

**Statement delivered by Mr. Takgon Lee,
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Round Table 4: *'Strengthening Evidence-Based Policymaking, Public Debate and Cooperation for Safe, Orderly and Regular Migration (addressing objectives 1, 3, 7, 17 and 23)'*

Thank you Madame Chair, for your introduction.

I'd like to thank the organizers for inviting me to be a panel on this meaningful session. I am Takgon Lee, an attorney working at Dongcheon Foundation in Korea, and also part of Korean civil society coalition for implementation of GCM. We've recently published a civil society guidebook on the GCM and plan to engage with the Korean government and other stakeholders for a more active discussion on how to best implement the GCM. My answer will primarily draw from our experiences in advocating for migrant rights in Republic of Korea.

The Objective 17 of the GCM, and the specific actions provided by the Objective, largely build upon and reiterate the Convention on Elimination of All Forms of Racism or the CERD. And regardless of the legally binding power of the GCM, or lack thereof, it is without question that the State parties who've ratified the CERD is bound by the Objective 17 to the extent that this Objective is a reflection or reiteration of the obligations set out by the CERD.

In combating public stigma and discrimination against migrants in Korea, we often find that it is the government that actively promotes and facilitates negative public perception of migrants. I am certain this is not a phenomenon limited to Korea. I've noted that the Korean government's voluntary GCM survey refers to "irregular migrants", but the term usually used by the Korean government in Korean is 'illegal migrants'. Government announcements and messages often refer to how illegal migrants will lead to decrease of jobs and increase of foreigner crimes, and how the government must stop fake refugees from abusing the system.

There also have been several attempts by high profile politicians and political parties to leverage the negative public perception of migrants, and we are concerned that this will become more frequent with the steady increase of number of migrants and refugees in Korea. For instance, in the presidential election a few years ago, the main opposition candidate stated that since foreigner workers do not contribute to the Korean society and do not pay taxes, they should not be given the same minimum wage as Koreans. When there was a huge public backlash against the so-called 'refugee crisis' in 2018, the legislators rushed to propose more and more incredulous amendments to the Refugee Act, or to even withdraw from the Refugee Convention. There is no law to punish hate crimes specifically, or aggravate sentences for crimes motivated by prejudice and hostility against race. Comprehensive anti-discrimination laws do not exist, despite repeated recommendations by treaty bodies and our National Human Rights Commission. Recent efforts by the civil society, National Human Rights Commission, and a number of legislators have not seen progress for some time.

I believe the role of government is crucial in combating discrimination and negative public perception against discrimination, and empowering minorities to speak with their own voice. Obviously this cannot be done with a few one-time campaigns, education or messages. Continuous and consistent message is important - and as I've mentioned earlier - this includes not just public announcements but policy-making in general. In connection to this, the government needs to make conscious efforts to monitor and screen its own messages - because even messages without direct intention to discriminate may reinforce negative public perception against minorities. For example, National Human Rights Commission of Korea is currently cooperating with a number of civil society organizations to monitor all publicly available social media posts and press releases of the government to see if any are of discriminatory nature, taking into the context and the target of the messages. Hopefully the feedback by the CSOs and National Human Rights Commission will be reflected in future public messages by the government.

Finally, I would like to briefly speak on the COVID-19 and its impact on Korea in terms of negative public perception against migrants. In a sense, I think COVID-19 was an opportunity for a positive public discourse on migrants in Korea. Of course, it is without question that the pandemic was a terrible crisis for all nations including Korea, but the very fact that the disease reaches all populations, and this can be stopped only by collective efforts of all members of the society, was an opportunity. We've seen a few messages by the government that for the first time used the term "undocumented migrants", and urged them to come to testing centers without fear of deportation. This is a small but positive change. The government also promised free treatment for everyone regardless of their status or nationality. On the other hand, we've seen government policies that directly discriminated against migrants, such as 'public masks' given only to nationals, or 'universal pandemic relief' actually excluding most migrants. A few days ago we've seen a small outbreak among migrant workers in a small city, and the surrounding province that is more than 20 times larger than this city has ordered all migrant workers - and not Korean workers who work at the same workplace - to get tested for COVID-19. We are concerned that this is the kind of policy that will reinforce negative public perception of migrants.

Thank you again Madame Chair, for this opportunity to speak on behalf of the Korean civil society, and I look forward to active discussion, not only here at this session but at each jurisdiction with all relevant stakeholders.

Thank you.