



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-ninth session

Summary record of the 801st meeting (Chamber B)

Held at Headquarters, New York, on Thursday, 31 July 2007, at 10 a.m.

Chairperson : Ms. Šimonović

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The meeting was called to order at 10 .05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fifth periodic report of the Republic of Korea (CEDAW/C/KOR/5; CEDAW/C/KOR/Q/6 and Add.1)

Sixth periodic report of the Republic of Korea (CEDAW/C/KOR/6; CEDAW/C/KOR/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of the Republic of Korea took places at the Committee table .*

2. **Ms. Jang Ha -jin** (Republic of Korea), introducing the fifth and sixth periodic reports of the Republic of Korea (C EDAW/C/KOR/5 and 6), said that, since ratifying the Convention in 1984, the Government had taken comprehensive and systematic measures to eliminate discrimination against women, in particular through the establishment of relevant institutional mechanisms. Those efforts had resulted in remarkable progress, including the long -awaited abolition of the family headship system. That drastic change in family structure would allow for genuine gender equality within the family and had cleared the way for the withdrawal of the Republic of Korea's only remaining reservation t o the Convention (to article 16 (g)).

3. The National Human Rights Commission, an independent body dedicated to the promotion and protection of human rights, had been established in 2001. The Commission had stated clearly that gender -based discrimination was a violation of the right to equal treatment. The Ministry of Gender Equality and Family, the main body responsible for the promotion of gender equality in the Republic of Korea, had been established in 2005 and currently had a budget of US\$ 1.3 billion. Women's Policy Units had been established in six ministries and, as part of the Second Basic Plan for Women's Policies (2003 -2007), the Women's Policy Coordination Committee had been set up in th e Office of the Prime Minister. Senior gender policy coordinators, at the level of deputy minister, had been appointed in various central government departments. The Ministry was actively supporting a number of women's groups and, since 2001, had been

pursuing joint cooperation initiatives with the private sector.

4. To bring domestic legislation into line with article 16 of the Convention and the Committee's general recommendation No. 21, the Government intended to change the minimum age for marriage to 18 years for both women and men. The Women's Development Act had been revised in 2002 in order to ensure that a gender perspective was taken into account in the formulation of all Government policies, and, in accordance with the National Fiscal Act, gender -sensitive budgeting would come into effect in 2010.

5. Although the college enrolment rate for both genders was very similar (in 2006, it had stood at 81.8 per cent for women and 82.9 per cent for men), a number of steps had been taken to overcome traditional obstacles to women's participation in political and public life. For instance, the Act on Elections for Public Offices had been amended to stipulate that 50 per cent of all proportional representation candidates for election to the National Assembly and local councils must be women. As a result, the percentage of women in the National Assembly had climbed from 5.9 to 14.3 per cent. In addition, the practice of awarding individuals who had served in the military extra credit on their public service entrance examinations, which had represented a serious obstacle for women wishing to pursue careers in the public sector, had been abandoned.

6. Significant progress had been made in preventing violence against women. In order to approach the issue in a comprehensive manner and to prevent female victims of violence from being exposed to secondary damage in their quest for assistance, holistic support and treatment centres had been set up in 14 hospitals nationwide. The recent amendment of the Act on Protection of Youth from Sexual Exploitation had introduced tougher penalties for sex -related crimes against teenagers, and a children's support centre, providing targeted services to under -age victims of sexual assault, had been established.

7. Legislation had been enacted to prevent prostitution, penalize procurement activities and protect victims. In order to enhance the effectiveness of that legislation, the Government had launched a comprehensive action plan to prevent prostitution and had set up a task force to monitor the implementation of relevant measures and review progress made. There

was increased awareness among the general public that prostitution was illegal, and the idea that women could be the victims of prostitution and sex trafficking had taken root. Consequently, prostitutes were exempt from punishment and any debts they owed to sex trafficking brokers were cancelled. Rehabilitation initiatives for victims of prostitution had been expanded to include medical and legal support, vocational training and financial assistance for start-up businesses.

8. As far as women's employment was concerned, the Equal Employment Act had been revised to prohibit indirect discrimination and an affirmative action plan designed to eliminate barriers to women's employment had been introduced. Efforts were under way to improve workplace childcare facilities and to increase the percentage of maternity protection costs borne by society at large. The childcare budget had increased by 500 per cent since 2002, now standing at US\$ 1.16 billion. Low-income families had access to free childcare facilities, and basic child subsidies were available to families with children under two years old. As of 2008, those subsidies would be extended to cover children up to five years old. In order to encourage more women to pursue non-traditional careers, the Act on Support for Women in Science and Technology had entered into force in 2002.

9. Family structures in the Republic of Korea were in a state of flux owing to more diverse values, a rising divorce rate and an ever growing number of international marriages. In order to establish a comprehensive, family-oriented welfare system, the Government had adopted the Framework Act on Healthy Families and had launched a five-year family policy plan. It also supported various initiatives designed to assist low-income single parent households. A family friendliness index for companies had been developed and implemented. In response to the growing number of international marriages, a policy for the social integration of families containing migrant women had been introduced in 2006. A task force, comprising representatives of 12 ministries, had been set up to monitor the implementation of that policy. Furthermore, in cooperation with the International Organization for Migration, the Government was in the process of establishing a system to prevent violations of the rights of migrant women involved in international marriages.

10. Women accounted for slightly over half the total number of individuals engaged in agricultural and

fisheries activities in the Republic of Korea. In order to improve their quality of life, the Government had adopted a number of welfare policies and was also providing female farmers with training designed to upgrade their skills in the area of agricultural management.

Articles 1 to 6

11. **Mr. Flinterman** welcomed the significant progress made in eliminating discrimination against women since the submission of the previous periodic report, in particular the ratification of the Optional Protocol. As a result of those developments, the State party had withdrawn all but one of its reservations to the Convention, and he would be grateful for an indication of when it intended to withdraw the remaining reservation.

12. He enquired whether judges routinely referred to and interpreted the provisions of the Convention and the Optional Protocol when hearing cases relating to gender-based discrimination, and asked how many such cases had been brought before the courts. Referring to the National Human Rights Commission, he asked how many cases of gender-based discrimination it dealt with each year. Did the Commission's mandate cover both the public and private sectors and, if so, how many cases a year emanated from the private sector? Had a dedicated gender unit been established, and did the Commission refer specifically to the provisions of the Convention during its deliberations? If the Commission decided that the provisions of the Convention had been violated, was its decision binding on the parties involved? If so, and if the State failed to comply with the Commission's recommendations, could the case be brought before the courts?

13. Lastly, he recalled that, in its concluding comments on the third and fourth periodic reports, the Committee had recommended the inclusion in the Constitution and all relevant legislation of a definition of discrimination reflecting that contained in article 1 of the Convention. He enquired whether that recommendation had been implemented. If so, which specific piece of legislation contained the definition in question?

14. **Ms. Saiga** welcomed the progress made by the State party, especially with regard to the establishment of national machinery for the advancement of women.

Although the Ministry of Gender Equality and Family bore primary responsibility for the design and implementation of policies and programmes relating to women's rights, she wondered whether any steps had been taken to ensure that the Ministry could consult and cooperate with other relevant departments and agencies. She would also like to know whether the Women's Policy Coordination Committee and the senior gender policy coordinators met on a regular basis. Did the Ministry provide secretariat services for those meetings?

15. If she had understood correctly, the Committee on Gender Equality Promotion had been abolished. She wished to know whether all the tasks formerly assigned to the Committee now fell within the purview of the National Human Rights Commission. The State party should also indicate whether the Government had conducted any assessments designed to determine whether it was easier for women to bring cases relating to gender-based discrimination before the Commission.

16. **The Chairperson**, speaking as a member of the Committee, welcomed the fact that at the fifth and sixth periodic reports had been drafted with the participation of all relevant stakeholders. In order to raise awareness of the Convention at the national level, she urged the Government to ensure that the Committee's concluding comments were disseminated as widely as possible and submitted to the National Assembly.

17. Referring to the remarks made by Mr. Flinterman, she asked whether any national laws other than the Equal Employment Act contained an explicit definition of direct and indirect discrimination in keeping with article 1 of the Convention. She also wished to know whether, in accordance with article 2, domestic legislation expressly prohibited discrimination against women.

18. **Ms. Tavares da Silva** noted the uneven results of the temporary special measures taken since 1998 to increase the representation of women in elected posts and public office and wondered whether sanctions were imposed when targets were not met. Since the representation of women had almost doubled in the National Assembly, and given that political party lists of candidates could be declared invalid if they did not comprise the prescribed percentage of women, it would be interesting to know whether similar mechanisms existed in other areas of public life. In view of the slow albeit steady improvement in women's participation in

decision-making generally, she suggested that measures to that end could be successful only when sanctions were imposed for failure to meet targets. The Committee would also like to know whether any accompanying measures were planned in that connection, including efforts to change attitudes in both public and private sectors.

19. **Ms. Jang Ha-jin** (Republic of Korea), in response to the question concerning the possible withdrawal of the State party's reservation on article 16 (g), said that, following amendment of the Civil Act in 2005, children would be able as from 2008 to adopt their mothers' surname, upon the agreement of both parents. As for the Optional Protocol, the Ministry of Justice ensured individual rights under its provisions, following due judicial process. She could not immediately provide figures on the budget of the National Human Rights Commission but would do so in due course. Its regular employees consisted of some 200 experts. Responsibilities had been transferred to it mainly from the Ministry of Gender Equality and Family. That had been considered appropriate since gender was often only one of several factors in cases of discrimination. She did not know precisely how many cases of gender-based discrimination had been submitted to the Human Rights Commission but she would seek and provide the requested information.

20. The Ministry of Gender Equality and Family played a supervisory and coordinating role in all matters relating to gender and women. It set targets and policies in consultation with all the ministries concerned and reviewed the annual plans of provincial governments. As for the definition of discrimination contained in the Equal Employment Act, it covered both its direct and indirect manifestations in the workplace and was matched by similar provisions in other parts of Korean legislation, including the Constitution. While each ministry had been able to attain its gender targets, it was more difficult for the Government to monitor compliance with such targets in the National Assembly and in the corporate sector. Legislation was currently being prepared on the representation of women in political life and incentive measures were in place for private enterprises.

21. **Mr. Hong Kwan-pyo** (Republic of Korea) said that all citizens were protected against discrimination by virtue of a clause contained in article 11.6 of the Constitution. In addition, the draft Anti-Discrimination Act currently under consideration covered both direct

and indirect discrimination. The judiciary was fully conversant with the provisions of the Convention and handled cases accordingly. No change had therefore been necessary following ratification of the Optional Protocol: individual cases could still be considered by the Human Rights Commission under the anti-discrimination clause. That body's recommendations were not legally binding however; the final decision rested with the courts.

22. **Ms. Kim Young-me** (Republic of Korea) said that a sub-unit on equal employment for men and women existed within the Ministry of Labour which offered the possibility of redress in cases of gender-based discrimination.

23. **Ms. Halperin-Kaddari** said that conflicting dates had been cited for the establishment of the Institute for Gender Equality Promotion and Education: had the Institute been launched in 2000 or in 2003? It was stated in the sixth periodic report (CEDAW/C/KOR/6, p. 15) that 3,575 people had signed up for the online gender-sensitivity training. Since that represented only a tiny proportion of Government employees, she assumed that the course was a voluntary one. It might therefore be advisable to make it mandatory. It would also be useful to learn whether any effort was being made to measure its effectiveness. Information would likewise be appreciated about measures to encourage the mass media to promote gender equality. She enquired whether it was planned to increase the number of women in the governing bodies of broadcasting organizations, which would be an effective means to that end. On the question of sexual harassment, she wondered whether guidelines were applied in the private sector as well as in the public sector. The Committee would like to know about the real effect of the sexual harassment prevention measures introduced and whether the prohibition also applied to employers. Lastly, she asked whether the clients of prostitutes were punishable by law.

24. **Ms. Coker-Appiah** noted that prostitution was illegal and could give rise to judicial proceedings. However, prostitutes who could prove that they were victims of trafficking were not prosecuted, unlike those who were considered to sell sexual services on a "voluntary" basis. Since the factors that caused women to engage in prostitution were many, the distinction was not clear-cut. She wondered whether any research had been undertaken to identify those factors and, in

particular, to justify the different treatment. The Committee would also welcome fuller information about the support provided for the rehabilitation of the victims of prostitution and any other measures to help women exploited for sexual purposes. It would be useful to learn of any research done, in cooperation with countries of origin, to ascertain whether women brought into the country in the context of arranged marriages were in fact the victims of trafficking, given the prevalence of poverty in those countries.

25. **Mr. Flinterman** asked whether the two Acts on the punishment and prevention of prostitution were gender-neutral or applied exclusively to women and whether their purpose was to eradicate prostitution or to prevent exploitation. Who was liable for prosecution: the client or the procurer? Fuller information would be appreciated about the gender breakdown of the more than 33,000 people said to have been charged in that connection. He also wondered about the real effectiveness of the two Acts in protecting the human rights of women. He took up in turn the question of the immunity from prosecution granted to victims of prostitution and stressed, in view of the difficulty of proof, that it might be preferable to extend such immunity to all prostitutes. While it was stated in the responses (CEDAW/C/KOR/6/Add.1, p. 7) that it was difficult to provide data regarding women and girls trafficked for the purpose of prostitution, the Committee would nevertheless welcome precise disaggregated data. It would also be helpful to know whether the Act on Protection of Youth from Sexual Exploitation set any age-limits in that regard and what sanctions were imposed on offenders, besides having their names posted on a website.

26. **Ms. Jang Ha-jin** (Republic of Korea), in response to the question about the Institute for Gender Equality Promotion and Education, said that it had started operating in 2003. The proportion of people who had benefited from its gender-sensitivity programme was indeed small but over the years a steadily increasing number would be enrolled in it. The prime targets were public officials in gender-related posts, but eventually all civil servants would receive such training. Two women were currently members of the governing body of the national broadcasting organization, but the proportion could be expected to increase as gender equality became a reality in Korean society. Every year awards were given to 10 programmes selected for their contribution to that goal, while all government and

affiliated bodies were required to submit annual reports on related progress. She acknowledged that there was still room for improvement, particularly in qualitative terms. Penalties were indeed applied to employers charged with sexual harassment offences. Measures had also been put in place to strengthen the punishment of the procurers and clients of prostitutes, the majority of whom were women. Prostitutes were recognized to be victims on the strength of their own declaration to that effect and thereby to be exempt from punishment. Research had been conducted by the Ministry of Gender Equality and Family on multicultural marriages: they were on the increase and were usually arranged by brokers, both in the State party and in the countries of origin. The research had not so far been carried out jointly with the authorities of the other countries concerned, but the Government was currently seeking the participation of foreign ministries in related discussions. As such marriages were often marked by violence, centres had been set up to provide assistance to the women concerned, along with a 24/7 hotline for migrant women, which offered advice and support in six languages.

27. **Mr. Kwon Yong-hyun** (Republic of Korea), referring to the measures taken to combat prostitution, said that all acts of prostitution were prohibited by the Act on the Punishment of Procuring Prostitution and Associated Acts. Under that act, women were treated as victims whose human rights should be protected. Women were always considered to be the victims unless a woman specifically stated that she had acted of her own free will. In addition, male prostitutes were also considered to be victims if they had been forced into prostitution through trafficking. However, most male prostitutes worked on a voluntary basis. The majority of indictments were issued to procurers of prostitution and brokers. Men who committed offences for the first time were not indicted; they were provided with counselling. With regard to the measures taken to protect youth from sexual exploitation, between 2001 and 2007 the personal identification details and profiles of 6,000 offenders in cases involving children under 13 years of age had been released for public access. The degree of punishment depended on the severity of the offence and also on the judge. However, the Government was in the process of establishing fixed criteria for prison sentences to ensure consistency among judges.

28. **Mr. Flinterman** said that the reporting State should clarify whether the reservation to article 16 (g) would be withdrawn once the Civil Code entered into force in January 2008. It would be interesting to have additional information on cases in which reference had been made to the Convention and to know what recourse was available to women in the event that the Government did not comply with recommendations made by the National Human Rights Commission in gender discrimination cases. In particular, it would be useful to know whether legal aid was available to women to allow them to take their cases to court. With regard to the prohibition of discrimination on the grounds of gender contained in article 11 of the Constitution, it would be interesting to know whether a definition of discrimination was included in that prohibition and whether that definition corresponded to the definition established in article 1 of the Convention.

29. **Ms. Zou Xiaoqiao** said that additional information should be provided on the staffing levels and budget of the Ministry of Gender Equality and Family. It would be interesting to learn more about the Government's long-term plans to address the problem of gender stereotypes.

30. **Ms. Halperin-Kaddari** said that it would be useful to know whether there were legal provisions to sanction sexual harassment carried out by clients. The reporting State should clarify whether the handling of sexual harassment cases by the National Human Rights Commission was less efficient than when the Ministry of Gender Equality and Family had dealt with those complaints.

31. **Ms. Coker-Appiah** asked whether the Government planned to regulate the activities of brokers in the Republic of Korea and other countries who arranged marriages between foreign women and men of the Republic of Korea and whether any research had been conducted on the reasons for women becoming involved in prostitution.

32. **The Chairperson**, speaking as a member of the Committee, enquired about the procedures followed at the national level when women complained of violations of their rights under articles 8, 9 and 10 of the Convention. It would also be useful to know which body was responsible for hearing those cases in the final instance. Clarification should be provided on the ratification of the Protocol to Prevent, Suppress and

Punish Trafficking in Persons, Especially Women and Children, as well as the United Nations Convention against Transnational Organized Crime and the Protocol against Trafficking in Persons. Additional information should be provided on the minimum age of marriage for women who came from other countries.

33. **Ms. Jang Ha-jin** (Republic of Korea) said that the 2005 Civil Code had been amended and would enter into force on 1 January 2008. The National Human Rights Commission could not issue recommendations that were legally binding. However, the Commission exerted significant influence and its recommendations carried a great deal of weight. All resources available to the Ministry of Gender Equality and Family were used to promote women's policies and provide childcare. The Ministry had assisted in the preparation of the national school curriculum in order to ensure that gender stereotypes were not reproduced in school textbooks. However, it acknowledged that some teachers still needed to eliminate stereotypes from their lessons.

34. With regard to the legal provisions in place to sanction sexual harassment carried out by clients, the employer or proprietor of a business was responsible for the activities that were carried out on the premises but in practice it was sometimes difficult to hold the employer responsible for the actions of a client. The time spent processing complaints by the National Human Rights Commission was the same as when complaints had been dealt with by the Ministry of Gender Equality and Family and the procedures had not been changed. The National Assembly was in the process of drafting legislation to control the activities of marriage brokers but no efforts had been taken to control the activities of brokers in the home countries of the migrant women involved in those marriages. The average marriage age was rising and it was unusual for women to get married between the ages of 16 and 18; most brides were in their twenties and most bridegrooms were 35 or older.

35. **Mr. Hong Kwan-pyo** (Republic of Korea), referring to the questions about a possible withdrawal of the reservation to article 16 (g), said that the family name had a different value in the Republic of Korea and was not shared by the husband, wife and child. The Ministry of Justice was in the process of reviewing that issue. In cases in which the recommendations of the National Human Rights Commission were not observed, the individual was responsible for bringing

the case to court but could apply for legal aid. In cases in which an individual's rights had been violated under articles 8, 9 and 10 of the Convention, the cases were brought before the National Human Rights Commission in the first instance. The Commission issued a recommendation and it was possible for the individual to seek damages through the courts. The individual also had the option of taking the case to the Constitutional Court.

Articles 7 to 9

36. **Ms. Arocha Domínguez** said that the Government should be commended for its efforts to increase the participation of women in politics. However, women's participation was still low, especially at the local level. It would therefore be interesting to know whether any analysis had been carried out on the reasons for that low participation and what measures were being taken to increase the number of women participating in politics and to raise awareness about the issue. It was especially important to remove the obstacles preventing women from participating in local politics and in the executive branch.

37. **Ms. Zou Xiaoqiao** said that the increase in the number of women participating in politics was modest in the context of the significant contribution made by women to the economic development of the country. Under the Five-Year Plan for Expansion of Women Managers in Public Positions, there were plans to increase the ratio of women in higher-ranking government posts from 4.8 per cent in 2001 to 10 per cent. However, the reporting State should clarify why that target was so low. It would be interesting to know more about the obstacles preventing women from being elected in parliamentary elections.

38. **Ms. Belmihoub-Zerdani** said that the progress made by the reporting State in the area of women's rights was poor in view of the economic development of the country. The participation of women in politics was low and the number of female ministers had decreased. Women were also underrepresented in the legal system. She wondered when women would be given the representation they deserved in the Republic of Korea. Given that the Convention's provisions could be incorporated into domestic law, the Government should adopt special measures under article 4 to increase women's participation in political and public life.

39. **Ms. Jang Ha-jin** (Republic of Korea) said that the number of women serving in the National Assembly had increased, although the proportion was still not satisfactory. However, the political parties were complying with the requirement that 50 per cent of candidates under the proportional representation system must be women. It had recently been proposed that the electoral laws should be amended, raising the required proportion of female candidates from 50 per cent to 54 per cent, with a view to increasing the number of women holding elected political office, especially at the local level, where the proportion of women remained very low.

40. Part of the problem was that the pool of potential female candidates was very small. To encourage more women to seek political office, the political parties were conducting leadership training and educational programmes for women, and the Ministry of Gender Equality and Family had allocated funding to enable universities and other educational institutions to provide similar training. In addition, political participation camps were offered for women university students.

41. The proportion of women in high-level civil service positions also remained quite low, although it had risen somewhat with the elimination of the military service credit system, which had favoured male candidates. In recent years, the numbers of women passing the civil service examination, the diplomatic service examination or the bar examination had risen significantly, which was expected to lead to a higher proportion of women in high-ranking managerial positions within the next decade. To increase the number of women in decision-making positions at the local level, the Ministry of Gender Equality and Family was recommending that local governments consider appointing women from outside the government structure. The Government had set the target of having women occupy 10 per cent of all high-level civil service posts by 2010. The level currently stood at over 9 per cent, so the target was certainly achievable, although admittedly not very ambitious.

42. It was true that participation by women in politics and public administration was low in relation to the country's level of economic development, as was reflected in its low ranking on the United Nations Development Programme gender empowerment measure index. At present, only one cabinet minister was a woman, although when the current

administration had taken office there had been four, including the Minister of Justice. The Prime Minister had also been a woman, but she had recently resigned in order to run in the presidential elections scheduled for December 2007.

43. There were indeed women on the Supreme Court and the Constitutional Court. In 2006, the President had proposed to appoint a woman as head of the Constitutional Court, but the opposing political party had blocked that attempt. Women made up 16.8 per cent of judges and 11 per cent of public prosecutors. With the increase in the number of women admitted to the bar in recent years, the proportion of women in the judiciary was expected to grow in the near future.

44. **Ms. Zou Xiaoqiao** enquired who monitored compliance with the Political Fund Act, particularly the provision whereby political parties were obligated to spend 10 per cent of the general subsidies they received from the State to promote women's political participation, including training. She also asked what training opportunities were available to women who did not belong to a political party.

45. **Ms. Belmihoub-Zerdani**, noting that the State party's only remaining reservation was to article 16, said that it had an obligation to comply with all other articles of the Convention, including article 7. Moreover, it had an obligation to implement the Convention under its own Constitution, which established that international treaties to which the Republic of Korea was a signatory had the same effect as its domestic laws. The State party certainly had the economic means to fulfil that obligation, and she called upon it to do so fully and without delay.

46. **The Chairperson**, speaking as a member of the Committee, enquired whether, as the 2010 target of 10 per cent had almost been reached, the Government planned to set a higher target for the participation of women in public administration and how it planned to accelerate progress in that regard. It appeared that it might be necessary to take more proactive measures, such as the temporary special measures envisaged in article 4 of the Convention.

47. **Ms. Jang Ha-jin** (Republic of Korea) said that NGOs monitored spending by political parties, which were required to disclose their expenditures to the public. NGO monitoring reports indicated that the parties were indeed spending 10 per cent of their budgets on training and other activities for women

politicians, although closer scrutiny revealed that there was room for improvement in terms of how those funds were actually being spent. Several NGOs also offered leadership training courses and programmes for women who did not belong to political parties, for which the Minister of Gender Equality and Family provided funding.

48. Responding to the comment by Ms. Belmihoub Zerdani, she said that all draft legislation in the Republic of Korea was examined carefully to ensure that none of its provisions conflicted in any way with the Convention. If any conflicts were found, the law was revised so as to bring it into line with the Convention. The Convention was also used in revising existing legislation, such as the Civil Act. There was thus virtually no possibility that a domestic law would be at variance with the Convention. Moreover, as the Convention did indeed have the same force as domestic law, it could be invoked or cited in court cases and judgements.

49. Regarding the target for women in high-ranking public posts, the Ministry of Gender Equality and Family was currently drawing up the Third Basic Plan for Women's Policies, following on from the Second Basic Plan, which would end in 2007. A higher target, reflecting the growing number of women who were passing the civil service, diploma service and bar exams, would be included in the new plan.

Articles 10 to 14

50. **Ms. Zou Xiaojiao** commended the Government for the positive measures it had taken to promote gender equality in education, including revising school textbooks and curricula and encouraging women to study science and technology. She was concerned, however, that there still appeared to be a significant gap between men and women in professional and graduate education, as reflected in the relatively low proportions of women receiving master's and doctorate degrees. She was also concerned about limited job prospects for women who chose to pursue studies in fields traditionally considered to be the province of men, and would like to know what measures the Government intended to implement in order to facilitate women's entry into such fields. She also wondered whether the Government provided any scholarships specifically for female students.

51. The State party's fifth and sixth periodic reports appeared to contain no data on the sex ratio of teachers at the primary and secondary levels. The Committee would appreciate the inclusion of that information in the next report. The sixth periodic report indicated that very few primary and secondary school principals were women. She enquired what concrete measures and plans the Government envisaged to increase the number of women in leadership positions in the education field.

52. **Ms. Jang Ha-jin** (Republic of Korea) said that her country's Ministry of Science and Technology had instituted the Women into Science and Engineering (WISE) programme to encourage women to pursue careers in science and engineering. It also offered the WISE mentoring programme, in which female scientists and engineers formed mentoring relationships with girls in primary and secondary schools. In addition, there were science and engineering camps that enabled girls to familiarize themselves with those fields in a less formal environment.

53. At the Korea Advanced Institute of Science and Technology, 21.4 per cent of staff were women. The Government aspired to raise that proportion to 30 per cent. At primary and secondary level, the proportion of female teachers was high, but in 2006 only about 12.6 per cent of principals and vice-principals had been women. The Government intended to increase that figure to 20 per cent by 2010.

54. No special scholarships were offered for women because females in the Republic of Korea generally made up a large proportion of the top-scoring students and were already receiving more scholarships than their male counterparts.

55. **Ms. Arocha Domínguez** recalled that, when the Committee had examined the State party's third and fourth periodic reports in 1998, it had expressed a number of concerns about employment conditions for women, the wage differential between men and women, insufficient social protection for women in the private sector and the large number of women engaged in part-time or temporary work. While it was apparent that numerous legislative and other measures had been taken to address those issues, a large proportion of women continued to be employed as temporary, part-time or informal-sector workers. Could the delegation provide more precise information about the situation of

such women, particularly with respect to the discrimination and vulnerability they experienced because of their status as irregular workers?

56. The frequency of casual work among women and the high proportion of women among the poor were unquestionably linked. That being the case, she wondered whether the Government had incorporated into its poverty eradication plans any specific measures aimed at improving employment security for women. According to the State party's response to question 17 in the list of issues and questions, if a woman completed a two-year temporary contract, she was entitled by law to a full-time contract. She enquired how that law was enforced and whether it applied to temporary workers in both the public and private sectors. She also sought updated information on the impact of the Policy of Subsidies for Continued Employment after Childbirth.

57. Lastly, she noted that the Third Basic Plan on Gender Equality in Employment aimed, inter alia, to help reconcile work and family life, creating family-friendly work environments and enhancing support for childcare. What was the expected impact of those measures and how would men be encouraged to play a larger role in domestic and family life in order to facilitate women's employment outside the home?

58. **Ms. Dairiam** sought clarification on the aim and impact of the Basic Plan on Gender Equality in Employment (2003-2007) and the amended Equal Employment Act and on the connection between them. She wondered, for example, whether the Equal Employment Act would be used to enforce the measures contained in the Basic Plan in order to accelerate action aimed at closing the gap between men and women in the area of employment. She would also like to know how the Plan and the Act responded to the needs and concerns of the large underclass of women in irregular employment situations and whether they included any specific provisions designed to address the growing trend towards outsourcing, temporary hiring and other labour flexibility measures introduced in the wake of the Asian economic crisis of the 1990s.

59. Noting that a number of Korean firms had overseas operations, she enquired whether any ethical guidelines were given to such companies with a view to ensuring that they did not engage in sexual harassment or other discriminatory practices in other countries.

60. **Ms. Saiga** said that she shared the concerns expressed regarding the very high percentage of female workers in irregular employment situations. The State party's responses to the Committee's list of issues and questions mentioned a comprehensive plan to improve the employment status of irregular workers and several other initiatives aimed at enhancing women's working conditions. The Committee would appreciate information on what impact those initiatives had had and how the Government ensured that employers followed the measures envisaged therein. The Committee would also be interested in knowing whether fathers in the Republic of Korea were entitled to paternity leave and, if so, whether the duration of leave was the same for fathers and mothers and whether both parents might take leave at the same time.

The meeting rose at 1 p.m.