breakdown of the family unit. It also intended to strengthen its programmes to enhance women's economic activities.
10. The representative indicated that gender equality in recruitment, placement and promotion had not been realized and that, while laws and regulations designed to achieve equal employment were already in place, the entry of women into the workforce had not proceeded as rapidly as expected.
11. In concluding her presentation, the representative stated that, although Confucian ideology still hindered the complete realization of gender equality, it was a matter of time before the traditions of the past would give way to full gender equality, representative democracy and shared prosperity. She expressed confidence that, with the benefit of equal protection under the law, Korean women would emerge as contributing partners in the process of nation-building and write their own chapter in the global gender-equality renaissance of the twenty-first century.

Concluding comments by the Committee

Introduction

12. The Committee commended the Government of Korea for its report, and particularly the preparation of the fourth periodic report, which generally complied with the Committee's guidelines. The Committee welcomed the well-structured and comprehensive report that provided a broad range of information and data on the situation of women in Korea. The report reflected the political will and strong commitment of the Government to advance the status of women and achieve the goal of gender equality. The Committee also welcomed the exhaustive replies of the Government, which eliminated the existing gaps in the written report.

13. The Committee noted that the reports and presentation provided a clear indication of substantial and administrative progress during the last decade in the area of women's advancement and congratulated the Government of Korea and Korean NGOs for their substantive achievements in eliminating many forms of discrimination against women, thereby implementing the Convention on the Elimination of All Forms of Discrimination against Women.

Positive aspects

14. The Committee welcomed the definitive steps taken by the Government towards the advancement of women, as well as efforts to mainstream a gender perspective into policies and programmes.

15. The Committee welcomed the establishment and strengthening of the proactive national machinery for women. In particular, the Presidential Commission on Women's Affairs was now under the direct auspices of the President and was entrusted to facilitate the implementation of gender-sensitive policies. Nevertheless, more streamlining of the system might be desirable in the future, such as changing the status of the commission into a full-fledged ministry.

16. The Committee welcomed the Government's close collaboration with NGOs to combat domestic violence through the introduction of protective legislation in addition to the creation of sexual and domestic violence prevention and victim protection centres, emergency shelters and awareness-raising campaigns to encourage the reporting of and official response to domestic violence and other forms of sexual harassment.

17. The Committee noted with satisfaction that the Government's efforts to implement the Beijing Platform for Action through the preparation of a national plan for the advancement of women and identification of ten priorities in that respect. The Committee commended the 1995 enactment of the Women's Development Act and the Women's Development Fund endowed with US\$ 70 million to support the implementation of the Beijing Platform for Action and the Women's Development Plan.

18. The Committee noted with appreciation the adoption and revision of numerous laws and legal provisions in order to bring domestic legislation in line with the Convention, in particular, the 1998 Prevention of Domestic Violence Act, Protection of the Victim Act and the 1995 Law for the Advancement of Women aiming at addressing the issues of gender equality in a comprehensive way. The Committee welcomed the amendments of the National Act in 1997 and the news that the Government was considering the withdrawal of its reservation to article 9 of the Convention.

19. The Committee commended the Government on a wide range of policies, strategies and measures in social and economic areas and underlined in particular the achievements in the area of education, including the introduction of non-traditional career orientation for women.

Factors and difficulties affecting the implementation of the Convention

20. The Committee noted the persistence of entrenched paternalistic male values and traditional stereotyping of women's role. In spite of amendments to the Civil Code, discriminatory provisions remained, such as the prohibition of marriages between individuals with common surnames. Furthermore, only males were permitted to request a paternity test.

21. The Committee noted the low participation of women in social and political life and, especially, their absence in decision-making positions at all levels.

22. The Committee noted the possible negative impact of the economic crisis on the lives of Korean women.

Principal areas of concern and recommendations

23. The Committee was concerned that, while the report focused on laws, legal provisions, policies and legislative measures, it contained insufficient information on the actual situation of women in various walks of life. Therefore, the Committee recommended that, in subsequent reports, the Government of Korea provide more actual information as to the historical background of each issue and the actual socio-economic implementation and enforcement of the new laws or regulations adopted during the relevant period. The Committee also recommended that, in subsequent reports, the Korean Government provide the Committee with a comparative account or chart as to the progress achieved since the previous reports.

24. The Committee recommended that monitoring and evaluation of the enforcement of legislative measures and policies on women be made. The Committee requested that the Government provide more gender-disaggregated statistics and data in its next report.

25. The Committee applauded the fact that discrimination of women was defined in a number of articles in the Constitution and in the Equal Opportunity Act/1989, especially the fact that maternity benefits for working women and preferential treatment of specific workers for the purpose of redressing existing discriminatory conditions was not viewed as discrimination.

26. The Committee noted with concern that the definition of discrimination did not include indirect discrimination or discrimination on the grounds of religious beliefs, political preferences, age or disability.

27. The Committee recommended that the Government specify remedies for indirect discrimination, disseminate related information, ensure the provision of legal aid and undertake all necessary measures to increase the legal literacy among women. The Committee also recommended that the establishment of the National Human Rights Commission be expedited and that remedies for discriminatory practices be provided.

28. The Committee was concerned about the under-representation of women in politics and decision-making structures, including the judicial system, and emphasized the importance of fostering a political environment conducive to women's promotion in all sectors of public and private life.

29. The Committee recommended the provision of more governmental support in order to increase women's political participation and political education, raise public awareness about women leaders, continue promoting targets and quotas, introduce incentives to encourage a minimum quota of 30 per cent representation of women in political parties and for the

drafting of policies to increase the participation of women in the judicial system.

30. The Committee noted with concern the situation of women's employment in the labour market and emphasized the importance of that issue in view of the current "Asian economic crisis" and its impact on the situation of women. The growth of female unemployment was also of concern to the Committee. The following factors were mentioned:

- Discrimination of placement in business with more than 10 employees;
- Sexual harassment and violence, both within and outside the family;
- Insufficient social protection of female workers in the private sector;
- The gap in wages;
- Occupational segregation, concentration in traditional female occupations;
- Inconsistency in the women's educational level and employment opportunities;
- Implementation and policies to redress the impact of the "Asian crisis" on women;
- Insufficient support to women entrepreneurs;
- Situation of women in agriculture, especially of elderly women and in rural areas;
- Ratification of only one International Labour Organization (ILO) Convention;
- Early lay-off and an increase in the number of part-time women workers.

31. The Committee recommends:

- Provision of statistical data on the growing number of part-time workers in social protection schemes;
- Implementation of the principle of equal pay for work of equal value;
- Recognition of women's unpaid work;
- Provision of the same social protection for women in the private sector as that provided in the public sector to bridge the gap between working conditions in the public and private sectors;
- Promotion and government support of women entrepreneurs, including in non-traditional areas;
- Extension of paid maternity leave to the private sector;
- Increase in trade union involvement in the protection of women workers' rights;
- Ratification of ILO conventions, especially ILO Conventions 110 and 111;
- Articulation of rights and benefits for women workers in female-headed households;
- Clarification of maternity benefits;
- Elimination of gender-restrictive recruitment advertisements;
- Awareness-raising campaigns to encourage the reporting and elimination of sexual harassment in the workplace;
- Further training of employees and the public at large on gender sensitivity to prevent sexual harassment, domestic violence, sexual violence and other breaches of women's rights.

32. The Committee expressed concern with the situation of rural women, in particular to their under-representation in decision-making/leading public and private positions.

33. The Committee encouraged the Government to give full attention to the needs of rural women and to ensure that policies and programmes benefit them in all areas, including in such areas as their recognition as agricultural workers to benefit from the rights under the Employment Standard Act, and access to decision-making, health and social services. The Committee also recommends to organize more studies on the situation of rural women, obtain more statistical data to inform the policies; and access to credit.

34. Other concerns were:

- The role of the national machinery, its authority and budget;
- Monitoring violence against women and mounting public-awareness campaigns to reduce its prevalence;
- Increasing the minimum marriage age of women to 18 years;
- The high rate of abortion;
- Clarification and improvement of inheritance laws;
- Inadequate information on the numbers of women using health facilities, especially those with HIV/AIDS and venereal disease.

35. The Committee commended the Government of the Republic of Korea for its courage in introducing the quota system for the appointment of women in certain public positions and for the special maternity protection provisions as mentioned in the Labour Standards Act, and recommended that such a quota system be applied for the private business sector.

36. The Committee specifically recommended that the Government of the Republic of Korea give special attention to the recognition of the right to social security provided by the 1955 Unemployment Insurance Scheme to disabled women, and that the policy to provide a variety of programmes for older women, including the promotion of their health, not be jeopardized by the present economic crisis.

37. Finally the Committee recommended that the Government of the Republic of Korea remove all its remaining reservations on the Convention on the Elimination of All Forms of Discrimination against Women before the year 2000.

38. The Committee requested the wide dissemination in the Republic of Korea of the present concluding comments in order to make the Korean people, and particularly the Government, administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in that regard. The Committee also requested the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.
