Subject: OHCHR report on birth registration – Human Rights Council Resolution 22/7

With reference to the request of the Office of the High Commissioner for Human Rights for information on birth registration, the government of the Republic of Korea provides the relevant information as follows:

1. Please indicate the current status of the right to birth registration in your country’s legal framework. Please include references and information on legal provisions which explicitly recognize the child’s right to birth registration.
2. ROK nationals

* According to *the Act on the Registration, Etc. of Family Relationship*, the father or the mother of a child is required to register the birth of his/her child within one month from the date of birth. When both persons cannot do so, relatives living with the child, the doctor, the midwife, or any other person involved in the delivery are required to register the birth of a child. A fine for negligence is imposed when the registration is delayed beyond the given time.

1. Foreign children born in the ROK

* The birth registration of foreign children born in the Republic of Korea can be made through their respective countries’ embassies in the Republic of Korea. In cases where the parents of children born in the Republic of Korea cannot make registrations of their children to their country due to reasons such as refugee recognition, permission for stay including alien registration is granted to the children if the biological relationship with their parents can be confirmed by birth certificates issued by the hospital and other institutions.

1. Please provide data on birth registration, including by gender, age (under 5 and above) and according to urban and rural areas, if available.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Year | TOTAL | | | URBAN | | | RURAL | | |
| sub total | Male | Female | sub total | Male | Female | sub total | Male | Female |
| 2002 | 492,111 | 257,821 | 234,290 | 400,641 | 209,582 | 191,059 | 89,699 | 47,225 | 42,474 |
| 2003 | 490,543 | 255,515 | 235,028 | 402,630 | 209,495 | 193,135 | 86,184 | 45,023 | 41,161 |
| 2004 | 472,761 | 245,705 | 227,056 | 387,913 | 201,136 | 186,777 | 84,323 | 44,250 | 40,073 |
| 2005 | 435,031 | 225,685 | 209,346 | 357,088 | 185,214 | 171,874 | 77,258 | 40,036 | 37,222 |
| 2006 | 448,153 | 232,173 | 215,980 | 370,703 | 191,886 | 178,817 | 76,906 | 39,924 | 36,982 |
| 2007 | 493,189 | 253,999 | 239,190 | 406,636 | 209,554 | 197,082 | 86,117 | 44,174 | 41,943 |
| 2008 | 465,892 | 240,119 | 225,773 | 384,901 | 198,172 | 186,729 | 80,728 | 41,784 | 38,944 |
| 2009 | 444,849 | 229,351 | 215,498 | 366,022 | 188,636 | 177,386 | 78,524 | 40,515 | 38,009 |
| 2010 | 470,171 | 242,901 | 227,270 | 386,271 | 199,636 | 186,635 | 83,519 | 43,031 | 40,488 |
| 2011 | 471,265 | 242,121 | 229,144 | 389,640 | 199,977 | 189,663 | 81,503 | 42,056 | 39,447 |
| 2012 | 484,550 | 248,958 | 235,592 | 402,650 | 207,018 | 195,632 | 81,843 | 41,894 | 39,949 |

\* All figures above are of under-5 birth registration.

1. Please indicate what authorities are in charge of registering births, deaths and marriages. Does your country have a mechanism in place, mandated with the coordination of all actors engaged in/responsible for civil registration? Please indicate what information is included in birth certificates issued in your country.

1) ROK nationals

- *The Act on the Registration, Etc. of Family Relationship* stipulates that the registration of births, deaths, marriages, and other family relations is administered by the Supreme Court of Korea. The Supreme Court delegates authority over registration affairs to the head of local authorities. Authority over supervision of registration affairs is delegated to the chief judge of a family court.

- Article 15(Kinds of Certificates and Matters to be Entered in Certificates) of *the Act* says that matters concerning birth, death, and loss, acquisition and reinstatement of nationality, etc. are written in the Basic Certificate. The Basic Certificate includes the information on original domicile, name, sex, origin of surname, date of birth, and resident registration number of the person.

2) Foreigners

- The birth registration of foreign children born in the Republic of Korea can be made through their respective countries’ embassies in the Republic of Korea.

1. Please provide examples of programmes undertaken by your Government to improve the rates of birth registration and to ensure awareness of the importance of birth registration in the whole territory. Please also specify whether such programmes are carried out in a systematic manner and, if so, with which regularity.

1) When a person responsible for registering the birth of a child fails to do so within a specific period of time without any justifiable reason, he/she shall be punished by a fine. (Article 121 and 122 of *the Act on the Registration, Etc. of Family Relationship*)

2) According to *the Established Rule of the Supreme Court* introduced in January 2008, when a child is full adopted, the family relations certificate of his/her biological parents shall not reveal the fact that they gave birth to the child. This is to encourage birth registration by the biological parents who are reluctant to disclose the fact that they bore a child and wish to put their biological child up for full adoption.

3) Local authorities provide financial incentives to those registering their children.

1. Do children in your country need to be registered and/or have proof of identity to access education, health services, and other services? Please elaborate.

* A child should be registered to have public health insurance, medical care service, and other social welfare services such as child care fees.

1. Has your government benefitted (or is benefiting) from setting up new, and/or strengthening the functionality of existing, birth registration and civil registration and vital statistics systems? If so, please briefly indicate in which activity/sector/area of work and whether this has been done to address a specific barrier to birth registration and civil registration.

- With regard to the efforts by the government of the Republic of Korea to strengthen birth registration systems and improve the rates of birth registration, please refer to the question No. 4.

1. Does your country have a National Strategy in place to improve civil registration systems with technical, financial and human resources allocated? If so, please specify the resources available per year.

- Currently, the government of the Republic of Korea does not have a national strategy to improve civil registration systems. /END/