



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Eighty-second session

9–27 September 2019

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the combined fifth and sixth periodic reports of the Republic of Korea

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 May 2019. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

### Part I

1. Please update the Committee on the steps taken to:
  - (a) Adopt comprehensive anti-discrimination legislation in compliance with article 2 of the Convention;
  - (b) Review legislation to ensure access to safe abortion for single adolescent mothers and protect them from illegal abortions and the forced adoption of their children;
  - (c) Harmonize the age of majority across legislation.
2. Please indicate the measures in place to ensure the independence of the National Human Rights Commission and the effective implementation of its recommendations. Please clarify the mandate of the Child Rights Committee within the Commission to receive and investigate complaints of violations of children's rights, and provide data on those complaints and their outcome. Please specify the measures taken to develop a centralized and modern system for collecting and analysing disaggregated data on all areas of the Convention.
3. Please provide information on the steps taken to:
  - (a) Strengthen budget allocations for children and overall social expenditure proportional to growth in gross domestic product;
  - (b) Reduce disparities in budget allocations between municipalities;
  - (c) Establish targeted budget lines for children in disadvantaged situations;
  - (d) Adopt a child rights-based approach in the preparation of the State budget, including indicators and a tracking system;
  - (e) Implement the child impact assessment system.
4. Please provide information on the measures taken to address:



- (a) Child suicide;
- (b) The extensive use of smartphones, including for gambling, and the possible harmful effects on children;
- (c) The abandonment of children in “baby boxes”, which are run by private entities;
- (d) Exposure to fine dust and asbestos in schools and childcare settings;
- (e) Health complications and deaths attributed to the use of humidifier disinfectants.

5. Please clarify the status of the draft amendments to the Family Litigation Act to extend the right to be heard to children under the age of 13. Please specify the efforts made to address:

- (a) Discrimination against children based on sexual orientation while in detention and in accessing shelters;
- (b) The increase in “child-free zones” in restaurants and cafes.

6. Please indicate the measures taken to ensure that children of single fathers and of foreign and undocumented parents are registered at birth. Please provide information on the status of the online birth registration system and other measures taken to identify unregistered births. Please explain how the State party is addressing the reported disclosure of students’ private information, inspection of their belongings, dress code restrictions and limitations on the freedom of association and political participation in schools.

7. Please provide information on the State party’s plans to eliminate corporal punishment, including indirect and disciplinary punishment, and the sanctions imposed on perpetrators. Please specify any measures taken to address the growing incidence of bullying, online violence and sexual abuse, including by teachers, and to encourage the reporting of those offences. Please provide information on the follow-up to the “#schoolmetoo” movement.

8. Please specify the measures taken to:

- (a) Promote foster care;
- (b) Establish complaint mechanisms accessible to child victims in alternative care settings;
- (c) Protect children in cases of dissolution of adoption;
- (d) Make the consent of single adolescent mothers mandatory for the release of their children for adoption;
- (e) Ensure that the views of children aged below 13 are given due weight in adoption cases;
- (f) Ensure a coherent policy to protect children of imprisoned parents.

9. Please specify the measures taken to:

- (a) Ensure access to social protection and health care, including mental health care, for migrant children, including those with disabilities;
- (b) Improve access to quality health care at the local level and reduce regional disparities;
- (c) Address child housing poverty and the issues of working and runaway children;
- (d) Address climate change and its impact on children’s rights in the State party and abroad.

10. Please provide the results of the State party’s evaluation of its education system and specify the State party’s plans to:

(a) Address academic stress, achievement-related discrimination and the lack of leisure activities and play for children;

(b) Strengthen inclusive education and improve the geographic distribution of, and transportation to, schools;

(c) Ensure access to education for children with migrant backgrounds and facilitate the return of out-of-school children to their schools.

11. Please provide information on:

(a) The status of the proposal to lower the age of criminal responsibility to 12 years old;

(b) Plans to establish a legal aid system;

(c) Measures taken to ensure that deprivation of liberty is used as a measure of last resort and for the shortest possible time, to ensure its periodic review and to ban the solitary confinement of children.

12. Please clarify the circumstances under which children are detained together with adults and explain how their rights to education, outdoor exercise, petition and communication with their families are guaranteed.

13. Please describe the measures taken to amend the Immigration Control Act to specifically prohibit the detention of migrant children. Please provide information on measures taken to address hate speech against migrants, including migrant children.

14. Please describe the measures taken to implement the Committee's previous recommendations under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/KOR/CO/1), particularly those on protection measures for child victims contained in paragraph 17.

15. Please provide information on the implementation of the Committee's previous recommendations under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/KOR/CO/1). Please also provide information on the plans to raise the age of sexual consent above 13 years old, to counter online prostitution and grooming and to align the sanctions for perpetrators of sexual offences against children with international standards.

## **Part II**

16. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

## **Part III**

### **Data, statistics and other information, if available**

17. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

18. Please provide, if available, updated statistical data disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location, socioeconomic background and migration status, for the past three years, on:

- (a) Cases of abuse and violence against children, including all forms of corporal punishment, such as indirect and disciplinary punishment, bullying, online violence and sexual abuse, including by teachers, and on the prosecution and sentencing of perpetrators;
- (b) Cases of child suicide, adolescent pregnancy, and the overuse of smartphones by children, including for gambling;
- (c) Cases of health complications in children and child deaths as a result of their exposure to fine dust, asbestos or humidifier disinfectants;
- (d) Asylum-seeking, refugee and migrant children, including those in immigration detention, shelters and in street situations;
- (e) Working children, including in the informal sector, children in street situations, out-of-school children and runaway children;
- (f) Children living in poverty and in inadequate housing;
- (g) Children born in prison, including those born to adolescent mothers in prison, and children incarcerated together with their parents, including those born in and outside of prison;
- (h) Abandoned children, including those abandoned in “baby boxes”.

19. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Separated from their parents;
- (b) Placed in institutions;
- (c) Placed in foster families;
- (d) Adopted domestically or through intercountry adoptions, including information on countries of destination;
- (e) Involved in cases of dissolved adoption.

20. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

21. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) In pretrial detention;
- (c) Serving a sentence;
- (d) Referred to diversion programmes.

22. Please provide information on how the planning, implementation and monitoring of measures aimed at achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to child participation and data collection, and how they promote the realization of children’s rights under the Convention and its Optional Protocols.

23. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.
24. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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