



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

Distr.
GENERAL

CERD/C/SR.1834
16 August 2007

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventy-first session

SUMMARY RECORD OF THE 1834th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 10 August 2007, at 10 a.m.

Chairperson: Mr. de GOUTTES

CONTENTS

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY
STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Thirteenth and fourteenth periodic reports of the Republic of Korea (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Thirteenth and fourteenth periodic reports of the Republic of Korea (CERD/C/KOR/14; HRI/CORE/1/Add.125)

1. At the invitation of the Chairperson, the members of the delegation of the Republic of Korea resumed places at the Committee table.
2. Mr. HWANG Sung-yong (Republic of Korea), speaking at the invitation of the Chairperson, said that the National Human Rights Commission of Korea (NHRCK), which he represented, had been created in 2001, under the National Human Rights Commission Act. It made policy recommendations with regard to human rights, investigated violations, implemented education programmes and raised public awareness. When establishing the National Action Plan (NAP) for the Protection and Promotion of Human Rights, which it had proclaimed in May 2007, the Government had taken into account NHRCK's recommendations, which NHRCK had submitted to the President in February 2006.
3. In response to the Government's request, and in accordance with the National Human Rights Commission Act, NHRCK had examined the draft of the periodic report to the Committee and had stated its opinions. Some, but not all, of those opinions had been reflected in the periodic report submitted to the Committee. For example, the Government had not followed NHRCK's recommendation that the report should mention the progress made in deliberations between the Government and civil society. In future, the Government should further accommodate NHRCK's recommendations in its periodic reports.
4. He wished to correct a statement made in paragraph 12 of the periodic report: NHRCK did not provide the legal basis for declaring discriminatory practices a crime, but made non-binding recommendations on the basis of its investigations into the actions of legal bodies, organizations and individuals.
5. NHRCK's recommendation that paragraph 5 of the report should include statistics on racial and ethnic distribution among the population had not been followed. That issue should be addressed in the next national census and the results included in the next periodic report. Similarly, its recommendation that the official education curriculum should stress the multi-ethnic and multicultural background to societies had been omitted in paragraph 90.
6. The recommendation that the report should contain information on more specific measures in favour of the "mixed bloods" and address the causes of discrimination against them had also been ignored. Moreover, NHRCK had recommended that the Ministry of Gender Equality and Family should stop using the term "mixed blood". The NHRCK's television broadcast intended to raise awareness of and eliminate such prejudice had been shown several times in 2006.
7. Naturalized foreigners continued to suffer from social discrimination despite the steps taken to protect them. NHRCK's recommendation that the report should include information on the Government's recognition of the situation and its efforts to remedy it had not been heeded.

Despite NHRCK's recommendation, paragraph 71 of the report contained no information on the legal status of applicants for refugee status. The ban on working that was applied to them and the lengthy investigation period for refugee status applications often led to economic hardship or forced applicants into illegal employment.

8. Mr. CHANG Dong-hee (Republic of Korea) said that the Government had made every effort to accommodate the opinions of NHRCK and would continue to cooperate closely with it, not only when drafting its periodic reports but also in every field of human rights promotion and protection. He reminded the Committee that, according to the Constitution, the Convention had the same effect as the domestic laws of the Republic of Korea. Therefore, additional legislation was needed neither to criminalize racial discrimination nor to define it.

9. Ms. HAN Woo-jung (Republic of Korea) said that, for historical reasons, the people had forged a strong national identity based on ethnicity, a common language and a shared culture. For five millennia that identity had acted as a defence against the imperialism of neighbouring powers. In the first half of the twentieth century, Koreans had had to assert their distinctiveness vis-à-vis the Japanese occupiers, who had tried to eradicate national culture and traditions and impose their own. After liberation, the Korean War had divided the peninsula but Korean nationalism, based on a notion of homogeneity, had been the key to maintaining the idea of a single nation. Korean national sentiment should not, therefore, be interpreted as a reflection of latent racism but as a form of solidarity against outside forces.

10. The Republic of Korea had undergone radical change as it had developed into a modern, industrialized democracy. Since the 1980s the number of foreigners had increased and new problems had arisen, such as interracial marriage and migrant labour. The monoethnic nature of Korean society ran the risk of creating a totalitarian or even racist society, but the Government was determined to create a multi-ethnic society. It had been working on ways of institutionalizing a whole range of measures, including human rights education. Human rights, cultural relativism, multiculturalism and migration issues were included in the school curricula. The Government was considering the creation of an educational framework to promote a democratic national identity that allowed for more openness, diversity and tolerance.

11. Turning to the terms "pure-blooded" and "mixed blood", used in the periodic report, she explained that they were literal translations of commonly used Korean expressions. Their inclusion had been intended to highlight the existence of significant societal problems that the Government wished to eradicate, rather than to condone any notions of racial superiority and discrimination. The Government admitted that it should have more clearly qualified the terms, to avoid the misconception that it favoured the use of disparaging terminology.

12. In accordance with the Constitution, the relevant legislation and International Labour Organization Convention No. 111, concerning Discrimination in respect of Employment and Occupation, there was no discrimination between nationals of the Republic of Korea and foreign workers doing the same work. The principle of equal pay for equal work and equal productivity always applied. The Government would, therefore, appreciate more information on the allegations made in relation to possible discrimination against African migrant workers in the Republic of Korea.

13. On 11 February 2007, a fire had swept through the foreigner detention centre at the Yeosu Immigration Office. In the accident, 10 migrant workers had died, 17 had been seriously injured and another 28 had been transferred to Chengju foreigner detention centre with light or no injuries; 21 of the latter had since left the Republic of Korea of their own accord. Large sums of compensation had been paid to the victims' families and to 16 of those who had suffered injuries, following negotiations with the Government. The survivors had also been guaranteed all necessary medical treatment at the Government's expense. A Sri Lankan national who had been superficially injured had been repatriated at his own request and the Government had duly informed the Sri Lankan embassy in Seoul that he was entitled to further medical care in the Republic of Korea if so required. In connection with the accident, in July 2007, two government officials had been sentenced to two years' imprisonment, three had received suspended prison sentences and another had been fined. The Government had taken legislative and administrative steps to prevent any recurrence of such incidents and had increased the number of public officials to improve the safety of detainees.

14. Mr. LEE Sang-yong (Republic of Korea) said that there was no discrimination between the different nationalities of foreigners working in the Republic of Korea in the banking or technology industries, in terms of their length of stay, the conditions applying to their permanent residence status or their working conditions.

15. In the past, many foreign women who had married nationals of the Republic and then separated had worked illegally or had been involved in prostitution in the Republic of Korea. Consequently it had been made compulsory for such women to apply for a special certificate if they wished to stay in the country. The Government was making efforts to simplify the certification procedure.

16. The Republic of Korea did not recognize dual citizenship because all male nationals were obliged to do military service, in view of the special situation in the peninsula. Persons who married nationals of the Republic and did not wish to give up their own nationality were offered special residence status, which enabled them to live a normal life in the Republic of Korea. There were no plans to change the legislation in that regard, at least in the short term.

17. Some refugee status applicants who did not meet the criteria of refugee status, in the meaning of the United Nations Convention relating to the Status of Refugees, were allowed to stay in the Republic of Korea, owing to the situation in their country of origin or for medical reasons. The legal provisions governing such cases were being reformulated and the Government was working on ways of improving refugee support services. In view of the lengthy procedure for refugee status applications, the domestic legislation was being amended to strengthen the protection of applicants' human rights and to allow applicants to work in certain limited circumstances. Applicants could not be forcibly repatriated until their application procedure was completed. The new Refugee Recognition Review Committee, which examined applications, had been created on a more rigorous legal basis than its predecessor. The deadline for lodging appeals against decisions concerning applications would be extended from one to two weeks. Work on amending the unwieldy Immigration Control Act was far behind schedule, however, owing to the many complex issues requiring in-depth discussion.

18. No entertainment visas had been issued to foreign female dancers since 2003 in the interests of the women themselves, since the system had been abused for the purposes of

prostitution. Members had expressed their concern about possible discrimination. It would be difficult to abolish entertainment visas altogether, as that category also covered legitimate entertainers such as traditional dancers, opera singers and athletes. Efforts to improve the system would continue.

19. Although foreign women found to be engaging in prostitution were usually deported immediately, they were allowed to stay until the courts had determined any legal remedy that was due to them. During that time, they were accommodated in women's shelters, and received assistance with employment and the pursuit of their legal claim.

20. Regarding the situation of asylum-seekers while their claims were being considered, the rule was that they were not allowed to work in order to prevent abuse of the system, but in view of the lengthy claims procedure the Ministry of Justice planned to revise the Immigration Control Act to allow them to work in certain circumstances.

21. The Immigration Control Act governed the entry, sojourn and departure of foreign workers, while the Basic Act on the Treatment of Foreigners in Korea, which had entered into force in July 2007, also covered social security, education and integration into society for foreigners who married citizens of the Republic of Korea. A plan of action would be prepared by 2008, and reviewed regularly. The Act covered education to prevent discrimination against foreigners and protect their human rights, basic information about local society, counselling to facilitate social integration, Korean language education, employment opportunities for foreigners where permitted, and promotion of multiculturalism and mutual respect. Many foreigners were employed in executive posts in major corporations. Those whose skills were most highly desired were offered incentives such as permanent residence permits.

22. Members had noted that the Government knew a great deal about the illegal migrants in the country and had asked why, in that case, they were not deported or their situation regularized. The Government certainly did not tolerate illegal migrants, especially those who were exploited in poorly paid jobs. It had regularized the position of some 190,000 illegal migrants in a one-off amnesty in 2003.

23. Replying to a question about institutional reform, he said that the Government was introducing measures to eliminate structural discrimination in society.

24. The reason why members of a specific Chinese ethnic group which had been represented in the country for 120 years were apparently reluctant to apply for Republic of Korea nationality might be that, since the creation of the status of permanent resident in 2002, the people in question enjoyed employment and other rights equivalent to those of citizens of the Republic and consequently did not necessarily need to apply for citizenship.

25. The draft law on the regulation of marriage brokerage had been due for consideration by the Health and Welfare Committee of the National Assembly in April 2007, but it had not been considered owing to lack of time. In its current, preliminary version, the draft law laid down conditions for companies wishing to arrange marriages between citizens and foreigners, including the need to obtain authorization from the Minister of Health and Welfare, submit to inspections by public officials and refrain from giving false or exaggerated information in their

advertising. If the company did not abide by those conditions, its operations could be suspended or closed down altogether and the owner could be imprisoned for up to two years or receive a fine of up to 10 million Korean won (equivalent to approximately US\$ 11,000).

26. It had been asked whether an appeal to the National Human Rights Commission or the Labour Relations Commission constituted an effective remedy under article 6 of the Convention. Other remedies were also available to foreign workers, including recourse to the civil courts and Constitutional Court and complaints to the police or prosecutor's office. The possibility of appeal to a higher court also existed. The advantage of going through the National Human Rights Commission or Labour Relations Commission was that those two bodies carried out a large part of the fact-finding process themselves, thus saving the complainant time, effort and legal costs.

27. As to whether the general public was aware of the possibility of individual complaints provided for in article 14 of the Convention, he believed that there was a high degree of public awareness of individual complaints procedures: several such complaints related to national security law and conscientious objection to military service had been considered by the Human Rights Committee. He undertook to check whether the human rights awareness materials available in his country made specific reference to the individual complaints procedure under article 14.

28. Foreigners were allowed to serve as public officials in certain limited circumstances: for instance, they could be employed in research, technology or education in State institutions or local government if no nationals with the necessary qualifications could be recruited. However, foreigners could not be employed in any work concerned with the exercise of State power, policy-making, State security or State secrets. Naturalized foreigners had exactly the same rights as other nationals.

29. There was no explicit reference to race in article 11 of the Constitution. That article dated from 1962 and had not been amended in the latest version of the Constitution, dating from 1987. At that time, racial discrimination had not been a major issue in the Republic of Korea. However, in 2001, the Constitutional Court, in a case concerning a group of Chinese citizens, had ruled that certain legislation infringed the right to equality before the law of the complainants, and had stated explicitly that foreigners were entitled to enjoy those constitutional rights which were also universal and natural human rights, while being excluded from the right to vote or be elected to public office.

30. Racist statements which constituted defamation were punishable under article 307 of the Criminal Code. The article covered defamation in public and in the media and the publication of false information. The maximum penalty was seven years' imprisonment and/or a fine of 15 million won (approximately US\$ 16,500).

31. Mr. LIM Hoon-min (Republic of Korea) said that the National Action Plan (NAP) for the Promotion and Protection of Human Rights had been drafted by the National Human Rights Commission after extensive consultations with civil society. The views of some non-governmental organizations (NGOs) had not been reflected as they were felt to be unrepresentative of the majority view. The Government would continue to take the views of civil society into account in the implementation of the NAP.

32. On the recommendation of the National Human Rights Commission, the Ministry of Justice had been entrusted with the enactment of the Discrimination Prohibition Act, referred to in document CERD/C/KOR/14, paragraph 26. The Ministry planned to hold public hearings and consultations with stakeholders by the end of 2007. In its present form, the draft prohibited discrimination on the grounds of, inter alia, race, skin colour and religion in legal matters, employment, education or the supply of goods and services. It also provided for the remedies available when human rights violations occurred. The draft covered civil and political rights, including disputed issues such as the National Security Act, the death penalty and conscientious objection to military service. It also dealt with the human rights of minorities and vulnerable groups, including foreigners and refugees. It provided for human rights education, international cooperation in human rights matters and the implementation of international human rights standards. The draft was currently being translated into English for submission to the secretariat.

33. Schools for foreigners were classified in a separate category and were free to decide on their own curricula, credit system and tuition fees. A number of schools - 16 of them as at April 2005 - admitted only their own nationals and were not accredited with the national education system. They were also entirely autonomous.

34. Ms. LEE Eun-kyeong (Republic of Korea), speaking about cases in which foreign workers' salaries had been arbitrarily withheld, said that the Act on Foreign Workers' Employment stipulated that employers must take out insurance to guarantee the payment of their workers. If a worker complained of non-payment or delays in payment, the insurer would investigate and, if necessary, pay the worker. Workers could also seek remedies through labour offices. Of 1,860 complaints to labour offices in 2006 relating to non-payment or delayed payment of salaries, the great majority of cases had been settled by administrative action, and 610 cases through the courts.

35. Members had cited allegations that foreign workers did not receive adequate language support in labour disputes. The Government employed 29 interpreters at 26 job centres, which provided advice on wages, severance pay, dismissal and other labour issues. An interpretation support centre for foreign migrant workers had been established in 2006 to facilitate communication between workers, employers and public institutions. In the previous year, the centre had received over 44,000 requests for interpretation assistance, or 170 requests per day. The main languages requested were Vietnamese, Mongolian, Thai and English. Forty-six per cent of the requests were related to wages, working conditions or changes of employer. Ninety-five per cent of callers had declared themselves satisfied with the interpretation service, but the Government still aimed to increase the number of interpreters and give them more training.

36. The issue of job mobility and employment periods for migrant workers was of great concern to the Ministry of Labour, especially given the balance to be struck between protecting foreign workers' rights and addressing legitimate domestic concerns. The industrial trainee system had been replaced in 2004 by the employment permit system, which introduced some flexibility. Foreign workers could change their jobs up to four times during their three-year stay in the Republic of Korea. More frequent changes would be too costly for both employers and workers. Various provisions had been introduced allowing the three-year employment period to be effectively extended. If workers left voluntarily before the end of their employment period, they could re-enter the country six months after leaving, or, under a recent amendment to the

regulations, one month after leaving if employer and worker agreed to continue their employment relationship. The Government was publicizing the changes to encourage people to leave voluntarily and thereby avoid being illegally in the country once their employment period had expired.

37. The Foreign Labour Policy Committee took an annual decision on the number of foreign workers to be admitted, from what countries and to what sectors. Criteria for the decision included the infrastructure and transparency of selection procedures in the countries concerned, the number of illegal workers from each already in the Republic of Korea, and employer preference. If it was decided to accept workers from a particular country, a memorandum of understanding would be signed with that country, which could be temporarily suspended if the sending country did not comply with its provisions. There were currently 15 memoranda of understanding in place, and workers from six countries were present in the Republic of Korea.

38. With regard to whether the quasi-judicial remedies provided by the National Labour Relations Commission were sufficient to comply with article 6 of the Convention, she stressed that foreign workers also had access to formal judicial procedures. Seeking redress through the Labour Relations Commission provided a quicker and less costly alternative. Its decisions were binding upon the parties.

39. Freedom of association for legal foreign workers was guaranteed, and discrimination against members of trade unions on grounds of race, religion, gender, political party or social status was prohibited. The Supreme Court was in the process of examining an appeal concerning the formation of trade unions by illegal workers, which was not a right they currently enjoyed. On the basis of the Supreme Court's ruling and social and economic considerations, the Government would decide whether to allow illegal foreign workers to form trade unions.

40. With regard to paragraph 42 of document CERD/C/KOR/14, in addition to drawing attention to the results of labour inspections carried out in workplaces employing foreign workers and using normal-Hexane, 65 of which had been prosecuted, she said that the phrase "to induce voluntary departure of foreign workers with legal status" should in fact read "to induce voluntary departure of foreign workers with legalized status". Following the mass legalization in 2003 of some 19,000 foreign workers who had become illegal, the Government had made efforts to encourage them to leave before they became illegal again. However, few had done so, leading the Government to send labour inspectors to workplaces to give guidance and promote voluntary departure.

41. Employers were obliged to take steps against the harassment of female migrant workers. If workers were unable to continue in their posts for reasons beyond their control, including harassment, they were permitted to change jobs. Furthermore, labour inspectors could take certain measures even if no complaint had been made, for example because a female migrant worker feared reprisals. However, gender discrimination affected not only migrant workers but also nationals of the Republic of Korea, and the matter needed to be examined as a whole.

42. She requested clarification of the data requested concerning foreign workers, notably on delays in payment and industrial accidents.

43. Mr. YUTZIS highlighted the need to distinguish between the concept of ethnicity and descriptions of ethnic groups. Descriptions were not neutral since they were necessarily subject to certain influences. Having struggled to obtain autonomy, the Republic of Korea must now strive to establish a balance between autonomy and identity. Autonomy was necessary to defend identity, but identities were not immutable. In the modern world, an essential part of identity was recognition of other cultures; recognition was the antidote to intolerance. Taking into account past physical, linguistic and cultural differences, people must above all regard others as fellow human beings, especially given the mobility of populations in the globalized world.

44. Even within a relatively homogeneous ethnic group, different phenotypes were identifiable, providing evidence of the mixing which had taken place over many generations. A monocultural identity was dangerous, and was not the same thing as a democratic identity. He wondered what place the linguistic concept of “pure blood” occupied in the collective imagination of the Republic of Korea. It was not only a legal or administrative question, but related to how people and cultures understood each other. Given the fundamental importance of language to identity, he stressed the need to eliminate the expression “pure blood” from the language and replace it with another, not because of any wish to undermine the country’s concept of its national identity, but because linguistic change was the first step in a global revolution towards autonomy, democracy and tolerance.

45. Mr. KJAERUM asked whether there were any components of the legislation allowing the Republic of Korea’s ethnic Chinese to obtain citizenship which formed a de facto barrier to their doing so, or whether the low uptake rate was attributable to a wish within that community to remain Chinese, adding that those two factors were not mutually exclusive. He asked how likely it was that an applicant for citizenship from that group would be granted it.

46. Mr. LINDGREN ALVES said further to Mr. Yutzis’ remarks that the need for the Republic of Korea to maintain cohesion in its historical struggle to assert its own nationality and identity, sandwiched as it was between strong powers, was entirely understandable. However, nationalism did not necessarily require ethnic purity. Many countries with a range of ethnicities, such as the United States of America, Brazil, France and China, also had a sense of nationalism. The aim of eradicating the expression and idea of the “pure-blooded” from the mind of the population was commendable, as was the fact that it was systematically referred to within inverted commas in the periodic report.

47. He expressed concern about the inclusion of multiculturalism and relativism in the curricula of secondary schools and universities. He disagreed with the ideology behind multiculturalism where it meant always keeping different identities separate. Relativism, for its part, was a dangerous precept because it could threaten the very notion of human rights. The idea of human rights as a “western” concept was often used as justification by those who violated those rights. Although the Government’s attitude was positive, he suggested that the curricula should be re-examined to ensure that well-intentioned policies did not inadvertently sow the seeds of prejudice. He also suggested that a census be made of mixed marriages and the offspring thereof, since it was essential to have general disaggregated population data in order to establish whether discrimination was occurring. Affirmative action in favour of “mixed-blood” offspring should be taken to avoid any such discrimination.

48. Mr. TANG Chengyuan asked to what extent people of “mixed-blood” suffered from discrimination in various spheres, for example in the workplace. If the incidence were high, the problem would deserve more careful and serious consideration. The population of the Republic of Korea, in common with that of many other countries, was made up of more than one ethnic group. The relations between various ethnic groups within the population over the course of history needed to be taken into account in contemporary cultural relations. For example, in China, different groups had been the victims of oppression or had been the ruling majority at different times, which, combined with other factors such as intermarriage and the large number of minority groups, made it very difficult to identify any one group as being “pure-blooded” Han Chinese.

49. He specified that the figures on which he was seeking further information, concerning foreign workers, were taken from the Republic of Korea’s periodic report.

50. Mr. AMIR said that, at its heart, racial discrimination was a problem not of government but of society. The idea of the nation State was based on certain concepts which increasingly set it at odds with the realities of the modern world, where identity could only truly be established on an individual level. For example, he, as an Algerian, could not say with certainty what “being an Algerian” was. The migrations and mixing that had occurred throughout the history of humanity meant that the notion of “purity” was untenable, as each individual was a unique product of the many influences on his or her culture. Fundamentally, however, all shared the one characteristic of belonging to the species Homo sapiens.

51. From a political point of view, it was understandable that the idea of identity should be closely linked to occupation, and in particular to the reaction which came after occupations ended. Anthropologically speaking, however, all peoples were the result of occupation, as successive waves of migration had extended across the world. The model of defining a society in terms of its most recent occupation was losing its validity. The Republic of Korea formed part of the universal society of the globalized world, and the presence of its delegation before the Committee also demonstrated the country’s efforts and will to belong to that society. He hoped its next periodic report would show progress towards social cohesion and homogeneity.

52. Mr. VALENCIA RODRIGUEZ, asked whether employers, whose opinions were taken into account regarding the countries from which migrant workers were accepted, expressed preferences for workers of specific ethnic or national origins, and if so what those preferences were.

53. Mr. EWOMSAN said that, while national pride in the Republic of Korea was in many ways positive, the very nature of human development meant that all people had mixed identities. The world was now a global village, where cultural exchange was ever on the increase. The spirit of the Convention was rooted in the intention to encourage the most harmonious relations possible among all people, throughout the world. The Republic of Korea had demonstrated its empathy for that spirit by opening its borders and taking steps to encourage the development of a multicultural society. Further efforts were still required in that regard, and openness and multiculturalism should be reflected in legislation.

54. The CHAIRPERSON said that the debate with the delegation of the Republic of Korea had been exceptionally positive, and had centred on issues of fundamental importance to the

Committee. He welcomed the information provided by the delegation, which had increased the Committee's understanding of the State party's social history and its current efforts to improve inter-ethnic relations and change societal attitudes.

The meeting was suspended at 12.35 p.m. and resumed at 12.40 p.m.

55. Mr. CHANG Dong-hee (Republic of Korea), expressing his appreciation for the Committee's comments, said that his Government would take account of the Committee's advice for the development of a multicultural society, where all people could live without discrimination. Turning to the question of the naturalization of the ethnic Chinese, he said that four criteria must be met for naturalization: first, the applicant must have been resident in the Republic of Korea for a minimum of five years; second, he or she must be an adult; third, the applicant must have the ability to make an independent living; and fourth, he or she must pass a test to demonstrate a basic knowledge of Korean language and culture. The majority of ethnic Chinese would meet all of those criteria, but wanted to maintain their Chinese identity, and therefore chose not to be naturalized.

56. Ms. LEE Eun-kyeong (Republic of Korea) said that the statistics given in the State party report, for example on foreign workers, had been taken from official figures on cases filed formally in the relevant bodies for reparation. Turning to the question put by Mr. Valencia Rodriguez, she said that the preferences of employers were not a decisive factor in selecting the countries from which migrant workers were accepted. Employers tended to show preferences for labour skills, rather than for workers of certain ethnic or national origins.

57. Mr. KEMAL (Country Rapporteur) thanked the delegation for its replies to the Committee's questions. While he recognized that the Convention had become part of the Republic of Korea's legal system upon ratification, the Government should consider including specific references to racial discrimination in its domestic legislation. The issue of mixed blood had recently received much publicity as a result of a visit to the State party by Hines Ward, a mixed-race American footballer of Korean and African-American parentage. Mr. Ward had been welcomed by the Prime Minister and President, who had acknowledged the difficult situation for people of mixed race in the Republic.

58. Efforts should be made to encourage visits to educational institutions by foreign academics, and cultural and educational exchanges should be organized in order to promote multiculturalism and mutual respect. The United States of America had set a good example in that regard, and encouraged foreign students and professors to participate in education programmes.

59. The Government's National Action Plan for the Promotion and Protection of Human Rights should not be set in stone, but rather should be amended on an ongoing basis if so required in order to address any shortcomings. In that regard, the Government should be in permanent contact with civil society, the National Human Rights Commission and NGOs. He welcomed the Government's efforts to improve the situation for immigrants, and migrant workers in particular. Efforts should be made to ensure that migrant workers who were engaged in physically difficult or dangerous jobs should be able to enjoy sufficient social and physical security, and security of tenure.

60. Mr. CHANG Dong-hee (Republic of Korea) said that his Government would take the Committee's advice, comments, opinions and recommendations into account. Although legislative developments were important, the main challenge facing the Government was to change societal attitudes and traditions. Considerable efforts were being made in that regard. A former university professor had established the Transnational Law and Business University in the Republic of Korea, to promote peace and prosperity and provide education for young people from all over the world. The Government was ready to embark on the long journey towards common prosperity and harmony, and would continue its efforts to promote and protect human rights for all.

The meeting rose at 1.05 p.m.