



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

Distr.  
GENERAL

CEDAW/C/13/Add.28  
8 January 1990

ORIGINAL: ENGLISH

UN LIBRARY

FEB 23 1990

UN/SA COLLECTION

Committee on the Elimination of Discrimination  
against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 18 OF THE CONVENTION

Second Periodic Reports of States Parties

Addendum

REPUBLIC OF KOREA

## Introduction

1. As a State Party to the Convention on the Elimination of All Forms of Discrimination Against Women, the Republic of Korea submits, in accordance with article 18 of the Convention, its initial report to the Committee on the Elimination of Discrimination Against Women for the Committee's consideration.

2. A number of Korea's post 1985 initiatives focused on women's development. The most important achievement was the establishment of a Ministry of Political Affairs II with a woman Minister to deal with women's affairs in general at ministerial level(1988), and the establishment of fourteen Family Welfare Bureaus with women director-generals to deal with women's welfare at the local level (1988).

3. The women's development goal has been pursued by the government of the Republic of Korea, which is firmly convinced that women's development should be integrated into national development, and as a result a women's sector was for the first time included in the 6th 5-Year National Socio-Economic Development Plan (1987-1991).

4. With the initiation of the 6th Republic of Korea, government policies on women placed emphasis on systematically ensuring women's participation in social and economic activities and on expanding welfare facilities for women. The details of these policies include revision of the family law aiming at eliminating discrimination against women, implementation of the Equal Employment Opportunity

Act, vocational training and job development for women, enactment of the Maternal-Child Welfare Act and the expansion of child care facilities.

5. Progress in implementing these government policies includes : the revised family law bill has been laid before the National Assembly; the Equal Employment Opportunity Act went into effect in April 1988; the Women's Vocational Training Center was set up and will begin to recruit trainees from 1990, and the measures to activate women's participation in mainstream public vocational training has been suggested by the government and concerned institutes.

6. The Maternal-Child Welfare Act was enacted in April, 1989; the workplace day-care centers are being set up, rental apartments for working women have been under construction since 1981. The revision of educational curricula to eliminate sexual discrimination began to be revised from 1989, and support measures to increase women's participation in the decision-making process have been suggested in line with the Local Self-Government System which will begin in 1990.

7. The Korean government and all its citizens will work together with hope and patience to establish a society based on the equal partnership of men and women by eliminating traditional discrimination against women in keeping with the basic lines adopted in the Women's Sector of the National Plan and the women's policies which will be developed on the basis of the Women's Sector specified in the 'Long-Term Perspectives of National Development Toward the Year 2000' prepared in 1986.

8. The Republic of Korea will make every effort to develop a network of communication and exchange with other organizations to form a common front reflecting women's interests in public policy-making. We also hope to develop a system of international cooperation as Korea prepares itself to develop into an active member of the international community.

## PART I - GENERAL

### Women's Status under the Constitution

9. Since its enactment in 1948 the Constitution of the Republic of Korea has recognized the equality of men and women as a supreme principle of the State. The principle is concretely manifested in various articles of the Constitution.

10. The current Constitution, amended in 1987, emphasizes equal treatment and equal opportunities for all persons, regardless of sex, by stating in its preamble "--- to destroy all social vices and injustices, to afford equal opportunities to every person, and to provide for the fullest development of the capabilities of each individual in all fields, including political, economic, civic and cultural life by further strengthening the basic freedom and democratic order ---."

11. The Constitution states in article 10 that "all citizens shall be assured of human worth and dignity and have the right to pursue happiness." It clearly bans discrimination on account of sex, by providing in article 11 that "all

citizens shall be equal before the law, and there shall be no discrimination in political, economic or cultural life on account of sex, religion or social status." Furthermore, the new constitution makes clear that women shall not be discriminated in recruitment, wage and other working conditions (article 32), that the State shall make efforts to promote women's welfare and their rights (article 34), and that the State shall make efforts to guarantee maternity protection (article 36).

12. The Republic of Korea ratifying the Convention on the Elimination of All Forms of Discrimination Against Women in December, 1984 has attempted to formulate and revise relevant national legislation to ensure the ideals of equality and development of women prescribed in the above-mentioned articles.

#### National Machinery for Women's Affairs

13. With joint efforts for the advancement of women by women's organizations and the government, three institutions were established in the 1980s, the Korean Women's Development Institute, the National Committee on Women's Policies, and the Ministry of Political Affairs II.

14. The Ministry of Political Affairs II was inaugurated on February 25, 1988 at the beginning of the 6th Republic with a woman cabinet minister. It is responsible for social and cultural affairs, particularly those related to women, children, youth and elderly. It is in charge of formulating and implementing policies to solve women's problems.

15. The central administrative system dealing with women's affairs is composed of Ministry II and the Women's Welfare Division of the Family Welfare Bureau of the Ministry of Health and Social Affairs. The Women's Welfare Division sets up general plans for women's welfare, administers women's guidance and enlightenment programs, and supervises shelters for disadvantaged women. Fourteen Bureaus of Family Welfare at the municipal and local government were established with women heads in 1988, which works for women's welfare in their respective areas and has a close tie with the central Women's Welfare Division.

16. There are other divisions dealing with women's affairs under the Ministry of Home Affairs, the Ministry of Education, the Ministry of Labour, the Rural Development Administration and the Patriots and Veterans Affairs Agency. Especially, the Women and Youth Division of the Labour Standards Bureau of the Ministry of Labour works for the improvement of labour conditions and provides protective guidelines for women labourers. A Women's Affairs Guidance Officer, who is an assistant to the Vice-Minister of Labour, also deals with special protection and guidance for women labourers.

17. The Korean Women's Development Institute was established on April 21, 1983 as a national machinery to deal exclusively with women's affairs. It is fully funded by the government, and undertakes comprehensive research projects relating to women, provides education and training programmes to develop women's potential, and initiates various action-oriented programmes concerning women, supports women's organizations, participates in international efforts on the implementation

of a world strategy on women, and collects and disseminates information on women's concerns. It also makes recommendations to the government so that its findings can be reflected in government policies.

18. The National Committee on Women's Policies was established under the office of the Prime Minister on December 8, 1983. It is the highest committee of the government on women's affairs and is in charge of deliberating on and coordinating national policies concerning women. It focuses especially on providing basic plans and integrated policies for women's development and coordinates the policies of various administrative organs concerning women. It consists of twenty members with the Prime minister as its chairperson, half of its members from the ministers of relevant government ministries and the rest are from among experts on women's issues. There are other government committees dealing with women's issues; these include the Committee to Provide Guidance to Women in Prostitution, and the Council of Women's Guidance.

#### National Plans for Women's Development

19. In 1985, the Masterplan for Women's Development and the Guidelines for Elimination of Discrimination Against Women were adopted as government policies by the Committee on Women's Policies.

20. The bases of the Masterplan for Women's Development are the principles of cooperation, harmony, humanization, comprehensiveness, and integration. It focuses on three sectors :

utilization of women's resources, development of women's ability and healthy family life. The Masterplan suggests detailed plans for implementation by the relevant organs of the administration for the preparation period (1975-1986), the integration period (1987-1991), and the settlement period (1992-2000).

21. The Guidelines for Elimination of Discrimination Against Women contain concrete countermeasures against any possible barriers to women, such as unfair laws and systems, and against any lack of public cooperation in the process of implementing the Masterplan. The guidelines, along with their 81 proposals, deal with the four major sectors of employment, education, health, and the family life. A wide use of such guidelines by the government, private enterprises, and the general public will help to improve unequal social conditions, which hinder the contributions of women to national development.

22. In 1986, the Korean government formulated the 6th 5-year Economic and Social Development Plan(1987-1991) where the Sector on Women's Development was inserted as an independent field for the first time in history. The sector was drafted on the base of the Masterplan for Women's Development and the Guidelines for Elimination of Discrimination Against Women. It sets forth three basic goals; to promote women's self-realization and humane life, to expand women's participation in national development, and to promote healthy family life. The major policy directions are: the maximum utilization of women's resources, the active development of women's capacity, and to support family life and promote welfare, and strengthen support systems for women's development. The



policies and projects proposed at the plan have been implemented at the governmental and nongovernmental levels since 1987.

23. In Korea, 13 policy research institutes have prepared the Long-Term Perspective on National Development Toward the Year 2000 since 1982. The Korean Women's Development Institute which is in charge of a Sector on Women has completed the Women's Development Perspective in 1986 by reviewing the development process of Korean women, analyzing the present situation, put forth goals and directions for women's development, and proposed policy tasks in three fields: the development of women's capacity, the utilization of women's resources, and healthy family life.

#### Effect of the Convention on Domestic Law

24. As regards the effect on domestic law of international conventions and other legal instruments which are binding upon the Republic of Korea under international law, the Constitution provides in article 5 that "treaties duly concluded and promulgated in accordance with the Constitution and the generally recognized rules of international law shall have the same effect as the domestic laws of the Republic of Korea."

25. Article 5 of the Constitution means that treaties concluded by the Republic of Korea and generally recognized international laws have the same effect as domestic laws, without specific legislative measures to incorporate them into Korean domestic law.

26. Since the Convention on the Elimination of All Forms of Discrimination Against Women was ratified by the Republic of Korea, it therefore became part of Korean domestic law and can be invoked before, and directly enforced by the courts, other tribunals or administrative authorities of the Republic of Korea.

## PART II - INFORMATION IN RELATION TO ARTICLES 2 TO 16

### Article 2

27. As explained in Part I of this report, the Korean Constitution recognizes equality between men and women; furthermore, the Constitution has several articles to manifest and implement this principle concretely. The constitutional principle is applied in all spheres of Korean legislation.

### Women's Position in the Labour Laws

28. The Labour Standards Act upholds the constitutional principle of equality by stating in article 5 that employers shall not discriminate against employees on account of sex.

The Labour Union Act also provides in article 11 that a member of a labour union shall not be subjected to discriminative treatment under any circumstances due to sex. The Act guarantees basically equality between men and women in employment and special protection for pregnancy and maternity with provisions of one-year child care leave as well as 60 days paid maternity leave. The Act also imposes

the duty upon employers to provide child care facilities in the work place. The Equal Employment Opportunity Act was established in 1987 which has come into force since April 1, 1988 and revised for the insertion of provisions on the equal remuneration in 1989.

29. In consideration of the physiological differences between men and women, the Constitution provides that special protection shall be accorded to working women and children (Para.(4), art. 30). The Labour Standards Act includes some provisions which are designed to protect women from hard labour in accordance with the constitutional provisions. Chapter 5 of the Labour Standards Act which was revised in March, 1989 strengthened the provisions concerning special protection of women and children as follows:

Article 10-The Labour Standard Law shall be applied to all enterprises that has more than five employees.

Article 51-No female or minor under 18 years of age shall be authorized to engage in any work detrimental to morality or harmful to health. The kinds of work prohibited shall be provided by the Presidential Decree.

Article 56-No female or minor under 18 years shall be authorized to work between the hours of 22:00 and 06:00 or on holidays, unless otherwise approved by the Minister of Labour.

Article 57-An employer shall be forbidden to place any female 18 years or older on overtime work for a period exceeding two hours a day, six hours a week, and 150 hours a year, even if provided for in a collective bargaining agreement.

Article 58-An employer shall not place a female or minor under 18 years on any work inside a mine.

Article 59-An employer shall allow one day menstruation leave with pay per month upon the request of a female employee.

Article 60-(1) An employer shall allow a pregnant female employee 60 days paid maternity leave before and after childbirth; provided, however, that maternity leave with pay shall be granted for use for not less than 30 days after childbirth. (2) Pregnant female employees shall be transferred to other light and easy work upon their request and shall not be assigned to overtime work. Maternity leave without pay for one year is also guaranteed by the law.

Article 61-A female employee who has an infant under 1 year shall be allowed nursing periods twice a day of at least 30 minutes each.

Article 62-An employer shall bear the travel expenses necessary when a female or minor under 18 years returns home within 14 days from the date of their dismissal; however, when the reason for dismissal is attributable to the employee and the employer has obtained the confirmation thereof from the Labour Committee, this provision shall not apply.

Beside these, there are other articles which stipulate guidance and relief programmes for women and children who deserve special attention. Such articles include the debauchery prevention law, life protection law, and so on.

## Women's Status in the Criminal Code

30. The only provision of criminal code, which touches upon the question of equality between the sexes, is the law concerning adultery. The current Criminal Code defines adultery as a criminal offense, which merits legal actions against both parties. Therefore, the Criminal Code contains no discriminatory provisions against women.

### Article 3

31. The Constitution recognizes as supreme principles of State the guarantee of fundamental human rights, based on a respect for human dignity; the worth of the individual; and the equality of individuals before the law. These constitutional principles are strictly and consistently applied in the political, economic, social, cultural and other fields of public life.

32. Therefore, women are guaranteed enjoyment of human rights and basic freedoms on the basis of full equality with men.

### Article 4

33. A sharp rise in demands for female labour in the process of modern industrialization made it necessary to assure medical and social protection for maternity by law. The related laws are the Maternal and Child Health (MCH) Act, the Industrial Health Act, the Labour Standards Act, and the

Child Protection Act. Article 51 of the Labour Standards Act defines six types of jobs forbidden to women. The following are measures to enhance the health of both mother and child:

- Offering registration and management services for expectant mothers and their foetus
- Offering delivery aid and supplying expectant mothers with proper nutrition
- Establishing and operating MCH centers
- Training MCH workers, and actively engaging in related education and publicity
- Launching a maternal physical protection program for working mothers on a continuous basis

34. Considering that the major difficulty of married women with their employment is child care, the Korean government since 1980 has established child care centers and has assisted employed women to make use of these centers. In September 1988, Seoul City opened City Day Care Centers in low-income areas. Plans are to open 115 more such day care centers in 1989.

35. The Ministry of Health and Social Affairs, which plans to utilize 1,201 Saemaul Nurseries as day care centers from next year, has prepared the legal ground for it by submitting a revised draft of relevant laws to include provisions on the standard of day care facilities, the number of children to be accommodated in each day care center, and the eligibility of children. The revised draft of the Children's Welfare Act will be submitted to the National Assembly for consideration.

36. There are also about 100 private day care centers in the

nation including 30 in Seoul. However they also require governmental financial support, since most of them suffer from the problems of financial difficulties and lack of space and facilities.

37. The day care policy supported by the government also applies to day care centers at work. The Ministry of Labor provides in Article 12 of the Equal Employment Opportunity Act that "the Employer should provide necessary facilities for childcare such as breastfeeding and day care to support the continued employment of working women." In 1989, the Ministry of Labour has advised 20 industries with more than 1,000 women workers to establish day care centers at workplaces, and as of June 6, 12 industries in Seoul and Pusan have opened day care centers.

38. Based on the Maternal and Child Health Act, the government is also improving services for pregnant mothers, post-natal care, and the systems of delivery and health care for infants and children. The government has constructed 97 MCH Centers to improve the health of mothers and children by increasing institutional delivery. The Committee on Mother and Child Health was set up under the Ministry of Health and Social Affairs in 1987.

#### Article 5

39. The government and Korean Women's Development Institute have co-sponsored a public hearing on the Maternal-Child Welfare Act in June 1988, and the Act went into effect in April, 1989. The law aims at guaranteeing and promoting a

healthy and decent life for fatherless families and consists of five sections and twenty eight articles which establish basic principles, provide for various kinds of welfare services, the establishment of welfare facilities,

40. The Korean Constitution clearly declares the principle of equal opportunity and sexual equality in the political, economic, social and cultural sectors. The spirit of sexual equality served as the basis of such laws as the Labour Standards Act, the Labour Union Act, the Equal Employment Opportunity Act, and the Education Act. All of them have been enacted under the jurisdiction of the democratic constitution, which is committed to the cause of dignity for individuals and the equality of men and women. The Labour Standards Act (art. 5), the Equal Employment Opportunity Act, and the Labour Union Act (art. 11) prohibit any discriminatory treatment against labourers or union members on the grounds of sexual difference.

41. As regards family education, the importance of family and maternity is emphasized in primary and middle school education. It is also taught that the responsibility for housekeeping and upbringing of children should be shared between the sexes. Some women's organizations provide courses on parental care and on the role of the parents, which both men and women are encouraged to attend.

#### Article 6

42. The exploitation or prostitution of women is prohibited by law in Korea. In order to prevent prostitution, the



government enacted the Prostitution Prevention Act in 1961 and the Enforcement Decree on the Prevention of Prostitution in 1969 the major points of which are as follows:

- Prohibition of prostitution (art. 4)
- Prohibition of pimping (art. 6)
- Establishment of a center for the protection of prostitutes (art. 7)
- Installation of facilities for vocational training of prostitutes, leading to their rehabilitation and self-reliance (art. 8)

Under the Penal Code, arranging for prostitution is a punishable offence.

43. The government established fifty-five Women's Counseling Centers at major cities to provide vulnerable women as well as women in prostitution with counselling. Twenty-six Women's Vocational Guidance Centers provide women in prostitution with vocational training and awareness education for their social reintegration.

#### Article 7

44. Since the creation of the Republic of Korea in 1948, women have enjoyed the same political rights as men. The Constitution provides that all citizens 20 years or older shall have the right to vote in all elections in accordance with the provisions of law. The Constitution also makes it clear that Korean women are eligible for election to all publicly elected bodies, by stating that all citizens shall have the right to hold public office in accordance with the provisions of law.

45. Korea has seen a steady rise of women's participation in national policy-making sectors, but not yet to a satisfactory extent. Women who have served as legislators total 60, of whom only 26.7 percent have been elected from electoral districts. The remaining 73.3 percent occupied seats in the National Assembly as the result of the national representation system. In the current National Assembly, only 6 of a total of 299 are women; that is 2.0 percent.

46. OF a total of 726,089 civil servants in 1988, 23.2 percent were women, of whom 58.5 percent were teachers in public schools. The higher the rank advances, the smaller becomes the number of women. Only 0.47 percent of civil officials of rank 5 and above were women in 1988.

47. Education is the most women-intensive area. There were around 113,814 women teachers as of 1988, representing 38.8% of the total. The increasing trend of women teachers has continued.

48. The proportion of women among political party members also shows a sharp increase in recent years as did the actual number of women party members. Among the executive committees of the major political parties, the ruling Democratic Justice Party has two women out of its total membership of 33, while the Opposition Party for Peace and Democracy and the New Democratic Republican Party each has one out of its 29-30 members. The Reunification Democratic Party has none.

49. The number of women judges and lawyers has also increased in recent years. There were only 6 women who had passed the national judicial examination in the 1970s but 68 more during the 1980s.

50. In the press, 2,694 women, who represent 12 percent of all workers engaged in the mass communication sectors, are working as reporters, producers, scriptwriters, and administrative clerks.

51. Article 21 of the Constitution guarantees freedom of association, which, like all other constitutional provisions, applies equally to men and women. Korean women participate to a very large extent in the activities of non-governmental organizations.

52. There are 60 organizations which are registered with the government and about 2,200 organizations not yet registered. These organizations have participated in society by providing education, health care services, legal counselling, consumer services, and political channels. Some of them receive financial support from the government.

#### Article 8

53. The Korean government is emphasizing facilitating women's international cooperation activities by integrating measures for strengthening women's international cooperation into the Long-Term Perspective of National Development Toward the Year 2000.

Its major contents are :

- Readjust existing international cooperation system for women
- Develop international cooperation projects
- Function as the center for women's international coopera-

tion in Asia and the Pacific region  
- Increase financial support

#### Article 10

54. Boys and girls, men and women enjoy equal rights and equal opportunities for education, training and vocational guidance.

55. The Constitution provides that all citizens shall have the right to receive an equal education corresponding to their abilities. (para (1), art 31) The Constitution furthermore states that all citizens who have children to support shall be responsible at least for their elementary education, and for the education as provided by law. (para (2), art 31)

56. In view of the increasing complexity of modern life and the need to cultivate a civic spirit, it will be necessary to develop various educational systems, in addition to formal education, so that citizens may continue to be educated throughout their lives. The Constitution contains a clause calling for the promotion of adult and continuing education, vocational training, youth education, etc. (para. (5), art. 29), in order to realize the full potential of individual citizens and thus further national development.

57. In the process of industrialization, Korea saw a boost in both the schooling rate and the percentage of women students in higher education. These phenomena resulted from an increased student population, which, in turn, contributed

to a steady rise of women's learning opportunities. More than 99% of boys and girls attended primary school after it became compulsory in 1948. As of 1988, the ratio of middle school graduates advancing to high school in the same year stood at 92.1 percent for girls and 94.9 percent for boys, showing a little margin between male and female. The ratio of high school graduates entering college and university in 1988 was 32.7 percent for females and 37.0 percent for males. Of total enrollments in college and university in 1988, women accounted for 26.9 percent.

58. Co-education is widely practiced in school. All primary schools are co-educational, 53.3% of all middle schools are co-educational, and 37.1% of the total number of high schools include boys and girls in 1988.

59. Contents of textbooks being used in schools from 1989 began to be revised by principles of the equality between sexes, and also technical craft for male students and home economics for female students were merged into one subject. It has offered to both boys and girls in the middle and the high school since 1987. Along with revision of curricula, efforts to change teacher's sex-discriminative teaching are ongoing.

60. To cope with rapid changes taking place in the industrialized society and recognizing the limits of school education, life-long education has been promoted in recent years. Non-formal education was institutionalized under the Non-Formal Education Law promulgated in December 1982, under which all citizens are accorded life-long opportunities for education so that they may improve their respective capabilities and values.

61. To cope with rapid changes taking place in the industrialization in the 1970s, vocational high schools provide education and training in over 90 courses of skill. Girls account for 51.2 percent of the enrollment in vocational high schools, but in technical high schools, the proportion of girls account for only 1.4 percent while in commercial schools for 77.8 percent in 1988. These figures reflect that there are still traditional prejudices against girl students to choose the technical course and approach to new technology.

#### Article 11

62. Equality between men and women in the field of employment is also guaranteed by law. The Constitution provides that all citizens shall have the right to work (para (1), art. 32), and that all citizens shall have the duty to work. (para (2), art. 32). The Constitution also guarantees the right to choose work by providing that all citizens shall enjoy freedom of occupation. (art. 15)

63. As regards to wages for workers, it is stipulated in the Constitution that the standards of working conditions shall be determined by law in such a manner as to assure the human dignity of workers, and that workers shall be guaranteed optimum wages. The revised version of the Equal Employment Opportunity Act includes the principle of the equal payment for the equal job regardless of workers, sexual identity. The Constitution also reflects the State's strong determination to carry on vigorous social welfare policies, including medical insurance, on the basis of sustained economic growth, in order that all the people can fairly

share the benefits of growth. These clauses are aimed at furthering national economic progress, while boosting the morale of workers and protecting their right to a decent life.

64. Women's participation in the economic sector increased as a result of Korea's rapid industrialization, starting in the late 1960s. It was particularly influenced by the direction of economic development, which concentrated investment in the manufactured export sector. There were 6,891,000 economically active women out of the total 15,308,000 women aged 15 and over as of 1988, making a women's labour force participation rate of 45.0%. Economically inactive women number 8,417,000, mostly are housewives and students.

65. Employed women by industry consisted of 22.9% of workers in primary industry, 29.2% in secondary industry, and 47.9% in tertiary industry as of 1988. Women's employment structure by industry, which was 46.5:21.9:31.5 in 1980, has changed with the agricultural sector being on the wane. Meanwhile, there was a remarkable increase in the composition rate of women workers in the industrial and service sectors.

66. One of the outstanding features of women's employment patterns over the past 10 years has been the increase of married women's employment. In the 1970s, most employed women were between 14 and 24 and unmarried. With the increase of students and decrease of the growth rate in this age group in subsequent years, they constituted only 21.19% of workers in 1988. On the other hand, the number of married women in employment kept rising; in 1988, 75.31% of all employed women were married, divorced or separated. This phenomenon may be explained by the lower birth rate,

freedom from domestic chores and child rearing made possible through improved living standards, and a greater desire for self-realization among educated women.

67. The government has incorporated a sectoral plan for women's development in the Sixth Five-Year National Socio-Economic Development Plan launched in 1987. Envisaged under the plan for women's development are the establishment of nursery facilities at job sites and the introduction of a child care leave system under which female employees with infants may leave their jobs for some time to rear their infants and then return to their jobs.

68. Korean women are receiving more chances for vocational training. The government enacted the Basic Act for Vocational Training to motivate and encourage women to take such courses. There are about 295 training schools-public and government institutes, local training centers, and in-company training centers-which are training 63,429 students in about 167 categories, including electronics and industrial products in 1988. The government also plans to open a women's vocational training center in 1991. Thus the prospect is bright for the educational development of female workers.

69. Studies are also underway for the expanded employment of women on a part-time basis. If such social and institutional support were provided, women would be able to offer a more specialized and stable labour force in a wide range of fields and make a further contribution to their society and country.



## Article 12

70. Men and women in Korea have equal opportunities for and equal access to health care services, including those related to family planning. In this regards, the Constitution provides that the health of all citizens shall be protected by the State. (para (3), art. 36)

71. The improvement in the health level for labourers, which is a driving force for labour productivity increases, has been closely interwoven with social economic development. Korean economic growth has improved the health level of women as well as of the general public.

72. Since 1987, the government has issued a Maternal and Child Health Care Handbook to expectant mothers to promote maternity health care on a nationwide scale. It aims to offer free pre- and post-natal care and free vaccinations to children up to three years old to prevent birth defects in advance and to lower infant mortality.

73. The government set up maternity health centers in remote areas without medical facilities beginning in 1979 and these are now number 97. They are in charge of medical services for delivery, emergency treatment, family planning and pre- and post-natal care.

## Article 13

74. As already stated, the Korean Constitution is based on the equality between men and women, and the equality of

individuals before the law. Therefore, Korean women enjoy, on an equal footing with men, the right to family benefits, the right to bank loans, mortgages, and other forms of financial credit. Korean women also enjoy the right to participate in all aspects of cultural life, including sports.

75. The government has emphasized on the protection of fatherless families. There are 33 facilities for maternal and child protection to provide them with accommodations with basic living costs and services to help their self-reliance.

76. In 1988, the government planned to build a Center for Supporting Fatherless Families which would provide them room and board for those who have left the mother-child protection facility but still have not become financially self-standing. In addition, in April 1989 the Maternal-Child Welfare Law was enacted to support fatherless families and unwed mothers after meeting for a public hearing in June 1988. The law has come into force since July 1, 1989.

#### Article 14

77. The wave of industrial modernization since the 1960s has brought about rapid changes in rural life and the rural economy. Many young people and unmarried women have migrated to cities seeking jobs, leaving only the elderly, married women, and children behind in rural communities. Thus married women have had to assume leading roles in farming communities. Therefore rural women have not only performed domestic work and raised children but also farmed and managed the rural economy.

78. Women's participation in the labour force is much greater in rural areas than in urban areas. In Korean farm households, 58.3% of women were economically active in 1988, which in nonfarm households, the participation rate of women was only 42.0%. In the rural areas not only was the rate of economically active women greater than in urban areas in general, but that of women in their 30s and above showed a sharp increase. This indicates that the rural areas suffered a shortage in their labour force as the males and young girls migrated to the cities and industrial areas, and the gap created thereby was filled by middle-aged housewives. This reflects feminization of farming labour according to rapid industrialization and urbanization.

79. The Korean Government adopts and implements various programs designed to reduce the excessive workload of rural women and to support their activities and health. For example, the Primary Health Center Act was enacted to ensure that nationwide farming and fishing villages receive public medical facilities, along with health clinics which are usually staffed by nurse practitioners.

#### Article 15

80. Under Korean law, women and men have the same legal capacity with respect to the administration of property. In this connection, the Constitution stipulated that the right of property of all citizens shall be guaranteed. (para (1), art. 23)

## Article 16

81. In relation to marriage and family relations, the Constitution provides that marriage and family life shall be entered into and sustained on the basis of individual dignity and equality of the sexes.

82. A draft of the bill revising the Family Law was submitted to the National Assembly in November 1988. The bill aims at realizing democracy with respect to the equal rights of all the family members by prescribing the revision of such articles as: definition of relatives, provisions, prohibiting the marriage between the couples of the same surname and geographic origin, guardianship of children in case of a divorce, and the rationalization of the inheritance law, which contains severe discrimination against women.

83. Since the family laws of any country are the codification of the cultural and social traditions and age-old customs of its society, revising the laws requires a general consensus of the people and thus takes time.

.....