

(The Republic of Korea)

## **Statement on the UPR during the 8th Session of the HRC**

Mr. President,  
Madame High Commissioner,  
Distinguished Representatives,  
Excellencies, Ladies and Gentlemen,

On the highly significant occasion of the adoption of the Outcome of the Universal Periodic Review (UPR), the Government of the Republic of Korea is pleased to reiterate its full support for the UPR mechanism. This offers an opportunity also for the ROK to reaffirm its unswerving commitment to the promotion and protection of human rights, a priority in our national agenda.

May I also extend my sincere appreciation to all those who have worked so hard in this process. My Government deeply appreciates the valuable contribution by the Member States and indeed all other stakeholders in the Universal Periodic Review of the Republic of Korea. This has been a collaborative effort and I in fact believe that the bonds of cooperation formed have in themselves proved to be another further benefit of this process. I would also, once again, like to express my thanks to the members of Troika, of course, for their invaluable work and for the outstanding leadership they have displayed in guiding us through this significant process.

The international community, through the last two UPR sessions, has embarked on the task of addressing all the human rights situations of all Member States in a fairer and more inclusive way. This is indeed a task of the utmost importance. The launch of the UPR represents a milestone and the task of ensuring that it is truly effective is one on which we should all focus our earnest efforts. The UN Member States, Treaty Monitoring Bodies, NGOs and the OHCHR are all protagonists in ensuring that the mechanism does indeed prove to be effective. In our case, we believe that the UPR has been constructive in terms of reaffirming the human rights issues before us. Furthermore, it has

provided a valuable opportunity to galvanize our will to achieve improvements in the areas concerned.

Following the UPR Working Group review in May, my Government has accorded its thorough consideration to all the recommendations made by the member States. We believe that the 33 recommendations set out in the UPR Working Group Report encompass almost all key human rights issues whether long-standing or relatively new.

As part of our efforts to gain a clearer overall picture of the recommendations we held an Inter-Ministerial Meeting on 30 May. And each Ministry which has been involved in the UPR process has undertaken a thorough study of the human rights issues raised in the review.

Mr. President,

I would now like to briefly touch upon my Government's responses to the recommendations contained in Paragraph 64 of the UPR Working Group Report. I am pleased to say that the Republic of Korea accepts most of the recommendations either in full or in part. Further detailed information on the responses to all recommendations is also available on the HRC Extranet.

First of all, we are pleased to accept the entire group of recommendations relating to women's rights. The ROK has been consistent in its pursuit of a policy of advancing women's rights. The Ministry of Gender Equality has a deep commitment to incorporating gender perspective into government policies. To this end, it has been developing concrete initiatives and playing a leading role in addressing the issues in inter-Ministerial meetings.

Secondly, the Government will intensify efforts to effectively protect the rights of foreign workers by upholding the relevant laws, including the Employment of Foreign Workers Act. Continued efforts focusing on various measures for their fuller social integration and more effective remedies will be made in order to further protect the rights and interests of foreign workers.

Thirdly, the Republic of Korea continues to exert sincere efforts to protect the rights of disabled people. To this end, we are currently pursuing domestic procedures for the ratification of the 'Convention on the Rights of Persons with Disabilities'

Fourthly, the Republic of Korea also welcomes other important recommendations made by Member States relating to such matters as the implementation of observations by treaty bodies, freedom of association and assembly, human rights training for law enforcement personnel, the Resident Registration System, marital rape, child abuse and domestic violence, sexual crime, and refugee recognition procedures. We will continue to seek ways to strengthen and improve the relevant domestic laws, institutions and procedures in these areas.

Mr. President,

For some of the recommendations set out in Paragraph 64 of the Working Group report, there is a need for further study of their implementation as these may require legislative actions or involve an interpretation of domestic law.

First of all, on the recommendations advocating further ratification and accession of human rights treaties, the Government will indeed carefully consider accession to various human rights instruments such as the Optional Protocol on the Convention Against Torture (OP-CAT), and the Convention on the Rights of Persons with Disabilities (CPD). More efforts need to be undertaken to bring domestic legislation and regulations in full conformity with these human rights norms and standards.

Secondly, as we have indicated during the interactive dialogue in the UPR Working Group, issues such as the death penalty, the National Security Law and conscientious objection to military service require further study and the forging of a broad national consensus; there is therefore a need for us to continue to make efforts in this direction.

Thirdly, issues such as the definition of torture, corporal punishment and the security surveillance law also entail the amendment of important provisions of

our domestic law; we therefore need to give careful thought to ways in which to overcome the difficulties of such a process.

Fourthly, the withdrawal of the reservation on Article 22 of the International Covenant on Civil and Political Rights (ICCPR) is another matter which requires further study. There is a need for more in-depth consultations on this. In particular, there is a call for further tripartite consultations and inter-ministerial consultations for a review of the matter of trade union pluralism and labor rights of public officials.

And, lastly, the recommendation on the accession to the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (ICRMW) is the only one that my Government is not in a position to accept at this stage. We welcome the intention and spirit of this recommendation to protect migrant workers and their family members. However, some provisions in the Convention are in conflict with some key domestic laws. In the meantime, the Republic of Korea will exert every possible effort to protect the human rights of migrant workers under current national laws which cover human rights and welfare for foreigners in the country.

Mr. President,

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.

In this regard, we also engaged in discussions on a mechanism for the systematic implementation of the recommendations in the coming four years. One suggestion put forward was that the recommendations could be included in the ongoing National Action Plan (NAP) 2007-11 for the Promotion and Protection of Human Rights. Another suggestion was to create a mechanism tasked exclusively with follow-up to issues raised during the UPR process.

Here it is important to emphasize that neither suggestion should exclude the recommendations that we deem difficult to implement *prima facie*. In this regard, my Government would like to underline that even a recommendation that it feels unable to accept for the moment will be given due consideration and, if necessary, may be the subject of discussions with all stakeholders.

Mr. President,

The Government will continue to bear in mind all the recommendations made, as it seeks to strengthen its institutional and policy responses to achieve greater human rights protection and promotion in the ROK. We look forward to these recommendations serving as a valuable guide in our efforts to this end in the months and years ahead as we constructively engage with the Human Rights Council, other international mechanisms and bilateral and regional partners on human rights issues.

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 for the best future course in our shared efforts in pursuit of the noble aim of the promotion and protection of human rights, a goal which unites us all.

Thank you.