

Responses to Recommendations

REPUBLIC OF KOREA

Review in the Working Group: 7 May 2008

Adoption in the Plenary: 12 June 2008

Republic of Korea's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Recommendations pending responses:	Summary:
No response, all pending	15 REC accepted; 0 rejected; 16 were commented but no clear position was given	No additional information provided	2 REC	Accepted: 15 Rejected: 0 No clear position: 16 Pending: 2

List of recommendations contained in Section II of the Report of the Working Group A/HRC/8/40:

“64. In the course of the discussion, the following recommendations were made to the Republic of Korea:

- 1. To work on the implementation and dissemination of observations of treaty bodies (Brazil);
- 2. To ratify the Convention of the Rights of Persons with Disabilities without reservations (Brazil);
- 3. To strengthen efforts to uphold the Act on the Foreign Workers Employment in order to ensure the effective protection of the rights of foreign workers in the country (Indonesia);
- 4. To take concrete measures with a view to abolishing the “Security Law” (Democratic Peoples’ Republic of Korea);
- 5. While expressing concern at the Security Surveillance Law, which restricts freedoms of former political prisoners and of prisoners of conscience to adopt measures to address the situation (Democratic Peoples’ Republic of Korea);
- 6. To adopt relevant measures for legislative and criminal justice improvements in relation to concerns expressed by the Committee against Torture in relation to allegations of torture in detention facilities and improper definition of torture in the Criminal Code, and by the Committee on the Rights of the Child in relation to limitations on freedom of expression and assembly of students (Democratic Peoples’ Republic of Korea);

- 7. To accede to the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Algeria, Philippines, Egypt, Mexico, Peru) , to withdraw reservations to other treaties restricting the protection of migrant workers and their families (Mexico) and to ratify the Palermo Protocol (Peru);
- 8. To take measures to protect and fulfil the rights of all women migrant workers and to ensure that they are not subjected to discriminatory practices (Algeria);
- 9. That the guarantee provided for the freedom of association and assembly be enshrined into law (Algeria);
- 10. To enact a crime of torture as defined in article 1 of the Convention against Torture (Canada);
- 11. To provide human rights training to law enforcement personnel and that measures are taken to ensure that the human rights of migrants are protected at all times and limit the uses of registration numbers to those strictly necessary for the provision of public services(Canada);
- 12. That all allegations of torture and ill-treatment by law enforcement officers be investigated (Canada);
- 13. To review its resident registration system to safeguard the right to privacy and limit the uses registration numbers to those strictly necessary for the provision of public services (Canada);
- 14. That marital rape, child abuse and domestic violence be criminalized, perpetrators are prosecuted and sanctioned, human rights training be provided for officials dealing with instances of domestic violence and child abuse, and that child-sensitive procedures be adopted during criminal proceedings involving children (Canada);
- 15. To place special emphasis on women and children when formulating policies to protect the rights of migrant workers (Canada);
- 16. To sign the International Convention for the Protection of All Persons from Enforced Disappearance (France);
- 17. To recognize the right of conscientious objection by law, to decriminalize refusal of active military service and to remove any current prohibition from employment in Government or public organizations, in line with the recommendation by the Human Rights Committee (Slovenia);
- 18. To include a gender perspective into the UPR follow-up process in a systematic and continuous manner (Slovenia);
- 19. Noting that sexual crime is categorized as an offence that is subjected to investigation only upon complaint from the victim, it was recommended that this legal provisions be reviewed, along with other relevant provisions, in order to enhance protection of victims (Slovenia);
- 20. To maintain the current de facto moratorium (Belgium, Italy) and to progress towards the abolition of the death penalty (Belgium, Italy, Mexico) and to pass the special bill to abolish the death penalty into law in the new National Assembly that starts on 1 June 2008 (Netherlands, United Kingdom of Great Britain and Northern Ireland);
- 21. As recommended by CEDAW, that a definition on discrimination against women in compliance with article 1 of CEDAW be adopted and that the fight against trafficking in foreign women be intensified (Belgium);
- 22. To further strengthen measures against torture and ill-treatment, including accession to the Optional Protocol to the Convention against Torture in the near future, and that it establish an effective national preventive mechanism (Czech Republic);

23. That discrimination on basis of sexual orientation be also included in the draft antidiscrimination bill (Czech Republic);
24. That the National Security Act be brought in line with international standards regarding clarity of criminal law, and that active steps be taken to introduce alternatives to military service for conscientious objectors (United Kingdom);
25. The withdrawal of the reservation on article 22 of the International Covenant on Civil and Political Rights within a specific timeframe (United Kingdom);
26. To ratify the Optional Protocol to the Convention against Torture (United Kingdom);
27. Recommended that the Government and the Permanent Commission on Law and justice of the National Assembly comply with the obligations of United Nations reference texts and immediately work to finalize the legislative procedure underway with a view to the abolition in law of the death penalty (Luxembourg);
28. That the issue of improvement of women's rights be considered as one of the main priorities in the Government's human rights policies (Italy);
29. To urgently amend relevant legislation to expressly prohibit corporal punishment in schools and at home and implement educational measures promoting positive and non-violent forms of discipline (Italy);
30. To implement the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and ensure that the refugee recognition procedures be improved in line with international refugee law (Romania);
31. To carry out public campaigns to make the provisions of the new legislation eliminating the Family Head System and establishing equal rights in the marriage more effective (Mexico);
32. To strengthen legislation regarding domestic violence and to take measures to ensure access of migrants to services including access to the justice system (Mexico);
33. Amending the National Security Law to prevent abusive interpretation by the law (United States of America)."

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