



PERMANENT MISSION OF THE REPUBLIC OF KOREA  
GENEVA

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The 22<sup>nd</sup> Session of the Human Rights Council *<Check against delivery>*  
Agenda 6 (Consideration of the UPR report of the Republic of Korea)  
Geneva, 14 March 2013

**Opening Statement of the Republic of Korea**

Mr. President,

The Government of the Republic of Korea is pleased to reiterate its full support for the UPR mechanism and we believe that it offers an opportunity for the Republic of Korea to reaffirm its strong commitment to the promotion and protection of human rights.

I would also like to extend my sincere appreciation to all of those who have worked so hard in this process. My Government very much appreciates the valuable contribution by the Member States and all other stakeholders in the Universal Periodic Review of the Republic of Korea which was held on 25 October 2012. Indeed, this has been a collaborative effort and I believe that the bonds of cooperation which have formed have proven in and of themselves to be another added benefit of this process.

I would also like to express my special gratitude to the members of the Troika, namely Hungary, Indonesia and Djibouti, for the invaluable work and cooperation they have displayed in this meaningful process.

Through the UPR process, the international community has embarked on the large task of addressing all human rights situations of all Member States. This is a task of the utmost importance. The Republic of Korea welcomes the successful launch of the second cycle of the UPR last year and hopes that the integrity of the mechanism will be maintained with the full participation of all Member States.

The UN Member States, Treaty Bodies, NGOs and the OHCHR are all key players in

ensuring that the mechanism is carried out effectively. In our case, we believe that the UPR has been constructive in terms of reaffirming the importance of human rights issues and has provided valuable opportunities to galvanize our collective will towards achieving improvements in the areas concerned.

Mr. President,

Following the UPR Working Group review on 25 October and the adoption of its report on 31 October, 2012, my Government has accorded its thorough consideration to all of the recommendations made by the Member States.

After the UPR Working Group report of the Republic of Korea was adopted, relevant ministries engaged in active consultations, including those with a number of human rights NGOs, where participants expressed various opinions on the recommendations.

After the period of consultations, the Recommendations were presented to the Sub-Council on National Human Rights Policy on 30 November 2012 and subsequently to the National Human Rights Policy Council for discussion on 13 December 2012.

After thorough and careful deliberation on the recommendations as well as considerations of the opinions expressed by civil society organizations, the Council decided to fully accept 42 recommendations and to partially accept 1 recommendation out of a total of 70 recommendations presented. This decision and the related positions were sent to the Secretariat of the Human Rights Council in early January this year.

The detailed information on the responses to all recommendations has been distributed to all of the delegations and is also available on the HRC Website. Clarification was also put forward for those recommendations containing factual predicates or inaccuracies.

Along these lines, my Government assures that it will endeavor to implement the recommendations which it accepted in line with the full spirit of those recommendations with a view to the overall promotion and protection of human rights in the Republic of Korea.

Mr. President,

I would now like to briefly touch upon my Government's responses to the recommendations contained in Paragraph 124 of the UPR Working Group Report.

First, I would like to emphasize that the majority of the recommendations related to equality and non-discrimination enjoyed the support of my Government. Those recommendations are primarily related to the rights of vulnerable groups including persons with disabilities and migrants. My Government will continue to intensify its efforts to effectively protect the rights of these persons.

Second, I am very pleased to say that most of recommendations related to the rights of children also enjoyed the support of my Government. Again, I would like to stress that my Government attaches great importance to the protection of children and will continue its endeavor to improve their rights.

Third, the Republic of Korea also welcomes other important recommendations made by Member States relating to such matters as freedom of expression on the internet, the economic empowerment of women, the prevention of sexual harassment, the right to health and the social protection of refugees and migrant workers. Specifically, we will continue to seek ways to strengthen and improve the relevant domestic laws, institutions and procedures in these areas.

Mr. President,

It is necessary to note that some of the recommendations set out in Paragraph 124 of the Working Group report did not receive support from my Government due to either a need for further examination or various reasons that present difficulties at this time. Along these lines, important issues are as follows;

First, the *National Security Act* is necessary for the state's existence and security, given the unique security concerns of the Republic of Korea in terms of the division of the Korean Peninsula. However, it is necessary to emphasize that the *Act* is strictly interpreted and applied in compliance with the guidelines for interpretation of the *Act* presented in the rulings of the Constitutional Court and the Supreme Court. The application of the *Act* is limited only to cases where there is clear threat of actual harm to the existence and security of the State or the fundamental democratic order.

This is interpreted and applied in order that the freedom of expression and the right to assembly and association are guaranteed to the fullest extent possible.

Second, with regard to conscientious objection, the introduction of alternative service is difficult taking into account the factors such as the special security situation, the procurement of military resources under a conscription system, the equal burden sharing of military duties, and the lack of public consensus. My Government will examine this issue by taking into consideration any future changes in the security situation and the level of public consensus.

Third, the issue of abolishing the death penalty will remain under careful review through a comprehensive evaluation of public opinion and legal analysis, social circumstances, as well as further evaluation concerning the overall function of the death penalty in criminal policy.

Mr. President,

The Government of the Republic of Korea appreciates the vibrant and valuable interaction with Member States at the Universal Periodic Review Working Group session, and we believe that the recommendations provided will serve as guidance for the respect of human dignity as well as that of fundamental rights and freedoms.

For the UPR to be a credible mechanism leading to actual improvements in human rights, effective follow-up measures are imperative. These should include mechanisms to promote implementation at the national level by providing a platform for national dialogue on human rights by various stakeholders. A crucial part of this also is to provide an opportunity for public scrutiny of government policies.

Keeping this in mind, my Government will incorporate the recommendations that enjoyed support into the Second National Action Plan for the Promotion and Protection of Human Rights. The recommendations that did not at this time enjoy support will be also considered for enhancement of human rights protection in the future.

In the first half of 2013, the National Human Rights Policy Council will convene to modify the Second National Action Plan for the Promotion and Protection of Human Rights in order to reflect and incorporate the UPR recommendations.

Additionally, as was done for the implementation of the recommendations provided at the first cycle of the UPR, a working group for the follow-up of the UPR will be established within the government and will annually report to the National Human Rights Policy Council. My Government is also considering ways to consult with civil society in the follow-up process.

Mr. President,

I would like to bring my Opening Statement to a close by emphasizing once again the great importance that the Republic of Korea attaches to the UPR. We look forward to further valuable and constructive discussions in today's session. It is our sincere hope that these will yield concrete suggestions as we pursue the noble aim of the promotion and protection of human rights, a goal which unites us all.

Thank you, Mr. President. /End/