



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

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**Committee on the Elimination of Discrimination  
against Women**

**Information received from the Republic of Korea on follow-up  
to the concluding observations on its eighth periodic report\***

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\* The present document is being issued without formal editing.



## **I. Introduction**

1. The Republic of Korea is pleased to submit the report to the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW). The report is an answer to the Committee's request, after considering its eighth periodic report (CEDAW/C/KOR/8), to provide written information within two years about the measures taken to implement the recommendations contained in paragraphs 13, 23 (b) and (d), and 25 (b) in its concluding observation (March 14, 2018).

## **II. Follow-up information**

### **A. Follow-up information relating to paragraph 13 of the concluding observations**

2. The Government of the Republic of Korea announced in August 2018 the third National Action Plan for the Promotion and Protection of Human Rights (2018–2022), which includes development of legislative measures for anti-discrimination framework act as one of its key tasks. The Government has been conducting research on the government bill proposed in 2007, together with the cases of legislation in other countries regarding anti-discrimination, and will continue to review the range of measures to draft and adopt the legislation.

### **B. Follow-up information relating to paragraph 23 (b) of the concluding observations**

3. As a policy to eradicate domestic violence, the Government has taken strong, diverse measures to punish the perpetrators and protect the victims. In November 2018, the Government announced the Domestic Violence Prevention Scheme. To actualize the scheme, in July 2019, the Ministry of Justice prepared a revised bill, the Act on Special Cases concerning the Punishment etc. of Crimes of Domestic Violence. The revised bill contained revisions such as the following: 'Arrest of Flagrante Delicto' which is prescribed in the Criminal Procedure Act as an additional emergency measure to immediately separate the victim from the perpetrator, a provision called 'Detaining the perpetrator' as an additional urgent ad hoc measures, and a provision which allows the perpetrator to be punished for violating ad hoc measures such as restraining order. In November 2019, the revised bill was introduced to the National Assembly by legislators. The Ministry of Justice will continue to provide support to the on-going discussion within the National Assembly regarding the aforementioned revised bill. In addition, to support the recovery and self-reliance of domestic violence victims (including immigrant women victims), the Government provides varied support, such as counselling, temporary and long-term protection, medical and legal assistance, and self-reliance support, through Women's Emergency Hotline #1366, family counselling centres, counselling centres for migrant women victims of violence, protection facilities for domestic violence victims, and other organizations.

### **C. Follow-up information relating to paragraph 23 (d) of the concluding observations**

4. The Korean Government provided victim protection and support under individual laws regarding sexual violence, domestic violence, and sex trafficking. However, as new forms of violence emerged in various forms on the information and

communications networks, the Government has devised the Framework Act on the Prevention of Violence against Women in December 2018, laying the foundation for providing protection and support for female victims with no blind spots. Under the framework act, a master plan will be developed every five years, and the central Government and local government bodies will lay out action plans annually, and their performance will be evaluated. In addition, the Government plans to strengthen its comprehensive, systematic policy foundation to eradicate violence against women. To this end, it will provide the staff of investigation agencies with education programmes to prevent secondary victimization, conduct a fact-finding survey on violence against women, and establish a statistics system. In a committee meeting to prevent violence against women in February 2020, the Government confirmed the first Basic Plan to Prevent Violence Against Women (2020–2024) and reinforced its roles as an overarching coordination body to prevent violence against women, including online sex crimes.

5. To prevent falling victim to increasing sex crimes, including taking and distributing illicit images, the Korean Government formulated the Comprehensive Measures against Digital Sex Crimes in September 2017, a joint-ministry move led by the Office for Government Policy Coordination. Since then, the Ministry of Gender Equality and Family has played a central role in monitoring the implementation of the plan through the Pan-Government Council for the Eradication of Sexual Harassment and Violence and Digital Sex Crimes and its working group.

6. Also, the Korea Communications Standards Commission (KCSC) newly installed the Digital Sex Crime Response Team in April 2018 to ensure a swift response upon the request of victims of online sex crime images. This measure has shortened its deliberation period from 10.9 days to 3 days. In September 2019, the Digital Sex Crimes Information Review Bureau was also created, enabling a deliberation process to be completed within 24 hours. To back up the additions, the Act on the Establishment and Operation of Korea Communications Commission was revised in December 2019, allowing for electronic and written deliberations on cases that require urgent decisions involving photographs and duplicates falling under Article 14 of the Act on Special Cases concerning the Punishment etc. of Sexual Crimes.

7. To impose severe penalties on taking and disseminating illicit sexual photographs and films, and to provide support for the victims, the Korean Government reformed related laws as follows:

(a) In December 2018, to impose severe penalties on online sexual crimes, the Act on Special Cases concerning the Punishment etc. of Sexual Crimes was amended to increase the maximum penalty on taking and disseminating illicit sexual photographs and films. And the revised Act contains a provision which punishes the dissemination cases of not only illicit sexual photographs and films but also their duplicates. In addition, in the event that sexual photographs or films are taken with the consent of the victim but disseminated against the will of the victim, the perpetrator shall be punished up to 5 years of imprisonment or KRW 30 million of fine, which is a heavier punishment than the previous one. The increased penalty is now the same as the penalty for the case where taking illicit sexual photographs and films without the consent of the victim. The perpetrator who disseminates illicit sexual photographs and films by using the information and communication network for earning profit shall no longer be punished with a monetary penalty, but shall be imprisoned up to 7 years. In March 2020, the aforementioned Act was amended once again by the National Assembly to contain a provision which allowed the perpetrator to be punished for editing the photographs and films of victim's figure or disseminating them without the consent of the victim. The provision had a clause by the amendment which imposed a heavier punishment to the perpetrator who

disseminated them by using the information and communication network for earning profit.

(b) Related laws are revised to facilitate the swift deletion and removal of illicit images. The Telecommunications Business Act added Article 22-5 (December 2018) to require telecommunications business operators to remove and disable illicit images as soon as they clearly recognize the circulation of illicit images on their networks. Failure to do so will carry a fine of no more than KRW 20 million or corrective order. In addition, the revised Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. (Article 44-7, December 2018) specifies expeditious deliberation of the KCSC to delete or block illicit images upon the request of the head of an investigation agency.

(c) The revised Act on the Prevention of Sexual Assault and Protection, etc. of Victims Thereof has provided a legal basis for supporting digital sex crime victims. In addition, the Digital Sex Crime Victim Support Centre was installed within the Women's Human Rights Institute of Korea in April 2018, providing customized support such as counselling, content deletion, investigation support, and legal and medical assistance. In particular, content deletion is essential for helping the recovery of victims. The number of deletion services provided by the centre from April 2018 to 2019 reached over 120,000 with the total number of services provided standing at some 135,000 cases.

#### **D. Follow-up information relating to paragraph 25 (b) of the concluding observations**

8. To protect the human rights of and prevent discrimination against immigrant women granted E-6-2 visa to work in the entertainment industry, the Korean Government has strengthened its monitoring of entertainment establishments dedicated to foreigners. Related ministries and local government bodies conducted joint inspections twice in June and October 2019, focusing on human rights violations and illegal acts, including soliciting and coercing prostitution and delayed wages, as well as the management of E-6-2 visa issuance.

9. On December 30, 2014, the Ministry of Justice newly inserted Article 25-3 (Special Rules for Victims of Sex Crimes) to the Immigration Act, whereby victims of sex trafficking, sexual offenses, and human trafficking are granted the G-1 visa to ensure they can stay until investigations, trials, and other remedy procedures come to an end. Moreover, the E-6-2 visa system was reformed twice in September 2016 and August 2017. Detailed improvements include submission of documents to prove work experience of more than three years in the related areas certified by embassies and legations, restrictions on visa issuances in the case that related entertainment establishments do not offer waiting rooms for immigrant workers or have closed rooms, and mandatory interviews for visa applicants who are from the countries with a 30 percent rate of illegal workers or more in Korea. Filipino entertainers vulnerable to human rights violations are required to submit work permits issued by the Philippines's labour authorities, whereas all E-6-2 visa holders need to submit at the time of alien registration certificates of completion of Initial Adjustment Support Programme on human rights violations prevention, covering basic law and order, ways to deal with human rights violations, remedy processes, and so on.

10. As a way to address structural factors exposing women "defectors" from the Democratic People's Republic of Korea (DPRK) to vulnerable situations such as sex trade due to the difficulties to make a living, the Korean Government has supported

job creation specific to their needs, including by running vocational programmes intended to support and expand their participation in economic activities:

(a) To help North Korean women defectors get access to training for early adjustment and settle in Korea successfully, Hanawon, a settlement support centre for North Korea defectors, runs 15 customized job training programmes. It also provides individually tailored career-guidance programmes and advice on making life-cycle career development plans before they leave the facility. Even after they have completed the facility's programmes, the centre offers courses on caregiving, hairdressing, Korean cuisine, skincare, and other subjects favoured by North Korean women defectors in order to help them become self-reliant. In addition, as a state-run agency that provides comprehensive support for North Korean defectors, the North Korean Refugees Foundation is making continued efforts to create customized jobs for North Korean women defectors. To this end, the foundation runs self-reliance projects and establishments and identifies occupations specific to the needs of North Korean women defectors. In local settlement centres, professional career counsellors provide consultations to identify individual needs, interests, and concerns and offer customized case management.

(b) In connection with the Ministry of Health and Welfare's welfare programmes for low-income families, including those in the second-to-the bottom income bracket, the Government identifies North Korean defectors facing unemployment and economic difficulties due to physical illnesses, family responsibilities, and childcare, among others, and provides emergency livelihood allowance and other support in its continued efforts to support their livelihoods.

(c) Considering that the majority of North Korean defectors are women (more than 80 per cent), the Government provides enhanced education programmes to raise awareness of healthy gender roles and women's rights. After entering Korea, North Korean women defectors receive basic education on human rights, sexual harassment and violence prevention, and remedies in Hanawon. After completing the courses, they attend community adjustment programmes in local settlement centres closest to their place of residence. The local centres provide high-quality programmes and expertise by hiring outside trainers from the Korean Institute for Gender Equality Promotion and Education and other specialized agencies.

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