



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 3150th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 30 April 2025, at 10 a.m.

Chair: Mr. Balcerzak

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The meeting was called to order at 10 a.m.

Consideration of reports, comments and information submitted by States Parties under article 9 of the Convention *(continued)*

Combined twentieth to twenty-second periodic reports of the Republic of Korea (continued) ([CERD/C/KOR/20-22](#); [CERD/C/KOR/Q/20-22](#))

1. *At the invitation of the Chair, the delegation of the Republic of Korea joined the meeting.*
2. **Mr. Yeung Sik Yuen** (Country Task Force) said that he was concerned that the recognition rate for asylum applicants was so low, as only about 1,000 applicants had been recognized as refugees since 1992. While he noted that the State Party was taking steps to strengthen its refugee status determination procedure, he was also concerned that structural weaknesses resulted in long delays in the processing of applications. The issuance of first-instance decisions reportedly took an average of 21 months, and there was a shortage of fully qualified refugee screening officers, leading to a reliance on less qualified personnel. He would be grateful if the delegation could comment on those concerns. He would be interested to know whether the Refugee Committee operated as a collegiate body and how many of its members were required to attend meetings in order to obtain a quorum.
3. As the Committee had received allegations of discrimination against asylum-seekers from certain countries, he wished to know how the State Party ensured that its criteria for granting international protection were applied in a non-discriminatory way and whether the State Party would consider publishing comprehensive statistics, disaggregated by nationality, on the number of asylum applications accepted and rejected. An update on the amendment of the Refugee Act to guarantee the provision of interpretation services during the application process would be welcome.
4. Although the Refugee Act explicitly affirmed the State Party's non-refoulement obligations, the Committee had been informed that deportation orders had been issued to refugees, humanitarian status holders and asylum-seekers and that there had been cases of refoulement during the reporting period, including to China and the Democratic People's Republic of Korea. He would therefore be grateful for an explanation of how the State Party intended to uphold respect for the principle of non-refoulement. He wondered what measures had been taken to reduce the high rate of non-referral decisions under article 5 of the Enforcement Decree of the Refugee Act, which resulted in the majority of persons claiming refugee status at ports of entry being denied access to asylum procedures. Did the State Party intend to establish a legal assistance system for such persons?
5. The Committee would be interested to know why the humanitarian grounds on which persons could be granted temporary residence – namely, “reasonable grounds to believe their life or personal freedom may be egregiously violated by torture or other inhuman treatment or punishment or other circumstances” – were insufficient for granting them refugee status. As the Committee had been informed that humanitarian status holders did not enjoy the same rights as refugees, including with regard to family reunification and access to basic services, and that they relied heavily on non-governmental organizations (NGOs) for housing and support, he wished to know why humanitarian status holders were treated differently and what had been done to improve their situation.
6. The Committee understood that, in the light of a Constitutional Court judgment of March 2023, the Immigration Act had been amended to establish a nine-month limit on immigration detention. In that regard, he would like to know why the amended Act introduced a maximum detention period of 20 months for asylum applicants who initiated their application while already in immigration detention and how that provision was compatible with the aim of minimizing the length of detention of asylum-seekers. The delegation might also comment on reports that the authorities frequently detained asylum-seekers and granted temporary release in only a limited number of cases. He would also like to know what steps the State Party took to uphold the human dignity of persons who were denied access to asylum procedures at ports of entry.

7. The Committee was concerned that asylum applicants were prohibited from engaging in employment for six months from the date of application and that only a tiny proportion of them received a living allowance – and then for only about three months – despite having to wait for long periods for a decision on their cases. He wished to know what measures the State Party planned to take to ensure that asylum-seekers could obtain work permits, healthcare, housing and other assistance to meet their basic needs.

8. The Committee had received reports that persons who had escaped from the Democratic People's Republic of Korea did not benefit from safeguards against refoulement, as they were not considered to be foreign nationals, and that they faced diverse forms of discrimination which were reflected in their higher unemployment rate and lower wages. He wondered whether the State Party might pass legislation to enshrine the principle of non-refoulement for escapees from the Democratic People's Republic of Korea and what steps the Government had taken to address economic and social discrimination against them.

9. **A representative of the Republic of Korea**, responding to questions raised at the previous meeting, said that migrant workers who had resided in the Republic of Korea for six months were covered by health insurance on the same basis as nationals. Permanent residents and marriage migrants were covered by health insurance from the time they entered the country, regardless of their length of residence. In October 2024, the National Health Insurance Act had been amended to make seasonal workers eligible for health insurance. There was a government programme under which foreign workers who did not have health insurance but who required hospitalization or surgery could apply for medical expense support.

10. The national health insurance premiums paid by nationals and migrant workers were calculated differently because of the difficulty of verifying the overseas income and assets of migrant workers. Migrant workers enrolled in the national health insurance system were charged the average premium for all insured persons, with those who resided in farming or fishing communities, on islands or in remote areas enjoying reductions of up to 50 per cent. The premiums paid by migrant workers each year were less than the value of the health benefits they received and were not excessive in comparison with the premiums paid by Korean nationals.

11. Following the Constitutional Court judgment of 2023, the Government had introduced a new policy on the suspension of health insurance benefits under which the duration of the foreign national's stay in the Republic of Korea was taken into account. Under the new policy, benefits would be suspended after three or more missed payments, rather than a single missed payment. Prior notice of suspension would be provided and benefits retroactively reinstated once the overdue premiums were paid. In principle, foreign nationals became eligible to enrol in the national health insurance system upon receiving a long-term visa. It would be difficult for persons with a short-stay visa to maintain health insurance coverage. The Government would carefully review how to manage health insurance eligibility in the event of changes in visa status.

12. **A representative of the Republic of Korea** said that the Framework Act on Social Security provided that the matter of social security coverage for foreign residents must be dealt with flexibly and in accordance with the principle of reciprocity. Before moving to expand access to emergency welfare and other social security benefits, the Government would have to consider factors such as the need to maintain sound public finances and to secure broad social consensus.

13. Under the Basic Living Security System, marriage immigrants, refugees and other persons facing financial difficulties received benefits to allow them to maintain a basic standard of living. The number of foreign beneficiaries had increased from 6,842 in 2022 to 8,122 in 2024. Under article 15 of the National Basic Living Security Act, beneficiaries were provided with employment opportunities and access to self-sufficiency programmes. The Government planned to strengthen the protection of foreigners experiencing economic difficulties.

14. The Act on the Welfare of Persons with Disabilities provided for the registration of persons with disabilities without restrictions on nationality. Depending on the type of disability, a person must have received qualified treatment over a period of from six months

to two years, followed by an assessment to determine whether the disability was permanent. It was difficult for short-term residents to fulfil that requirement. The Act prohibited discrimination against persons with disabilities in all areas of political, economic, social and cultural life. The Ministry of Health and Welfare intended to look into the current state of welfare services for migrants registered as having a disability and would consider expanding services for such persons in accordance with the principle of reciprocity.

15. **A representative of the Republic of Korea** said that the Special Act on Support for Victims of Rental Fraud and Housing Stability envisaged measures for the support and recovery of tenants who had suffered harm as a result of *jeonse* (housing rental) fraud. Foreign victims benefited from the same measures as nationals, including emergency housing support. The maximum period for which temporary housing was made available to foreign victims had been extended and was now longer than the period of assistance available to nationals. Some legislation, such as the Housing and Urban Fund Act, was designed to improve the quality of life of the people of the Republic of Korea, and the benefits they provided, such as public rental housing support, could not be extended to foreign nationals.

16. Regarding the construction of the mosque in Daegu City, it should be noted that, since February 2021, the local authorities had organized four mediation meetings and three conflict management meetings with complainants and the building's owner. The National Human Rights Commission of Korea had recommended that racist banners in the vicinity of the construction site should be taken down, and the local authority had encouraged residents to remove them. No such banners were currently on display. On multiple occasions, police officers had been deployed to the site to maintain order and prevent personal injury.

17. **A representative of the Republic of Korea** said that foreign workers had filed approximately 10,000 complaints of labour law violations with regional employment and labour offices. Those offices had interpreters and counsellors able to advise workers in their native languages. There had been one case in which a regional employment and labour office had helped a foreign worker to obtain approximately 9 million won in unpaid wages and severance pay. Annual labour inspections were conducted to protect the rights and interests of foreign workers. Where necessary, inspectors were accompanied by interpreters so that they could interview foreign workers. In the event of a violation, they could order corrective measures, issue fines or refer the case for prosecution.

18. Foreign workers received occupational health and safety training and were protected on an equal basis under the Occupational Safety and Health Act. The Government was working to strengthen the measures in place for the prevention of industrial accidents, to which foreign workers were particularly vulnerable. The Occupational Safety and Health Act had been amended to require that information on workplace hazards and emergency procedures should be provided in the languages of the foreign workers concerned. Employers were required to provide occupational safety and health training to foreign and Korean workers on the same basis. Employers found to be responsible for the death of a foreign worker would be subject to penalties, including restrictions on the employment of foreign workers in the future.

19. **A representative of the Republic of Korea** said that, under the law as it stood, it was difficult for the authorities to punish people for spreading rumours or false information. The Korea Communications Commission conducted monitoring and applied sanctions in order to combat online disinformation that promoted racial discrimination and hatred against refugees. As part of the fight against disinformation, an effort was being made to encourage major web portals and platform operators to strengthen their self-regulation mechanisms.

20. **A representative of the Republic of Korea** said that the Ministry of Justice ran a hotline for complaints relating to human rights violations at Ministry-run facilities. If such violations were found to have occurred, the Ministry launched internal disciplinary proceedings against the persons responsible. For its part, the National Human Rights Commission dealt with alleged violations committed not only by Ministry of Justice personnel but also by the police, members of the military and others. If violations were found to have occurred, the Commission proposed remedies, including disciplinary action.

21. **A representative of the Republic of Korea** said that, under the Immigration Act, foreigners placed in detention were provided with a written document in 19 different

languages that detailed their rights, including their right to remain silent, to appoint legal counsel to challenge their detention and to contact a person of their choice. If detainees so wished, the consular authorities of their country of origin were also apprised of their situation. Details on how to apply for refugee status, request temporary release or file a complaint relating to human rights violations were also posted in detention facilities.

22. **A representative of the Republic of Korea** said that, in a recent case where nine persons had assaulted a migrant worker in detention and posted a video of the incident online, six of those responsible had received terms of imprisonment of up to 1 year and three had been fined between 5 million and 8 million won. The defendants had appealed against their sentences and the case was under review.

23. **A representative of the Republic of Korea** said that the status of foreigners who were or had been married to nationals was regulated under the Framework Act on Treatment of Foreigners Residing in the Republic of Korea. The Immigration Act made provision for the issuance of special visas for such persons, whose situation was different from that of foreigners who were married to other foreigners and who were seeking family reunification. In the latter instance, a “dependent family visa” could be issued to the spouse and minor children of foreigners who had been residing in the Republic of Korea for an extended period of time.

24. Questions relating to intercultural and international marriages had been integrated into human rights education with a view to fostering an understanding of local cultures and customs and preventing domestic violence. A guidance programme concerning international marriages had been in place since 2011 and, although its direct impact was not easy to evaluate, the divorce rate of persons in such marriages had declined since the programme had been introduced.

25. **Mr. Yeung Sik Yuen** (Country Task Force) said that the Committee was worried by the fact that the foreign labour force – whose members were often engaged in difficult, dangerous and dirty work – was both more vulnerable to workplace accidents and underinsured. That state of affairs was particularly troubling in the light of information indicating that almost 20 per cent of foreign workers in the State Party were undocumented.

26. He was concerned by the fact that the penalties envisaged for hate speech offences under the Broadcasting Act were limited to fines and did not include imprisonment, which would be more commensurate with the gravity of such offences. In that connection, he wondered how many cases had come before the courts and what sentences had been handed down. While welcoming the action taken in the recent case of assault against a migrant worker in detention, he remained concerned that the video of the incident was still available on the Internet and wondered if the State intended to have it removed.

27. **Ms. Stavrinaki** (Country Rapporteur) said that the Committee wished to invite the delegation to provide written information within 48 hours on how many migrants with disabilities had been registered and were receiving welfare benefits, how many migrants had benefited from temporary release from migration detention over the previous three years, how many migrants had been paid the wages in arrears owed to them and how many employers had been prosecuted and convicted for abusive labour practices. She would also appreciate information showing that migrants were appropriately covered by national health insurance and that they were not required to pay exorbitant premiums.

28. **Ms. Esseneme** said that it would be interesting to know how the 156 stateless persons whom the State Party had reported as being in the country in 2020 had been identified, given the absence of any legal procedure to determine statelessness. She hoped that the delegation could provide updated statistics on the number of stateless persons currently in the country and explain how the authorities ensured that they enjoyed appropriate legal status, in line with the State’s obligations arising from the Convention relating to the Status of Stateless Persons.

29. **Mr. Diaby** said that he wished to know whether the Government intended to allocate more financial and human resources to the mechanism that handled applications from persons seeking refugee status and asylum-seekers, which, according to information received by the

Committee, currently employed just four officials. Did the State Party have any plans to ratify the Convention on the Reduction of Statelessness?

30. **A representative of the Republic of Korea** said that, with the passage of the 2013 Refugee Act, the Republic of Korea had become the first Asian country to enact a stand-alone law regulating the status of refugees. Since then, the number of applications for refugee status had increased nearly 12-fold, reaching 18,336 in 2024. Beginning in 2018, interviews to determine refugee status were audiovisually recorded and, in 2021, a system of professional certification for interpreters had been introduced. An amendment to the Refugee Act had been submitted in 2021 which would have granted access to interpretation and translation services during the formulation and submission of applications rather than only during interviews. However, the bill had failed to pass and was currently being reviewed. Under a 2024 amendment to the Enforcement Decree of the Refugee Act, public officials involved in the refugee status determination procedure were required to undergo at least 50 hours of mandatory training annually.

31. As of 2024, the refugee status approval rate was 2.4 per cent for applicants overall, while humanitarian protection had been accorded to 7.4 per cent of applicants. The outcome of applications depended upon multiple factors, including, notably, applicants' country of origin and geographical proximity to conflict zones. Currently, the acceptance rate for applicants from Myanmar stood at 56.4 per cent, from Burundi at 50 per cent, from the Democratic Republic of the Congo at 28.6 per cent and from Iran at 26.9 per cent. Pronouncements on refugee status were made by the Refugee Committee, which reached its decisions not by unanimity but by simple majority. Since 2020, when the Refugee Appeal Division had been established, a total of 132 persons who had submitted appeals had been granted humanitarian protection.

32. Under the Refugee Act, recognized refugees were entitled to social security coverage and Korean-language and vocational education services. They were also provided with multilingual written information on law and order, transportation, medical care and education. The Government remained committed to supporting recognized refugees while working to foster public understanding and consensus and to placate members of the public who were concerned about reverse discrimination against Korean citizens and the financial burden borne by the State.

33. In response to the surge in applications for refugee status, the number of officials assigned to processing such applications had been increased from 39 to 90 since 2018. With a view to expediting the application procedure, improving accessibility and preventing the spread of infectious diseases, a video interview system for applicants had been introduced in 2023. Irrespective of the order of submission of applications, priority was given to applicants who – owing to the circumstances in their country of origin or the weight of documentary evidence they had submitted – were likely to be successful.

34. Applicants for refugee status, recognized refugees and humanitarian status holders enjoyed non-refoulement guarantees under the Refugee Act, the Convention relating to the Status of Refugees and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The same safeguards were applied to persons who had pending appeals against a decision not to grant them refugee status. Applications for refugee status made at points of entry to the Republic of Korea had to be considered in the light of human rights principles and immigration control and national security standards. Grounds for a decision not to refer persons to the refugee status determination procedure could include a determination that they were likely to pose a threat to national security or social order, their submission of false documents or a determination that their claim was manifestly unfounded. Foreigners who had been notified of a non-referral decision could file an appeal, in which case procedures for their repatriation were suspended.

35. Recognized refugees were granted residency for up to three years at a time, and they were eligible for the same social security benefits as citizens. Humanitarian status holders could remain in the Republic of Korea for up to one year at a time and, although they did not have the same social security entitlements as recognized refugees, they could reside and work in the Republic of Korea until the reasons for granting them humanitarian protection had ceased to exist.

36. Foreign nationals who received a non-referral decision at a port of entry or exit were placed in a departure waiting room, where they had access to showers, bedding and free Internet access. They were also permitted to use their mobile phones, receive visits from consuls or legal representatives and make use of prayer rooms. Since 2022, following amendments to the Immigration Act, departure waiting rooms had been operated by the State. Information on living expense support was available at regional immigration offices and ports of entry and exit. A guidebook outlining refugee applicants' rights and available support was produced in eight languages and was distributed via text message upon submission of an application for refugee status. In 2024, multilingual leaflets had been introduced to further improve access to information on living expenses, medical care and housing assistance.

The meeting was suspended at 11.30 a.m. and resumed at 11.40 a.m.

37. **Ms. Stavrinaki** said that she would like to know whether the State Party planned to simplify the permanent residence and naturalization processes to enable marriage migrants to extend their residency and be naturalized autonomously. She wondered whether the State Party would consider establishing a mechanism to facilitate the reporting of gender-based violence by migrant women and to support their access to justice and remedies. She would also be interested to learn what steps had been taken to combat harmful stereotyping of migrant women.

38. She would welcome further information on the criteria used to determine the eligibility of marriage migrants for national basic living security benefits, on the collection of data on women marriage migrants and their children who had returned to their country of origin and on the judicial and administrative support available to them with regard to divorce proceedings, child custody and child support.

39. It would be of interest to know what steps had been taken to prevent child nationals living abroad from losing their legal status due to visa and passport issues, safeguard their access to healthcare and education, and ensure that military service obligations did not become an additional barrier. She wished to learn more about the recent legislative amendments and policy changes that extended support for victims of gender-based violence to foreign nationals. She would welcome data on complaints, investigations, convictions and sanctions related to cases of gender-based violence and the reparations granted to victims. Could the delegation provide an update on the proposal to include "North Korean defectors" as defined in article 2 of the North Korean Refugees Protection and Settlement Support Act and "persons recognized as refugees" in the definition of "multicultural families" under the Multicultural Families Support Act?

40. She wondered whether the State Party would consider amending the Act on Prevention of Human Trafficking and Protection of Victims and the Criminal Code to align them with the United Nations Convention against Transnational Organized Crime, including through the establishment of criminal penalties for all acts of trafficking. She would like to know whether the State Party intended to make the use of the Identification Index for Human Trafficking mandatory for immigration and law enforcement officials and whether steps would be taken to expedite the process of determining victim status and granting appropriate protections.

41. She would be interested to know whether the State Party envisaged conducting a national survey on seasonal migrant workers' enjoyment of their human rights, banning exploitative practices by private recruiters and monitoring recruitment processes in both sending and receiving countries. She wondered what efforts had been made to act on the recommendations issued by the Committee on the Elimination of Discrimination against Women following its examination of the case of three Filipino women in 2023 and to implement the Act on Prevention of Trafficking in Persons and Protection of Victims (2021) and the first Comprehensive Plan for the Prevention of Human Trafficking (2023–2027). The Committee would welcome updated data on complaints, investigations, convictions and sanctions related to cases of human trafficking and the reparations granted to victims.

42. She would appreciate updated and detailed information on the legislative proceedings concerning universal birth registration and on the status of the bill on the birth registration of foreign children and the birth notification system. She would be curious to learn how the

State Party identified stateless persons and whether it had plans to adopt a law incorporating the provisions of the Convention relating to the Status of Stateless Persons.

43. It would be of interest to know whether the State Party intended to extend childcare support to migrant children and to monitor and penalize day-care centres that engaged in discriminatory selection practices. She would also like to obtain information on any planned measures to mandate the provision of support for the protection and recovery of foreign child victims of abuse and sexual exploitation, including access to shelters and livelihood assistance.

44. She wished to know whether the State Party planned to regularize the status of all children and what barriers were preventing it from granting children full enjoyment of their human rights, including a stable residence status and access to compulsory education. She would also like to know whether the Ministry of Education collected data on migrant children to inform its policies and its development of educational programmes tailored to the needs of those children. She would be grateful for an update on the decision to cut funding to programmes supporting students from a migrant background, such as the Rainbow School programme.

45. She would be interested to learn whether the State Party continued to issue deportation orders for parents and to detain children in what were known as “protection facilities”. She wondered what the status was of the proposed amendment to the Immigration Act, which would limit the detention of foreign children under the age of 14, and whether there were plans to extend its scope to cover all minors.

46. **A representative of the Republic of Korea** said that, regarding the cases of the Myanmar and Thai nationals who had died in 2018 and 2024, respectively, both men had died as they were attempting to flee immigration enforcement officers. The first man had died after falling from scaffolding, while the second had sustained fatal abdominal injuries after jumping from a high wall.

47. The rules governing crackdown operations had been revised in an effort to prevent accidents and ensure compliance with legal procedures. The sites for such operations had to be assessed in advance and specific safety plans put in place. Door-to-door investigations required prior consent from householders. Immigration officers were required to undergo human rights training every six months. A manual on video recording and other evidence-gathering activities had been prepared, and immigration enforcement activities were now recorded to enhance transparency and oversight.

48. **A representative of the Republic of Korea** said that, under the Constitution, North Korean defectors were recognized as citizens of the Republic of Korea. It was the Government’s position that all defectors who requested protection should be accepted. The North Korean Refugees Protection and Settlement Support Act provided systematic support to facilitate their integration into society. Upon arrival, defectors received 12 weeks of social adaptation training, followed by settlement assistance, which included financial, housing and employment support. Since 2024, a national day to commemorate North Korean defectors had been established to raise public awareness. As citizens of the Republic of Korea, defectors had the right to relocate to a third country. North Koreans might also choose to seek asylum in other countries without requesting protection from the Republic of Korea.

49. **A representative of the Republic of Korea** said that the Korea Communications Standards Commission monitored broadcast content for human rights violations or material inciting prejudice, ridicule or insult against specific racial groups. Under article 100 of the Broadcasting Act, the Commission could impose sanctions such as warnings, fines or administrative guidance. Over the previous five years, no penalties had been issued under that provision, however.

50. With regard to measures to prevent the dissemination of videos depicting individuals being detained or assaulted, online content was monitored under the Act on the Establishment and Operation of the Korea Communications Commission and the Act on Promotion of Information and Communications Network Utilization and Information Protection. Content identified as discriminatory or promoting racial prejudice was subject to review and appropriate corrective measures.

51. **A representative of the Republic of Korea** said that measures had been implemented to prevent discrimination against individuals with diverse migration backgrounds. For example, marriage migrants and their families received support through 244 multicultural family centres located across the country which offered Korean language education, interpretation and translation services, and integration programmes. Families who had been settled for an extended period had access to additional educational, career planning, job training and employment support. Foreign families, refugees and North Korean defectors could also benefit from interpretation and translation services and practical information to support their settlement.

52. Children under the age of 14 were not detained. Departure orders or temporary release orders were used to minimize detention for children aged between 14 and 18. In cases where children had resided in the country for an extended period of time and met certain criteria, both the children and their parents could be granted legal residency until the children reached adulthood in order to ensure their right to education.

53. The right of all children to receive education without discrimination was guaranteed. Amendments to the Elementary and Secondary Education Act had established a framework for supporting students from migrant backgrounds. The Government was expanding Korean language education services to promote inclusion and providing tailored academic, career and employment support that took into account students' nationality, residency status and other conditions.

54. **A representative of the Republic of Korea** said that marriage migrants were permitted to remain in the country if their Korean spouses had died or disappeared, their marriages had broken down through no fault of their own, they were raising children born during their marriage to a Korean spouse or they had another legitimate reason to remain. The criteria that such migrants had to meet in order to obtain permanent residence visas or citizenship were less stringent than those applying to other foreign nationals. However, marriage migrants whose marriages had been dissolved for other reasons would be required to meet the same criteria as other foreign nationals. Where available, divorce judgments were used to determine responsibility for the breakdown of a marriage; otherwise, documents such as mediation reports, declarations or medical certificates could serve as evidence. No distinction was made with regard to the existence of children in naturalization applications.

55. According to the most recent figures, there were 168 stateless persons residing in the Republic of Korea. To prevent statelessness, the Nationality Act provided for the application of the principle of *jus soli* to persons of unknown parentage who had been born in the country. The Act also permitted Korean citizens who had involuntarily acquired nationality of a third country for reasons such as marriage or adoption to retain their Korean nationality by declaring their wish to do so. Furthermore, foreign nationals acquiring Korean nationality were permitted to hold dual nationality. Since most of the relevant provisions of the Convention were already covered in domestic legislation, there was no reason to introduce a separate system for preventing statelessness.

56. **A representative of the Republic of Korea** said that marriage migrants who had returned to their countries of origin could obtain documents confirming their marital status under the Family Relations Registration Act. Korean nationals could request their divorce certificates by mail, over the Internet or at diplomatic missions of the Republic of Korea, while foreign nationals could request their certificates by mail or through an authorized email system, among other methods. Direct issuance of certificates was available only in a few countries with dedicated computer system connections. The Government planned to assess the need for certificate issuance services with a view to expanding the system.

57. The Act on Special Cases concerning the Punishment of Crimes of Domestic Violence had been amended in December 2022 to ensure that perpetrators of domestic violence were assigned to custodial facilities separated from victim support facilities. In July 2023, the Act on the Punishment of Stalking Crimes had been amended to introduce definitions of new types of offences, such as stalking carried out through information and communications networks; to exclude stalking offences from the category of crimes requiring the victim's consent for prosecution; and to include the installation of location tracking devices as a

provisional victim protection measure. The law made no distinction between victims of Korean or foreign nationality.

58. Amendments had been introduced in 2013 to criminalize and penalize trafficking in persons, which was defined as the buying and selling of persons for the purpose of sex trafficking, sexual exploitation, labour exploitation or organ trafficking. Under those provisions, perpetrators of such crimes were subject to mandatory prison sentences and could also be ordered to pay an additional fine. The definition of trafficking in persons contained in those provisions was rather narrow, but a more comprehensive definition could be found in the Act on Prevention of Trafficking in Persons and Protection of Victims, in force since January 2023. The definitions of the various trafficking offences contained in that Act were aligned with international standards such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

59. A number of bills concerning the birth registration of foreign children were currently being reviewed by the National Assembly. Those bills contained provisions that would enable parents of children born in the Republic of Korea without the right to Korean nationality to register their children's births and apply for birth certificates.

60. **A representative of the Republic of Korea** said that the potential impact of detention orders on migrant children was taken into consideration, and in practice such orders were not issued to children under the age of 14 years. To establish a clearer legal basis for such measures, the Government was considering amending the Immigration Act to improve the situation for children aged 14 years and above. Departure orders and temporary release orders were used to minimize detention. In cases where detention was unavoidable, designated officials provided special support to the minors involved.

61. If a detained foreign national was caring for a child aged under 18 years, that fact was taken into account as a matter of priority when considering the possibility of temporary release. Children living in the Republic of Korea for an extended period who were enrolled in elementary, middle or high schools in the country or who had graduated from high school were granted special dispensation to remain, along with their parents, until they reached adulthood. Careful consideration was being given to the development of further measures intended to ensure access to education for such children to avoid problems linked to the irregular migration of additional family members.

62. **Ms. Stavrinaki** said that she would welcome further clarification regarding the situation of women marriage migrants. In particular, she wondered whether the Government recognized that they had their own ties to the country and whether it considered those women as accessories to their spouses. She also wished to know whether they were required to earn at least 40 per cent of the median income figure in order to apply for permanent residency in the country, and she would appreciate clarification as to whether explicit legislation had been adopted to ensure that migrant children and their parents were permitted to remain in the country until the children had reached adulthood. It would be helpful to receive information on penalties handed down for the newly defined offences relating to trafficking in persons.

63. **Mr. Yeung Sik Yuen**, noting that the Committee had received photographic evidence from alternative sources showing banners displayed at the construction site of a mosque in Daegu Metropolitan City, said that he wished to know whether that evidence was consistent with the delegation's assertion that the banners erected with the aim of obstructing the mosque's construction had been removed. The delegation might also wish to respond to reports that 522 Thai migrant workers had died at their places of work in the State Party between 2015 and 2020.

64. **Mr. Amir** said that he would like to invite the delegation to comment on the situation of women in the State Party who had been raped by Japanese soldiers. In particular, he wished to learn about any measures taken to determine the fate of any children born to those women.

65. **Mr. Sibande** said that he would like to hear about steps taken to define anti-discrimination in domestic law and to establish genuinely comprehensive national anti-discrimination laws. He would appreciate clarification regarding the practical application of the Framework Act on the Management of Disasters and Safety, given that the

wording in section 1 of that Act referred only to the protection of citizens. It would also be interesting to hear about any efforts made to provide disaster support services in a larger number of foreign languages to ensure the inclusion of foreign nationals. He invited the delegation to respond to reports received by the Committee alleging discrepancies in the payment of compensation to Korean nationals and foreign nationals harmed during the Hwaseong factory fire.

66. **Ms. Tlakula** (Follow-up Coordinator) said that she would welcome clarification regarding the use of the term “tentative” in the State Party’s periodic report to describe the status of the Act on Registration of Birth of Foreign Children. The Committee had been concerned to hear from alternative sources that the system referred to as “the acquisition of nationality by acknowledgement” hindered birth registration for various groups and did not resolve all barriers to citizenship for children born out of wedlock to a father who was a national of the State Party and a mother who was a foreign national. It would be helpful to hear the delegation’s views in that regard.

67. **Ms. Shepherd** said that, according to a 2023 study, nearly a fifth of foreign nationals in the State Party had reported having experienced discrimination. She therefore wondered to what extent the introduction of anti-discrimination instruction in schools had been effective. It would also be useful to hear the Government’s assessment of the degree to which the country’s population accepted differences and avoided exhibiting discriminatory attitudes towards ethnically and racially minoritized groups in the State Party.

68. **A representative of the Republic of Korea** said that the Elementary and Secondary Education Act had been amended to guarantee access to public education for migrant children. Through joint ministerial efforts, a programme had been established under which teachers, community infrastructure and financial resources were allocated to schools with large numbers of children from migrant backgrounds in order to provide such children with customized support to facilitate their integration into Korean society. Intensive Korean language classes were offered to children enrolled in middle and high school, and the introduction of more classes was in the pipeline. The Government was collecting data on dropout rates and reviewing policy measures accordingly.

69. **A representative of the Republic of Korea** said that domestic legislation provided for the punishment of trafficking in persons in all its forms. In addition, certain acts involving trafficking in persons, such as trafficking for the purpose of labour exploitation or sexual exploitation, sex trafficking, organ trafficking and transporting a person outside the country, constituted aggravating factors to be taken into consideration at the sentencing stage.

70. **A representative of the Republic of Korea** said that marriage migrants earning less than 40 per cent of the median income who were married to a Korean national, were expecting or raising a child or were living with the parents of their Korean spouse were entitled to receive certain benefits under the National Basic Living Security System.

71. **A representative of the Republic of Korea** said that, since 2019, Vietnamese marriage migrants who had returned to Viet Nam with their children following divorce or bereavement had been offered legal support, Korean language lessons and employment-related training. Although it was difficult to track the whereabouts of returnee marriage migrants, the number of returnee families living in Viet Nam was estimated to be over 30,000. A survey had recently been conducted to assess the status of child returnees in Viet Nam. In 2024, returnee children and their families had been invited to visit the Republic of Korea to familiarize themselves more thoroughly with Korean culture, and scholarship programmes for children from multicultural families had been funded by a private foundation. There were plans to expand the scope of employment and entrepreneurship programmes for marriage migrants and to enhance support for their children to help them to adapt to local school life and enter higher education.

72. Under the Multicultural Families Support Act, support centres had been established across the country to give foreign families access to linguistic and other services to help them to adapt to life in the Republic of Korea. An amendment to the Act that would broaden the scope of that support was under review. Various support measures were provided for under the Framework Act on Treatment of Foreigners Residing in the Republic of Korea, the Refugee Act and the North Korean Refugees Protection and Settlement Support Act.

73. **Ms. Tlakula** said that, in its concluding observations, the Committee would request the State Party to provide information, within one year of the adoption of those concluding observations, on measures taken to follow up on a number of recommendations.

74. **Ms. Stavrinaki** said that she wished to thank the delegation, the National Commission for Human Rights and the civil society of the Republic of Korea for having engaged in a constructive dialogue with the Committee. The world was at a crossroads in history: the State Party must therefore decide whether it would align itself with those who sought to devalue human lives and treat entire groups as disposable or with those working to uphold the rights of every person to live in dignity, work under fair conditions, build relationships and personal ties, share his or her culture and actively participate in society. It was her hope that the State Party would continue to stand on the right side of history and lead by example in eliminating policies that underpinned racial barriers and in fully implementing the Committee's recommendations.

75. **A representative of the Republic of Korea** said that his delegation was grateful to the Committee for its insightful contributions. Despite recent progress, it was clear that more needed to be done to fully realize the rights enshrined in the Convention. The Committee's concluding observations would offer valuable guidance in the development of policies to protect and promote the rights of foreigners and migrants. In March 2025, the Government had joined other countries in Asia and the Pacific in reaffirming their commitment to combating all forms of racism and racial discrimination before the General Assembly. In addition, his Government had contributed \$40,000 to support the Committee's activities. The Government would make its best efforts to ensure the implementation of the Convention at the domestic and international levels.

The meeting rose at 1 p.m.