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Universal periodic review

## Report of the Working Group on the Universal Periodic Review\*

### Republic of Korea

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## **Introduction**

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-eighth session from 6 to 17 November 2017. The review of the Republic of Korea was held at the 8th meeting, on 9 November 2017. The delegation of the Republic of Korea was headed by Minister of Justice, Mr. Sangki Park. At its 14th meeting, held on 14 November 2017, the Working Group adopted the report on the Republic of Korea.
2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Republic of Korea: the Congo, Hungary and Mongolia.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of the Republic of Korea:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/28/KOR/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/28/KOR/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/28/KOR/3).
4. A list of questions prepared in advance by Brazil, Germany, Norway, Portugal, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Republic of Korea through the troika. These questions are available on the extranet of the universal periodic review.

## **I. Summary of the proceedings of the review process**

### **A. Presentation by the State under review**

5. The delegation stated that the universal periodic review had contributed to the protection and promotion of human rights around the world. The Republic of Korea had participated actively in the efforts of the international community to promote and protect human rights. The new Government had made the protection of human rights one of the cornerstones of its State policy. The Government had been working to advance further human rights policy through effective cooperation with civil society.
6. The delegation reported that the national report had been prepared based on cooperation and coordination of various ministries and State bodies. The Government had also sought the opinion of civil society representatives on the draft national report. In that respect, a public hearing had been organized with the participation of the National Human Rights Commission of Korea and civil society organizations.
7. The delegation reported on a number of measures taken by the Government to implement recommendations from the second universal periodic review. The recommendations had been reflected in the second national action plan on human rights. The Government voluntarily submitted a midterm report on the implementation of the recommendations, which had been prepared based on consultation with various ministries, the National Human Rights Commission of Korea and civil society organizations.
8. The delegation informed the Human Rights Council about the plans of the Government to strengthen the existing national mechanism for reporting and follow-up for the implementation and monitoring of the recommendations from the international human rights mechanism, including the universal periodic review. The Government had been working on the development of the third national action plan on human rights through a

consultation process. The Government had been taking measures to strengthen the role and functions of the Human Rights Policy Advisory Panel, which had included civil society representatives, so as to foster communication and cooperation with civil society in the drafting process of the new action plan.

9. The delegation reported on the measures taken to strengthen the National Human Rights Commission of Korea, including by amending the relevant law in 2016 to improve the selection of human rights commissioners and ensure immunity of commissioners in performing their official duties.

10. The Government extended a standing invitation to special procedure mandate holders of the Human Rights Council in 2008, and had received country visits of the special rapporteurs almost every year. The Government had invited the Working Group on Enforced or Involuntary Disappearances to hold its regular session in Seoul in 2017.

11. In 2017, the authorities had withdrawn the reservation to article 21 (a) of the Convention on the Rights of the Child related to the issue of adoption. The Government had been studying the possibility of ratifying the international human rights treaties to which it had not yet acceded.

12. Regarding the recommendations on conscientious objectors who refused to perform military service, the delegation stated that it was important to consider the security considerations in the region and public consensus on the equity of military service. The Government has been planning to undertake a cautious review of the amendment to the Military Service Act, introducing alternative service for conscientious objectors, and to hold a wide consultation on the matter.

13. Regarding freedom of assembly, the Government had taken measures to ensure that every police officer assigned to monitor demonstrations underwent human rights training. In 2017, a committee on police reform had been established to ensure a greater human rights-based approach in the work of the police. For example, the committee had recommended excluding the use of water cannons and bus barricades by police in demonstrations. Regarding the case of Baek Nam-gi, who had died as a result of the use of water cannon by the police during a demonstration, the delegation reported that four persons had been prosecuted for the death after the completion of the investigation.

14. The authorities had been working to improve the realization of economic, social and cultural rights despite existing financial and other difficulties. The Government had been building a social safety system to eradicate poverty and to ensure that everyone enjoyed basic standards of living. Some vulnerable groups, like children, persons with disability and unemployed young adults, had been provided with benefits or essential services.

15. The Government had developed guidelines to change the status of non-regular employment to regular employment. The public sector had been taking a lead in that process. Some measures had been envisaged to prevent an overuse of non-regular employment, to improve the treatment of people in non-regular employment and to provide subcontracted employees with better employment conditions in the private sector.

16. The Government had strengthened its policy on achieving work-family balance, including by expanding parental leave entitlements, creating an environment conducive to telecommuting and supporting employers who had adopted a flexible working hour system to address the issue of gender pay gap caused by the interruption of women's careers.

17. While compulsory elementary and middle school education had been free of charge, the Government had been reforming the education system to ensure free compulsory high school education by 2022. The Government had placed an upper limit on the increase of college tuition fees, expanded the national scholarship programme and maintained low interest rates for student loans to ease their financial burden.

18. The State housing policy had included measures to improve housing conditions of working families. The Government had increased the number of public housing and public housing benefits to provide support to persons from vulnerable groups. It had also expanded the coverage of public medical institutions and strengthened a community-based health-care system to guarantee access to health care for all.

19. The Government had developed a plan on gender equality in 2015, which prohibited gender-based discrimination and was aimed at advancing the rights of women. It had adopted measures to ensure that women represented over 30 per cent of the ministerial positions in the new cabinet.

20. In 2015, the Government had developed a plan to promote the rights of the child. It had outlined the main objectives of the State policy on children and included a specific implementation plan. A special law had been adopted to address and punish perpetrators of child abuse. The Government had improved the protection of children in the judicial processes by providing legal aid and expanding alternative services to juvenile incarceration. The National Human Rights Commission of Korea had established a division for children and juveniles and the Child Rights Committee to strengthen independent monitoring of the implementation of the provisions of the Convention on the Rights of the Child.

21. The Government had been developing its third basic plan for immigration policy aimed at protecting the rights and social integration of foreigners without discrimination. The Government had approved the registration of a trade union of migrant workers and had put forward State-led support and care for the older persons. It had been working to improve relevant laws and institutions to effectively protect older persons against abuse and to progressively increase basic pension benefits.

22. The Government had been working to increase the official development assistance (ODA) and to make sure that programmes supported under that assistance take into account human rights issues.

## **B. Interactive dialogue and responses by the State under review**

23. During the interactive dialogue, 95 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

24. Germany noted that the Republic of Korea had announced several positive steps to strengthen human rights. It stressed the importance of the full abolition of the death penalty.

25. Ghana lauded the Government's efforts to reinforce freedom of expression, independence of the media and prohibition of discrimination. It welcomed ongoing research on possible ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

26. Greece noted the Government's efforts to strengthen the independence of the National Human Rights Commission of Korea, to prohibit discrimination and to reinforce the rights to work, social security, education and health.

27. Guatemala thanked the delegation for the presentation of the national report and made recommendations.

28. Honduras urged the Government to incorporate recommendations from the universal periodic review in the next national action plan on human rights. It noted discrimination against migrants in employment.

29. India welcomed the 2016 amendments to the National Human Rights Commission of Korea Act. It noted the Government's efforts to ensure equal conditions between regular and non-regular employment contract holders.

30. Indonesia commended the Government on the amendments to the National Human Rights Commission of Korea Act. It also noted amendments made to the Criminal Code to include human trafficking as an offence.

31. The Islamic Republic of Iran noted the establishment of a division on the rights of children and young people, in charge of protecting the rights of the child and to monitor the implementation of the Convention on the Rights of the Child.

32. Iraq noted the adoption of a law on combating racial discrimination and xenophobia and the progress made under the National Health Initiative.

33. Ireland noted that lesbian, gay, bisexual, transgender and intersex persons continued to face discrimination and that the efforts of parliament to pass legislation to abolish the death penalty had stalled.
34. Argentina noted the establishment of a division on the rights of children and young people in the National Human Rights Commission of Korea.
35. Italy noted the development of the third national action plan on human rights, with the involvement of civil society, and the progress made in preventing sexual and domestic violence.
36. Japan noted concerns about the use of criminal defamation laws to prosecute persons criticizing government actions and about the harsh sentences handed down in such cases. It noted concerns regarding peaceful assembly and protest. It commended the Government on its efforts to prevent sexual and domestic violence.
37. Kazakhstan noted the Government's efforts to further promote gender equality and the rights of persons with disabilities and to combat sexual and domestic violence.
38. Kyrgyzstan noted the achievements attained in the follow up to the second universal periodic review of the Republic of Korea.
39. The Lao People's Democratic Republic noted progress made in promoting the rights of women and children, to health and education and to freedom of expression.
40. Libya welcomed the progress made in implementing the recommendations of the second universal period review.
41. Liechtenstein noted that, despite a moratorium on the death penalty since 1997, persons remained sentenced to death.
42. Malaysia welcomed the progress made in the areas of labour, social security, health, education, women's rights, child rights and the protection of the rights of minorities. It commended the Government on the initiatives to promote the rights of older persons.
43. Maldives was encouraged by the Government's efforts in promoting and protecting child rights and by the introduction of a basic pension scheme and measures to protect older persons.
44. Mexico noted the progress in the basic pension scheme, measures to combat racial discrimination, legislative reforms for gender equality and the mainstreaming of a gender policy in public affairs.
45. Mongolia noted the Government's efforts in protecting the right to education of children with disabilities and the rights of migrants, and in promoting gender equality.
46. Montenegro encouraged the Government to adopt comprehensive anti-discrimination legislation and to prohibit corporal punishment of children in all settings.
47. Myanmar noted that capital punishment had not been used since 1997 and stressed the importance of discussions and public consultations when considering the abolition of the death penalty.
48. Namibia commended the Government on the various measures taken to implement the recommendations from the previous review and the submission of the voluntary midterm report.
49. Nepal encouraged the Government to launch the third national action plan on human rights and to consider declaring an official moratorium on the death penalty with an aim of abolishing the practice.
50. The Netherlands welcomed measures to ensure freedom of assembly and to provide human rights training to police officers. It highlighted the importance of not misusing the National Security Act to restrict human rights defenders' rights.
51. Ecuador noted the human rights approach in development policies. It highlighted the Government's efforts to prevent domestic violence and to reduce poverty.

52. Norway noted the de facto abolition of the death penalty. It remained concerned about discrimination against single mothers despite improvements in the situation of single-parent families.
53. Panama praised efforts to ensure universal compulsory education. It highlighted the Government's efforts to reduce poverty, promote the rights of women, children and persons with disabilities.
54. Peru acknowledged the Government's efforts to implement recommendations from the previous review, including measures taken to combat discrimination and domestic violence.
55. The Philippines noted the establishment of the Child Support Agency and measures to ensure the equal treatment of migrant workers. It encouraged the Republic of Korea to enact legislation to further protect the rights of migrants.
56. Portugal noted the de facto abolition of the death penalty.
57. Qatar noted the development of the third national action plan on human rights. It commended the Republic of Korea for the provision of the official development assistance to developing countries.
58. The Republic of Moldova noted the 2016 amendment to the National Human Rights Commission of Korea Act to ensure transparency in the selection of Commissioners.
59. The Russian Federation welcomed the establishment of a unit on citizenship and refugees at the Ministry of Justice, but noted with concern negative rhetoric in the media addressed to foreigners.
60. Rwanda encouraged the Republic of Korea to implement effectively the Framework Act on Gender Equality.
61. Saudi Arabia commended the Government on the establishment of the division on the rights of children and young people within the National Human Rights Commission of Korea to ensure the independent monitoring of the implementation of the Convention on the Rights of the Child.
62. Senegal congratulated the Government on the development of the third national action plan on human rights and the amendment to the National Human Rights Commission of Korea Act to strengthen the independence of the institution.
63. Serbia encouraged the Government to continue its efforts to expand the system for early detection of mental illness. It noted the Government's efforts to promote the rights of women and combat sexual violence.
64. Sierra Leone encouraged the Government to promote social integration policies and cultural exchanges and strengthen mechanisms to prevent and address reports of xenophobic discourse against migrants, foreigners and multicultural families.
65. Singapore noted the Government's initiatives to attain gender equality and to provide support to older persons.
66. Slovenia encouraged the Government to take practical and comprehensive measures to eliminate structural gender discrimination in the labour market, including the gender pay gap.
67. Spain welcomed measures taken to combat discrimination, particularly the adoption of the Framework Act on Gender Equality and the Protection and Promotion of the Diversity of Cultural Expressions Act.
68. Sri Lanka noted the Government's efforts to incorporate human rights in various policies. It recognized the active role of the Republic of Korea in promoting human rights and democratic values globally.
69. The State of Palestine noted the efforts to address racial discrimination and xenophobia and commended the Government for its efforts to ensure gender equality, especially in employment.

70. The Sudan noted the accession by the Republic of Korea to many international human rights instruments, its acceptance of individual complaints procedures under four human rights treaties and its issuance of a standing invitation to special procedure mandate holders.
71. Sweden acknowledged the continued work of the Government to fulfil its human rights obligations and encouraged it to continue its efforts.
72. Switzerland welcomed the de facto moratorium, but noted with regret that no measures had been taken to abolish the death penalty since the second review. It expressed concern at the large number of conscientious objectors in detention.
73. Thailand praised the steps taken to improve the protection of older persons and to promote inclusive education for children with disabilities. It welcomed the amendment to the Criminal Act to expand the scope of crimes of human trafficking.
74. Timor-Leste noted the measures taken to reconcile work and family responsibilities as a way to improve the rights of women in employment.
75. Togo noted with satisfaction the de facto abolition of the death penalty since 1997 and encouraged the Republic of Korea to take the decisive step to abolish it fully.
76. Tunisia praised the steps undertaken to implement the recommendations from the previous review and to strengthen human rights in a comprehensive manner.
77. Turkey commended the Republic of Korea on the significant achievements in promoting human rights.
78. Uganda urged the implementation of the national action plan on human rights. It noted the growing challenge of racism and xenophobia and human rights abuses faced by migrant workers.
79. The United Kingdom encouraged further progress towards the abolition of the death penalty and further efforts so that legislation could ensure peaceful assemblies and the rights of lesbian, gay, bisexual, transgender and intersex people.
80. The United States of America remained concerned by legislation limiting the freedom of expression, the large number of conscientious objectors serving jail terms and a lack of anti-discrimination legislation extending protection to lesbian, gay, bisexual, transgender and intersex persons.
81. Uruguay noted measures on gender mainstreaming in public affairs. It encouraged the Republic of Korea to redouble efforts to ensure gender equality and women's empowerment, and to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
82. Uzbekistan noted the successful implementation of the second national action plan on human rights, the cooperation with the special procedure mandate holders and efforts to ratify International Labour Organization (ILO) conventions.
83. The Bolivarian Republic of Venezuela commended the Government on its initiatives to combat poverty and ensure a social security network and pension plan for people with disabilities.
84. Viet Nam noted the achievements made in protecting the rights of and combating discrimination against migrant workers and vulnerable groups, including women, children, older persons and persons with disabilities.
85. Yemen noted the revised law on the National Human Rights Commission of Korea, guaranteeing transparency of the selection of its members, and the Framework Act on International Development Cooperation.
86. Zambia applauded the active participation of the Republic of Korea in the work of the Human Rights Council and the legal guarantees of lawyers of suspects in criminal process.

87. Afghanistan commended the Government for its cooperation with special procedure mandate holders and its efforts to protect the right to life. It encouraged the Republic of Korea to take further steps to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
88. Albania praised the solid legal framework on anti-discrimination and encouraged the Republic of Korea to ensure fundamental labour rights.
89. Algeria welcomed the Government's measures to combat discrimination, integrate gender equality into policies and combat racial discrimination and xenophobia. It called for it to extend ODA.
90. Angola commended the Government for its full implementation of the second national action plan on human rights and welcomed the forthcoming third plan.
91. Israel acknowledged the progress made in the realization of civil and political rights, and the efforts to mainstream human rights in the work of police and to combat domestic violence.
92. Armenia commended the Government for combating racial discrimination and xenophobia, providing essential health care and support for vulnerable groups, promoting education.
93. Australia welcomed the Government's actions to address gender inequality and encouraged it to make greater efforts to reduce inequality. It was concerned that the Republic of Korea had not adopted comprehensive anti-discrimination legislation.
94. Azerbaijan encouraged the Republic of Korea to increase efforts to finalize its third national action plan on human rights. It welcomed its measures to combat domestic violence.
95. Bangladesh appreciated the progress made in ensuring the rights of women, children and minorities. However, it was concerned that undocumented migrants and foreign employees remained in vulnerable conditions.
96. Belarus welcomed the Government's comprehensive human rights policy and legal amendments to criminalize trafficking in human beings.
97. Benin noted the cooperation of the Government with the special procedure mandate holders and welcomed its efforts towards the adoption of its third national action plan on human rights.
98. Bhutan commended the Government on the successful paradigm shift from women's development to gender equality, necessitating gender mainstreaming in its policies. It welcomed the five visits to the country by special rapporteurs.
99. Botswana commended the Government for promoting the rights of the child through monitoring and implementation of the Convention on the Rights of the Child. It welcomed its measures to improve care for older persons.
100. Brazil praised measures to eradicate poverty, introduce a disability pension scheme, expand public housing and promote gender equality.
101. Brunei Darussalam noted the introduction of the basic pension system and a social safety net to eradicate poverty. It noted the Government's plans to expand the compulsory education system to high school.
102. Bulgaria commended the Government for its efforts to mainstream gender in policies and for its plan to expand compulsory education to high school. It highlighted that 70 per cent of children with disabilities had access to inclusive education.
103. Canada welcomed the Government's efforts to enhance the role of the National Human Rights Commission of Korea. It expressed concern over the situation of migrant workers and urged the Government to improve the situation.
104. Chile urged the Government to incorporate the recommendations made in the universal periodic review into its third national action plan on human rights. It expressed

concerns about cases of violence and hate speech against lesbian, gay, bisexual, transgender and intersex persons.

105. China praised the progress made in promoting social inclusion, assisting vulnerable groups and expanding national health insurance coverage. It was concerned about gender inequality, the exploitation of migrant workers and racist and hate speech against foreigners.

106. Colombia welcomed the adoption of the Refugee Act and the Framework Act on Gender Equality and the establishment of the division on the rights of children and young people.

107. The Congo encouraged the Republic of Korea to persevere in its human rights efforts by strengthening legal protection of vulnerable groups, particularly children, women and migrants.

108. Costa Rica noted the amendments to the National Human Rights Commission of Korea Act to ensure the transparency of the Commission, and the establishment of the division on the rights of children and young people to protect children's rights.

109. Côte d'Ivoire commended the Government for measures taken to follow up on the previous two cycles of the universal periodic review. It noted, however, that some important conventions and optional protocols on human rights had yet to be ratified.

110. Croatia noted positive developments regarding conscientious objection to military service, including the draft bill on alternative services for conscientious objectors. It encouraged the Republic of Korea to continue its efforts. It remained concerned over discrimination against conscientious objectors.

111. The Democratic People's Republic of Korea expressed concern about human rights violations, including the suppression of political parties, arbitrary detention, abuse in the military, restrictions on the rights to freedom of expression and assembly, and surveillance.

112. Denmark remained concerned about discrimination against lesbian, gay, bisexual, transgender and intersex persons, women and minorities, and about domestic violence, while noting as commendable the measures taken in those areas.

113. Nicaragua noted the inclusion of recommendations from the universal periodic review in the national action plan on human rights and the Government's efforts to ensure equality, combat racial discrimination and reduce suicides.

114. Egypt noted the positive development in the area of human rights and expressed confidence in the capacity of the Government to continue its efforts.

115. Ethiopia noted the positive impact of the country's ODA and the plan to increase it to 0.3 per cent of gross national income by 2030.

116. France welcomed the engagement of the Republic of Korea in the protection and promotion of human rights.

117. Georgia noted the submission of the midterm report regarding the implementation of the recommendations from the universal periodic review. It encouraged the Government to continue that practice, and to strengthen its policies to further promote the rights of women and prevent domestic violence.

118. Haiti welcomed the adoption of the 2013 Refugee Act and the Government's efforts to improve the legal and institutional framework for persons with disabilities.

119. The delegation of the Republic of Korea expressed its gratitude to eight delegations for having submitted questions in advance for the interactive dialogue and provided responses to them. It recalled that the national human rights action plan had incorporated the recommendations from international human rights mechanisms. The Human Rights Policy Council, chaired by the Ministry of Justice, had been assigned to monitor the implementation of the action plan. The Government supported the resolution of the Human Rights Council related to national mechanisms on reporting and follow-up. The new Government would enact a new human rights basic act, introducing a comprehensive mechanism for the follow-up to the national human rights action plan and recommendations

from the international human rights bodies and for consultation with civil society in that process.

120. Capital punishment had been de facto abolished in the Republic of Korea since 1997. The abolishment of the death penalty, however, would require the consideration of many factors, including public opinion and the specificities of the criminal system. The ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty would depend on whether or not the Government decided to abolish the death penalty.

121. The application of the National Security Act, which aimed to protect security and democratic order, had been limited and special measures had been put in place to avoid the abuse of the Act. The National Assembly had discussed a bill to repeal article 92-6 of the Military Criminal Code. Revision of the Assembly and Demonstration Act would be pursued to provide clearly defined criteria for restrictions on demonstrations, to expand the scope of assemblies that would not be subject to prior notification and to establish an online notification system.

122. The delegation reported on existing guarantees for gender equality in employment and for punishing sexual harassment. The Government had revised the Mental Health and Welfare Act to effectively protect the human rights of persons with mental health problems, including by introducing stricter requirements and procedures for involuntary hospitalization.

123. The delegation reiterated the measures taken to protect the rights of migrant workers. The employment permit system would be further revised. The Refugee Act had remedied insufficiencies regarding refuge applications and refugee recognition procedure. It had ensured social benefits, access to the labour market, housing and medical support and education for asylum seekers. Several measures, including education, had been implemented to address racial discrimination and xenophobia against foreigners. In 2017, the Government had repealed mandatory HIV/AIDS testing of foreign English teachers in Korea.

124. The delegation reported on legal provisions that criminalized marital rape and on measures taken to advance the enjoyment of the rights to freedom of expression, including on the Internet. The delegation reported on the steps taken to combat trafficking in migrant women, to protect the rights of persons in non-regular employment and to reduce poverty and increase the minimum standard of living.

125. The delegation reported on measures adopted to prevent child abuse and violence, including the early identification of child abuse, the provision of support to child victims and legal provisions providing for the severe punishment of perpetrators of child abuse and violence. Public awareness campaigns and parent education had been organized to prevent child abuse. The Government had also made special efforts to prevent sexual violence and domestic violence, to increase the punishment of perpetrators and to strengthen support for victims. Specialized police officers had been assigned to deal with domestic violence cases in every police centre.

126. In response to the statement made regarding 12 women who had defected from the Democratic People's Republic of Korea, the delegation stated that the women had defected to the Republic of Korea of their own free will. The Government had provided them with humanitarian protection and settlement support, as it had for the 30,000 other defectors from the Democratic People's Republic of Korea living in the country.

127. The Government considered that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was inconsistent with relevant national laws. At the same time, the Government had taken measures to ensure that migrant workers were protected against discrimination and exclusion. The Government had continued to conduct comparative research on international and domestic laws in order to identify necessary amendments to domestic legislation prior to the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance and the ILO fundamental conventions.

128. The delegation stated that, rising from the ashes of the war, the Republic of Korea had achieved economic development along with democratization and the promotion of human rights. However, the path to democracy had not been easy and the country had been through various reforms and challenges. Civil society had been a driving force in overcoming many challenges. The new Government had set an objective to build a society that upheld fairness, justice and respect for human rights. The Government had recognized the need to improve the protection of human rights in order to meet its international obligations. The recommendations made as part of the universal periodic review would be reflected in the Government's human rights policy.

129. In conclusion, the delegation reaffirmed the Government's continuing commitment to working with the international community to create a society where no one was left behind in the Republic of Korea and internationally. Guaranteeing universal human rights could not be achieved by one country alone and, thus, solidarity and cooperation would be crucial. It would be important to maintain effective communication and interaction with international civil society and to garner the collective wisdom not only of the people who were deprived of their due rights, but also of civil society groups, experts and the private sector at the national level. Thus, the Government would continue to work to further advance the promotion and protection of human rights at the national and international levels.

## **II. Conclusions and/or recommendations**

130. **The recommendations formulated during the interactive dialogue listed below have been examined by the Republic of Korea and enjoy the support of the Republic of Korea:**

130.1 **Continue cooperation with ILO on the ratification of the fundamental labour conventions (Uzbekistan);**

130.2 **Ratify the four fundamental conventions of ILO concerning freedom of association and prohibition of forced or compulsory labour (Spain);**

130.3 **Ratify and implement the remaining four ILO core conventions concerning freedom of association and protection of the right to organize, the right to organize and collective bargaining, forced labour and the abolition of forced labour (Sweden);**

130.4 **Consider ratifying the four core ILO conventions related to freedom of association, the right to organize trade unions and collective bargaining, and on the prohibition of forced and compulsory labour (Nicaragua);**

130.5 **Expedite the review of the relevant domestic laws and administrative practices to facilitate ratification of the four fundamental conventions of ILO that the Republic of Korea has not yet ratified (Uganda);**

130.6 **Consider amending domestic legislation to pave the way for ratification of a number of other key regional and international human rights conventions (Philippines);**

130.7 **Continue supporting the work of OHCHR Seoul office (Japan);**

130.8 **Continue contribution of its efforts to the Human Rights Council and its mechanism (Myanmar);**

130.9 **Continue its good work of contributing to the United Nations and its human rights mechanisms (Bhutan);**

130.10 **Adopt necessary legislation to ensure a fully transparent and participatory process for the selection and appointment of the members of the National Human Rights Commission of Korea, guarantee the independence of their members and ensure that it has sufficient resources (Guatemala);**

- 130.11 Continue the consolidation of the National Human Rights Commission of Korea in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), paying particular attention to the appointment of the Chairperson of the Commission, in consultation with civil society groups and other relevant stakeholders (Republic of Moldova);
- 130.12 Accelerate the progress of the Third National Action Plan for Human Rights, with the full participation of all stakeholders (Indonesia);
- 130.13 Consider expediting the adoption of a third national human rights action plan as an extension of the second, which served for the period 2012-2016 (Ethiopia);
- 130.14 Accelerate the process for the adoption of the third national action plan on human rights in close cooperation with civil society (Georgia);
- 130.15 Continue efforts to promote and protect human rights (Saudi Arabia);
- 130.16 Strengthen measures to reform its legal framework to protect human rights in consideration of political, legal and social perception (Myanmar);
- 130.17 Take credible steps towards gender mainstreaming and reinforcing the principle of equal pay for equal work (India);
- 130.18 Intensify measures aimed at addressing gender equality gaps in the social, economic and political fields (Namibia);
- 130.19 Continue to develop measures to ensure non-discrimination against women and promote gender equality (Lao People's Democratic Republic);
- 130.20 Continue to undertake actions whose objective is to reduce discriminatory behaviour against women (Serbia);
- 130.21 Continue to put in place practical measures to implement the revised framework at the national and local levels to achieve gender equality and combat discrimination against women (Singapore);
- 130.22 Stop the discriminatory approach that requires only foreign workers in various sectors to mandatorily undergo HIV/AIDS testing, which is not required for Korean nationals (India);
- 130.23 Take continuous measures for the protection of the rights of women, children and other marginalized groups (Nepal);
- 130.24 Take continuous measures for the protection of the rights of women and other marginalized groups (Zambia);
- 130.25 Increase the efforts to create harmony by fighting the unnecessary discrimination between nationals and foreigners living in the Republic of Korea (Ethiopia);
- 130.26 Develop a national plan of action to implement the Guiding Principles on Business and Human Rights (Egypt);
- 130.27 Make further efforts to prevent sexual and domestic violence as pointed out by the relevant treaty bodies (Japan);
- 130.28 Continue measures to prevent, investigate and prosecute domestic violence offences and strengthen victim care (Maldives);
- 130.29 Continue efforts to eliminate domestic violence (Tunisia);
- 130.30 Adopt a comprehensive strategy to prevent gender-based violence and thoroughly investigate and prosecute incidents of domestic violence perpetrated against migrant populations (Sierra Leone);

- 130.31 Amend the legislation to ensure that perpetrators of domestic violence are punished, while the State improves the victim support system (Zambia);
- 130.32 Continue implementation of its Comprehensive Plan to Prevent Domestic Violence, including through awareness-raising (Sri Lanka);
- 130.33 Take further steps so as to enact a comprehensive and general legislation for the prevention of gender-based violence (Turkey);
- 130.34 Continue efforts to eliminate domestic violence through implementation of its Framework Act on Gender Equality (Azerbaijan);
- 130.35 Consider the adoption of a comprehensive strategy to eliminate gender violence, particularly domestic violence and marital rape (Chile);
- 130.36 Criminalize marital rape (Honduras);
- 130.37 Share its best practices and challenges in reaching out to the most vulnerable mine victims (Sri Lanka);
- 130.38 Step up its ongoing efforts in the field of the freedom of expression and assembly (Greece);
- 130.39 Adopt legal and practical safeguards to protect freedom of expression and of assembly (Brazil);
- 130.40 Guarantee freedom of expression and peaceful association and safeguard the activities of human rights defenders, in particular by promoting effective national policies to protect their initiatives (Italy);
- 130.41 Continue to make efforts to follow up on the recommendations made in the previous universal periodic review on peaceful protests (Japan);
- 130.42 Continue to redouble efforts to guarantee full enjoyment of the right to freedom of assembly and peaceful association, investigating complaints as to excessive use of force on the part of State security agents against social activists, human rights representatives as well as representatives of the trade unions (Bolivarian Republic of Venezuela);
- 130.43 Ensure prompt and impartial investigations into accusations and complaints of violence, intimidation, harassment and surveillance of human rights defenders (Ecuador);
- 130.44 Develop and implement a specific national action plan to support the Government's efforts in tackling human trafficking and strengthening inter-agency coordination (United Kingdom of Great Britain and Northern Ireland);
- 130.45 Take further measures to combat trafficking in persons, particularly women and children, and sexual exploitation, by ensuring effective enforcement of the Criminal Act and providing victims with necessary assistance and protection throughout the process of investigation and trial (Thailand);
- 130.46 Increase efforts to criminalize human trafficking and take necessary measures for its prevention (Colombia);
- 130.47 Establish an effective mechanism to identify victims of trafficking in human beings (Russian Federation);
- 130.48 Continue efforts to revise and implement the single parent family support law with a view of introducing measures to ensure that women, in particular single mothers, can have access without fear of discrimination to employment, equal pay and matrimonial rights, as a follow up to recommendations contained in paragraphs 124.28, 124.29, 124.36 and 124.47 of the report of the Working Group on the Universal Periodic Review from the previous cycle (Haiti);

- 130.49 **Improve the enforcement of the Single-Parent Family Support Act (Norway);**
- 130.50 **Make further efforts to increase access of young people and women to the labour market (Qatar);**
- 130.51 **Continue guaranteeing labour rights (Peru);**
- 130.52 **Continue efforts to close gaps that still exist in the working conditions of non-regular as opposed to regular workers (Israel);**
- 130.53 **Intensify efforts to eradicate differences between employees with permanent contracts and those who do not have permanent employment (Belarus);**
- 130.54 **Continue with its efforts to improve the welfare services support and social integration of persons with mental illness (Serbia);**
- 130.55 **Continue to review and refine the relevant legislations, policies and programmes to accord the elderly with more protection, services and opportunities to allow them to age with dignity and continue contributing to society where they can (Singapore);**
- 130.56 **Continue efforts to improve the living conditions of elderly persons (Viet Nam);**
- 130.57 **Take necessary measures to combat poverty among the elderly (Algeria);**
- 130.58 **In response to the growing needs of older persons, consider developing a master plan that would bring under its wing the various initiatives designed to protect the rights of older persons (Israel);**
- 130.59 **Strengthen the social protection system and step up protection of the rights of the elderly (China);**
- 130.60 **Continue with its ongoing impressive efforts to ensure that the bottom 70 per cent of the elderly aged over 65 are provided with basic income, as set out by its basic pension scheme (Brunei Darussalam);**
- 130.61 **Continue setting good practices like pension schemes for the elderly and the disabled (Bhutan);**
- 130.62 **Review the benefits of the basic pension scheme for older persons with a view to ensuring that older persons have enough to cover their living costs, in full consultation with their representatives (Haiti);**
- 130.63 **Implement measures to facilitate access to health care and education, particularly for the most vulnerable population (Angola);**
- 130.64 **Follow through the Government's plans to expand compulsory education to high school (Brunei Darussalam);**
- 130.65 **Promote the human rights education and awareness-raising (Armenia);**
- 130.66 **Make greater efforts to implement national measures to ensure the reconciliation of work and family responsibilities in order to improve women's participation in the labour market (State of Palestine);**
- 130.67 **Undertake further steps to encourage a higher proportion of women in managerial positions in the public institutions and the private business (Bulgaria);**
- 130.68 **Redouble efforts to increase the representation of women in decision-making positions and reduce the wage inequality gap between men and women (Colombia);**

- 130.69 **Intensify its efforts to eliminate the gender wage gap and promote women's representation in political and economic affairs (Sudan);**
- 130.70 **Continue efforts to promote equality between women and men, by encouraging a balanced representation in decision-making positions, equality in the labour market and in entrepreneurship, including equal pay, among other aspects (Nicaragua);**
- 130.71 **Take effective measures to raise women's status, combat violence against women and eliminate discrimination against women (China);**
- 130.72 **Ensure that foreign women who become victims of domestic violence, sexual abuse, trafficking in human beings and other forms of violence are guaranteed access to justice (Russian Federation);**
- 130.73 **Pursue efforts to strengthen and to protect the rights of the child, and to integrate education of the rights of the child into the school curriculum (Qatar);**
- 130.74 **Take legal measures to provide appropriate facilities and support for children, particularly children with disabilities (Timor-Leste);**
- 130.75 **Prohibit by law and in practice corporal punishment of children in all settings, including in orphanages and child welfare centres (Ecuador);**
- 130.76 **Strengthen the institutional and legal framework to combat violence against children, in particular sexual violence (Algeria);**
- 130.77 **Pursue efforts to improve chances for persons with disabilities to have access to health care (Libya);**
- 130.78 **Continue its efforts to extend welfare services and assistance to all persons with disabilities (Bulgaria);**
- 130.79 **Protect people with disabilities, interned in psychiatric hospitals, against acts of violence, abuse and ill-treatment, through the establishment of independent monitoring mechanisms (Ecuador);**
- 130.80 **Abolish forced treatment and protect persons with disabilities in psychiatric hospitals from violence, abuse and ill-treatment (Timor-Leste);**
- 130.81 **Continue strengthening national laws and regulations in the view to avoiding violence and discrimination against migrant workers and raising awareness on the existence of cultural diversity (Indonesia);**
- 130.82 **Provide effective protection to migrant workers and address the issue of the exploitation of migrant workers (China);**
- 130.83 **Take measures to improve the working conditions of migrant workers (France);**
- 130.84 **Enhance measures to promote and protect the rights of migrant workers, and ensure fairer and safer working conditions as well as stricter labour law enforcement and punishment for employers who violate the law (Thailand);**
- 130.85 **Continue efforts on encouraging cultural exchanges between the residents and migrants (Lao People's Democratic Republic).**
131. **The recommendations formulated during the interactive dialogue listed below have been examined by the Republic of Korea and have been noted by the Republic of Korea:**
- 131.1 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone) (Guatemala) (Honduras) (Kyrgyzstan);**

131.2 **Ratify the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against discrimination in education (Congo);**

131.3 **Immediately release the 12 women citizens of Democratic People's Republic of Korea who were abducted during the former regime and Mrs. Kym Ryon Hui, who has been appealing for her return to her family, and bring to justice those responsible for the abduction (Democratic People's Republic of Korea).**

132. **The following recommendations will be examined by the Republic of Korea, which will provide responses in due time, but no later than the thirty-seventh session of the Human Rights Council:**

132.1 **Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);**

132.2 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);**

132.3 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay) (Costa Rica) (Switzerland) (Montenegro) (Kazakhstan) (Sierra Leone);**

132.4 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Costa Rica) (Angola) (Sweden) (Germany);**

132.5 **Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Mongolia);**

132.6 **Accelerate the process of ratification of the Optional Protocol to the International Covenant on Civil and Political Rights (Togo);**

132.7 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Benin);**

132.8 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in order to establish a national preventive mechanism (Chile);**

132.9 **Speed up ongoing processes leading up to the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);**

132.10 **Consider acceding to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Tunisia);**

132.11 **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Kazakhstan) (Turkey) (Denmark) (Guatemala) (Portugal) (Uruguay);**

132.12 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Togo) (Guatemala) (Ghana);**

132.13 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia) (Senegal) (Philippines);**

132.14 **Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru) (Sudan);**

132.15 **Continue studying the issue of the accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Belarus);**

- 132.16 **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);**
- 132.17 **Ratify the Amendments to the Rome Statute of the International Criminal Court on the crime of aggression (the Kampala amendments) (Liechtenstein);**
- 132.18 **Sign the Treaty on the Prohibition of Nuclear Weapons (Guatemala);**
- 132.19 **Adopt the reforms and legislative measures indicated to be able to ratify the remaining conventions and protocols (Côte d’Ivoire);**
- 132.20 **Consider withdrawing its reservation to article 22 of the International Covenant on Civil and Political Rights (Albania);**
- 132.21 **Carry out a constructive and a cooperative engagement with the Committee on the Rights of the Persons with Disabilities, in particular with regard to the persons with psychological disabilities (Islamic Republic of Iran);**
- 132.22 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**
- 132.23 **Strengthen the mandate of the National Human Rights Commission of Korea to conduct visits and investigations to places of detention so as to effectively function as a national torture preventive mechanism and consequently to consider acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Republic of Moldova);**
- 132.24 **Facilitate procedures for the establishment of new parties (Iraq);**
- 132.25 **Abolish the anti-human rights “National Security Law” and other laws which are in contravention of international human rights standards as well as the provocative “North Korean Human Rights Act” (Democratic People’s Republic of Korea);**
- 132.26 **Approve general legislation to combat discrimination, which expressly covers all spheres of life and prohibits discrimination on any ground, particular on grounds of race, sexual orientation and gender identity (Honduras);**
- 132.27 **Adopt without delay a comprehensive Anti-discrimination Act that prohibits all forms of discrimination, including race, gender, sexual orientation and gender identity (Slovenia);**
- 132.28 **Formulate a comprehensive anti-discrimination act that prohibits all forms of discrimination, including those based on race, gender, nationality, etc. (Bangladesh);**
- 132.29 **Adopt a comprehensive anti-discrimination law that addresses all grounds of discrimination (Spain);**
- 132.30 **Endeavour to introduce a law prohibiting violence and discrimination and combat xenophobic discourse and all forms of racial discrimination (Egypt);**
- 132.31 **Continue the process necessary for the adoption of the comprehensive anti-discrimination law (Georgia);**
- 132.32 **Adopt complete legislation against discrimination dealing with all parts of life explicitly and prohibiting discrimination on all grounds, notably based on race, sexual orientation and gender identity (Albania);**
- 132.33 **Approve general legislation to combat discrimination, which expressly covers all spheres of life, and defines and prohibits discrimination on any ground, taking measures against all expressions and manifestations of prejudices such as hate speech, racism and xenophobia (Nicaragua);**

- 132.34 **Adopt comprehensive anti-discrimination legislation, which explicitly addresses all spheres of life and prohibits discrimination on any grounds (Turkey);**
- 132.35 **Continue to apply its strategies and plans, work towards the adoption of comprehensive anti-discrimination legislation, and include penalties appropriate for the seriousness of the offence (State of Palestine);**
- 132.36 **Adopt general legislation to combat discrimination on any ground, particularly on the grounds of race, sexual orientation or gender identity, and strengthen the mechanisms to eliminate xenophobic speech against migrants and multi-cultural families (Colombia);**
- 132.37 **Enact comprehensive anti-discrimination laws, especially on the basis of race, gender and HIV/AIDS status (Botswana);**
- 132.38 **Adopt a comprehensive anti-discrimination law, including protection for lesbian, gay, bisexual, transgender and intersex persons (Australia);**
- 132.39 **Adopt a comprehensive Anti-Discrimination Act to protect the human rights of lesbian, gay, bisexual, transgender and intersex individuals and other marginalized groups (Norway);**
- 132.40 **Adopt a comprehensive anti-discrimination act prohibiting discrimination based on sexual orientation, gender, religion, belief, and race (Denmark 2);**
- 132.41 **Enact general laws to combat discrimination, particularly against migrants and ethnic and religious minorities (Mexico);**
- 132.42 **Adopt a comprehensive anti-discrimination law that will protect the rights of all migrants (Uganda);**
- 132.43 **Continue and step up its Government's laudable efforts towards implementation of anti-discrimination laws, in order to fight all kinds of intolerance and inequality, especially on the grounds of sexual orientation and gender identity (Brazil);**
- 132.44 **Adopt a general anti-discrimination law, which includes prohibition of discrimination on the basis of gender identity and sexual orientation, to ensure the protection of the rights of lesbian, gay, bisexual, transgender and intersex persons, repeal the provision of the Military Penal Code, which prohibits and punishes same-sex consensual sexual relations in the army, increase public awareness on the need to respect gender identity and sexual orientation of every individual (France);**
- 132.45 **Establish a timeline to present anti-discrimination legislation to the National Assembly, and repeal article 92 (6) of the Military Criminal Act to end restrictions on consensual same sex relations (Ireland);**
- 132.46 **Continue efforts aimed at strengthening the fight against racism, racial discrimination and xenophobia (Senegal);**
- 132.47 **Strengthen measures to combat and prevent racism, racial discrimination, xenophobia and related intolerance (Rwanda);**
- 132.48 **Declare racial discrimination as a criminal offence (Namibia);**
- 132.49 **Continue to strengthen mechanisms to prevent and eliminate all forms of discrimination and xenophobic speech against foreigners, migrants and multicultural families (Bolivarian Republic of Venezuela);**
- 132.50 **Take effective measures to prevent and counter racist and xenophobic discourse against non-citizens (Kazakhstan);**
- 132.51 **Strengthen mechanisms for preventing and eliminating xenophobic discourse in all spheres of life (Turkey);**

- 132.52 Pursue efforts to combat racial discrimination, xenophobia through education and information awareness campaigns in the context of the Law on Foreigners (Libya);
- 132.53 End the practice of publishing in the media and on the Internet materials inciting racial and ethnic intolerance (Russian Federation);
- 132.54 Take additional concrete measures to combat xenophobia, hate speech and discrimination against foreigners, migrants and multicultural families (Kyrgyzstan);
- 132.55 Implement policies and measures which comprehensively address hate speech through legislative and institutional frameworks (Sierra Leone);
- 132.56 Amend the relevant laws in order to identify racial discrimination as a criminal offence (Kyrgyzstan);
- 132.57 Follow up on the recommendation made in 2012, strengthening its legislation, investigating and punishing effectively the discrimination based on sexual orientation and gender identity, expressed through hate speeches and acts of violence (Argentina);
- 132.58 Take further action to end discrimination based on gender or sexual orientation in all fields, including in the military (United Kingdom of Great Britain and Northern Ireland);
- 132.59 Step up efforts to end discrimination based on sexual orientation and sexual identity, including through relevant legislation (Israel);
- 132.60 Include a specific prohibition on discrimination on the basis of sexual orientation in the Anti-discrimination Law (Sweden);
- 132.61 Continue to work to eliminate all forms of stigmatization or discrimination based on sexual orientation or gender identity (Chile);
- 132.62 Strengthen efforts to combat all forms of discrimination, including against lesbian, gay, bisexual, transgender and intersex persons, by adopting a comprehensive law and running national awareness campaigns (Italy);
- 132.63 Strengthen legal framework to protect people belonging to the lesbian, gay, bisexual, transgender and intersex community, avoiding practices, known as conversion therapies in State premises (Uruguay);
- 132.64 Adopt comprehensive anti-discrimination legislation to provide protections for and to promote the rights of lesbian, gay, bisexual, transgender and intersex persons (United States of America);
- 132.65 Protect the rights of lesbian, gay, bisexual, transgender and intersex persons through the adoption of a comprehensive anti-discrimination law that prohibits all forms of discrimination, including based on sexual orientation and gender identity, and abolish article 92-6 of the Military Criminal Act, which criminalizes consensual same-sex relations (Canada);
- 132.66 Repeal article 92-6 of the Military Criminal Code which criminalizes consensual sexual relations between people of the same sex in the army (Costa Rica);
- 132.67 Abolish article 92-6 of the Military Criminal Act, which views consensual same-sex intimacy in the armed forces as a criminal offence, in order to comply with international human rights standards (Netherlands);
- 132.68 Repeal article 92(6) of the Military Criminal Act prohibiting and punishing consensual sexual activity between people of the same sex in the military (Denmark);
- 132.69 Adopt a human rights-based approach to development policies and programmes that ensure the effective participation of all communities affected by development projects (Yemen);

- 132.70 **Abolish the death penalty (Honduras);**
- 132.71 **Move on to de jure abolition of the death penalty (Norway);**
- 132.72 **Consider taking steps with a view to abolishing death penalty (Italy);**
- 132.73 **Consider the legal abolition of death penalty (Timor-Leste);**
- 132.74 **Consider possibilities of the abolition of the death penalty in law (Uzbekistan);**
- 132.75 **Give due consideration to the legal abolition of the death penalty as well as to the commutation of all death sentences to terms of imprisonment (Liechtenstein);**
- 132.76 **Take measures to introduce a formal moratorium on executions and take concrete steps toward the abolition of the death penalty (Rwanda);**
- 132.77 **Fully abolish the death penalty, which has been under a de facto moratorium for 20 years (Canada);**
- 132.78 **Abolish the death penalty and commute existing death penalties sentences to prison sentences (Colombia);**
- 132.79 **Abolish the death penalty and commute to prison terms the death sentences already pronounced (Panama);**
- 132.80 **Commute without delay all death sentences to terms of imprisonment and work towards ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);**
- 132.81 **Commute all death sentences and take concrete measures to abolish the death penalty (Switzerland);**
- 132.82 **Make progress in the abolition of the death penalty through ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, recognizing the existing moratorium (Mexico);**
- 132.83 **Fully abolish death penalty in the law and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal);**
- 132.84 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia);**
- 132.85 **Take all necessary measures to abolish the death penalty and raise awareness on the fact that the death penalty is not a useful instrument to fight crime (France);**
- 132.86 **Approve a legislative initiative that proscribes the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Spain);**
- 132.87 **Commute all remaining death sentences into life imprisonment and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**
- 132.88 **Legally abolish the death sentence and ratify the relevant protocol (Namibia);**
- 132.89 **Issue an executive order to make the moratorium on the application of the death penalty official, and that the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty be ratified as early as possible (Ireland);**

- 132.90 **Release all political prisoners and pro-reunification figures who have been unjustly detained by arbitrary application of “National Security Law” (Democratic People’s Republic of Korea);**
- 132.91 **Revise the legislation to ensure acts of torture are criminalized and punishable by penalties commensurate with the gravity of the crime (Zambia);**
- 132.92 **Undertake legislative measures to criminalize marital rape (Panama);**
- 132.93 **Take measures to end the practice of impunity for human rights crimes committed by general infantrymen stationed in the country (Democratic People’s Republic of Korea);**
- 132.94 **Decriminalize conscientious objectors, introduce a genuinely civilian alternative to military service and release those imprisoned for refusing to perform military service (Germany);**
- 132.95 **Recognize conscientious objection to military service, and allow conscientious objectors the option to perform an appropriate alternative service of a genuinely civilian character and of a length comparable to that of military service (Canada);**
- 132.96 **Introduce alternatives to military service to protect conscientious objectors (United States of America);**
- 132.97 **Introduce an alternative non-punitive service of genuine civilian character, under civilian control and of a length comparable to military service (Australia);**
- 132.98 **Provide for conscientious objectors various forms of alternative service which are compatible with the reasons for conscientious objection, of a non-combatant or civilian character, in the public interest and not of a punitive nature (Croatia);**
- 132.99 **Adopt legislation to ensure that alternative services offered to conscientious objectors are of a civilian nature, placed under civilian authorities’ control, and devoid of any punitive dimension; examine the situation of individuals who are currently imprisoned for refusing to submit to compulsory military training, with a view to offering them an alternative civilian service (France);**
- 132.100 **Set up an alternative service for conscientious objectors to the compulsory military service in order to guarantee their right to freedom of expression (Mexico);**
- 132.101 **Establish an alternative service under civilian control for conscientious objectors, in conformity with the international human rights obligations of the Republic of Korea (Switzerland);**
- 132.102 **Make further progress in changing the regime which criminalizes the exercise of the right to conscientious objection in relation to obligatory military service (Argentina);**
- 132.103 **Introduce alternatives to the military service for conscientious objectors, abolish prison sentences and release all persons who have been incarcerated for having refused the military service in the absence of a civilian alternative (Panama);**
- 132.104 **Ensure the legal recognition of conscientious objection to military service (Portugal);**
- 132.105 **Release individuals imprisoned or detained solely on the basis of their conscientious objection to military service and to consider expunging the corresponding charges from their criminal records (Croatia);**

- 132.106 Consider releasing those people imprisoned or detained because of their conscientious objection to military service, and consider removing the corresponding charges from their criminal record (Costa Rica);
- 132.107 Guarantee that defamation is punishable only through civil law and that the compensation awarded is proportionate to the damage caused (Guatemala);
- 132.108 Replace criminal defamation and libel laws with civil ones, and reform national security laws to provide greater protections for free expression (United States of America);
- 132.109 Amend the National Security Law, in particular its article 7, to ensure that it is not used arbitrarily or to harass and restrict the rights to freedom of expression, opinion and association, and release all individuals unjustly charged and sentenced to prison terms solely for the legitimate exercise of their rights to freedom of expression and association (Germany);
- 132.110 Review article 7 of the National Security Act, which restricts freedom of expression (Iraq);
- 132.111 Review the National Security Act to ensure that it fully respects human rights, including the rights to freedom of speech, association and peaceful manifestation (Portugal);
- 132.112 Develop a national plan to combat trafficking in human beings with a view to strengthening the mechanism for the identification of victims of trafficking and to ensure their rights are protected (Belarus);
- 132.113 Establish a gender quota system to increase women representation in the National Assembly (Costa Rica);
- 132.114 Respect reproductive rights of women which include decriminalization of abortions (India);
- 132.115 Remove all penalties for women who seek abortion, and for doctors and other medical personnel involved in providing these services (Netherlands);
- 132.116 Investigate cases of forced sterilization of women with disabilities (Russian Federation);
- 132.117 Urgently eliminate the practice of forced sterilization of women with disabilities (Albania);
- 132.118 Establish a universal birth registration system that includes children of refugees and asylum seekers (Islamic Republic of Iran);
- 132.119 Establish a universal birth registration system to ensure that all children have access to birth registration immediately after birth, regardless of the status of their parents (Kyrgyzstan);
- 132.120 Adopt a universal system for birth registration, which includes children of refugees, asylum seekers and stateless persons (Peru);
- 132.121 Further improve the birth registration system as to ensure universal birth registration to all children born in the territory of the Republic of Korea, regardless of the status of the parents (Turkey);
- 132.122 Consider establishing a system which guarantees all children, regardless of the parents' nationality and status, the right to birth registration (Kazakhstan);
- 132.123 Establish a comprehensive national birth registration system for foreign nationals to ensure the births of their children are registered (Sierra Leone);
- 132.124 Establish a national birth registration system to register all births in Korea irrespective of the nationality of parents (Botswana);

132.125 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families to guarantee their protection against all human rights violations (Egypt);**

132.126 **Ensure that migrant workers and their families and in particular children have access to sufficient means of subsistence, to housing, to health care and to education (Congo);**

132.127 **Adopt further measures to promote working condition of migrant workers, especially women migrant workers and to improve their integration in the Korean society (Viet Nam);**

132.128 **Amend the current Employment Permit System Act to ensure that an application for a visa extension or a renewal is not restricted or refused to migrant workers who have changed jobs (Bangladesh);**

132.129 **Make its best efforts to ensure that the migrant workers and their families, in particular their children, enjoy an adequate livelihood, housing, health care and education (Islamic Republic of Iran);**

132.130 **Completely stop deportation of undocumented migrant children enrolled in schools and their detention after deportation orders (Bangladesh).**

133. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

*[English Only]*

### Composition of the delegation

The delegation of the Republic of Korea was headed by the Minister of Justice, Mr. Sangki Park and composed of the following members:

- Alternate Head of Delegation, Ambassador Kyong-lim Choi, Permanent Representative, Permanent Mission of the Republic of Korea in Geneva;
- Ambassador In-chul Kim, Deputy Permanent Representative, Permanent Mission of the Republic of Korea in Geneva;
- Mr. Heeseok Whang, Director General, Human Rights Bureau, Ministry of Justice;
- Mr. Heejun An, Director, Human Rights Support Division, Ministry of Justice;
- Mr. Kyooyoung Song, Planning and Coordination Prosecutor, Ministry of Justice;
- Ms. Yoojin Oh, Deputy Director, Human Rights Policy Division, Ministry of Justice;
- Mr. Yuwan Kim, Public Service Advocate, Human Rights Policy Division, Ministry of Justice;
- Ms. Hye Jung Lee, Researcher, Human Rights Policy Division, Ministry of Justice;
- Ms. Ah young Kim, Second Secretary, Human Rights and Social Affairs Division, Ministry of Foreign Affairs;
- Mr. Hoyoul Choi, Deputy Director, Regulatory Reform and Legal Affairs Division, Ministry of Education;
- Ms. Kiyeon Park, Assistant director, International Education Cooperation Division, Ministry of Education;
- Mr. Jae Ha Lee, Army Lieutenant Colonel (Judge advocate), Legal Affair Management Bureau, Ministry of National Defence;
- Ms. Jungwon Lee, Deputy Director, International Cooperation and Trade Division, Ministry of Land, Infrastructure and Transport;
- Ms. Jinok Kim, Deputy Director, Division of Basic Livelihood Security, Ministry of Health and Welfare;
- Ms. Eunyong Kim, Deputy Director, Division of Basic Livelihood Security, Ministry of Health and Welfare;
- Ms. Eun Jeung, Deputy Director, International Cooperation Division, Ministry of Gender Equality and Family;
- Ms. Ji Eun Kim, Deputy Director, International Cooperation Division, Ministry of Employment and Labour;
- Mr. Haewoong Lee, Assistant Director International Cooperation Division, Ministry of Employment and Labor;
- Mr. Dae Hyeong Lee, Director and Senior Superintendent, Human Rights Protection Division, Korean National Police Agency;
- Mr. Seong Beom Wi, Inspector Human Rights Protection Division, Korean National Police Agency;
- Ms. Jihye Han, Deputy Director Internet Ethics Division, Korea Communications Commission;

- Mr. Sanghyun Kim, Public Prosecutor, Ministry of Justice;
  - Mr. Sanguk Yoon, Counselor, Permanent Mission of the Republic of Korea, Geneva;
  - Mr. Chang on Lee, Counselor, Permanent Mission of the Republic of Korea, Geneva;
  - Ms. Wunjeung Chang, First Secretary Permanent Mission of the Republic of Korea, Geneva;
  - Mr. Sungiun Oh, First Secretary, Permanent Mission of the Republic of Korea, Geneva;
  - Ms. Joo Hyun Woo, Interpreter;
  - Ms. Won Hee Kim, Interpreter.
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