



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

30 October 2023

Sir,

I have the honour to refer to the fourth cycle review of the Republic of Korea by the Universal Periodic Review (UPR) Working Group at its 42<sup>nd</sup> session in January/February 2023. The constructive engagement between your Government, my Office, and the UPR mechanism is warmly welcome. As the final outcome report on the review of the Republic of Korea was recently adopted by the Human Rights Council at its 53<sup>rd</sup> session, I have also taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/kr-index>) and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "UPR practical guidance" and the "UN good practices" repository on how the UPR process supports sustainable development, available at <https://www.ohchr.org/en/hr-bodies/upr/upr-main>, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Sir, the assurances of my highest consideration.

Volker Türk

His Excellency  
Mr. Park Jin  
Minister for Foreign Affairs  
of the Republic of Korea



### **Observations in light of the outcome of the fourth cycle of the Universal Periodic Review**

The ratification by the Republic of Korea of the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Rights of Persons with Disabilities and ILO Conventions No. 29 concerning Forced or Compulsory Labour, No. 87 concerning Freedom of Association and Protection of the Right to Organise, and No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, are welcome development.

The introduction by the Republic of Korea of an alternative to military service in 2020 is also noteworthy. The adoption of the Act on the Assignment and Performance of Alternative Service and the release of imprisoned conscientious objectors in 2019, as a follow up to the 2018 landmark decisions by the Constitutional Court and Supreme Court decriminalising conscientious objection, have been important steps towards ensuring the right to conscientious objection to military service. However, conscientious objectors perform their alternative service, mainly in correctional facilities for a duration of 36 months, which is longer than the period of military service. Improvements in relevant legal provisions would bring domestic legislation into line with international human rights standards.

Several measures taken by the Government to ensure gender equality and eliminate discrimination and violence against women have been highlighted during the review. Legislative amendments necessary to provide guarantees for access to safe and legal abortion, as requested by the Constitutional Court in 2019, are yet to be adopted. Also, considering existing concerns about persistent cases of discrimination against women and negative rhetoric undermining gender equality, the Government is encouraged to implement relevant supported recommendations, as well as to strengthen the implementation of its laws and policies, as well as relevant national machinery, including the Ministry of Gender Equality and Family.

Considering recommendations from the United Nations human rights mechanisms to the Republic of Korea to address all forms of discrimination, and several attempts of the authorities to adopt a comprehensive anti-discrimination law since 2007, the Republic of Korea is encouraged to continue efforts to adopt such a law, in close consultation with the National Human Rights Commission. In this process, the Practical Guide to Developing Comprehensive Anti-Discrimination Legislation, published by OHCHR jointly with the Equal Rights Trust, may be useful.



The Republic of Korea is also encouraged to develop an implementation plan in follow up to the UPR outcome, in close consultation and cooperation with all stakeholders, in particular the National Assembly, the judiciary, the National Human Rights Commission, local and regional governments, and civil society organizations. The matrix may be of use in the development of such an implementation plan. The Government is encouraged to explicitly link each UPR recommendation to corresponding recommendations of other international or regional human rights mechanisms and to the relevant SDG and its targets. This will, in turn, facilitate the creation of synergies between UPR implementation and SDG related actions and reporting within the context of the Voluntary National Review (VNR).

The Government is further encouraged to establish a national mechanism for reporting and follow-up, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council ([A/HRC/50/64](#)).

Further, an important measure that could positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report some two years after the adoption of the UPR outcome. In this regard, the Government of the Republic of Korea may wish to continue with the practice of submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.

OHCHR  
30 October 2023