

a new job in a stable manner and with opportunities to develop his or her abilities. The level of benefits in South Korea is very low and unfavorable for workers in comparison with the ILO standards and the practices in major countries that have unemployment insurance systems.

Restrictions on Selecting Recipients

The scope of recipients for unemployment benefits, as in the government's present plan, is limited to employees in companies with 30 or more full-time employees, thus excluding the sector in higher need - workers in smaller enterprises. In South Korea, the number of enterprises with 30 or more full-time employees is only 1.8 per cent of all enterprises, while their workforce comprises only 49.9 per cent of the total workforce (refer to the table below). With such a limited scope, the unemployment benefit system cannot prove its value. It is important to note that expanding the scope of statutory recipients for employment insurance to enterprises with 5 or more employees would bring it in line with other insurance systems, such as the Medical Insurance, Industrial Accident Insurance, and the National Pension System.

[Table] Number of enterprises and workforce by size of enterprise
(in 1993, accumulated ratio)

(Unit : Thousand, %)

employment size	number of enterprises	number of employees
total	2,118 (100.0)	7,892 (100.0)
above 5	154 (7.3)	5,204 (65.9)
above 30	38 (1.8)	3,940 (49.9)
above 70	14 (0.66)	3,218 (40.8)
above 150	7 (0.3)	2,252 (28.5)

Source : Survey Report of Labor Practice in Enterprises, Ministry of Labor, 1993; Survey Report of All Enterprises, Ministry of Statistics, 1993. Data on enterprises above 70 employees come from internal resources of the Ministry of Labor.

Moreover, it is difficult to understand the government's criterion for recipients since 57.7 per cent of overall unemployment occurs in companies with fewer than 30 employees.

[Table] Size of unemployment by size of enterprise

employment size	1-29	30-99	100-299	above 300
unemployment rate	57.7%	16.0%	9.8%	16.5%

Source: reformulated from Employment Report of Urban Families, Research and Planning Group for Employment Insurance, 1992.

In addition, if other purposes of the employment insurance system are to gather employment-related information and to facilitate the effective flow of supply and demand of the labor market, it is not appropriate to reduce its scope of application to enterprises with 70 or more

employees. In doing so, as is planned, only 40.8 per cent of the total workforce and 0.66 per cent of the total number of enterprises will be eligible.

Low State Liability

The biggest danger in administering employment insurance is the possibility of a rapid increase in the unemployment rate, which would exhaust the financial capability of the insurance fund. To address this possibility, a legal provision that keeps the insurance deficit preserved by the government's general accounting is needed. This serves to stabilize the management of the insurance in accordance with the social responsibility of unemployment.

Section 7. State Responsibility

Inadequate Social Safety Net

When the employment insurance is initiated in July 1995, South Korea will be equipped with the four major insurance programs of a welfare state, namely, the National Pension, Medical Insurance, Industrial Insurance, and Employment Insurance. Even though there are many problems within each system, one can credit the government's speediness in formally establishing the four systems. However, it should be noted here that South Korea still lacks a reliable social safety net which can protect an individual's life from unexpected social dangers. The state can hardly be credited with fulfilling its role in this regard. In short, the state's role today is confined to the administrative roles of dictating, controlling, and regulating, and relates little to the role of financial contribution.

Reality of Social Security Expenses

Due to the North-South tensions, South Korea has one of the highest per capita spending rates on the military and defense in the world. This in turn has either directly and indirectly squeezed the social security budget.

[Table] Ratio of military/defense and social security expenses in the national government's expenditure

year	military expense	social security and welfare expenses
1990	20.0%	8.1%
1991	19.6%	8.5%
1992	19.3%	9.3%
1993*	18.6%	9.3%

* budget

Source : Economic Statistics Year Book, Bank of Korea, 1994.

Such high defense spending and low social security spending is a peculiar characteristic of the Korean government's budget. The ratio of social security spending is even lower than that of low-income countries with per capita GNP of less than US\$ 200 in 1986. In the post cold-war era, a fundamental change of this abnormality is urgently demanded so that Korea can least raise social security expenditure to the level of middle-income countries and be in accordance with the 20:20 Pact proposed at the World Summit for Social Development.

[Table] Functional classification of national government's expenditure by income-level nation groups (in 1986)

(Unit: \$US, %)

nations by income-level	per capita GNP(\$)	military expense(%)	social welfare expense(%)*
low income nations	200	17.7	9.8
middle to low income nations	750	15.8	13.1
middle to high income nations	1,890	10.3	22.4
high income nations	12,960	16.4	51.9
Korea (1986)	2,370	29.2	8.7
Korea (1992)**	6,790	19.3	9.3

* includes health and medical expenses as well as the cost of local social convenience facilities.

Section 8. Recommendations

First, the level of livelihood assistance service should be raised to meet the minimum living cost as soon as possible.

Second, the computation methods of the national pension and unemployment benefits should be revised so that all recipients receive the minimum benefits to meet minimum living costs.

Third, the compulsory membership to social insurance should be expanded to employees working in small enterprises that hire fewer than 5 full-time employees.

Fourth, new allowances such as family allowance, the sick and wounded allowance, the old-age allowance, housing aid allowance, and disability allowance should be established to provide a minimum level of livelihood for less-privileged groups.

Fifth, in raising financial resources for the social security, the absolute amount of the state liability should be increased while the ratio of the governmental expenses for social security should at least reach 20 percent of the national budget in accordance with the 20:20 Pact.

Article 10. The Protection of Women, Children, and the Family

Section 1. Problems with the Family-Related laws

The 1990 revisions of the family law

The Constitution of the Republic of Korea prescribes that, "marriage and family life shall be entered into and sustained on the basis of individual dignity and equality of the sexes, and the State shall do everything in its power to achieve that goal" (art. 36, para. 1). Thus, as acknowledged in the government's Report, "the government is committed to maintain a democratic family system in accordance with the free will of the sexes" (para. 176). The Family Law portions of Korea's Civil Law concerning lineal relations and inheritance need to be made more specific and reflect the Constitution's intent. Aspects of the Law which discriminate on the basis of gender are unconstitutional. In 1990, the Family Law was amended in a progressive direction, stipulating that married couple's place of residence be chosen by agreement, parental rights over children be exercised equally, property be divided equally in the case of divorce, and that the definitions of relationships concerning one's legal mother and children born to second-wives or stepmothers be abolished. However, the problem of the traditional family system being centered around the male head of a family still remains in the Law.

The right to divide property

Among the various reforms of the Family Law, the most remarkable is the establishment of the right to divide property equally in cases of divorce. Women's organizations had previously urged women in the process of divorce to exercise this right, establishing a few legal precedents. This is surely progress compared to the time when women's livelihood after divorce depended on the "consolation" money they received from their husbands. The reforms are not without problems, however. For example, as there are no rules concerning joint ownership of a couple's assets, a woman can receive her property share in proportion to her contribution during married life. Also, there are no objective standards on measuring the monetary value of a woman's housework as one of her contributions. Another problem is that the provision for a "donation" tax imposed on a divorcee's property share, as well as on a widow's inheritance, still remain.

The prohibition of marriages between individuals with the same surnames and family origins

The prohibition of marriages between individuals with the same surnames and family origins still exists in Korean law. Prohibition of marriages between close relatives is common legislation

throughout the world, but it would be difficult to find a law comparable to the one in Korea which prohibits any marriage between two people because they share a common surname and family origin. This provision is a vestige of the traditional subservience to Chinese culture and lacks a sound genetic basis. Due to this clause, 200,000 couples wishing to marry face opposition from their parents and cannot live happily with one another as they face scorn from society (Korea Family Planning Center). Therefore, the system should be revised so as only to prohibit marriages among blood relatives.

Householder system

In patriarchal Korea, the "family" consists of a (usually male) householder, around whom the family is centered, a spouse, children and grandchildren, and their spouses. The notion of a male householder who is the head of a family and who holds authority over all its members is contained in Korean family-related laws, which defines the householder as a man except in special cases. Before marriage, a woman is a member of her father's or grandfather's family, and after marriage, she is considered a member of her husband's family. To women, marriage means that one is removed from one's original family register and is transferred to her husband's family register. In general, children should assume their father's family name and origin and be entered in their father's family registers. Only children who do not know their father's identity assume their mother's surname and are entered in the mother's family register. Except for the eldest son of a family, all other children form separate families after marriage. All families are based on the patriarchal system of all the blood relatives centered around the eldest son. The reform to the Family Law amended the system of inheriting the rights and authority of the previous householder as the head of the family into a system of householder succession without, or with lessened, rights and authority of the previous householder. This reform, however, which drastically reduced the role of the householder and curtailed the householder's rights, has more symbolic, rather than actual, import. Gender discrimination is inherent in the continuing practices of ranking the eldest man as next in line for householder succession. The family register serves no practical function, and instead, serves simply to prolong notions of family lines continued along the eldest son and husbands' control over their families. Thus, the householder system should be abolished because it violates familial democracy in which men and women participate as equal partners in family affairs and aggravates the social inequality of the sexes.

Surnames

The surname, or family name, indicates one's lineage. Korea's surname system, in which only the father's surname is passed down to children, should be replaced by a system in which a couple passes down their surnames in a more equal fashion. According to the family law provisions in certain Western countries and Japan, children can either choose their mother's or father's surnames or receive both names as their own surnames. Also, certain European nations, such as the United Kingdom, Germany, France, Austria, and Switzerland, have instituted a system in which the husband and wife assume joint family functions and rights. Japan's Civil Law, which had tremendous influence on Korea's own Civil Law, abolished the male-centered surname system in 1947, and now provides for family members to choose either of their parents' surnames freely.

Section 2. Women

Spouse abuse

Since long ago, the home has been regarded as a safe haven of love, not as a possible site of violence. Traditionally, violence in the home has not been an important social issue, since it was always viewed as domestic quarrels between couples or as corporal punishment to discipline children. However, according to the Korean Gallup survey in 1989, 57.5 per cent of all husbands had physically abused their wives at least once. Based on telephone counselling over the "Women's Hotline" from 1989 to 1991, wife abuse emerged as a regular and recurrent problem as 47.1 per cent of all callers were beaten two or three times a week; 41.2 per cent, more than three times a month; 14.7 per cent, several times a year. Concerning the form of physical abuse, the most common form was "assault by hand or foot," answered by 76.5 per cent of callers; 46.7 per cent answered "random assault"; 29.1 per cent, "lethal weapons"; 18.4 per cent, "assault in a locked room"; 10.6 per cent, "stripping off wife's clothes and assault"; and 7.5 per cent, "burning with a lit cigarette." Physical injuries resulting from such assaults ranged from headaches, bruises, bone fractures, insomnia, indigestion, loss of eyesight, paralysis, and other serious health problems. According to a survey conducted by the Korean Criminal Policy Institute in 1992, 48 per cent of all respondents had at least one experience of having been beaten randomly or threatened with a dangerous weapon such as a knife, or having been raped after being beaten. As marital rape is increasingly being viewed as a criminal, instead of domestic, matter in other countries, Korea should quickly adopt measures to provide punishment for marital rape as a crime of sexual assault. As stated in the report by the Committee to Enact a Special Sexual Assault Act (The Report of the Movement to Eradicate Sexual Assault, vol. 2), women who are long-term victims of abuse cannot escape from their abusive homes because of their children as well as the social stigma surrounding divorced women.

Physical abuse not only results in physical injuries, but can also leave lasting emotional and psychological damage as it upsets victims' notions of self and induces feelings of melancholia, anger, and character disabilities. However, the socially widespread notion that "the wife must have done something to deserve the beating" shifts the blame and guilt from the violator onto the violated. Another serious problem is that such violent behavior is passed on from generation to generation in a seemingly endless repetition. Social concerns of domestic violence do not merit enough attention, and the law does not provide effective legal remedy. Domestic violence should be dealt as a societal ill in need of counter-measures. To prevent domestic violence and protect women and children, a legal basis must be provided, and the government should actively support family counselling or shelters for the active support of healing women.

Sexual assault

The statistics indicate that Korea ranks third in the world in terms of the rate of sexual assault. Women are not safe when alone at night. It is estimated that 20 out of 100,000 women are victims of rape, yet only 2 per cent actually report their cases to the police. Thus, there is an urgent need to establish a nationwide network of shelters for victims of sexual assault. These shelters should not only provide medical care and protection to victims of sexual and physical assault, but should also help in the areas of childcare, employment, and education on women's

issues to enable them to live independently. The responsibilities and duties of national or municipal governments to allocate a portion of the social welfare expenditure on providing effective emergency shelters should be made statutory. Also governmental measurement of related civic activities should be mandatory.

Even after the enactment of the Sexual Assault Prohibition Act, there have been almost no cases brought under this law. Due to prevalent sexual double standards, society views such sexual assaults not as infringements of women's rights to make decisions regarding their sexual activities, but rather, as violations of women's chastity which must be protected at all costs. Also, the Law's provisions are mere formalities with little actual impact, since criminal procedures can start only after prosecutors conduct criminal investigations. Thus, the government must fulfill its responsibility of undertaking fundamental measures to protect women from sexual assault, which should take priority over budgetary concerns.

Mother-child homes

A 1990 Report on mother-child homes, or female-headed households with dependent children, by the Ministry of Health and Social Affairs shows that such households comprise 0.69 per cent of all households nationwide. Reasons for the existence of such households vary. The percentage of widowed women, though they comprise the majority, has decreased from 87 per cent in 1971 to 64.3 per cent in 1988, while the percentage of divorced or separated women doubled during the same period from 4.2 to 8.3 per cent and the percentage of unwed mothers also increased from 0.2 to 1.3 per cent. Concerning the average monthly income per person, 24 per cent were recipients of Livelihood Assistance, 33 per cent earned less than 50,000 won per month, and 18 per cent earned more than 100,000 won per month. Low-income single mothers experience numerous psychological and emotional difficulties such as the separation from their husbands, poverty, and pressures as the head of the household responsible for providing for their children's livelihood alone. A report conducted by the Korean Women's Development Institute in 1988 showed that 40.6 per cent of single mothers with depended children got angry frequently, 46.0 per cent, occasionally, and 13.4 per cent, rarely.

The current Mother-Child Welfare Act is not applied to all unwed parents, but only to unwed mothers. The Act's preferential of women is reasonable and justified as it is much more difficult for single women to achieve economic independence than it is for single men, and it is impossible for women to remarry without greatly disrupting the family in Korean society, where sexual double standards and mores prevail. However, this Act is not without problems. For example, it can stress notions that a father's absence has a worse influence on the well-being of the family members than does the mother's absence, thus necessitating the protection of women-headed households. Also, the Act fails to dispel traditional notions which place great emphasis on the mother's role as the children's caretaker, rather than as a family's breadwinner. The Act currently provides limited financial support for living expenses and child-rearing and also provides accommodations in protection facilities to low-income mother-child homes which have incomes below a certain level. However, the actual rate of entrance of such protection facilities is quite low due to their low capacity, inefficient management, and insufficient subsidies from the government. Also, because the Act's provisions are voluntary and its enforcement is under the sole discretion of administrative bodies, there is a high possibility that the actual welfare benefit of this Act will be non-existent.

As the Act was enacted under the assumption of a higher level of psychological and

emotional problems in mother-child homes than in other families, the development of programs to ease such problems should be included in the provisions. Also, the level of allowances provided by the Act should be flexible according to each household's level of need, and child-maintenance allowances should also be provided to those families in need.

Women's appointment to public office and political participation

The economic activity participation rate of Korean women reached 48.6 per cent at the second quarter of 1993. However, their political representation falls far below this figure. The percentage of women in the National Assembly in 1992 was only 1 per cent, or 3 out of the 299 members, even lower than the 6 Assembly representatives in the 13th National Assembly in 1988, which ranks Korea 110 out of 134 countries in terms of women's representation in politics. In local assemblies, women comprise only 9 per cent, or 8 out of the 866 members, and the rate of women in high-ranking public offices is less than 5 per cent. Among lower-ranking public servants, women account for 13.3 per cent, the majority of them being teachers (45.2 per cent) or administrative assistants (32.6 per cent). Of educational public servants, 45.2 per cent are women. Of these women, 48.1 per cent teach at primary schools, 38.0 per cent at middle schools, 15.6 per cent at high schools, and 8.9 per cent at colleges. The number of female public servants has been decreasing. Women who hold decision-making authority in educational administration and school principals account for 3.6 per cent, and 4.9 per cent of government school inspectors and educational investigators are women. Women account for 1 to 5 per cent of diplomats, law enforcement officials, judges, and prosecutors. Thus, even in the public sector, which is thought to be more gender-equal than the private sector, women are generally assigned to lower-ranking positions and roles determined by their gender.

The worldwide rate of women's participation in politics and decision-making is quite low, but considering Korea's overall level of economic development, the relatively higher rate of women's economic participation, and the relatively higher level of women's education achievement, their low rate of political participation is all the more egregious. Though there are no legal obstacles to women's exercise of their suffrage rights, many social conditions effectively prevent their political activity. Ratification of the UN Covenant on the Elimination of Discrimination Against Women (CEDAW) mandates the nation to undertake measures to eliminate gender discrimination in the areas of politics, economics, culture, and general society. As Korea ratified CEDAW into its own domestic laws as Convention 855 on January 26, 1985, CEDAW has the same legal effect as other domestic laws.

One feasible provisional measure to expand women's participation in the public and political spheres is to increase women's roles and functions in low-ranking public positions and to introduce the gender quota system for high-ranking public positions in administrative and other public institutions. According to CEDAW, Korea should increase the rate of woman's appointment to leadership positions in government, political parties, trade unions, and civic groups to 30 per cent. Thus, the government is obligated to expand the Gender-Equal Employment Act into the Special Gender-Equality Act to strengthen the functions of women-related administrative department and enforcement of women-related regulations. Finally, for the equality of women in public office, the government should establish an administrative position for overseeing the employment and placement of women in government administration and should also undertake active policies concerning the equitable placement of women in the Ministry of Government Administration which oversees the personnel management of public servants.

Section 3. Children

Infant and child-rearing

In Korea, 66.3 per cent of all families are two-generation nuclear families consisting of parents and children, and 41.0 per cent of all families have mothers who work outside the home. According to the Ministry of Health and Social Affairs, as of 1992, 1,794,000 of 3,949,000 children under the age of five had mothers working outside the home. Of these, 1,000,000 children were in need of childcare facilities. However, the total number of public and privately operated childcare facilities is only 4,153, with a capacity of 123,297 children. Thus, only 12 per cent of children in need of such services are able to benefit from them.

The Nursery Law for Babies and Infants stipulates the government's responsibilities for childcare, but the actual financial burden is borne by recipients of childcare. As stated in the "Seventh Five-Year Plan for Economic Development," the government planned to expand private childcare facilities, childcare facilities in the workplace, and individual family childcare to accommodate 947,000 children. The government also stated that it would establish 1,290 public childcare facilities to accommodate 84,000 children from low-income households by 1996. The local and national governments has only spent 98.5 billion won thus far. Also, such funds have been utilized for personnel expenses of existing public and non-profit childcare facilities, and for subsidizing approximately 50 per cent of the childcare costs for low-income families earning less than 700,000 per month. The government has not made attention to increasing the services of private childcare facilities to serve the needs of middle-class children. The government's childcare policies are too narrow in focus.

The success of childcare policies in Korea depends on the sound management of private childcare facilities. Thus, the government should provide administrative or financial support to private childcare facilities to decrease their profit motive, encourage the private childcare industry, and give practical assistance to the facilities.

According to Nursery Law for Babies and Infants, workplaces employing 500 or more female workers are to establish childcare facilities in the workplace. Moreover, abiding by this provision is not compulsory, but rather voluntary. Thus, as of March 1993, of the 183 companies to which the provision applied, only 28 actually complied. In particular, this provision is virtually ineffectual in Korea, where 77.5 per cent of all married women who work outside the home are employed at workplaces with four or fewer employees.

Child abuse

As the notion that a child is the possession belonging to his or her parents is prevalent in Korean society, child abuse is a frequent occurrence which is treated as a domestic matter and not one requiring governmental or social intervention. The Korean Gallup Poll survey indicates that "72 per cent of Korean mothers sometimes hit their children," a figure much higher than the 33 per cent in Japan, 26 per cent in the U.S., and 23 per cent in Thailand. Also, a report conducted by the Korean Children Protection Association in 1987, 97 per cent of 1245 eleven to twelve-year-old children surveyed had been hit at least once, 40 per cent were hit at least once a month, and 18

per cent were hit at least once a week.

Obstacles in the way of protecting children against child abuse are the unclear distinctions between child abuse and corporal punishment for disciplinary ends, as well as the lack of legal provisions prohibiting child abuse. Thus, the government must institute a Child Abuse Prevention Act in order to establish legal standards for child abuse and provide legal channels for prosecution.

Families where the heads of the household are under 20 years old

According to the National Assembly's investigation, as of June 1993, the number of households headed by individuals under 20 years of age was 7,339, totalling 14,321 family members. There are sharp yearly increase in this figure: in 1991, there was an increase of 206 such households, and in 1992, there was an increase of 187. The most common reasons of existence for such households are the disappearance of or abandonment by parents (2,128 households), parents' remarriage or divorce (1,105), and parents' imprisonment (236). Overall, 47.2 per cent of the existence of such households results from either changing social values which prioritize individual concerns over familial concerns or the irresponsibility of parents. On the other hand, such households resulting from the death or old age of parents is decreasing.

Though such households in need receive public assistance in the form of livelihood protection assistance, medical care, and educational allowances, the level of support is insufficient. The government need to strengthen sponsorship programs which provide both financial and emotional support to assure that children are brought up soundly.

The adoption of orphans

In 1992, among the 6,549 infants sent to the U.S. from 104 countries, 27 per cent, or 1787 were Korean infants, which ranks Korea as the world's number one "exporter" of infants to the U.S. Though the number of infants put up for adoption by Koreans has been in decline since 1988, Korea still occupies this top spot. From 1991 to 1992, the number of domestic adoptions fell from 1,241 to 675, indicating a downward trend. In particular, infants and children with disabilities are rarely adopted or properly cared for in Korea.

The preference of having sons to daughters

During the past three decades, the family planning policy initiated by the Korean government successfully led to a decrease in the birthrate from 6.0 per cent to 1.5 per cent, attracting the world's attention. The government's limited policies, however, simply emphasized a reduction in the birthrate and failed to eradicate the traditional preferences of having sons to daughters. As a result, the gender imbalance in new-born infants is becoming increasingly serious. In 1990, as a representative year, the birthrate by gender was 117 male for every 100 female infants born. If this trend continues, it is expected that 1 out of every 6 men will be unable to find spouses due to this imbalance. It has been estimated that more than half of all married women, at a rate of 30,000 per year, take sex-determination tests when pregnant and undergo abortions if their fetus has been determined as female. The government's failure to eradicate such discriminatory practices through institutional or policy measures as well as its tacit approval has permitted this gender imbalance.

Section 4. The Aged

Problems concerning the aged

In 1993, 5.4 per cent of the total population, or 2,362,000 individuals, were aged 65 or older, a dramatic increase over the figure in 1960, which stood at 2.8 per cent. The fact that the aged are comprising an increasingly large portion of our society merits attention to their problems as a social issue. In 1992, the percentage of households comprised of only aged individuals was 30 per cent in urban areas and 65 per cent in rural areas. In urban areas, this phenomenon stems from the "nuclearization" of the family (i.e., the tendency for a nuclear family consisting of parents and children to live alone) coupled with changing social values which emphasize generation gaps. In rural areas, the phenomenon stems from the mass migration from rural to urban areas caused by industrialization. The increase of aged households lies at the root of many of their social problems.

The government's understanding of the problems concerning the aged

The government has stated that it views problems concerning the aged not as one to be solved by society, but by individuals families, thus absolving itself of all responsibility. Standing by this position, the government's policies concerning the aged have consisted of rewarding individuals for accomodating their aged parents in various ways including granting income and inheritance tax deductions and providing allowances to support the aged. Thus, the government's policies have fundamental limitations as they refuse to acknowledge the issue as a social one.

Measures to secure income for the aged

In Korea, the national social welfare laws to cope with problems concerning the aged is the Aged Welfare Act and the Aged Employment Promotion Act, while related laws are the Livelihood Assistance Act and the Health Care Act. Established in December 1989, the Aged Welfare Act provides allowances to individuals aged 65 years and older. As of 1993, the government provides a total of 180,000 destitute individuals aged 70 years and older an allowance of 15,000 won a month. However, as both the level of allowance provided and the scope of recipients are much too limited, the law is ineffectual at supporting needy aged individuals and their families.

As a method of coping with the problems concerning the aged and to improve their quality of life, the aged should be provided the opportunity to work. Thus, in July 1992, the government enacted the Aged Employment Promotion Act which encourages companies with over 300 employees to employ aged individuals and sets the retirement age at 60 years. As the provisions, however, are not compulsory, but only voluntary, the law's positive effects are negligible. On the contrary, the law can actually lead to early forced retirement due to companies' concerns such as increased economic competitiveness and having to provide retirement allowances which increase in amount for every extra year employed. According to a study by the Central Arrangement Center for the Employment of the Aged in October 1993, 27.7 per cent of applicants got jobs which were limited to simple tasks or temporary employment.

Welfare facilities for the aged and their right to health

A present reality is that individuals aged 70 years and older suffer from chronic illnesses.

The Korean government has not taken fundamental measures for the expansion of sanatoriums or nursing homes, devolving responsibility onto individual families. Likewise, private hospitals are reluctant to accomodate long-term hospitalization of the aged. When aged individuals are inflicted with senility or paralysis, their families bear the burden of their medical treatment costs. Also, until the Aged Welfare Act was revised on 1993, all nursing facilities had to be operated as non-profit facilities or under the auspices of the Social Welfare Corporation, and expansion of nursing facilities beyond this scope was prohibited. After the amendment of the Aged Welfare Act on January 27, 1993, however, private companies or individuals are permitted to operate nursing facilities and sanatoriums. Lately, a series of profitable nursing home facilities called "Silver Town" have garnered national attention. A "Silver Town" is a complex equipped with health, sports, and leisure facilities. The problem is that access to these facilities is very limited, as the costs are too expensive for many aged individuals to afford. Also, the facilities are often located far from urban centers, raising the question of whether or not the aged should be separated from their families. The government established and operates 20,000 leisure centers for the aged free of charge. These facilities, however, not only are outdated, small, unsanitary, but also lack sufficient operating expenses.

Financial security for the aged

The government's position on treating problems concerning the aged as private domestic, and not social, issues needs to be changed. Also, since social welfare expenditure in Korea is so low, the level of spending needs to be increased greatly. The 1.5 per cent of GNP spent on social welfare in Korea fares poorly compared to the 33 per cent in Switzerland, 14 per cent in the U.S., and 12 per cent in Japan. Thus, the government should seek ways to secure the financial resources to increase the budgetary allotment for social welfare expenditure.

Section 5. People with Disabilities

Introduction

According to a publication released by the Korean Ministry of Health and Social Affairs in 1990, the number of people with disabilities in Korea was 956,000, representing 2.2 per cent of the total population. The disabilities which comprise this number can be divided into five major categories: physical disabilities (47.9 per cent of all disabilities), visual disabilities (19.5 per cent), hearing disabilities (15.0 per cent), linguistic disabilities (10.1 per cent), and mental disabilities (7.3 per cent). These statistics indicate that nearly half of all Korean people with disabilities are those with physical disabilities. The overall ratio of people with disabilities to the general population in Korea is lower than that of Canada (22 per cent), the U.S. (14.5 per cent) and Japan (3.3 per cent), as well as the official rate published by the World Health Organization (10 per cent). However, due to the fact that approximately 100,000 Koreans every year are victims of industrial accidents or automobile accidents who suffer from some sort of permanent disability, the government's statistics cannot help but raise sharp suspicions as to the accuracy of its census reporting, which has only added 20,000 to the overall figure for Korean people with disabilities of 935,000 individuals published by the Ministry in 1985. According to another publication by the Korean government, the education level of Korean people with disabilities is alarmingly low; 29.1 per cent cannot afford to enjoy the benefits of even a minimal level of education, while another 30.9 per cent complete only a primary

school level of education. In addition, their average monthly income level is extremely insufficient in sustaining an adequate level of livelihood. More than half must cover their total living costs each month with incomes of less than 200,000 won. On the other hand, people with disabilities who were respondents of the survey were recipients of some form of public or social assistance; 36 per cent received livelihood protection assistance, 22 per cent received specialized medical and rehabilitation treatment, and 15 per cent received employment protection.

Welfare policy for people with disabilities

The Korean government established the Rehabilitation Department under the Ministry of Health and Social Affairs, one year after the UN International Year of Disabled People in 1980. This prepared the framework for the welfare policy concerning people with disabilities through the amendment of the Disabled Persons Welfare Act (1981), the Disabled Persons Labor Act (1989), and the amendment of the Special Education Act (1993). Furthermore, Article 34 of the Korean Constitution is a new article expressing the national responsibility for instituting and implementing social welfare policy, "citizens who are incapable of earning a livelihood due to a physical disability, disease, old age, or other reasons shall be protected by the State under the conditions provided by law." Though the number of nominal laws concerning the social welfare of the people with disabilities has increased the formal institutions improving the social integration of the disabled, there have been few truly substantial improvements in the social and economic conditions of the disabled. Furthermore, numerous provisions which restrict the disabled's access to educational and employment opportunities are still in effect now.

Lack of rehabilitation therapy facilities

There are only 55 general hospitals which represent fewer than 20 per cent of all general hospitals in Korea which are equipped with rehabilitation and specialized medical treatment departments for the disabled. Moreover, because almost of these facilities are located in metropolitan areas, many persons with disabilities in small or mid-size cities or towns are unable to benefit from the treatment these facilities offer. The total number of the specialists in rehabilitation department in Korea is 178, while approximately 100,000 persons are in need of their services. Thus, one specialist is responsible for caring for more than 700 disabled persons every year, a completely impossible feat. At present, there exist 269 public health centers at the city or town level, 1331 at the subcounty level, and 2,039 at the local branch level, for which one explicit responsibility is the rehabilitation of people with disabilities. These centers, however, lack the personnel and proper facilities to provide effective services. In order to provide effective services, first, the government should give great consideration to the evaluations by and opinions of the disabled, provide education and training of specialists, provide preventative and early diagnosis measures of disabilities, conduct surveys and research on rehabilitation and treatment, and establish and operate a regional body to oversee rehabilitation. Second, the government needs to unify the presently dichotomized system of operation under the Ministry of Health and Social Affairs, which should plan and implement various projects to meet the welfare needs of the community. Of course, the active participation of citizens as well as the consideration of regional differences should be guaranteed in the management of the public health centers.

Problems with special education

The number of children who benefit from special education in Korea is 48,073, or only 13.8

per cent of all children with some sort of disability (or, according to the statistics of the Ministry of Education, 43 per cent of such children). No department in the Ministry of Education is responsible for managing such special education. In classes for children with mental disabilities, the average number of students per class amounts to 15, which is drastically above the number appropriate for effective education which is around two to three children per class. In addition, teaching methods depend on experience and nominal vocational education only, indicating the less-progressive attitudes of Korean people towards special education. To address such problems, here are four proposals. First, a department within the Ministry of Education which is to be in sole charge of special education programs should be established in order to guarantee the right to education for children with disabilities. Second, as revisions to articles in the Special Education Act recognize the disabled's right to compulsory education, the government should establish special education facilities at regular schools to provide those children in need with such services. Third, the government should provide an environment favorable for the early education of children with disabilities through the enactment of concrete regulations for such education as soon as possible. The new Special Education Act stipulates that early education shall be implemented within six months of enactment. However, though more than one year has passed since the enactment, the government has not yet taken any visible measures to implement the provisions. Fourth, as the present expenditure on special education for the disabled is only 0.44 per cent of the entire education budget, the expenditure needs to be increased. And fifth, the government should increase individualized special education in regular schools to create an environment favorable to an integrated education system in which disabled students attend regular schools with specialized education.

Employment of the disabled

In Korea, the rate of unemployment of people with disability is 32.6 per cent, while the overall unemployment rate is only 2.1 per cent. Of the employed individuals, 68.7 per cent are employed in various kinds of manufacturing enterprises and receive 200,000 to 400,000 won a month in wages. The Disabled Person's Labor Act includes provisions stating that every workplace employing 300 or more regular workers are mandated to employ workers with disabilities at a rate of least 2 per cent of the company's total workforce. However, the provisions are not implemented effectively. In 1993, four years after the implementation of the Act, merely 9,099 people with disabilities are employed, while 40,579 people with disabilities should be employed in accordance with the provisions. Furthermore, even governmental agencies are above compliance with the law, as disabled employees in various government offices account for only 0.89 per cent, considerably lower than the compulsory 2 per cent. In order to encourage private companies to implement the provisions, the following measures must be taken. First, the government should actually raise its own disabled employment ratio to 2 per cent and encourage private companies to do the same. Second, the government should develop new types of occupations and vocational training projects which are suitable for people with varying types and degrees of disabilities. Third, the government should establish a special nation-wide network for job counselling and employment information for the disabled. This network would serve to facilitate the disabled's access to profesesional services for appropriate employment. Fourth, it should implement a series of measures to provide tax credits or other privileges to employers who employ people with disabilities.

Economic independence and guarantee of income

According to the survey of people with disabilities conducted by the Korean Health and

Social Affairs Institute in 1991, 46.5 per cent of households with disabled family members had average monthly incomes of less than 400,000 won, while the average living expenses for an urban household amounts to 1,398,000 won; obviously, the incomes of families with disabled members are not sufficient to provide for the livelihood of the family. The Disabled Person's Welfare Act, article 16, stipulates the implementation of the necessary tax privileges and discount in public utilities charges for the reduction of the economic burdens and the financial independence of disabled persons and persons supporting disabled family members. Article 26 of the Act also stipulates the prioritization of disabled persons when allocating store management privileges in public facilities. Though the Act provides for the prioritization of the establishment and operation of automatic vending machines in public facilities such as city hall, district offices, affiliated offices, and all levels of schools, the lack of public funds available for such projects, as well as the failure of local authorities to prepare concrete regulations, render their implementation impossible. Two proposals for the improvement of the living standards of the disabled are as follows. First, the uniform and indiscriminate of criteria to determine the level of financial allowance in the present Livelihood Protection Act, such as the degree and type of disability and age, should be replaced by a more realistic and reasonable set of criteria. Second, the subsidy paid to people with severe or multiple disabilities should be increased at least to the level of the minimum cost of living. Even in Japan, where the social welfare has not fully developed, persons with disabilities are given monthly allowances the equivalent of 480,000 to 640,000 won, while in Korea, 30,000 won per month is given to persons with serious disabilities.

The Lack of Convenience Facilities

There are currently too many barriers hindering people with disabilities from participation in the social life in Korea. For example, only a few places are open to people in wheelchairs, and the access to public transportation severely restricted the right of access of people with disabilities. Also, it is never easy for a person with a disability to go to school or to the workplace alone,

The aforementioned conditions in Korean society are a kind of social blockade of the independent lifestyle, as well as of the social intergration of Korean persons with disabilities into overall society. In order to ensure the protection of their basic and minimal right to access so that they can become "full" members of society, the relevant laws must not only be enacted, but also, the government needs to establish basic convenience facilities.

Section 6. Recommendations

Despite the presence of relevant laws and institutions for the welfare of peoples with disabilities, such laws are merely formalities, so that only the disabled's nominal social rights have been ensured. Not surprisingly, their socio-economic conditions have not undergone substantial improvement at all. On the contrary, because the various laws and regulations have so many restrictions and loopholes in them, Korean people with disabilities still endure harsh forms of discrimination. Now, it is time for the government to draft comprehensive and fundamental policy and actively ensure the actual implementation of the policy to protect the rights to education, rehabilitation, employment, and access for all disabled Koreans.

Article 11. The Right to an Adequate Standard of Living

Section 1. Housing Supply

The housing shortage in urban Korea has always been a serious problem, and the supply of dwelling units has not kept pace with the rise in the number of households. The Korean housing supply ratio (measured as the number of units of housing stock to the number of households) has declined from 78.2 per cent in 1970 to 69.4 per cent in 1988. However, this ratio has been steadily increasing after the government implemented the Two Million Dwelling Unit Project in 1989. By 1992, the ratio was about 74 per cent (Annual Housing and Population Report by the Economic Planning Board). The Korean housing supply ratio is still considerably low, compared to that of other countries. For example, it is 111.3 per cent in the U.S. (1980), 109.6 per cent in Japan (1983), 101 per cent in West Germany (1977), and 99.1 per cent in Taiwan (1980).

By almost any standard, the overall quality of the housing in Korea has increased substantially since the 1970s. The standard dwelling consumption has steadily improved. For example, the average dwelling size per person has increased from 7.9 square meters in 1975 to 12.5 sq. meters in 1989. The number of rooms per person has also been increased from 0.43 in 1975 to 0.51 in 1989. However, the fact that the average size for new dwelling units is too large is a new problem. The average size was 69 sq. meters in 1981, but increased to 103 sq. meters by 1989. The 1989 measures far surpass those of Japan (80 sq. meters), Sweden (91 sq. meters), Singapore (65 sq. meters), and England (86 sq. meters). The larger average dwelling size increases housing inequality. Despite the improvements in the housing supply and quality, housing remains a persistent social issue in Korea, because the inequalities in the distribution of housing have become even more pronounced as overall prosperity has increased. The urban poor have probably suffered more than any other groups. As many as 20,000 households live in "vinyl huts" (i.e. houses scantily constructed of plastic) sheeting in squatter areas of Seoul. Moreover, several hundred thousand people still live with sub-standard living areas, such as "squatter residences" in hilly areas.

At the beginning of 1993, the social housing (permanent rental housing) system was abolished and a new public sector housing program (long-term rental housing) was launched. The outcome of the new public housing construction plan has not been successful. Government financial support for the new public housing programs has declined drastically. For example, 4.2 per cent of total government spending was allocated for the housing-related budget in 1989. In 1993, however, the total expenditure versus housing budget had declined to 1.0 per cent. In other words, the Korean government has not undertaken full efforts to improve the housing conditions of the underprivileged, especially since 1993.

To solve the housing crisis in Korea, the government should develop the definition and indicators of the housing poverty line (housing minimum standard). After establishing the housing minimum standard line, the government must strive to solve the housing poverty problem.

Section 2. Housing Policy for the Poor

The government's rental housing policy is critical to the lives of the poor. In Seoul, 60 per cent of all households in Seoul live in some form of rental housing.

Since September 1991, the government's social housing projects plan has been downgraded from 250,000 dwelling units to 190,000 units due to the lack of available funds for the public sector. The number of social housing units falls far below the number of units needed for the target group (estimated at one million households in 1991). Moreover, there are two serious problems that face poor households at the aforementioned squatter areas. First, because of the excessive financial burden on each household, their possibilities of receiving the benefits of redevelopment projects are limited. Most residents do not have permanent high-paying jobs and have to rely on day-to-day employment opportunities, they are unable to afford the new housing units, and often sell their priority housing tickets to a real estate broker for a small profit.

The idea behind the sale of state-developed housing is that if the private sector cannot supply sufficient housing, then the public sector should fill the shortage, particularly for the poor. The Korean government housing projects have generally been too expensive and out of reach for the poor. Many low-income households and non-homeowners do not deposit their money in the Korean Housing Bank and National Housing Fund because of their extremely low level of earnings. In addition, the majority of low-income households in Korea are not able to bear the financial costs of housing even at minimum standards. In addition, the selection process for the public housing neither fair nor systematic. For example, 21 per cent of all new residents in the Sungsan Permanent Rental Apartment Complex turned out to be unqualified for public housing.

In conclusion, the recent social housing program initiated by the government is an improvement over other low-income housing programs in the past, but they are not without their problems. First, regarding the process of social housing allocation, local housing problems and other local issues have not been carefully considered. Local administrations are only to follow the criteria and processes set by the national government. Second, the crucial problems facing the very low-income groups originally relocated in social housing projects were their lack of employment, coupled with the high cost of commuting to work. Third, about 40 per cent of families receiving welfare live in urban areas, and the remaining welfare recipients live in rural areas. No social housing has yet been provided in rural areas. The allocation process of social housing construction is completely urban-centered.

Joint redevelopment projects and housing rehabilitation projects

In order to understand problems relating to eviction in Seoul, one must examine the squatter clearance project. The government has designated 250 areas in Seoul for this project. Since 1983, the project have been executed in 117 areas, and 133 areas have been marked for future redevelopment. Approximately half of the land marked for redevelopment is owned by the state or

the city. Thus, homeowners who do not own their land have to buy it from their government.

It is clear that the Joint Redevelopment Project (JRP) has negative effects not only on homeowners but also on renters. In particular, most renters in joint redevelopment districts have voiced their complaints as to the oppressive physical removal and eviction of tenants. Also, many residents of redevelopment districts have indicated the critical problems of the JRP: lack of consideration of residents' opinions in the planning process, excessive burden of project cost on individuals, insufficient public financing, and inadequate attention to renters' concerns.

Another problem centered on the "marginal squatters." Although provisions were made for the owners of demolished houses after the completion of project, no provisions were ever made by the government for renting families. Since 1988, however, renters have been given living expenses for two months, also referred to as moving expenses, or housing tickets granting them one-third ownership of a new apartment. As purchasing the remaining two-thirds is not a feasible option, the tickets are quickly sold. Since the beginning of the 1990s, the government has tried to supply public housing for renters in these areas. The crucial problems faced by the government was lack of funds for the public housing projects.

Concerning the notorious problem of forced evictions in Korea, even under the present redevelopment law, it is illegal to demolish a house if someone is physically present in it, is living in it, or if there is furniture in it. All of these restrictions have been completely ignored. Over half of the tenants in areas marked for redevelopment simply move when the area is announced as such, particularly in the JRP. Those who cannot move out due to financial difficulties, find that rental costs in neighboring areas have already multiplied two or three-fold as demolition approaches. As these residents are faced with no possible options, they sometimes decide to resist the demolition and the redevelopment project. In the past ten years, 40,000 homes which had been built without permits, housing 380,000 individuals, were demolished in Seoul alone. During the forced eviction as part of the process of demolition, at least 1,000 residents were seriously injured, 160 people were arrested, and more than 20 people were killed. Most recently, on March 18, 1995, a resident in the Kumho-Haengdang area of Seoul committed suicide by setting himself on fire and jumping from a five-story building in protest of the extremely inhumane process of forced evictions. In the Berlin 1987, Habitat International Coalition, Korea was listed, along with South Africa, as one of two countries in the world where evictions by force are the most brutal and inhuman (ACHR, 1989).

Protection law for renter and problems within this law

The "Protection Law for Renters" sets a maximum rent increase for two years at 5 per cent of the original rental cost. However, customary market concerns still prevail in the housing market which acts on a market-price-base system, and the government has done little to intervene or respond to the continuing behavior based on market demands. There is one tragic example of how the customary market system worked against the disadvantaged tenants. After the sudden skyrocketing of rental housing prices in 1989, seventeen tenants committed suicide because they could not afford the exorbitant rental costs.

Section 3. Housing Prices and Government Policy

High housing prices

Korea has experienced a rapid increase in housing prices. From 1975 and 1990, the housing price index which increased 6.5-fold, greatly exceeding the 3.5-fold increase in the national income and the 4.1-fold increase in the consumer price index. In the late 1970s, in particular, the rapid increase of housing prices in Seoul was largely due to real estate and housing speculation. In the 1980s, especially between 1983 and 1987, housing prices were under the strict regulation of the government. In the late 1980s, however, housing prices again increased dramatically. Apartment prices in Seoul more than doubled between December 1987 and March 1989. Average prices of housing units for first-time buyers was the equivalent the total sum of ten years work at working-class wages. In addition, chonse, or leasing deposit money, has increased at a rate of more than 20 per cent each year, which often consumes 30 to 40 per cent of a household's annual income.

Governmental Intervention in the Ceiling Price for New Apartments

Rent control for new apartments is the most important intervention in the housing market in Korea. It serves three purposes: 1) to provide lower housing costs for eligible households, 2) to encourage home ownership, and 3) to stabilize the price of existing housing. However, as the price gap between newly constructed housing units and the existing units widened, the increased speculation on the new housing units resulting in excessive demands for the units. In addition the government's policy of rent control has provided homebuyers with the opportunity to receive windfall gains because the announced ceiling prices for new apartments are usually much lower than the prevailing market value. The rent control policy also produced the unanticipated and unwanted results of actually increasing the over-consumption of housing and speculative demand. To successfully implement the policy on price intervention, the government must regulate public and private sector housing more effectively and with more consideration to possible effects of its policy.

Section 4. National Housing Funds

Due to skyrocketed land and housing prices, first-time homebuyers desperately need outside financial support to buy suitable housing. The majority of the Korea Housing Bank's (KHB) mortgage loans are tied to specific deposits. As the major agency for the allocation of governmental housing funds, the Korea Housing Bank's main activities are structurally divided into two: the first is normal banking activities involving borrowing and lending activities, and the second is management of the National Housing Funds (NHF). NHF loans are earmarked for those who contribute to the funds, which includes subscription deposits. The subscribers to the NHF are the only ones eligible to purchase Korean National Housing Corporation (KNHC) or new housing units developed by local government. On the other hand, one interesting aspect of the NHF's management is that private individuals can claim the funds for constructing smaller housing units (total floor space of less than 60 sq. meters) for non-owner occupiers. In Korea, the NHF is by

no means an institution for helping the poorest and most needy families.

Section 5. Revision of Housing-Related Taxes

The housing-related taxes must be revised to achieve stable housing and discourage speculation. Impartial taxation will be the key to attaining the equal distribution of housing resources.

Section 6. Recommendations

First, currently allocated governmental resource should be re-allocated for the development of public housing for the poor.

Second, governmental should be utilized much more effectively for the development of small housing projects and for the assistance of non-homeowners.

Third, a complete and comprehensive housing distribution policy is necessary to attain equity in housing.

Fourth, joint redevelopment projects and housing rehabilitation projects should go towards improving the living conditions of homeowners and/or landowners and renters in sub-standard housing areas.

Fifth, the Protection Law for Renters must be revised to provide for the actual needs of low-income renters. To do so, the Korean government must implement feasible policies and establish official agencies for its implementation.

Sixth, the National Housing Funds should be relatively free from market control. The Korean government should properly allocate NHF resources and develop an affordable mortgage system for low-income housing.

Seventh, the housing-related taxes must be revised to stabilize housing and discourage speculation. All rental housing should be registered as rental businesses. Finally, all revenues from rent should be taxed according to their proper and official criteria.

Article 12. The Right to Physical and Mental Health

Section 1. The Relaxation of Environmental Regulations

The Korean government has instituted economic growth policies without any consideration of the resulting large-scale environmental destruction. Not surprisingly, such short-sighted policies coupled with frequent environmental accidents have indeed resulted in the destruction of the environment. Under President Kim Young Sam's administration, such destructive trends are continuing due to lax anti-pollution regulations enacted in the name of national economic competitiveness. For example, the present administration permitted the construction of pollution-emitting facilities in the area surrounding a water reservoir. Under the Metropolitan Area Adjustment Plan, the government permitted the construction of golf courses and hotels upstream from the Han River which runs through Seoul. In addition, it reduced the number of companies which are required to hire environmental supervisors. The money earmarked for environmental spending constitutes only 0.25 per cent of total government expenditure, too small an amount for effective environmental protection.

Section 2. Laws Related to Protection of the Environment

Until 1990, Korea had the following environmental preservation laws: the Environment Prevention Act (enacted on December 31, 1977), the Marine Pollution Prevention Act (December 31, 1977), and the Solid Waste Management Act (December 31, 1986). At the same time the government abolished the Environment Preservation Act on August 1, 1990, it legislated the Basic Environmental Policy Act, the Air Environment Preservation Act, the Noise and Vibration Control Act, the Water Environment Preservation Act, the Hazardous Chemical Substance Control Act, and the Environment Pollution Damage Dispute Coordination Act. In addition, it enacted the Livestock Breeding Sewage and Excretion Act (March 8, 1991) and instituted a system for the disposal, management, and recycling of wastes. A disastrous incident on involving a company's knowingful 10 million dumping of phenol and benzene into the Nakdong River which polluted the drinking water of Taegu city residents provided the momentum for the enactment of the Special Measures Act on the Punishment of Environmental Crimes (May 31, 1991), the Environment Improvement Cost Charge Act (December 31, 1991), and the National Environment Preservation Act (December 31, 1991). Later, the "environment evaluation system" which was a component of the Basic Environmental Policy Act was enacted as a law itself as the Environmental Effect Evaluation Act (June 11, 1993). Urgent problems concerning nuclear waste disposal resulted in the establishment of laws for the promotion of radioactive waste management and the support of areas surrounding nuclear power facilities (January 5, 1994). The Drinking Water Control Act and Soil Environment

Protection Act are to be enacted soon.

Problems with the laws concerning environmental protection

The intent of these laws is to provide institutional environmental regulations to prevent air and water pollution resulting from the government's reckless economic growth policy and to protect against serious environmental damage. Institutionalized regulations are necessary in all areas of environmental concern. Before the establishment of the environmental protection laws in 1990, the government enacted very lax regulations concerning industrial sites and plant construction, which defeated the purpose of environmental protection. Also, in December 1994, the 17th National Assembly established the Special Law on Relaxation of Regulations on Industrial Activity in the name of economic revitalization. As a result, the effect of all administrative environmental regulations was decreased, again defeating the laws' original intent. Providing inadequate administrative safeguards against environmental destruction and not properly reflecting public opinion, most of the provisions contain only ex post facto punishment of environmental crimes and lack preventative measures to stop environmental destruction in advance.

Section 3. Environmental Pollution

Air pollution

The air pollution in Korea is much more serious than it appears to be. Perhaps the five-fold increase in the death rate by lung cancer over the past decade illustrates the seriousness more effectively. In 1980, 5 out of 100,000 persons died due to lung cancer, a figure which increased to 24 out of 100,000 persons by 1990 (Hankook Daily, May 13, 1991). However, due to differences in the standards of measurement, the air pollution level as reported by the government is always below the actual level. While air pollution measurement instruments installed on mountains, in parks, and on residential streets would give more exact measurements of the level of air pollution, such measures are infeasible as these locations are public spaces. Instead, the instruments were installed at Seoul National University, the park at Duksoo Palace, and the Pyungchung-dong residential complex, where measurements are not an accurate representation of pollution in Korea. Acid rain in 1993 was measured at the same high level as in 1991. In Seoul, 64 per cent of annual rainfall is acid rain. To address this serious problem, the government should mandate facilities to desulfurize petroleum, the transfer of industrial plants away from cities, and the decrease of the high density of automobiles.

Water pollution

The pollution of the four major rivers in Korea is increasing every year so that they will soon reach biological death, if they have not done so already. As stated above, in January 1994, the Nakdong River which is the drinking water source for 10 million residents of Taegu was polluted with phenol and benzene, carcinogenic chemicals. The fish in the Han River in Seoul suffer mass deaths every year, as in the Kum River in the central region of Korea and the Youngsan River in the south. In Seoul, causes of this are the fish farms, golf courses which use pesticides, and the swarm of small and medium-sized companies which jeopardize the healthy water

supply of the Han River. Also, the dye industries which employ arsenic acid pose real future dangers. Thus, pollution-emitting facilities in areas close to water sources should be relocated to address this growing problem. The standards for water quality should be raised to the standards set by the World Health Organization. For drinking water standards, the World Health Organization's standards contain 48 compulsory provisions, the United States' has 85, and Great Britain has 56, compared to Korea's 37 provision.

Destruction of the ecosystem

In 1994, after much land of national parks was exploited for commercial use, the government instituted the environmental effects evaluation system. There is currently a plan to build an army base 162 million square yards in size in the Inje forest, Korea's last untouched forest. Also, though Yongsudam in the Chiri Mountains was rated as an untouched forest impossible for development, the intentional distortion of the evaluation to permit development has resulted in the criminal prosecution of the Minister of Environment and the governor of South Kyoungsang Province. Muju Resort in the Dukyu Mountains also attained its development permit by fabricating the evaluation rating.

Marine pollution

In cases of seashore development, the imprudent practices of reclaiming under-sea-level land face the legal opposition of residents of neighboring areas and cause very severe environmental destruction. The Saemangum area on the western coast of Korea will be reclaimed despite its high scientific value. The reclamation of the Sawhra area has driven residents to cease their inshore fishery operations and abandon the area entirely. In the Seosan area, which has already been reclaimed, fishing is impossible, endangering the health of the residents. Development of this kind which is only for economic growth inflicts damage on the residents of neighboring areas due to the devastation of fishing industries and their lower quality of life.

Desolated agricultural villages

The import of agricultural products from overseas will increase due to the recognition of the GATT, particularly at the Uruguay Round. It will devastate Korean agriculture, which is very weak in terms of its competitive price, and therefore destroy ecological diversity in the process. The migration from rural to urban areas will also increase urban problems such as pollution. Rice cultivation, which is entirely dependent on water, serves several benefits such as providing reserve water resources, supplying oxygen, and absorbing carbon dioxide. Thus, the reduction of these functions from decreased rice cultivation are feared to bring severe ecological damage.

Section 4. Long-term Master Plan for Environment Preservation and the Mid-term Master Plan for Environment Improvement

Background

The Korean government has concentrated on its export-led economic growth policy through

the introduction of foreign capital since the 1960s without considering the accompanying environmental destruction. In the early 1980s, such policies indirectly resulted in widespread disease due to pollution in the Onsan area. At this time, the Korean government realized the severe dangers of pollution and took the initiative in environmental preservation in order to avoid further public criticism. With this background, the Long-term Master Plan for Environment Preservation and the Mid-term Master Plan for Environment Improvement was established in 1990, which was declared by the government as the starting year for environmental conservation, in accordance with the provisions of the laws concerning the environment.

Problems

The purpose of these Master Plans is the decrease in air, water, and solid waste pollution. The government plans to invest 9.38 trillion won between 1991 and 1995 for this purpose. The data provided by the government, however, indicates that the total environmental expenditure fell far behind the amount originally scheduled amount in 1994.

	1989	1992	1995	the end of 1994
concentration of sulphur dioxide in the air of Seoul	0.056	0.050	0.043	
water quality of Paldang Dam	1.2	10.	0.8	
the rate of sewage treatment	28.0	36.0	65.0	
the size of natural parks	7.5	8.0	10.0	
the rate of treating livestock sewage and excretion	14.7	54.6	75.2	

The reason for which these environment policies did not reach the target figure is that the Korean government's policies depend on economy-centered policies even now. Thus, the lack of financial support for implementing policies concerning environmental improvement has been the main reason for their lack of enforcement. The major cause of air pollution in Seoul is automobile emissions whereas the contributions to pollution by heating instruments has decreased due to the recommended use of cleaner fuel. The quality water in the Paldang reservoir has deteriorated greatly due to the government's short-sighted permission of the establishments of a golf course, factories, livestock breeding facilities, entertainment facilities such as hotels, within the protected area of the reservoir. Furthermore, even the government was directly party to the environmental destruction as it has build or is trying to build the Yangsoo Dam Power Plant in the Yangyang area, an army training ground in Inje, an international airport in Youngjongdo, and a large area for reclamation in the Mangum area. Such projects can only endanger the forest and ecological systems in the neighboring areas. As the government's policy of separate collection of wastes and recyclable was not successful due to the lack of public attention, starting January 1, 1995, the government instituted the "specific amount of wastes" system, in which the price of waste collection is directly proportional to the amount of wastes. The success of this system has yet to be ascertained. The forcible installation of waste incinerators or sewage treatment facilities in

specific areas without consulting with the residents has been greeted with their complaints. In addition, the Electric Companies Law guarantees the exclusive right of electricity supply to the Korea Electric Company (KECO). The KECO chose nuclear power for their electricity supply, because it is easy to establish nuclear power plants. Nuclear power plants located in Gori, Ulsan, Wallseong, Youngwang areas have already begun the operation of nine nuclear power machines. This has resulted in strong opposition from the residents due to their fear of radioactive contamination and the installation of nuclear waste treatment facilities. Also, the KECO does not have any intentions for investing in alternative energy developments, such as wind power energy.

The exclusion of residents from policy-making decisions

The government's policies do not reflect the opinions of residents in the policy-making decisions. Though many hearings are held, they are actually mere formalities to avoid public criticism. Sometimes the government has announced false conditions for their business plans, causing troubles with the residents who believed the false promises.

The financial support and supply of information by the government to non-governmental organizations working for environmental protection is far from sufficient. Furthermore, such support is readily given to such organizations which take sides with the government. The openness of information is not guaranteed by present laws, but rather depends on the willingness of the concerned public official to disclose the information. In order to institute the democratic process in policy-making concerning environmental issues, the practical realization of local autonomy administrations and the enactment of the Information Openness Act are necessary.

Recommendations

First, the government should prepare environment evaluation standards for the protection of people's health and their right to enjoy a healthy and pleasant environment. It should also act in accordance with the changes in environmental evaluation standards. The government should also improve current environmental standards, which is very lax compared to other nations' strict and comprehensive environmental standards.

Second, the government should take more strict and comprehensive measures to prevent air, water, and marine pollution.

Third, the government should facilitate the realization of local autonomy administrations and enactment of the Information Openness Act to reflect effectively the opinion of residents in the environmental policy-making process.

Article 13. Right to Education

Section 1. Overview

The government's Report only superficially describes the school system, educational institutions, and education budget and does not give an accurate account of the state of education, as well as the factors and difficulties in implementing reforms, in particular, concerning the right to education. The government does not raise the problem of Korea's education which is centered on passing the college entrance examination, one of the basic problems in Korea's educational system. Also, the Report fails to justify the reasons for which teachers are denied the exercise of their three basic labor rights and are prohibited from running for public office and expressing their political opinions. The autonomy of education is greatly infringed upon by the government's restrictive control over education. Furthermore, the government's Report fails to indicate any intention of improving their system of exclusive regulation of all textbooks, teaching materials, and curricula. Due to the lack of educational funding by the government, parents are paying an increasing amount on private schooling or tutoring expenses, which account for 70.7 per cent of the overall education costs. The lack of educational funding also results in poor educational facilities for the disabled, or worse, the virtual abandonment of any efforts for improvement. Overall, the government's Report does not mention specific policies to improve any of these problems, thereby reducing the meaningfulness of the submission their Report.

Section 2. The Focus of Korea's Educational System Centering on Passing the College Entrance Examinations

The biggest obstacle to the development of the Korean educational system is that one's entire education is focused on passing the college entrance examination. The educational aims of Korea are to assist in developing students' characters, attaining the desirable qualities of citizenship, and contributing to the benefit of humankind. These goals, however, are not accomplished due to the emphasis on rote memorization, which suppresses students' creativity. This is a serious problem, considering Korea's traditional viewpoint that education should be a far-sighted national policy. The educational system does not merely affect the students involved, but also their parents and Korean society. Many students suffer from "exam anxiety" and depression, and some commit suicide because of academic pressures.

Problems within the Korean educational system reveal the larger problems and contradictions in Korean society: social practices which emphasize one's educational background (e.g., which university one attended) and the irrational economic structure. A prerequisite for improving the current educational atmosphere is to overcome barriers such as the high income gap between high

school and college graduates, severe differences in working conditions and promotion opportunities, and the deep-rooted bias against manual labour. The income gap among workers based on their educational levels is as follows:

[Table] Income gaps among workers based on their educational level

(unit x)

	Graduates of middle school or less	Graduates of high school	Graduates of junior college	Graduates of universities
1988	100.00	116.8	141.0	223.0
1989	100.00	114.8	136.1	209.1
1990	100.00	114.0	133.0	199.2

* Ministry of Labor, Survey on Wages of Workers, by Occupation (1990)

This problem stems from the Korean government's policies. In past years, the government adhered to its anti-labor policy, violently oppressing the labor movement which struggled for workers' political and economic rights. For example, teachers who had recently been dismissed were reinstated only after they withdrew from the Korean Teachers' & Educational Workers' Union, under President Kim Young Sam's remarks that "teachers are not laborers." Owing to the governmental anti-labor attitude, all students struggle to enter college, leading to problems within the educational system.

Section 3. The Right to Education and Free Education

(Government Report paras. 449-475)

Free primary education (Government Report paras. 449-454)

In order to implement compulsory education fully, the government should assume the responsibility of maintaining students' good health, a basic condition necessary for education. School feeding is the solution to problems such as children's poor health and the nutrition gaps according to students' geography and social class. Primary schools, where school feeding was implemented in September 1994, were 2,300 in number, or 36.1 per cent of the entire 6,366. Only 970,635 students, or 24.8 per cent of the total number of 3,917,631 students, were recipients of the meal system (Ministry of Education). This is a small portion, in comparison with 99 per cent recipient rate in the U.S., 98 in Japan, and 95 in Sweden. Even schools which provide meals have many problems: first, a lack of funds to implement the system; second, the failure to establish administrators in charge; third, the absence of nutritional standards.

Status of vocational high schools (Government Report para. 461)

The number of students applying for vocational high schools is increasing, indicating increases in the numbers of both vocational high schools and applicants. Experimental and

technical facilities play a significant role in vocational high schools, as experimental and technical courses represent a third of their curricula. Experimental and technical facilities can be obtained under the Regulations of School Facilities and Equipment Standard. However, the percentage of schools equipped with experimental and technical facilities is about 50 per cent with the exception of South and North Kyongsang provinces, with 53.5 per cent in Seoul, 48.6 per cent in Pusan and 43 per cent in Kwangju (Material for the National Assembly, Ministry of Education, 1994). As of 1994, the annual expenditure for experiments and technical practice per student was 112,000 won in Seoul, 547,000 won in Pusan, 489,000 won in Taechon, 361,000 won in Taegu, 218,000 won in Kwangju, 199,000 won in Kyongi, 170,000 won in Kangwon and 224,000 won in Chungbuk, illustrating the poor financial support for experiments and technical practice.

The "two-plus-one" system of industrial high schools - two-year school education and one-year field training - has been implemented partially since 1994 and is scheduled to expand gradually after 1998. However, this system has not been implemented the way it was intended due to several problems: insufficient governmental supervision of the system; the unwillingness of large companies to provide field training and skills education; the lack of workplaces equipped with training centers for three-month compulsory education; the failure to link the system to the school curriculum; the lack of a systematic course for field training; and the lack of guidance and evaluation. Students who receive field training suffer from long work hours and low pay. The training does not allow trainees to practice what they learned in school, as they are merely assigned to positions on the assembly line. Of the trainees, 94.5 per cent receive 200,000 to 700,000 won a month, and 74.8 per cent work from 5 to 60 hours of overtime a week. Engineering high school students must sign pledges stating "I am ready to be punished if I desert my post without notice," "My parents and I will take responsibility for every accident arising during field training," "I will not apply for a higher education institution," and "I will never join the trade union during field training". Trainees call this pledge the modern version of a "slavery covenant."

Pre-school Education (Government Report paras. 526-527)

While the ratio of recipients of pre-school education in developed countries is 60 to 100 per cent, it is merely 47.3 in Korea as of 1993. Provisions concerning pre-schools are prescribed in the Education Act, Enforcement Ordinance of Education Act, Regulation of School Equipment and Facilities Standard, and Pre-school Education Promotion Act. Since pre-schools are not included in the regular school system, the regulations are abstract and mere formalities.

As of 1993, the number of national/public pre-schools was 4,514 (53 per cent of the total 8,515) and that of private pre-schools was 4,001 (47.0 per cent). In terms of the number of classrooms, classrooms of private pre-schools numbered 10,766 (66.8 per cent of the total 16,123 pre-school classrooms). The primary reason for which private pre-schools outnumber national/public ones is their higher quality of education. In larger cities, the private to public ratio is much higher. In Seoul, 97.9 per cent, or 1,325, of all pre-schools are private, and only 29 are public; in Pusan, the figure is 93.1 per cent. The percentage of private pre-schools in Korea, with the exception of six large cities, is 26.3 per cent. The following table provides information on pre-schools according to their type of establishment.

[Table] The Numbers of pre-schools by Establishment Type

Classification	National	Public	Private	Total	Ratio
1989	88	145,168	265,584	410,824	64.6
1990	88	127,056	287,388	414,532	69.3
1991	82	117,796	307,657	425,535	72.3
1992	80	117,004	333,798	450,882	74.0
1993	80	113,252	356,048	469,380	75.9

* Source : Annual Education Statistics, Ministry of Education.

Enrollments in national/public and private pre-schools versus children aged 3 to 5 years are as follows:

[Table] Annual Enrollments (1988-1992)

Year		1988	1989	1990	1991	1992
Eligible Population	age 5	781,100	739,870	680,878	625,411	627,596
	age 3-4	727,811	684,746	649,233	649,222	1,226,053
	total	1,508,911	1,424,616	1,330,111	1,274,633	1,853,649
Total	no. of pre-schools	10,501	10,643	10,400	10,026	9,655
	no. of classrooms	18,754	19,312	19,088	18,298	17,878
	no. of enrollments (age 5)	440,182	420,978	377,227	339,958	297,736
	no. of enrollments (age 3-5)	604,526	599,581	564,842	536,697	793,789
	ratio of enrollment (age 5)	56.4	56.9	55.4	52.4	47.5
	ratio of children aged 3-4	40.0	42.1	42.4	42.1	42.8

*Source: Report of Pre-school Education Situation, Bureau of Primary and Secondary Education, Department of Education, 1982

The reason for which the government fails to include pre-schools into regular public education is that the number of pre-school educational institutions, such as unauthorized pre-schools and private institutions, has increased. Of 32,000 institutions registered as of 1990, institutions specializing in fine arts and music total approximately 7,334, 3,200 of which implement educational programs for young children. Private institutions increase at the rate of 20 per cent annually, due to their lower fees and more specialized programs than public pre-schools. These so-called specialized educational institutions face many problems concerning the quality of teachers, child protection, educational facilities, and operating funds.

The number of children per classroom at private pre-schools is more than 33, casting serious doubt on the educational effectiveness (national/public pre-schools average 21 children). This indicates that private pre-schools prioritize profit to educational effectiveness. In addition, 77.7

per cent of pre-school principals are unqualified (Material of Inspection by the Education Committee of the 14th National Assembly, Ministry of Education, 1993). Most pre-schools do not satisfy the standards for pre-school facilities set by the government.

In 1990, the Ministry of Education allocated 0.16 per cent of its resources for pre-school education, even less than the 0.44 per cent in 1985.

[Table] Planned Investment in Pre-School Education Promotion & the Annual Budget of the Ministry of Education

	1985	1987	1989	1990
Budget of Ministry of Education	2,492,308	3,123,900	4,059,400	5,062,431
Five-year Plan for Pre-school Education Investment (B)	11,035	16,519	18,988	23,082
Pre-school Education Budget (C)	11,035	7,899	7,520	8,157
Ratio	B/A	0.44	0.53	0.40
	C/B	100.0	47.8	39.6
	C/A	0.44	0.25	0.19

Alternative schools for youth workers (Government Report para. 471)

In the past seventeen years, night classes and schools attached to industry have provided a total of 743,330 youth workers with opportunities to learn. As of April 1, 1994, there are 32 schools annexed to industry. The number of enrollments has dwindled sharply from 47,800 in 1989 to 15,100 in 1994, and the schools are likely to be closed soon. This is attributable to the lack of governmental financial support and recognition from the industries. Schools attached to industry should expand continuously, both for the sake of educational welfare, the equality of educational opportunities, and solving the serious industrial labor shortage. The government, however, has taken advantage of the system to attract labor, without providing any administrative policies. The original intention, to provide educational opportunities to youth workers who cannot advance to higher education institutions for financial and other reasons, should be cherished and proceed. For this, the government should improve the educational conditions and surroundings, establish an administrative system, and allocate more of its resources.

Section 4. Lifelong Education (Government Report paras. 479-488)

Status of air and correspondence colleges (Government Report para. 479)

The air and correspondence college has become the single largest institution for higher lifelong education. As of late 1993, the air and correspondence college had 310,995 undergraduate enrollments, up from only 12,000 applicants in 1972. For undergraduates, the percentage of enrollments in the air and correspondence college to the overall enrollments in higher education institutions is 15.6 per cent. In spite of this quantitative growth, the college faces several problems as follows:

First, the primary purpose of the air and correspondence college is to provide opportunities

to further their studies for adults who could not go on to higher educational institutions. Its administration is headed in the wrong direction, however. For example, enrolled students are steadily getting younger. Students under twenty years of age accounted for 20 per cent of the 1993 entering class. In short, the air and correspondence college has become the educational institution for young people who could not go to regular colleges.

Second, the college provides corrective instruction and lectures on radio and television broadcasts. The corrective instruction, however, is not effectively provided, and the rate of viewing the television lectures is merely 30 per cent. Lectures are mainly broadcast over the radio, while the television lectures receive midnight broadcasting. Thus, an independent broadcasting network is necessary.

Third, the percentage of students who graduate is only 17.8 per cent as of 1992.

Fourth, while there are 300,000 enrolled undergraduates, classrooms and libraries accommodate only 10,000 and 2,000 students, respectively. Also, the experimental and technical practice facilities for the use of students is insufficient.

Acquiring capable professors seems to be a lesser priority for the air and correspondence college than employing television and radio broadcasts as educational methods. However, professors are the key to an effective education. As of 1994, the air and correspondence college had 108 professors, 63 per cent of the set number. The student to professor is 1,875:1, compared to 125:1 in France, 107:1 in England, 700:1 in Germany, 111:1 in Spain, 48:1 in Malaysia, 30:1 in China, and 561:1 in Japan. The college should be fully opened and function as a life-long educational institution to serve its functions. Academic advisors for individual students should be assigned to local educational centers in order to increase the level of face-to-face instruction. The present budget accounts for merely 23 per cent of the 1993 budget of Seoul National University (in terms of the expenditure per student, Seoul National University spends 4.88 million won, while the air and correspondence college spends 160,000 won).

Problems facing open colleges

Open colleges were established to provide opportunities for higher education for industrial workers. As time passes, these colleges have lost their original educational aims. Over 45 per cent of the undergraduates were unemployed in 1993, while industrial workers accounted for 24 per cent of the entering class. Open colleges have been reduced to educational institutions which students attend merely to acquire college diplomas. Some students who could not enter ordinary colleges acquire false working backgrounds or work for factories in order to enter open colleges and obtain college diplomas. Undergraduates demand that their open colleges be transformed into regular colleges.

Status of facilities for non-formal education (Government Report paras. 484-488)

Non-formal educational facilities annexed to universities and private academies, a new type of university education and life-long educational institution, provide social services as well as research and instruction. As of July 1994, 53 universities throughout the nation had such social educational annexes. However, the institutions levy high lesson fees for high profit, cancel lectures due to low attendance, and admit four times as many applicants as the legal capacity. In addition, there are few full-time instructors and a severe dependency on part-time instructors. These institutions adopt rote memorization methods unsuitable for adult educational programs.

Section 5. Educational Investment (Government Report paras. 489-495)

The government's low educational investment

The educational budget (Ministry of Education, Budget Planning) accounted for merely 3.76 per cent of Korea's GNP in 1994, lower than the average 3.9 per cent in developing countries as of 1992 (OECD report, 1993). To keep up with international educational standards, the government should allocate at least 5 per cent of GNP for education. The percentage of GNP for educational expenditure was 5.0 per cent in Japan (1986), 6.7 per cent in the U.S. (1986), and 7.2 per cent in Canada (1987). The rate of increase in educational expenditure has been steadily dropping, from 28 per cent in 1990, 27.5 per cent in 1991, 18.2 per cent in 1993, to 10.3 per cent in 1994. Particularly, the 1994 figure falls far below 13.7 per cent, the rate of increase of the gross national budget.

The increased burden of educational expenditure on parents

The government's poor educational investment forces parents to pay substantial educational expenditures. According to a 1991 research report (1991) by the Korean Education Development Institute (KEDI), the total education expenditure was 20.81 trillion won as of 1990, of which direct education expenditure accounted for 18.12 trillion won. Private education expenditure was 9.43 billion won, accounting for 45.3 per cent of total education expenditure and 52 percent of the direct education expenditure. Including the 3.12 trillion won for public educational expenditure spent by parents (entrance, tuition, school supporting fees), the percentage of privately-burdened educational expenditure to the total educational expenditure was 70.7 per cent. In particular, pre-schools and junior colleges are the most expensive educational institutions.

Regardless of this situation, the government has not made efforts to increase its educational expenditure substantially and presents educational policies which place greater economic burdens on parents, under the so-called benefit principle that "the one who benefits should pay." Such examples of the government's policies which were announced by the Ministry of Education in 1994 are its permission of pre-school aged children to attend private institutions in addition to the approved pre-schools, its permission of primary school students to receive private tutoring in Korean, English, and mathematics, its policy of allowing students to skip grades, the reinstatement of high school entrance examinations, and its permission of supplementary classes at school. The primary reason for the heavy burden on parents is the poor educational quality provided by schools along with parents' great interest in education.

Problems of over-sized classes (Government Report para. 494-495)

In addition to increases in private educational expenditure, poor investment in education results in over-sized classes. Classes are too crowded for teachers to administer a standard level of education. The number of students per legally-defined class is 50 (in some special cases, 60). This guideline is rarely observed.

The government's Report states that over-sized classes are dwindling due to steady educational investment. This is not due to considerable educational investment by the government, however, but rather the natural decrease due to the lower birth rate. For example, the number of students per middle school class in 1985 was 61.7. Admission of 1990 newcomers at the same

number of 1985 classes leaves the number of students per class at 50.5, due to the decrease in birthrate. In other words, the government's investment resulted in a decrease of 1.7 students.

Over-sized classes are prevalent in urban areas. As of 1990, 29.1 per cent of primary school classes had more than 51 students (50 per cent in the six largest cities), and in Seoul and Inchon, classes with over 71 students numbered 146 and 91, respectively. Double-shift classes have increased 135 per cent from 1986 to 1990, and those in third-grade-and-over classes numbered 1,028. Middle and high school classes with over 51 students accounted for 66.8 per cent of the total (90.5 per cent in the six largest cities) and 87.2 per cent (96.1 per cent in the six large cities).

Over-sized classes are a harmful factor in educational surroundings to both teachers and students. Generally, over-sized classes cause problems such as decreased educational effectiveness, lack of counselling and guidance, hindrance of students' mental and physical development, decrease in safety, and difficulties in curriculum management.

Shutdown of agricultural and fishing schools

Poor educational investment results in over-sized classes in urban areas, while the migration from rural to urban areas results in under-sized classes in agricultural and fishing schools. The government has not taken active measures to solve this problem, and simply closes agricultural and fishing schools. From 1982 to September 1994, the number of merged and closed agricultural and fishing schools was 1,520. In particular, the number of schools which have been closed or planned to be closed is as follows: 211 main schools and 36 branch schools from 1982 to 1990, 130 main schools and 22 branches in 1991, 177 main schools and 51 branches in 1992, 163 main schools and 47 branches in 1993, 249 main schools and 71 branches as of September 1, 1994, and 365 schools in 1995. The government's unreasonable policy of closing agricultural and fishing schools should be reconsidered seriously in the following respects: smaller schools without over-sized classes should be given priority over the government's financial worries; smaller schools will be the key to preventing rural to urban migration; and closing schools threaten the communities' sense of unity.

Section 6. Special Education for the Disabled (Government Report paras. 502-502)

The rate of education for disabled students

According to the "Report by the Administration Renovation Committee" (October 1993), the percentage of beneficiaries of education for the disabled was about 20 per cent. The target population of people aged 5 to 17 years totalled 243,556 children, and special schools numbered 106, with an capacity of 20,985 disabled children. Schools with special classes numbered 2,683 (1,036 classes in primary schools, 413 in middle schools and 280 in high schools) with a capacity of 49,195. The percentage of disabled beneficiaries of education in the U.S. increased from 55 per cent in 1975 to 61 per cent in 1977, with over 90 per cent of the recipients having mental, linguistic, or acoustic disabilities. In Japan, this figure increased from 32 per cent in 1972 to 95 per cent in 1983 (Research on Special Education Promotion Measures, the Korean Education Development Institute, 1986). The following table shows the situation of the beneficiaries of special education in relation to the total population of each nation.

[Table] The total population of each nation and the number of beneficiaries of special education

nation	Canada	France	Hungary	Poland	Russia	England	Korea
total population (A) (unit: 10,000)	2,590	5,587	1,060	1,476	28,368	5,708	4,198
no of beneficiaries of special education (B)	559,717	335,561	38,197	105,763	575,600	134,908	49,195
B/A	0.022	0.006	0.004	0.007	0.02	0.002	0.001
status of beneficiaries of special education in each nation, with Korea as the base unit of 1.	22	6	4	7	20	2	1

* Source: White Paper On Special Education, Ministry of Education, 1993

Problems in special education

Since the Special Education Promotion Act was enacted in 1977, many special schools and classes have been established. They are not without serious problems, however. First of all, the dependency of special educational institutions on private schools is very high, approximately 60 per cent, varying according to region. Some areas have few special schools, and some have schools only for specific disabilities. Second, even schools for specific disabilities lack progressive curricula, and the students have difficulties in such educational conditions. Third, the number of private institutions for infants and children is insufficient and, as a result, unlicensed institutions have increased. Finally, the government should take measures for students who fail to advance to higher educational institutions because of decreases in their number of classes.

Employment of the disabled

Though the disabled may have diplomas, it is very difficult for them to overcome social constraints and gain employment. National and provincial organizations and workplaces with a more than legally-defined number of workers are required to fill a quota of disabled workers. While the government should lead this movement, the government, and even the Ministries of Health and Labor, do not observe this quota. The current situation of national or provincial organizations and workplaces subject to employ disabled workers is depicted in the following table.

[Table] Status of employment of disabled workers at workplaces subject to employ disabled workers

	Civil Servants to Be Employed	No. of Obligatory Employees	No of Disabled Civil Servants	Ratio of Implementation	No. of the Desired Employees
91.1.1.	291,584	5,793	1,504	26.0	4,289
92.1.1.	256,404	5,071	1,698	33.5	3,373
93.1.1.	279,713	5,548	1,987	35.8	3,561

*Source: Representatives' Consciousness of Disabled People, Ministry of Labor, 1993

After they finish special education, a overwhelming number of people with visual disabilities work as acupuncturists or moxa-cauterizers, massagers, dress-makers. People with acoustic disabilities engage in mainly dress-making or shoe-making, both of which are declining businesses. According to an analysis of employment conditions of graduates of schools for the acoustically disabled (Song Moon-Ho, 1988), 76 per cent get jobs unrelated to what they learned at school, and 86 per cent change jobs within three years after their employment. Research by the Korean Society for Rehabilitation of the Disabled (1992) shows that 48.7 per cent received under 100,000 won a month, 19.3 per cent received 100,000 to 221,000 won, 14.1 per cent received over 221,000 won. Disabled workers paid over 222,000 won, the minimum wage at that time, accounted for merely 14.4 per cent.

Education conditions of disabled children

According to a research conducted by the Society for the Study of Early Education of Disabled Children, early education institutions for special children numbered 223, including 165 private institutions (71 per cent). Only 5,500 disabled children, or 5 per cent of the target population of 100,000 to 120,000 children, benefitted from special institutions, even including unknown smaller educational institutions and private tutoring. In addition, as private institutions for early education are not granted subsidies by the government, tuition is quite expensive, reaching 100,000 to 1 million won a month. In spite of this, the number of applicants outnumber the number of placements at institutions. Most disabled children stay at home, and in some cases they are abandoned. The government has not enacted any policies for special education.

Section 7. Status of the Teaching Staff (Government Report paras. 510-517)

Social status of the teaching staff (Government Report para. 510)

The political and social status of Korea's teachers is lower than they deserve. In other words, the social status of Korean educators is low compared to its role in Korean society. According to research by the Korean Teachers' Association (formerly the Korea Federation of Teachers' Association) in 1989, the social status of primary school teachers among 15 jobs was ranked at 8 by primary school students, 14 by middle school students, 14 by high school students, 12 by teachers, and 10 by adults. The social status of middle and high school teachers was ranked at 10 by primary school students, 9 by middle school students, 8 by high school students, 7 by teachers, and 10 by adults. According to "Research of Korean and Japan Teaching Staff's Social and Economic Status and Their Educational Viewpoint" at the Fourth Korean-Japan Seminar on Educational Study, the social contribution of Korean teachers was rated at 4 for middle and high school teachers and 5 for primary school teachers among 26 jobs, while that of Japanese teachers was ranked at 9 for middle and high school teachers and at 6 for primary school teachers. The actual social status, however, of Korean teachers is lower than that of their Japanese counterparts (Hangyoreh Daily, May 25, 1994).

In spite of the important role of education in Korean society, the low social status of education is attributed to previous governments' policies of neglecting education as they made every effort to maintain their power. They simply considered education an institution to produce a

labor force equipped with basic knowledge to accelerate industrialization, neglecting education's intrinsic functions and quality. This led to the deterioration in the quality of education and low status of teachers.

A school is recognized as a low-echelon administrative unit, and teachers as its officials. Every responsibility and authority of school management is held by principals, and education is administered under order of the principal. The Educational Act, article 75, paragraph 1 states, "the principal is in charge of school affairs, supervises the staff and educates students... teachers educate students by order of the principal." Though there are staff meetings, a personnel consulting committee, a teacher disciplinary consulting committee, and a budget-settlement consulting committee, these committees do not have actual authority and are unable to share the absolute power of the principal to reflect the welfare of teachers. As a result, school administration is controlled undemocratically. Efficient education cannot be implemented without changing the school administration system: the Ministry of Education → the Office of Education → Principal → Vice-Principal → (Chief Teacher) → General Teachers → Students.

In 1991, the government limited principals to serve a maximum of two terms of four years each, and assigned the right to appoint principals to the Minister of Education, in an attempt to reflect the public opinion. This, however, has derailed the educational administration. Principals tend not so much to implement school administration with educational responsibility as follow the orders of the Ministry of Education or the Office of Education, in order to be reappointed.

Teachers' three labor rights and constraints on political activities

Teachers' three labor rights and their freedom to participate in political activities are not guaranteed. The ILO Conventions 87 (freedom of Association and the right to organize), 98 (the right to organize and bargain collectively) and 151 (Civil Servants' Three Labor Rights) state that the government has an obligation to protect teachers' three labor rights. In spite of the ILO's recommendations to the Korean government to guarantee teachers' right to organize, the government refuses to acknowledge teachers' three labor rights and illegalizes the Korean Teachers and Educational Workers' Union (KTEWU), which has gained popular support. When teachers established the KTEWU in 1989, the government dismissed 1,697 teachers, and later reinstated 1,312 on condition of their withdrawal from the union. The remaining 369 former teachers did not return to their schools. Teachers are deprived of their freedom of political activities, their civil right. They are not eligible for election for the offices of education committee members, representatives of provincial parliaments, or representatives of the National Assembly. As they are not allowed to assume official posts or engage in political activities, they cannot express their opinions on national policies. The denial of teachers' three labor rights and their freedom of political activities are major obstacles of teachers' participation in educational policy-making to solve educational problems. Legal constraints on teachers' three labor rights and political activities are stated in the Constitution article 33, paragraph 2, the Labor Union Act article 8, the Civil Servants article 66, Regulation of Civil Servant Service article 28, and the Provincial Civil Servant Act article 58.

Heavy teaching burdens

According to the "Report on the Conditions of Teachers' School Life and Opinions," based on surveys of 1,242 middle and high school teachers by the Korean Teachers and Educational

Workers' Union, many teachers do not have enough time to prepare for lessons because of their large number of classes and extra-curricular affairs.

[Table] Teachers' Time Spent for Students

	regular lesson hours	supplementary class hours	autonomous study hours	extra-curricular hours	extra-class special activities hours	class meeting hours	total
no. of respondents	1,236	570	555	1,008	303	697	1,235
total	20.6	5.5	4.4	1.3	2.3	1.0	26.9
primary schools	26.5	3.8	3.5	1.4	2.6	1.1	31.2
middle schools	18.7	5.7	4.9	1.3	2.2	1.0	26.4
general high schools	16.5	6.0	4.6	1.1	2.0	1.0	24.8
vocational high school	15.9	4.5	4.2	1.2	1.8	1.0	19.9

[Table] Time Allocated for Preparation of Lessons during Working Hours

	no. of respondents	average	under-10 hours	11 hrs - 20 hrs	21 hrs - 30 hrs	32 hrs - 40 hrs	over 51 hrs
total	1,190 person	5.6 hour	88.3 %	11.1 %	0.1 %	0.3 %	0.2 %

Along with over-sized classes, the lack of preparation time is a primary cause of lowered educational efficiency. The government does not observe the class size limit it established, schools are short of teaching staff, while outside schools thousands of prospective teachers await receiving official appointments for teaching posts in public schools. Only 88.6 per cent of the number of teaching posts officially set by the Ministry of Education are filled in public schools, and 80.9 per cent in private schools (a shortage of 35,000 middle and high school teachers and 7,000 primary school teachers). The 1993 Ministry of Education document for National Affairs Inspection shows that while 2,616 people received official appointments for middle and high school posts and 820 for primary school posts, the number of those on the waiting list is 1,121 for middle and high school posts and 820 for primary school posts. Since 1991, the number of teaching licenses issued after has increased by the thousands every year, increasing the number of those on the waiting list for appointments.

Another indicator of the serious problem concerning teachers' heavy workloads is the high number of students per teacher. In spite of this, the government continues to lower the number of teachers per class.

[Table] Number of Students per Teacher in Each Country

Nation	Survey Year	Primary Sch.	Middle Sch.	High Sch.
Korea	1991	34.4	23.7	32.6
Indonesia	1988	23.6	14.8	13.0
Malaysia	1988	21.3	20.0	12.9
Singapore	1988	25.8	21.6	11.2
Japan	1988	22.2	17.5	9.8
Brazil	1988	23.9	14.6	12.0
Argentina	1988	19.3	7.5	12.7

Source : The Korean Education Development Institute, "Korea's Educational Indicators" (1991)

Section 8. Private Schools (Government Report paras. 518-519)

Previous administrations emphasized the stability of schools as important for their own stability and granted school foundations full authority over their school security. This resulted in tremendous irregularities in private schools; the despotism of private school foundations, unfair admission of students in exchange for money, misappropriation and embezzlement of public funds, management of schools as profitable businesses, collection of miscellaneous fees and school-supporting expenses, accounting irregularities, dishonest selection of supplementary textbooks, and wrongdoings related to personnel affairs. These private school problems were said to stem partly from financial difficulties. However, this is not the case. Since 90% of profitable investments owned by private school foundations is real estate, they would probably have no financial difficulty if they managed their investments properly. Therefore, irregularities primarily result from the concentration of authority assumed by the foundations.

One solution to current problems facing private schools is to establish a division system in which three subjects - educational authorities, foundations, and schools - control one another. This requires the amendment of the relevant laws so that the foundation should be in charge of school management, and the school in charge of educational matters. In this way, the openness and autonomy of private schools can be improved. According to the Private School Act, the foundation has the rights to appoint the headmaster and teachers, discipline teachers, and draft the school budget. The foundation should relegate authority concerning educational matters, except school management, to the school. In addition, among the articles in the Private School Act is one stating the institutionalization of professors' or teachers' meetings as a having decision-making power. On a long-term basis, however, parent-teacher school supporting meetings need to be strengthened in each school. Measures should be taken to encourage and guarantee parents' participation in the management of educational affairs. In order to support the institutionalization of professors' and teachers' meetings as decision-making entities, first, the school should have the right appoint teachers and oversee personnel matters; second, the authority to discipline the teaching staff should be assigned to the schools' Disciplinary Committee; third, the authority of drafting the school budget should be assigned to the school's Budget-Settlement Committee.

Section 9. Guarantee of Educational Autonomy (Government Report para. 520)

The right to a national monopoly on textbooks (Government Report para. 520)

As the Regulation Concerning Books for Curriculum article 51 states that "books other than textbooks should not be used in class," only textbooks are used in class in the current educational institution. The government holds a monopoly over the content of textbooks through the system of authorizing and approving textbooks. The Educational Act article 157 paragraph 1 stipulates that the Ministry of Education holds copyrights of textbooks of all schools except universities, education colleges, teachers' colleges, and junior colleges. The government monopolizes everything from textbook publishing, the selection of commissioned institutes, the appointment of members to the publishing inspection committee, the decision and conveyance of the standard of judging textbook content, other considerations concerning textbooks, the appointment of the first and second inspection committee members, and the decision of final approval.

The national authorization textbook system seems to violate the Constitution article 22 on freedom of academy and art, article 21 on freedom of the press, article 31 paragraph 4 on they autonomy, specialization, and political neutrality of education. Freedom to study school subjects and to publish the findings are guaranteed by the Constitution. In accordance with the Constitution article 21 stating that there shall be no censorship or approval system, but rather the free expression of ideas and opinions and freedom of distribution texts. The system of approval and authorization of textbooks may be construed as unconstitutional, as it allows the political control over textbooks. In England, the writing, publication, adoption, and use of textbooks are free, and in the U.S., France, and Germany, the free publication of textbooks is prescribed by law.

Researchers who have analyzed approved textbooks point out their problems: content which distorts democracy (emphasis on the reactionary feudal order, totalitarianism, militarism, praise of the political stance of a specific government), content which violates national autonomy (pro-American attitude, remnants of the days of Japanese colonialism, West-centered international viewpoints), content which hinders national reunification (cold war ideology, propaganda of the government's unification slogans, stress on negative opinions of North Korea), content with a hierarchical bias (the distortion of workplace conditions, negligence of physical labor, praise of capitalism), content which aggravates sexual discrimination (male-centered ideology), and content of regional deviationism (urban-centered notions, distortion of the situation in agricultural villages).

The government's monopoly on drafting the curriculum

The curriculum is the center of school education, as it includes educational goals, subject purposes, educational content, and time allocated for each subject. In Korea, the Ministry of Education holds exclusive authority over drafting the curriculum. In accordance with the sixth curriculum to be implemented starting 1995, the Ministry of Education provides the standard of the curriculum: Municipal and Provincial Offices of Education adopt the curriculum set by the Ministry of Education on a regional basis and implement the curriculum; teachers at each school implement the curriculum based on an implementation guide provided by the Municipal and Provincial Offices of Education. This does not give autonomy to teachers, however, but rather places another burden

on them. The reasons for this are as follows. First, the same textbooks are used throughout the nation because of the exclusive use of approved textbooks, and every school is subject to the uniform national college entrance examinations. Second, under the current undemocratic administration structure, referral to the implementation guide provided by the Ministry of Education and Offices of Education means obeying it. Third, while most teachers complain of heavy workloads and their lack of time for studying, they have great difficulty in drafting the year's curriculum including lesson details for each subject one year in advance.

Section 10. Recommendations

First, the government should draft concrete and long-term plans to abolish social practices which unnecessarily over-emphasize one's educational background, one of the fundamental causes of the current educational atmosphere.

Second, as prerequisites for this, the government should grant teachers exercise of their three labor rights, basic rights guaranteed in the Constitution, as well as freedom of political activities and should encourage lead teachers, parents, and students to participate autonomously in the process of establishing educational policies.

Third, the government should expand the primary school meals system throughout the nation and ensure that vocational high school students receive effective field training.

Fourth, the government should increase the percentage of air and correspondence college professors, which falls far behind that of other countries, take measures to increase the percentage of industrial workers at open colleges, and improve social educational programs which are run by university foundations for profitable purposes.

Fifth, as the government invests so little in education, parents are burdened with great educational expenses. Some students are discriminated against in terms of their education for financial reasons, a great stumbling block in unifying society. Therefore, the government should raise educational expenditure from the current 3.7 per cent of GNP to a minimum of 5 per cent.

Sixth, to strengthen education for the disabled, the government should take measures to increase the percentage of beneficiaries of education for the disabled and implement the quota system to promote the employment of disabled workers.

Seventh, the government should take fundamental measures to improve teachers' poor working conditions and social status.

Eighth, the government should stop controlling education by monopolizing educational content through the system of authorizing and approving textbooks and drafting the curriculum.

Ninth, the government should take measures so that the headmaster, who currently holds most responsibility and authority over school management, shares such responsibilities with the teaching staff.

Article 14. Free Compulsory Education

Though compulsory education is administered at primary education institutions, the term of compulsory education is six years with free tuition and textbooks. In Sweden and Japan, the term of compulsory education is nine years, with free textbooks, school meals, and miscellaneous expenses. France provides tuition, scholarship, lodging fees, textbooks and commuting allowances for ten years. The U.S. administers free education for eleven years, including primary and secondary schools, and schools for disabled children.

The government should strive to administer actual free compulsory education and implement nationwide school meals programs. The government should include pre-schools and middle schools in the scope of compulsory education.

Article 15. The Right to Take Part in Cultural Life and to Enjoy the Benefits of Scientific Progress

Section 1. Overview

Article 15 provides the right for all citizens to take part in cultural life and to enjoy the benefits of scientific progress as well as their right to have their interests protected by law. The right to enjoy the benefits of scientific progress and the right to have one's interests protected by law are not fully guaranteed by the Korean government. However, we must apologize for the fact that we could not find the appropriate NGOs to submit reports on violations of these rights. Therefore, this Counter Report's section concerning article 15 of the Covenant will only cover the right to take part in cultural life.

Section 2. General Comments on the Government's Report Regarding the right Take Part in Cultural Life

The government's Report tediously enumerates all legislation, institutions, systems, and events concerning this cultural right in order to describe "prospective policies" implemented by the government. In fact, however, the effects of these policies on the people is negative rather than positive. Generally, the government's policy is two-sided: the regulation of culture (i.e. censorship) and the arts which are deemed as "unsound," and the support of culture and the arts which are deemed as "sound." The Korean government's policies concerning culture and the arts exhibit tendencies which are in fact remnants of Japanese colonial policy or past military dictatorships. The democratic participation of citizens in the decision-making process, which determines whether a particular artistic or cultural project is to be regulated or supported, is wholly excluded. Instead, the government continues to enact its culture and arts policies unilaterally. Every cultural and artistic event with political overtones differing from the government's positions faces unjust suppression regardless of its artistic value. In contrast, artistic events which are pro-governmental receive enthusiastic support from the government even when their artistic value is questionable. Instead of addressing such realities, the government's Report simply enumerates the general and abstract legislation regulating culture and the arts and fails to explain their principles for such policies or specific cases of the enforcement of their regulations. The existence of most of the legislation, systems, institutions, and events described in the government's Report is not known by the general public. Also, the effects they contribute to the promotion of cultural rights accepted

are indeed questionable, and the assertions in the government's Report should not be accepted at face value. Regarding the government's policies concerning culture and the arts, some of the problems are as follows: first, the undemocratic policy decision-making process; second, the very nominal and bureaucratic enactment of the policies; third, the lack of governmental experts, who are able to understand fully the nature of cultural policies and their possible effects.

As the government's Report states, article 22 of the Korean Constitution states that "all citizens shall enjoy the freedom of learning and the arts." Even with this provision, however, there are numerous violations of academic and artistic freedoms under the self-righteous standards set by the government. The government's regulations of culture and the arts, which are deeply interrelated with the freedom of expression, are two-fold: first, regulations contained in the National Security Law (NSL) and the Criminal Code, and second, the regulations contained in separate and individual laws. The post-production regulation under (i.e., regulation of artistic works after their production) according to the NSL focuses on anti-government and anti-state cultural and artistic works. The post-production regulation under criminal law restricts artistic works if they are deemed to fail the "fine custom" standard, that is, if they conflict with the ethical codes of Korean society. The regulations of the individual and separate laws focus on the pre-production regulation (i.e., regulation of artistic works before their production) of cultural and artistic works which conflict with the government's political positions and/or which fail the "fine custom" standard. Concerning the regulation of cultural and artistic works which are deemed to fail the "fine custom" standard, there is much controversy and public debate surrounding the issue of the validity of such regulation.

Section 3. The suppression of cultural and artistic freedoms under the National Security Law

The National Security Law (NSL), which is the representative law restricting anti-governmental or anti-state activities, has commonly been used as an instrument for suppressing academic and artistic freedoms in Korea. The major provisions of the NSL which infringe upon these freedoms are the first and fifth sections in article 7. The first section states that "[a]ny person who, with the knowledge that such action threatens the nation's existence and security and the order of liberal democracy, praises, encourages, advertises, or supports the activities of an Anti-State Organization or its members, or advertises or advocates a rebellion against the State shall be punishable by imprisonment for the term of not exceeding 7 years," and the fifth section states that "[a]ny person who, for the purpose of committing the acts as stipulated in Sections (1)(3) and (4), has produced, imported, duplicated, kept in custody, transported, disseminated, sold or acquired documents, drawings and any other similar means of expression shall be punished as prescribed in each applicable section." The concept of an "Anti-State Organization" as contained in the NSL indicates states under socialist regimes, North Korea. Many artists, scholars, and average citizens, who supposedly enjoy artistic and academic freedoms, have been arrested, prosecuted, and declared guilty under the pretense that they had sympathized with Communist or North Korean ideals.

The suppression of literature

The vast number of cases in which literary figures were arrested and prosecuted for

violation of the NSL in the past few decades precludes a case by case account. However, a few representative cases which occurred recently are as follows. Baik Jin-ki, a literary critic, was arrested while in the process of compiling a collection of short stories, poems, and creative essays on the subject Lee Chul-kyu, a former student at Chosun University, in whose mysterious death the government was suspected of being involved. Lee Ki-young, a poet, along with Chung Dong-ik, a publisher, were indicted on charges that they praised the activities of "partisans" (i.e., the Koreans in the south who supported the regime in the north) around the time of the Korean War, in the poem "Jiri Mountain." They were each sentenced to three years imprisonment on October 12, 1989. Hwang Suk-young, a famous novelist, was pronounced guilty after returning to South Korea from his visit to North Korea, which was taken without the government's permission. Some of the literary figures arrested for violation of the NSL during former President Roh Tae-woo's administration are listed below:

[Table] Writers prosecuted during Roh's administration

Name	Occupation	Date of Arrest	Reason of Arrest	Date of Release
Koh Kyu-tae	Poet	2/17/91	Publication of North Korean books	5/23/89
Kang Tae-hyung	Poet	3/27/91	same as above	6/29/89
Shin Kyong-rim	Poet	3/27/89	Preparation for the North-South Korean Artists Conference	3/29/89
Hyon Ki-young	Novelist	3/27/89	same as above	3/29/89
Kim Jin-kyong	Poet	3/27/89	same as above	3/29/89
Ko Eun	Poet	3/27/89 4/1/89	same as above	3/29/89 6/2/89
Paek Nak-chung		3/27/89 4/12/89	same as above	3/29/89 4/14/89
Kim Kyu-dong	Poet	3/1/89	Pan-Korean Conference	3/3/89
Hwang Suk-yong	Novelist	4/89	Visit to North Korea	
Moon Ik-hwan	Poet	4/89	same as above	
Kim Sa-im	Poet	5/26/89 1/15/90	Publication of Labour Liberation Literature	9/18/89
Im Kyu-chan	Critic	5/26/89 1/15/90	same as above	9/18/89
Do Chong-whan	Poet	6/26/89	National teachers Union	8/28/89
Yoon Chae-gul	Poet	6/26/89	Incident of Assemblyman Suh	
Yi Seung-chul	Poet	7/6/89	Publication of North Korean books	10/20/89
Kim Yi-ku	Novelist	12/4/90	Publication of Hwang's North Korean travel essay	12/6/89
Kim Myong-sik	Poet	7/1/90	Publication of Poem Yoke of Imperilism	
Sohn Ji-tae	Critic		Publication of Labour Liberation Literature	
Park No-hae	Poet	3/10/91	Socialist Workers Alliance	

Source : Park Won-soon, *Study on the National Security Law II*.

The government's suppression of the arts

Many artists are subject to suppression under the NSL. On August 4, 1989, the Agency for National Security Planning announced the arrest of a painter named Hong Sung-dam under charges

of violating the NSL for his participation in the Pyongyang Youth Festival in North Korea and his display of a series of slides of a painting of his which measured 77 by 2.6 meters and was divided into eleven panels, with the help of an institution called the School of Nationalism in Los Angeles, California. Each of the eleven panels depicted the people's democracy movement in five areas of Korea, namely, Seoul, Chonju, Taegu, Pusan, and Kwangju from the last nineteenth century to 1989. This painting was later discovered to be the joint effort of thirty fellow artists of the National Alliance for the Nationalist Artists Movement (now defunct) from the five areas named above, a discovery which led to the subsequent arrest of other artists: Cha Il-whan, Chung Ha-soo, Paek Eun-il, and Chun Sung-il. On August 17, 1989, prosecutors filed charges against Shin Hak-chul, a representative writer in the nationalist arts movement and the former representative of the Korean Nationalist Artists Federation, for depicting former North Korean leader Kim Il-sung's birthplace in his work entitled "Monegi" ("Rice-Planting") and for sympathizing with a possible North Korean armed revolution. As the vast number of artists persecuted under the NSL precludes discussing each case, charts which give brief information on artists who were arrested and convicted for violation of the NSL during former President Roh Tae-woo's administration from 1988 to 1992.

[Table] Artists prosecuted and arrested during Roh's administration

* Korean Nationalist Artists Federation

name	occupation	date	reason for arrest & imprisonment	date of release
Kim Yong-tac	artist	1989.3.1	Pan-national meeting for Korea's reunification	1989.3.3
Shin Hak-chul	artist	1989.8.17	a painting "Rice-planting" (NSL)	1990.2.16
Lee Jong-ryul	artist	1989.11.2	Possession of the document benefitting the enemy (NSL)	1990.2.16

* Seoul branch, National Alliance for the Nationalist Artists Movement

name	occupation	date	reason for arrest & imprisonment
Choi Yul	art critic	1991.3.19	creation of artistic works benefitting the enemy (NSL)
Chung Sun-hee	artist	1991.3.19	
Oh Chin-hee	artist	1991.3.19	
Im Jin-suk	artist	1991.3.19	
Lee Sung-gang	artist	1991.3.19	
Kim Won-ju	artist	1991.3.19	
Yu Chin-hee	artist	1991.3.19	
Park Mi-gyong	artist	1991.3.19	
Cho Chung-hyun	artist	1991.3.19	
Choi Eh-gyung	artist	1991.3.19	
Choi Min-chul	artist	1991.3.19	

Source : Park Won-soon, Study on the National Security Law II.

The oppression of Academics

There have been numerous incidents of the oppression of academics. On June 23, 1989, Han Chan-su, then a graduate student in Korea University's department of foreign policy, was arrested for violation of the NSL. The activities for which he was charged were purchasing and publishing a North Korean publication entitled "History of Chosun" as well as for his written works entitled "The State of the Korean Peninsula Prior to the Korean War" published in the Hansung University newspaper and "The National Liberation Movement from Korea's Liberation in 1945 to the Korean War in 1950" published in the Chosun University newspaper. On December 1, 1989, the Agency for National Security Planning prosecuted yet another academic. Lee Sung-whan was prosecuted for his work entitled "A Modern History of the Korean National Liberation Movement" and an analysis entitled "The Anti-Japanese Struggle" published in the Seoul National University newspaper under the pen name of Lee Jae-wha. Then, on January 17, 1990, Park Tae-ho, who had initiated the controversy among progressive academic circles concerning the ideological splitting of Korea's labor movement, was arrested for the presentation of his views which supposedly stated "the need to establish the hegemony of the working class through a revolution of the masses." On July 12, 1990, members of the Asia, Africa, and Latin America Research Institute, including the director, Kim Myun-sik, the secretary-general, Bu Jwa-hyun, and a researcher, Lee Jae-ho, were arrested and taken to the Seoul city police authorities for preparing a booklet entitled "The Cheju April 3 Resistance" which was published in collaboration with Sonamu Publishing Company. The booklet allegedly contained contents in violation of the NSL for "benefitting the enemy" (viz., North Korea). On June 27, 1991, six members of the Seoul National University Social Science Research Institute, a group of professors and students in master's or doctoral degree courses in the social sciences, were arrested for violation of the NSL, article 7 section 2. According to the prosecuting authorities, they were prosecuted on charges of subscribing to Marxist-Leninist ideologies and advocating the triumph of socialism in Korea through a people's revolution. The authorities also banned their departure from Korea. Despite the testimony given by fellow scholars claiming that the defendants' works were the results of serious academic pursuits and thus deserving of protection under the law, the court pronounced all defendants guilty of NSL violations. In July 1994, the police announced that a book entitled "Understanding Korean Society," which was co-authored by professors at Kyungsang University and used in classes as teaching material, had contents which "benefitted the enemy." The police confiscated the books for sale at bookstores and arrested by force an offending bookstore's owner by the name of Chung Dae-in. Furthermore, the authorities issued subpoenas to all the authors and banned their departure from Korea.

Section 4. The Pre-Production Regulation System

Overview

Various laws exist which impose regulations on and the censorship of theatre and motion pictures. To prohibit works which do not comply with the government's standards, the basic regulatory device which is used to ban the creation and/or distribution of materials is the system of pre-production regulation which often results in the prior censorship of proposed projects whose ideological or social overtones differ from those of the government. In order to do so, the

government has mandated that all Korean production companies acquire the proper licenses and register their project proposals according to the relevant regulations and then submit their proposals to the Ministry of Culture's Pre-Production Regulation Committee which is responsible for determining the results of pre-production regulation and censorship of works of art. Under such legal provisions, individuals who do not comply with the applicable guidelines are prohibited from displaying their works to the public. Furthermore, individuals who fail to apply for licenses, to register, or to submit proposals to the Pre-Production Regulation Committee in order to avoid any of these processes which can lead to censorship, are subject to criminal prosecution.

Public performances

The Public Performance Ethics Committee was established according to the Public Performance Act article 25 section 3 in order to oversee the regulation and censorship of public performances. Despite this Committee's official non-governmental status, it would be more accurate to label it as a governmental agency. In accordance with the Public Performance Act's article 25 sections 3(3) and 3(6), the Minister of Culture has the authority to appoint members to this Committee, and its operation costs are burdened by the government. Furthermore, the Act's article 21 states that the Committee's chairperson is obligated to report the results of its deliberations directly to the Minister of Culture. Thus, the actions of the Public Performance Ethics Committee can just as well be considered as the Ministry of Culture's own actions, despite the repeated denials by the Korean government that this is the case.

The Public Performance Ethics Act article 14 section 2(1) stipulates, by order of a Presidential Decree, the responsibility of any public performer in any theatrical, musical, or dance performance to submit the script or scenario for the performance to the Ministry of Culture before the actual performance for deliberation. The same article's section 2(2) states that a music or dance performance can be regulated and censored even at is in progress before a public audience, at the Minister's demands. In the 1980s, these provisions have led to oppression of numerous theatrical performances with progressive tendencies. Later, however, on December 31, 1988, a revised version of this provision in article 18 section 2(1) was passed. The new provision states that the pre-production regulation and censorship of scripts or scenarios for public performances was no longer mandatory. However, the same article still provides for the pre-production regulation of "any public performance created by citizens or organizations of nations which have unfriendly relations with Korea or of other nations specially designated by the Minister of Culture." Thus, the revision of the article was a superficial change which still allows pre-production regulation and censorship just as before. As long as the Public Performance Act provides for the pre-production regulation of performances, even though some performances are now exempt from these provisions, one can not be sure that the Ministry will not amend its new provision to resume its policy of the pre-production regulation and censorship of all public performances.

The Public Performances Ethics Committee also regulates motion pictures based on the Motion Picture Act article 12 and music records and videos on the basis of Music Records and Videos Legislation article 16. The people's rights to the free creation of artistic works, as well as their right to the enjoyment of the arts, are severely violated by the arbitrary decision-making process of committees, which are inappropriately managed at that. Nominally for the protection and promotion of "sound" culture and arts, the pre-production regulation system is actually used as an effective tool for political oppression by censoring works of art which are found to be in conflict with the government's own political leanings. There are no measures in the relevant laws which

provide citizens any protection against such injustices.

Motion pictures

The most egregious problems in the government's censorship policies are evident in its policies concerning motion pictures. Reasons for government's harsh regulations stem from its fears of the great influence motion pictures can potentially have on its citizens. These fears, in turn, are based on two realities. The first is the fact that the general population has a very high level of interest in and consumption of motion pictures. Second, as directors are aware of the highly expressive capabilities of motion pictures, talented and able directors' desires to express their worldviews through cinematic means are quite ardent. Presently, all motion pictures are subject to pre-production regulation according to the Public Performance Act and Motion Picture Act. Anyone who screens a motion picture without having passed the pre-production regulation stage are subject to a maximum fine of 5 million won and/or imprisonment for a maximum of two years. Article 7 of the Motion Picture Act states that is compulsory for all movie productions to register their productions, stipulating that all violators are subject to a negligence fine of a maximum of 3 million won. Thus, all movies whose contents are deemed as different from the government's positions are obstructed by the censorship process.

A movie entitled "The Night Before the Strike" produced by the Jangsangotme Production Company was accused of violating the Motion Pictures Act article 6 section 12. In December 1992, after the movie's release, law enforcement officials were ordered to search movie theaters and confiscate the film, projection equipment, and documents since the government feared the impact the movie would have on workers. However, as the movie continued to receive screenings at college campuses and some movie theaters all throughout the nation, the authorities went so far as to mobilize helicopters to conduct repeated searches and confiscations at screening sites. As a result of such controversy, tens of thousands of people actually viewed the movie. And, for screening the movie, the Hanmadang Theater's proprietor, Kim Myung-gon, and producer, Lee Young-bae, were indicted without physical detention after being sought by the authorities for arrest.

In 1991, at the preview screening of a movie entitled "Oh Mother, Your Children," a movie about student activism produced the Changnyun Production Center, law enforcement officials barged in the theater and seized film materials without a search and seizure warrant, and they arrested and indicted producer Lee Sang-in on charges of violation of article 12 of the Motion Pictures Act. He was later found guilty and sentenced in a court of law.

Also in 1991, governmental authorities intervened in the production of a movie entitled "Opening the Closed Schoolgate," a movie exposed the actual distorted state of Korea's educational system produced by the same producers of "The Night Before the Strike" at the Jangsangotme Production Company. The Ministry of Culture obstructed the development of the movie film and its sound recording. Related to the obstruction of this movie's production, the Constitutional Court is currently deciding as to the constitutionality of the Motion Picture Act article 12 concerning pre-production regulation and article 32 section 5 concerning punitive provisions.

Videos and music records

Article 3 section 1 of the Music Record and Video Legislation requires record producers and producers of videos to register their works with the Ministry of Culture. Article 16 section 1

states that anyone who produces music records or videos for the purpose of sale, distribution, or rental must apply for review of the work in question to the Pre-Production Regulation Committee. The law also stipulates that individuals who fail to comply with the regulations be subject to maximum fines of 20 million won and/or imprisonment for a maximum of three years.

In September 1990, Park In-bae was indicted on charges of non-compliance with the registration and submission for pre-production regulation procedures of his videotape which had pro-labor contents. Park In-bae was pronounced guilty and was sentenced to two years imprisonment by the Southern Seoul District Court.

Section 5. Recommendations

First, the government should switch the focus of its art and cultural policy from one of regulation and censorship to one of support. The government must institute long-term policy to do so.

Second, the government should establish a democratic decision-making process in the deliberations to decide which artistic and cultural projects to censor and which to support.

Third, the government should abolish the outdated pre-production regulation system which regulates the production of motion pictures, videos, music records. Also, the government must implement a civil body which would have autonomy over an equitable rating system which accurately reflects the sensibilities of all citizens.

Fourth, the government should repeal the National Security Law, under which the cultural and artistic rights of writers, artists, and academics have been severely curtailed. Also, the government should grant amnesty to those who are currently imprisoned or wanted for arrest by the authorities and restoring the civil and political rights of those who have had such rights suspended for violation of the NSL.

Questions for the Korean Government

General Questions

1. What kinds of efforts has the Korean government undertaken to publicize the ratification and contents of the Covenant to the Korean people? Also, what kinds of efforts has the government undertaken to increase awareness concerning the Covenant among public officials, including judges and law enforcement officials?

2. Concerning the status of the Covenant in the domestic legal system, what reforms has the government enacted in order to bring domestic laws in accordance with the Covenant? Have there been important changes in court decisions? What are the procedures under which individuals can find legal relief for human rights violations? Have the articles of the Covenant been fully recognized as legal rights by the courts?

3. For what reasons were non-governmental organizations prohibited from participating in the process of preparing and submitting the government's Report? In particular, why did the government refuse to provide the non-governmental organizations with a copy of the Report at their request?

Questions Concerning the Right to Work (article 6)

4. Unemployment is increasing among the highly educated while there is a labor shortage in small and medium-sized manufacturing enterprises, indicating that the government's labor market policy has been ineffective. Does the government have any intention of enacting more active labor market policy to strengthen the economic and social conditions of workers in manufacturing?

5. What measures has the government taken to protect workers' right to job security in the face of increasing job insecurity due to the management rationalization process?

6. Despite the fact that it is prohibited under current labor laws, except under the auspices of trade unions, the use of illegally contracted labor is becoming increasingly widespread. Does the government have any plans to address this problem?

7. Considering the fact that an extremely small number of people gain employment through the official Job Information Bureaus, does the government have any intention of greatly increasing the number of such offices and hiring job placement specialists to improve the efficiency of meeting the supply and demand of the labor market and gain public trust in such services?

8. The number of government-sponsored vocational training facilities accounts for only 16 per cent of all vocational training facilities, and their operation is far from perfect at that. Does the government have any intention of increasing the number of such facilities and improving their operation to gain public trust in such services?

Questions Concerning Working Conditions (article 7)

9. Regarding the negotiations for wage increases, does the government have any intention of attempting to ensure that the negotiations are self-regulating and respectful of the rights of workers which are fundamental and necessary for their subsistence?

10. Does the government intend to increase the application of the Minimum Wage Law to include workers in workplaces with fewer than ten regular employees? Also, does the government intend to adjust the minimum wage to bring it in line with minimum living costs?

11. How is the government planning to reform the system of labor inspection, in which both labor and management currently lack all confidence?

12. Does the government have any specific intentions to eradicate discrimination in the recruitment, employment, and salary of female workers in Korea? Also, does the government intend to provide a higher level of maternity protection, which currently falls short of the standards in the relevant ILO Convention?

13. While the job security of Korean workers is being threatened by the indiscriminate influx of foreign workers, how will the government fundamentally address this issue?

14. As foreign workers currently receive no legal protection as "workers" since they are either illegal workers or technical trainees, does the government have any specific intentions of giving equal legal treatment to foreign workers as it gives to Korean workers?

15. Does the government intend to provide equal protection of their three basic labor rights to foreign workers as it provides to Korean workers?

16. Please describe the measures the government has undertaken to address the very high rate of industrial accidents, particularly in small businesses.

17. Does the government intend to assume financial liability for administering the Industrial Accident Compensation Insurance?

18. Does the government have any intention of broadening its definition of "industrial accidents" to include illnesses caused by overworking or those arising during the commute to and from work?

19. Considering that the current method of calculating the amount of compensation for industrial accidents in direct proportion to the injured worker's level of income is extremely unfavorable to workers earning low incomes, does the government have any specific plans to supplement the amount of compensation to ensure their livelihood?

Questions Concerning the Three Basic Labor Rights (article 8)

20. Which ILO Conventions have been ratified by the government since Korea gained ILO membership? Does the government have any intention of ratifying the most representative and fundamental ILO Conventions Nos. 87, 98, and 151?

21. In light of the ILO Recommendations, does the government have any intention of reforming its legal provisions which violate workers' exercise of their three basic rights of labor, namely, the prohibitions of multiple trade unions, trade unions' political participation, third-party intervention, the formation of unions for teachers and public officials, the participation of public officials and employees in collective actions, and the provision stating binding governmental arbitration?

22. Since the inauguration of the civilian government, what is the exact number of individuals and for what reasons have workers been prosecuted, imprisoned, or are currently "wanted" for arrest by the police for the involvement in trade unions and other related activities, particularly those involved in the railway strikes and the Hyundai Heavy Industry strikes in 1994? Does the government have any intention of undertaking efforts to reinstate workers who had been dismissed for such activities?

23. Please describe cases of governmental arbitration of disputes involving public officials and teachers. What were the demands made by the labor and management sides, and how did the government ultimately resolve such disputes? How many workers have been dismissed or otherwise punished for participating in strikes to protest unjust results of governmental arbitration?

24. Please describe cases in which the management has demanded financial compensation from trade union leaders or the trade unions themselves for damages resulting from their participation in illegal strikes, the civil suits filed against them, and the results of such litigation. What stance have the government and courts taken on such cases? What effects have such civil suits had on the labor community?

Questions Concerning Social Security (article 9)

25. Please describe the status of each national social security or insurance fund and the management of this fund. In what ways is the government responding to fears that these funds

will soon be depleted?

26. As the level of allowance provided in the Livelihood Protection Plan currently amounts to only 40 per cent of the minimum living costs, does the government have any intention of adjusting the level of allowance to meet minimum living costs?

27. Does the government have any intention of increasing the level of old-age pensions and unemployment benefits to match at least the minimum living costs?

28. As the scope of recipients eligible for governmental social insurance programs only applies to employees in workplaces with five or more regular employees, or 35 per cent of the total workforce, does the government have any intention of broadening the scope of recipients to include workers in workplaces with fewer than five regular employees?

29. As the current social insurance system is insufficient in providing citizens comprehensive protection against threats to their livelihood, does the government have any intention of providing financial assistance to families and senior citizens, housing assistance allowances, disability allowances, and other allowances to guarantee the minimum livelihood of its citizens?

30. As the social welfare spending currently amounts to only 9.3 per cent of overall government expenditure, does the government have any intention of increasing its social welfare spending to at least 20 per cent of the total budget, in accordance with the 20/20 Plan proposed at the World Summit on Social Development?

Questions Concerning the Protection of Women, Children and the Family (article 10)

31. Does the government have any intention of reforming its family-related laws which are based on notions of traditional Asian feudalism, such as the provisions stating the prohibition of marriages between individuals with the same last name and family origin, the system of registering family names based on fathers' surnames, the division of property during the divorce process which places women at a disadvantage, and the lack of legal protection for victims of wife abuse?

32. Does the government have any plans for instituting a system to provide child support allowances to female-headed households in need? Also, does the government have intend to provide public assistance to male-headed households in need as well?

33. While the Gender-Equal Employment Act prohibits gender discrimination in employment, does the government have any intention of enacting the Special Gender- Equality Act to prohibit discrimination in education, job training, and political participation?

34. What kinds of policies, including those of financial support, is the government planning to enact in order to increase the functions of private childcare facilities which truly help its recipients and to block those which are operated only for profit?

35. Does the government have any plans to enact the Child Abuse Prevention Act which would provide legal and institutional channels for prosecuting acts in violation thereof?

36. Is the government providing material assistance to orphaned children to ensure their present and future livelihood? Also, is the government initiating a "supporter" program in which volunteers provide important emotional support to these children?

37. Does the government, which is responsible for addressing problems concerning the aged, realize the need to discard its notions of relying on individual families and to enact policy fulfilling its social responsibility concerning the aged? If so, what specific measures has it undertaken in these regards?

38. Is the government undertaking efforts to provide the disabled the exercise of their right to education, right to special medical care, right to gainful employment, and the right to access?

39. Does the government have any intention of increasing the level of livelihood protection it provides the disabled from the current 30,000 won a month to a level which meets the minimum living costs?

Questions Concerning the Right to an Adequate Standard of Living (article 11)

40. Does the government intend to increase its public housing expenditure to protect the right to housing of low income and homeless individuals? Does the government plan to expedite the construction of small-sized public housing units?

41. While inadequately housed individuals are effectively excluded from the public housing allotment system, how does the government plan to increase the effectiveness and equity of its public housing welfare programs?

42. While the government's redevelopment and housing improvement projects were meant to improve the housing conditions of low-income persons, they actually hinder low income individuals' access to housing. What reforms, if any, does the government plan to enact to improve the housing conditions of low-income individuals?

43. In light of the fact that despite the government's denial, many homes built without permits have been forcibly demolished, sometimes with the use of violence under the tacit consent of the government, what specific measures, if any, does the government plan to take in order to prevent such abuses?

44. Does the government have any plans to improve the implementation of the Renters' Protection Act, dead-letter legislation, to provide active protection to renters?

45. Does the government have any plans to stabilize housing and real estate prices and

root out excessive real estate speculation? In particular, are there any specific plans to strengthen legislation concerning housing and real estate?

46. What are the government's specific plans, if any, to reform housing finance and tax regulations to suppress excessive real estate speculation and stabilize housing costs?

Questions Concerning the Right to Physical and Mental Health (article 12)

47. Does the government have any plans to tighten its environmental and environment-related health regulations, which are very poor in comparison to other nations' regulations?

48. Has the government undertaken any administrative efforts to prevent and reduce air, sea, and tap water pollution?

49. Does the government have any intentions of instituting environmental policies which reflect public interests and opinions in the process?

50. While the government loosened environmental regulations on industries in the name of promoting national economic competitiveness, does the government have any long-term plans to address the growing problem of environmental destruction?

Questions Concerning the Rights to Education and Free Compulsory Education (articles 13, 14)

51. Does the government have any plans to address the problems arising from the fact that the educational system is focused students passing the college entrance examinations? Also, the government justifies its abolishment of the system of assigning students to high schools based on their geography rather than middle-school grades by arguing that such policy would increase the quality of Korean education, and thereby increase national economic competitiveness. How would the government plan to address the resultant distortion of the educational system and increased private schooling and tutoring expenditure?

52. Does the government have any intention of protecting teachers' exercise of their three basic labor rights and freedom of political activities, rights enshrined the Korean Constitution?

53. Presently, while the School Meals Act states that the school institutor assume financial liability for school meals facilities, among itself, the municipal government, and the parents of students, whom does the government actually hold liable for the financial burden? What portion of the educational budget does the governmental allocate for the school meals program?

54. Does the government have any intention of increasing the number of professors and students who are industrial workers at the air and correspondence college? Also, the does the

government have any plans to improve the social educational programs administered by universities?

55. Does the government have any intention of increasing educational spending from 3.76 per cent of overall expenditure to a minimum of 5 per cent?

56. What measures has the government taken to improve special education for the disabled?

57. Does the government have any plans to institute policies to improve the working conditions and social status of teachers?

58. Does the government have any intention of abolishing the system of approving and authorizing textbooks, which allows the government to monopolize textbook content and educational curricula?

59. Does the government have any plans to institute educational reforms so that the headmaster, who currently holds most responsibility and authority over school management, shares such responsibilities with the teaching staff?

60. Does the government have any intentions of raising the level of compulsory education to a middle-school level from the current grade-school level and to include pre-schools in the scope of regular education?

Questions Concerning the Right to Take Part in Cultural Life and Enjoy the Benefits of Scientific Progress (article 15)

61. Does the government have any intentions of shifting the focus of its arts and culture policy from one of regulate (i.e, censor) to one of support?

62. What administrative measures has the government undertaken to democratize the process in which it decides to regulate or to support artistic works and events?

63. Does the government have any intention of reforming its system of pre-production regulation of written works? Also, does the government have plans to provide immediate and effective legal remedy for cases of inappropriate censorship which resulted in prohibition or other damage? If so, please describe cases which demand remedy?

64. Does the government have any intention of repealing the National Security Law, under which the cultural rights of writers, artists, and academics have been severely curtailed? Also, does the government have any intention of granting amnesty to those who are currently imprisoned or wanted by the authorities and restoring the civil and political rights of those who have had such rights suspended for violation of the National Security Law?

* Money Exchange Rate

Korean Won about 780	=	USD	1
Won 1,000	=	USD	1.28
Won 100,000	=	USD	128
Won 1000.000	=	USD	1,280
Won 10,000,000	=	USD	12,800
Won 100,000,000	=	USD	128,000