

# Voluntary GCM Review

by

The Republic of Korea

## 1. Methodology for preparing the voluntary GCM reviews

**(a) Information on the process for preparation of the review may be presented, including, for example, how different relevant levels and sectors of government contributed to the responses and whether and how the whole-of-government and whole-of-society approaches were applied; whether parliaments, local authorities and NHRIs were engaged; what mechanisms have been used to engage civil society and other relevant stakeholders; and whether the UN Country Teams were engaged.**

In answering this Voluntary GCM Review, the overarching organisation responsible for migration issues and non-national policies – the Ministry of Justice – collected and co-ordinated various opinions and answers from other relevant sectors of the government of the Republic of Korea.

The following answers mainly have to do with the Basic Plan for Policies on Foreigners created by the government of the Republic of Korea and other whole-of-government policies concerning multicultural families and migrant workers. International co-operation efforts were also introduced.

The Republic of Korea actively engages the local governments in the process of creating foreigner policies – including the abovementioned Basic Plan for Policies on Foreigners – by collecting their opinions through various methods: providing a forum for them to share and co-ordinate their views with the central government, co-operation opportunities, workshops and meetings. Academia, civic groups and immigrants also take part in the process of designing and evaluating foreigner-related policies by participating in the Foreigners' Policy Committee, the Advisory Committee on Immigration Policies, and other bodies involved in decision making.

**(b) Information on how the review builds on the deliberations during the GCM regional review process, as well as the review of migration-related SDGs.**

In accordance with the 2030 Agenda and the SDGs, the government of the Republic of Korea has striven to realise the goal it shares with the international community – “to facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies”(SDG 10.7) with an aim “to reduce inequality within and among countries”(SDG 10). In this respect, the Republic of Korea take note of the fact that “GCM is based on 2030 Agenda for Sustainable Development” as stated in the GCM Preamble.

With regard to migration-related SDGs, one of five major objectives of the third Basic Plan for Policies on Foreigners, effective from 2018 to 2022 is “Future oriented governance based on co-operation”.

To achieve this objective, the government of the Republic of Korea have set “Strengthening international co-operation in the field of immigration” as one of its major goals, thereby recognising common interest and responsibilities of all nations and strengthening international collaboration to achieve common objectives.

In December 2021, the Republic of Korea joined the Council Bureau of the International Organization for Migration (IOM). It also shares its policy trends with the international community by joining

migration-related discussions and collect, analyse, and assess advanced immigration policies to use them as a resource for drawing up and implementing our own.

## 2. Policy and enabling environment

### **(a) Member States are encouraged to describe efforts to leverage synergies across the various reporting mechanisms of other international agreements, such as the 2030 Agenda for Sustainable Development.**

To keep pace with global efforts on humanitarian aid, the Republic of Korea updated its Humanitarian Assistance Strategy in 2019. In 2021, it created an action plan for the Humanitarian-Development-Peace (HDP) Nexus. In line with these changes, the Republic of Korea has provided sector-specific support and bolstered the HDP Nexus, thereby offering more effective support for fragile and conflict-affected countries.

The Korea International Cooperation Agency (KOICA) is entrusted by the government of the Republic of Korea to implement grant aid international projects. As crucial part of its 2019-2021 mid-term implementation plan, KOICA has initiated projects related to SDG5 (Achieve gender equality and empower all women and girls), SDG13 (Climate action), and SDG16 (Peace, justice and strong institutions). It has also carried out ODA programs by closely working with its 27 core partner countries<sup>1</sup> and international organisations.

The government of the Republic of Korea has introduced the Framework Act on International Development Cooperation after becoming a member of DAC under the OECD in 2010, and has been scaling up ODA for developing countries, which is a testament that the government of the Republic of Korea is fulfilling its pledge to the international community to increase ODA size.

With a proposal by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the World Meteorological Organization (WMO), the Typhoon Committee (TC) was established in 1968 under the UN with the aim of preventing climate displacement. In 2005, the Republic of Korea assumed the role of chair state of the TC by unanimous decision. Since then, the TC's Disaster Risk Reduction Component has been led by the President of the National Disaster Management Research Institute of Korea. The TC member states' respective disaster-related data is integrated and provided through the Web-GIS based Disaster Information System, which enables data standardisation. The TC also offers training to its 14 member states on how to utilise the System.

### **(b) Member States are encouraged to describe efforts, as well as existing challenges, towards the development of GCM national implementation plans, including strategies, policies or measures and institutional changes on migration.**

[Migrant integration and labour market deterioration after COVID-19]

A variety of migrant integration policies have been carried out by competent authorities of the Republic of Korea. However, the number of migrants have declined since the outbreak of COVID-19 and anti-foreigner sentiment has risen as well.

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<sup>1</sup> 27 core partner countries (from 2021 to 2025):

Asia – Vietnam, Indonesia, Cambodia, Philippines, Bangladesh, Mongolia, Laos, Sri Lanka, Nepal, Pakistan, Myanmar, India

Africa – Ghana, Ethiopia, Rwanda, Uganda, Tanzania, Senegal, Egypt

Central and South America - Colombia, Peru, Bolivia, Paraguay

Middle East and Commonwealth of Independent States (CIS) – Uzbekistan, Ukraine, Kyrgyzstan, Tajikistan

In response, the government of the Republic of Korea has stepped up efforts to ensure that migrants are not denied their human rights or discriminated against on the basis of their race, ethnicity or nationality. It has imposed tighter censorship on TV shows considered to have elements that peddle hatred of foreigners. Cases with any violations received administrative guidance. (five cases in 2021, two cases in 2022)

Some groups of migrants are more vulnerable than Korean nationals to issues stemming from the pandemic, ranging from unemployment, poverty to lack of access to health care and welfare services.

A sharp drop in the number of foreigners entering Korea led to labour shortages in the agricultural sector. To address the situation, the government of the Republic of Korea has allowed low-skilled migrant workers whose employment period has expired but are unable to leave Korea due to COVID-19 restrictions to stay longer in the country by issuing them a different visa category (G-1). It also began to reopen its border to new low-skilled workers in a phased approach.

On the other hand, the government of the Republic of Korea recognises that more needs to be done to redress hatred of foreigners and negative public perception on migration. To this end, the Republic of Korea will strive to impart accurate information about the impact of migration on the economy, government finance, national security, public order, etc.

[Efforts to build disaster response capability in the international community]

In an effort to take concerted action against natural disasters in the Asia-Pacific region and prevent climate displacement, the government of the Republic of Korea has implemented a project named “Providing new technologies to tackle natural disasters” and worked with the Philippines from 2013 to 2015 and with Vietnam and Laos from 2017 to 2019 to set up a flooding warning system and automated rainfall alert system. However, disaster prevention systems have not been properly maintained, and on-site inspection and efforts to create disaster-related systems have been suspended in 2020 due to border closures over COVID-19.

### **3. Progress on GCM objectives**

**(a) Member States are invited to provide brief information on the country-level implementation plans and the status of implementation of all 23 objectives of the GCM, with space given to illustrating innovative policies or promising practices related to any of the objectives. Where possible, information should be based on statistical as well as qualitative data.**

**1. Efforts to ensure voluntary, orderly and regular migration** (related to Objective 2, 5, 6, 12, 18 with a primary focus on international migration driven by structural factors including poverty and disaster, migrant workers, and international students)

[Efforts to provide humanitarian aid for developing countries and support their disaster-responsiveness]

The Republic of Korea has introduced the Framework Act on International Development Cooperation after becoming a member of DAC under OECD in 2010, and has continuously increased the size of ODA to take part in an effort to support developing countries.

The ODA budget allocated for this year is KRW 4 trillion 42.5 billion (approx. USD 3.6 billion), a 3-times increase compared to 2010 (KRW 1 trillion 341.1 billion (approx. USD 1.1 billion), which is a testament that the government of the Republic of Korea is fulfilling its pledge to the international community to increase its ODA size.

The government of the Republic of Korea and the Korea International Cooperation Agency (KOICA) have also finalised and implemented the Country Plan (CP). The government is working with international organisations, civil societies and local governments to help refugees, marginalised population living in fragile and conflict-affected countries, and vulnerable migrants exposed to the risk of disasters and climate change. The government also does not spare efforts to contribute more to the Central Emergency Response Fund (CERF) and the Country-based Pooled Funds (CBPF).

In an effort to take concerted action against natural disasters in the Asia-Pacific region, the Republic of Korea has implemented a project named “Providing new technologies to tackle natural disasters” and worked with the Philippines from 2013 to 2015 and with Vietnam and Laos from 2017 to 2019 to set up a flooding warning system and automated rainfall alert system. Other follow-up activities include holding seminars for government officials and experts in these countries to share our knowhow on preventing disasters and transferring related technologies to provide them with the best opportunities to upgrade their disaster response capacity.

[Efforts to introduce migrant worker-friendly policies]

The Republic of Korea has categorised migrant workers into three groups – professional, quasi-professional/semi-skilled and low-skilled workers depending on their level of skills, and is implementing policies tailored to each group. Korean employers are allowed to directly hire migrant workers who fall under one of the first two groups – professional or quasi-professional /semi-skilled. However, this does not apply when it comes to hiring low-skilled or seasonal labourers, as these groups are highly exposed to the risk of being exploited by illegal brokerage and crime during the process of seeking a chance to enter the Republic of Korea. This is the reason the government of the Republic of Korea requires signing an MOU between central governments or local governments wishing to send low-skilled and seasonal labourers. Such a scheme enables both governments to act as a middleman between potential employers and workers and creates a labour pool in a transparent manner to invite labourers to the Republic of Korea.

The government of the Republic of Korea has been simplifying employment procedures to attract talented workers and creating a friendlier environment for them to settle. Sectors with demand for quasi-professional/semi-skilled workers are allowed to hire migrant workers on the condition that their credentials (e.g. level of education, demonstration of required skills by presenting relevant certificates or taking an exam, sufficient work experience, etc.) are recognised through various verification procedures.

The government has also laid out a pathway for low-skilled labourers to stay in the Republic of Korea long-term and switch their visa if they are successful in acquiring skills to be categorised as professional or semi-skilled.

[Efforts to protect human rights of migrant workers and equivalent group of migrants]

The domestic labour laws mandate both Korean nationals and migrant workers to be treated equally with the same rights. Migrant workers can be assisted by the Counselling Centre for Foreign Workers in resolving their employment-related issues, which provides services in 18 different languages should they need legal advice or support.

They can also turn to the Immigration Contact Centre (1345 Call Centre) and get support in 20 different languages when they report crimes and cases of human rights violations to investigation authorities.

Employers with a history of sexual abuse are barred from hiring migrant workers for five years. Employers who fail to pay migrant workers in a timely fashion face revocation their Employment Permit and are prohibited from hiring migrant workers for up to three years. Those who take their migrant workers' passports or Residence Cards as security for an employment agreement are punished as well.

The government of the Republic of Korea has gone as far as protecting even irregular migrant workers if they became a victim of crimes. Government bodies responsible for collecting incidents of such crimes don't relay the victim's personal details to law enforcement authorities. This opened a pathway for victimised irregular migrant workers to seek legal assistance without fear of their identity being exposed.

The government of the Republic of Korea also acts to ensure special care for children under 8 years of age by allowing speedier immigration clearance at (air)ports for family members with children under this age and strengthening international co-operation to repatriate children abducted to the Republic of Korea and Korean children abducted elsewhere in line with the Act on the Implementation of the Hague Child Abduction Convention.

[Efforts to provide better access to information on migration]

The Republic of Korea transparently opens information on immigration clearance procedures, visa requirements, resident requirements, naturalisation requirements, refugee requirements, procedures of handling immigration offenders through various channels – Korea Immigration Service homepage ([www.immigration.go.kr](http://www.immigration.go.kr)), Facebook account, e-government for foreign residents ([www.hikorea.go.kr](http://www.hikorea.go.kr)), etc. It has also handed out integration support programme leaflets, integration programme video guides and booklets on employment in the Republic of Korea at overseas Korean diplomatic missions and Korean language institutes. Migrant workers whose employment expires in the near future are supported with preparation for relocation back to his/her home country.

[Efforts to enhance capabilities of migrant workers and recognise certificates issued outside the Republic of Korea]

The government of the Republic of Korea runs a scholarship programme for overseas talents and also supports international students in the Republic of Korea to seek employment in the country by opening job fairs. This fair was held 13 times from 2011 to 2021, which attracted 1,193 Korean companies throughout this period. A total of 25,645 international students participated and 665 of them landed a job in the Republic of Korea. Some colleges are being designated as institutions dedicated to training non-nationals with techniques required in the fields of casting, moulding and welding, etc. Those who successfully completed their training and demonstrated their abilities are encouraged to seek a position in the field of their expertise in the Republic of Korea.

Similar job training projects, tailored to the demand of each community in developing countries, are being supported by the Republic of Korea. Nationals in such countries can receive support through these projects in finding a job in their community.

Marriage migrants and female migrant workers experience greater challenges in getting re-employed. This led the government of the Republic of Korea to set up 158 Employment Resumption Support Centre for Women dedicated to supporting women who are taking a job break. The government of

the Republic of Korea is also providing tailored job training to nurture them as after-school teachers and trade clerks, to name a few.

With an aim to attract promising global start-ups, the government of the Republic of Korea is running the K-Startup Grand Challenge project. In 2021, after a rigorous selection process including auditions and pitching, a total of 54 teams were selected to start and settle their business in the Republic of Korea. They received grants and participated in an accelerator programme – moving into a startup campus to receive consulting and training. They later competed again in a Demo Day event, through which 30 teams were handpicked to receive prize money and additional grants.

**2. Efforts to protect migrants through rights-based border management measures** (related to Objective 4, 8, 9, 10, 11, 13, 21 with a primary focus on border management, migrant smuggling, trafficking in persons, disaster relief, detention and its alternatives, return of migrants, and resettlement)

[Issuing identification documents]

All Korean nationals who have their birth declared in the Republic of Korea are given a unique Resident Registration Number. This Number is used as a code by all government organisations should they need to verify individual identity. It is also used to record individuals' marriage, death and family relationship information up to date. Korean nationals can use their Number to enjoy public services, which are offered both face-to-face and digitally.

Foreigners who plan to stay in Korea lawfully for 91 days or more are issued with Foreign Resident Registration Number, which they can use to enjoy all sorts of government services including administrative, medical, public health, etc.

Korean nationals born outside of the Republic of Korea can have their birth registered at overseas Korean diplomatic missions and have their passport issued there as well. Korean passports are fully equipped with the security features recommended by ICAO.

[Rescue of migrants and search of missing migrants]

Migrants in distress and missing migrants are treated equally as Korean nationals in terms of search activities and investigation. Once (s)he is properly located, efforts to reach his/her legal guardian will commence, to whom (s)he will be handed over and be taken relevant measures after his/her identity clearance is complete.

However, if his/her legal guardian turns out to have a record of abuse, domestic violence, mental illness or addiction to alcohol/drugs, this information is relayed to relevant organisations for further investigation and actions to protect him/her immediately begin.

The government of the Republic of Korea has also joined the International Convention on Maritime Search and Rescue (SAR) on September 1995 and has introduced the Act on the Search and Rescue in Waters to secure legal grounds to implement SAR. Joint training operations with neighbouring nations (e.g. Japan, Russia, People's Republic of China) are also taking place, which means international collaboration in this field is up and running.

If a migrant is dead in the Republic of Korea, his/her death will be dealt in pair with procedures applied to Korean nationals by respecting the dignity of the deceased and immediately notifying the consular office of his/her nationality to guarantee consular support and fully support the entry of family members to the Republic of Korea. However, in cases where the deceased cannot be identified,

his/her fingerprint record is kept for 10 years, leaving a sufficient window period for the deceased to be identified later on.

[Efforts to prevent smuggling and human trafficking]

In November 2015, the Republic of Korea joined the United Nations Convention against Transnational Organized Crime (UNTOC) and its two Protocols – the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. During the preparation stage of joining this Convention, the government of the Republic of Korea amended the existing section of the Criminal Act concerning Organisation of Criminal Groups, etc. to meet the UNTOC standards and introduced a new law to criminalise human trafficking. The Republic of Korea has also continuously taken part in global discussions, including the Conference of the Parties to the UNTOC and its Working Group meetings.

The Republic of Korea is also actively taking part in international forums that invite immigration authorities, such as the Bali Process and ANDEX to forge closer ties with Asia-Pacific nations. It shares information on crime trends and effective countermeasures and have signed MOUs with Australia, Indonesia and Thailand to establish collaborative relations to respond to crimes related to smuggling and human trafficking.

The Republic of Korea promulgated the Act on the Prevention of Human Trafficking and Protection of Victims and has been making necessary preparations before it takes effect in January 2023. Relevant government organisations have devised a basic plan to enforce the Act and developed indicators to identify trafficking victims. They also have provided training for officials in the relevant sectors and came up with specific plans to protect and support victims.

Investigation authorities utilise the Indicators of Identification and Protection of Victims of Trafficking and the Guidebook for Prevention of Human Trafficking – both created by the National Human Rights Commission of Korea – to train prosecutors and investigators to ensure that they can pre-emptively identify victims when handling trafficking cases.

Foreigners working in the art and entertainment sector are required to complete a trafficking identification questionnaire when renewing their visa. If the answers indicate that the individual is a victim, he/she is referred to law centers, human rights groups or other support services.

[Ensuring border security]

The government of the Republic of Korea is running the I-Prechecking system, which pre-screens passengers ahead of departure, to prevent irregular migration from the beginning and save costs arising from removals of ineligible individuals arriving in the country. On the other hand, it has installed e-gates, which are in use allowing passengers themselves to provide required information, such as passport, fingerprints and facial image. Since May 2021, it has implemented ETA for people from visa-waivered countries.

Our immigration officers are being trained and educated to respect cultural diversity and different languages and completely eliminate religion and gender bias during immigration clearance process. Our officers are also required to take education programmes on human rights of passengers to secure the integrity of passengers' dignity and interests. From August 2022, the government of the Republic of Korea will directly run and manage waiting rooms set up in airports for foreigners whose entry to Korea was denied. This is in line with the revised Immigration Act, which specifies such measures.

[Detention policies and alternative schemes to detention]

The Republic of Korea implements a three-tier measure against immigration offenders (departure recommendation, departure order and forced removal). In 21 January 2021, it put in place a new policy to receive deposit money from immigration offenders who received a departure order instead of forced removal. Those who successfully depart from the Republic of Korea as pledged will have the deposit returned, thereby encouraging them to leave on their will. The government of the Republic of Korea also has a policy to temporarily lift detention orders if their detention status results in a substantial threat to their life, physical well-being or financial security, thereby minimising detention.

Detention is only conducted strictly in accordance with due procedures and the Ministry of Justice conducts self-evaluation for any potential cases of human rights infringements. The National Human Rights Commission of Korea, an independent organisation dedicated to human rights protection, pays visits to detention facilities to ensure these facilities are free from arbitrary detention and human rights infringements.

Children under 14 years of age are, in principle, not detained. However, if a detainee is the only legal guardian to (a) child(ren) under 14, (s)he/they are offered a special room in facilities, where they can stay with his/her/their legal guardian. In addition, a new scheme is set to be implemented from April 2021 to guarantee a right to education for irregular foreign children who are currently receiving primary or secondary education in the Republic of Korea. Under the scheme, such children and their parents are allowed to stay in the country until their education is complete.

If a non-national needs to be detained in a correctional or an immigration detention facility for his/her criminal or immigration offence, his/her rights to receive consular assistance and meet his/her relatives are guaranteed. The government of the Republic of Korea also supports them to keep in touch with their family via telephone and the Internet. It also runs special programmes to safeguard their emotional stability – concerts, hobby activities, various education sessions, to name a few.

[Return, re-admission and re-integration of non-nationals to his/her home country]

Prior to executing forced removal, detained non-nationals are checked for unpaid wages. The government of the Republic of Korea has co-ordinated unpaid wage cases and resolved a total of 3,897 cases in 2017, 6,015 cases in 2018, 4,431 cases in 2019, 1,198 cases in 2020, and 979 cases in 2021. If there are detained non-nationals who have ongoing lawsuits, it fully supports their rights to get compensated by delaying forced removal until the dispute is settled.

Migrant workers whose employment contract will expire soon are supported by the government of the Republic of Korea to prepare for their return to home country. In 2021, the government of the Republic of Korea has provided specified consulting services for 44,753 migrant workers and opened lectures for 155 migrants to be prepared for return. It also organises a network of returned migrant workers to help successful re-integration to their home community. In 2021, the government of the Republic of Korea supported 17 rounds of meetings between them and their countrymen seeking employment opportunities and 20 rounds of lectures on businesses operating in their countries.

**3. Efforts to facilitate migrants' integration and their contribution to host country** (related to Objective 14, 15, 16, 19, 20, 22 with a primary focus on consular protection, nationals living overseas, migrant integration, promotion of multiculturalism, and international remittance)

[Providing consular protection and forging stronger ties with our counterparts]

The 24/7 Consular Call Centre at the HQ of the Ministry of Foreign Affairs, keeps emergency contact information to provide consular assistance and language assistance to Korean nationals residing or



travelling overseas in emergency situations. The government of the Republic of Korea also dispatches an Honorary Consul – responsible for protecting overseas Koreans and providing services they need – to 166 Korean diplomatic missions.

The government of the Republic of Korea regularly opens bilateral consular conferences with Japan, People’s Republic of China, Thailand and other countries to discuss urgent relevant issues and forge closer ties.

[Strengthening capabilities of migrants]

In accordance with the Framework Act on Treatment of Foreigners Residing in the Republic of Korea, we design and implement a whole-of-government level 5-year Basic Plan for Policies on Foreigners and Annual Implementation Plans. Currently the third Basic Plan for Policies on Foreigners, effective from 2018 to 2022, is being implemented and one of five major objectives is “An integrated society supported by the engagement and self-reliance of migrants”, which gave birth to a slew of policies relevant to social integration of migrants. Our government has also introduced a separate policy and annual targets on supporting international marriage-related families in order to support marriage migrants and their child(ren) to maximise their potential and bolster their successful settlement in the Republic of Korea.

Our government is offering a programme for speedy adaption to the Korean society for new migrants, which is provided in 13 different languages and the programme includes lectures on basic laws and how to gain access to basic public services. A separate programme is provided for long-term migrants, which is called KIIP (Korea Immigration & Integration Programme) and offers lessons on Korean language, culture and society they need for long-term stay. This programme is provided at no cost and from 2021, education programmes on common Korean laws, consumers’ rights, finance, preventing crimes, especially sexual violence against migrant women and disaster response will be added.

Our government operates 228 Support Centres for Multicultural Families to offer Korean language lessons for marriage migrants and among these centres, 196 of them offer “Self-reliance Programme” that focuses on planning for the future, strengthening capabilities and seeking employment.

Once migrants successfully become members of our society, we encourage them to join as KIIP Mentoring Volunteers and become helpful advisors for new migrants and hold lectures for Korean nationals to increase their awareness of cultural diversity. 146 local governments in the Republic of Korea are equipped with a committee to support non-national residents and appoint some of non-nationals as committee members and receive feedback from them, which become the foundation of designing policies for non-nationals. As of 2019, out of 1,803 committee members nationwide, 1,579 are Korean nationals and 224 are non-nationals.

[Supporting education for children from a family with (a) migrant parent(s)]

All non-national children, including children without residential status are given the same rights as Korean children to have access to regular education in line with our Elementary and Secondary Education Act. Information brochures on application and school transfer are provided in 13 different languages, and notifications encouraging enrolment are sent via text messages and post. As of 2020, a total of 326 classes dedicated to intensive Korean language education for migrant children are up and running and in 2019, a total of 1,322 migrant children have gained access to home schooling Korean language programmes.

Our government also encourages creating a bilingual learning environment by providing e-textbooks and bilingual books in nine different languages, which can be used at after-school programmes and other similar programmes. Bilingual ability contests are opened to discover bilingual talents and to develop unique abilities children from multicultural families are most likely to demonstrate. A special programme with an emphasis on language and talent discovery – “Rainbow School” – is offered for children from migrant family background and in 2019, 1,748 children took part in this programme and it is offered in various types – whole-day/weekend/evening/summer vacation/winter vacation programme.

[Providing medical and welfare support]

In accordance with domestic laws on children’s rights, registered non-national children are eligible for receiving childcare services. Those who require childcare services can be taken care of at a local childcare centre or an after-school childcare service centre. If a marriage migrant, refugee or a disaster victim\* fall into a crisis by death or unemployment of a family member who is the main source of income, they can receive allowance, rent, medical cost subsidies, and the amount provided varies depending on their level of economic difficulty.

\* a) a person married to a Korean national, b) a person who provides care for (an) immediate family member(s) with Korean nationality who divorced his/her spouse with a Korean nationality or a person who was widowed by death of his/her spouse with a Korean nationality, c) a person who was recognised as a refugee in line with Refugee Act, Article 2.2., d) a person victimised by fire, crime, natural disasters that did not occur by his/her negligence, e) a person recognised by the Minister of Health and Welfare requiring immediate support (e.g. residents on humanitarian grounds in line with Refugee Act, Article 2.3)

Our government has designated 111 medical institutions for non-nationals who are not eligible for national health insurance plan and medical fee support. They can get emergency operations and treatments and get medical cost support up to 90% of total cost for a single treatment that does not exceed KRW 5 million (approx. USD 4,300).

[Promoting cultural diversity in the country]

With an aim to create a better awareness of co-respect and co-existence of Korean nationals and non-nationals, 20 May was designated as Together Day in 2008 as mandated by the Framework Act on Treatment of Foreigners Residing in the Republic of Korea. A week leading from Together Day will serve as a special week celebrated with various cultural events.

We have initiated “Rainbow Bridge Project” in 2012, and this project aims to promoting mutual exchanges of people from various cultural backgrounds in our society and stress the value of cultural diversity. We also encourage cultural exchanges between Korean nationals and non-nationals by supporting a nationwide festival for migrants – MAMF (Migrants’ Arirang Multicultural Festival).

All schools in ROK are recommended to offer a two-hours’ worth of programme related to multiculturalism every year to ensure cultural diversity is upheld in our schools. In 2021, 277 K-12 schools were designated for educating multiculturalism in connection with existing subjects students learn, and 162 kindergartens with a similar objective are up and running as well. Additionally, 8 schools were designated to double as a research centre to develop a co-operative

model between schools and communities to offer comprehensive measures to support students from multicultural background.

Our government also focuses on teachers' capabilities to be equipped with sufficient level of knowledge and understanding on cultural diversity. Additional programmes related to multiculturalism are added to a list of subject teacher candidates should take, thereby making them competent in understanding this value from an early stage. A competition was held in July 2021 to collect best practices of multiculturalism education to share good examples of education methods on this field.

[Encouraging forging ties between diasporas and the Republic of Korea]

Whole-of-governmental level policies are designed and implemented to support diasporas (overseas ethnic Koreans) in various aspects by installing and running a dedicated committee for diaspora policies. Ever since 2000, World Korean Community Leaders Convention has been held every year to promote personal exchanges among diasporas, which serves as a platform to set up Korean international networks. In 2007, 5 October was designated as Korean Day to contribute to harmony and development of overseas ethnic Koreans in the world. Not only that, we hold World Korean Business Convention and let overseas ethnic Korean have access to the business community in the Republic of Korea. On February 2009, Public Official Election Act was amended to allow overseas Korean citizens to vote in Korean election from the country of their residence.

[Supporting migrants with cheap overseas remittance commissions]

Our government allows migrants to wire money overseas not only by visiting a bank, but also through contact-less measures as well (e.g. ATM, mobile app, online banking service). Wiring commission for remittance service that is requested by visiting a bank representative does not exceed 3%, which is the cap recommended by GCM. Commission charged for wiring money through a bank representative varies depending on the amount to be sent. Commission charged for wiring money when sent via online banking service is either free or half the amount of commission charged by a bank representative. Commission charged for wiring money via an ATM is also either free or roughly USD 4.

\* Commission charged by a bank representative

- Amounts not exceeding USD 5,000: USD 2 – 13
- Amounts not exceeding USD 20,000: USD 4 – 17
- Amounts exceeding USD 40,000: roughly USD 22

Question 4. Improving value-driven and evidence-based policymaking, abolishing discrimination, improving the social discourse on migration and enhancing cooperation on migration. (Relevant GCM Objectives: 1, 3, 7, 17, 23)

[Collection and enhancement of immigration-related information and its use]

Immigration-related information (e.g. entry/departure record, residence, nationality information, etc.) are stored and managed in DW (Data Warehouse) based system and we have introduced big data analysis technique and bio information fast-searching system. In 2021, Immigration Big Data Division was launched in the Ministry of Justice to standardise personal information of foreign nationals and analyse big data.

We collect statistics relevant to a) the flow of migrants, including global population movement statistics, Population and Housing Census and statistics on migrants' residential/employment status, b) statistics on the size of migrants and their characteristics and c) statistics on migrants' employment activities and residential status. These statistics are provided to other ministries and regional governments to support better immigration policies and evaluation of these policies.

The government of the Republic of Korea signed an agreement with IOM to give birth to MRTC (Migration Research & Training Centre: [www.iom-mrtc.org](http://www.iom-mrtc.org)), which is responsible for conducting research and studies on the effects of international migration on economic growth, job creation, national security and human rights. It also provides the government with advice and information required for designing policies.

[Providing information for migrants]

All migrants have access to information on the best type of visa that fits his/her needs and its requirements, ways to apply for a visa, procedures of entering the Republic of Korea/application for resident registration, which are available by visiting Korea Visa Portal at [www.visa.go.kr](http://www.visa.go.kr). They can apply for a visa online and check how their application is being processed. After entering the Republic of Korea, they can change their visa and gain information on required documents and procedures needed for obtaining employment permission and extending his/her visa by visiting Hi Korea website at [www.hikorea.go.kr](http://www.hikorea.go.kr).

Our government also operates a dedicated website, Danuri Portal at [www.liveinkorea.kr](http://www.liveinkorea.kr), to support migrant women and children, which is serviced in 13 different languages. A separate website is offered for non-nationals seeking permanent residency or obtaining nationality to allow them a soft-landing to their new home. Relevant information can be accessed by visiting [www.socinet.go.kr](http://www.socinet.go.kr), which aims at providing information on social integration.

Our government also runs an exclusive call centre, Immigration Contact Centre, which can be reached by simply calling 1345. If a migrant has questions on how to gain access to public services or wish to receive answers on their immigration matters, (s)he can reach this Centre, which provides services in 20 different languages. Since March 2019, 3-way language interpretation service (Immigration Contact Centre – migrant – investigation authority) is offered to support migrants who were victimised by (a) crime(s) and provide language assistance to be prepared for trials.

All non-nationals in the Republic of Korea are encouraged to reach Korea Legal Aid Corporation – an organisation affiliated to the Ministry of Justice, which has 133 offices nationwide that can provide free legal advice prior to being engaged in (a) civil/criminal trial(s) or (an) administrative litigation(s).

[Protecting the marginalised]

The Ministry of Health and Welfare led a legal amendment to include all non-nationals with a history of 6+ months of stay in the Republic of Korea to be covered by the National Health

Insurance to become a mandatory measure. This came into effect on 16 July 2019 with objectives to minimise grey zones in medical service provision and to realise universal healthcare. International students will be able to enjoy this benefit from March 2021.

Our government also allows non-nationals, including migrant workers and their child(ren), female marriage migrant and her child(ren) yet to obtain Korean nationality, refugees and their child(ren), who are not covered by national health insurance and medical fee support, to receive up to 90% of medical cost as subsidy for their hospitalisation and surgery, provided that this subsidy does not exceed KRW 5 million for a single treatment.

Our government is allowing children of irregular migrants to enter our public schools to guarantee their education rights. It also makes sure migrants, especially irregular migrants are not left out from legal protection when they are victimised by (a) crime(s). Government officers responsible for providing medical, education support for migrants and those who handle cases of crime against migrants are required by law to never relay the victim's personal details, despite being an irregular migrant, to law enforcement authorities. Additional safety net is in place to protect irregular migrant who were victimised by domestic violence, sexual assault and child abuse by allowing to stay in the Republic of Korea until legal protection and compensations are totally completed.

In an effort to protect human rights of international marriage-related families and migrant women, we operate Danuri Call Centre and 228 Support Centres for Multicultural Families which provide services in 13 different languages 7/24, 365 days a year. Services include supporting violence victims, providing interpretation service, emergency support and trainings to have their human rights protected. These centres have experts in the field of protecting human rights of multicultural families and migrant women, who are trained to detect early signs of violence and take measures to prevent it from happening. These centres also provide services for migrant children and teenagers by providing psychological counselling to help them adapt well to the Korean society. They can receive counselling through in-person visits, phone calls or via the Internet.

Our government does not spare efforts to protect non-nationals who work in sectors where their human rights are likely to be infringed. It is fully aware that migrants working in the entertainment sector are prone to the risk of sexual trafficking and other human trafficking. Therefore, they are required to participate in lectures instructing them not to sign an employment contract against their will until they are fully convinced with all specifics of the contract, providing them with information on what to do once their rights are infringed or they become a victim of a crime. Sea crews are also prone to the risk of their human rights being infringed, so our government engages in special activities to check whether any of them have unpaid wages, suffer from arrogant and authoritarian attitudes from his/her employer or physical threat and infringement of their human rights.

[Rooting out discrimination against non-nationals and encouraging a positive awareness of migration]

The government of the Republic of Korea prohibits discrimination between Korean nationals and non-nationals on universal and fundamental rights all people are eligible to enjoy in accordance with domestic laws and international law. A whole-of-government level 5-year National Human Rights Plans of Action is implemented to safeguard rights of all people through improvements in our laws and administrative procedures. Currently the 3rd National Human Rights Plans of Action, effective from 2018 to 2022, is being implemented under the main objective of "Fairer society where all people can enjoy equal rights" with an emphasis on "Supporting migrants and their social

integration”. We also have an independent organisation dedicated to protecting human rights, the National Human Rights Commission of Korea, which can investigate cases of human rights infringements and provide recommendation to the government for better policies.

[Forging stronger international co-operation to encourage regular migration]

The Republic of Korea, which is represented by the Korean ambassador to Switzerland, was elected as a rapporteur at the 112th session of the IOM council. Korea will be a member of IOM chairs from the 113th session of the IOM council in 2022 and assume an important position to be engaged in discussions on international migration. Korea will also double the role of a mediator in the Asia-Pacific group – a sub-regional group under IOM.

Our government is well aware that migrant labourers to work in non-professional sectors and seasonal labourers are highly exposed to the risk of their human rights infringements and becoming a victim of corruption and scams during the process of securing a chance to come to the Republic of Korea. The government, therefore, has signed MOUs with central governments or local governments from labour-sending countries to protect these group of people, thereby preventing corruption and scams and ensuring transparent procedures. The Ministry of Justice and the Labour Bureau of Thailand signed an MOU to prevent irregular stay and illegal employment on 27 November 2019. This institutionalised the provision of information to Thai authorities since 2020, which is needed to prevent illegal residency and employment of Thai nationals in Korea and ensure swift cooperation from Thai authorities. We also signed an MOU involving four parties – the Ministry of Justice, Korea Invention Promotion Association, Korea Productivity Centre and the Department of Information and Communication Technology of Bangladesh – to support Bangladeshi talents to come and reside in the Republic of Korea and encourage them to start business in the Republic of Korea by providing them with assistance to have their intellectual property registered in the Republic of Korea and elsewhere and subsidies for making prototypes.

Question B: Member States are invited to upload their policies and practices to the Migration Network Hub Repository of Practices, in keeping with the criteria for the identification of existing practices that have been developed by the Network.

Question C: Member States are invited to describe the steps taken to integrate the vision and cross-cutting and interdependent GCM guiding principles into the implementation plans.

[Regarding the vision of GCM – common understanding, responsibility and objective of the international community on international migration issue]

One of five major objectives of the third Basic Plan for Policies on Foreigners, effective from 2018 to 2022 is “Future oriented governance based on co-operation”. To achieve this objective, Korea has set “Strengthening international cooperation in the field of immigration”, thereby recognising common interest and responsibilities of all nations and strengthening international collaboration to achieve common objectives.

[Regarding GCM principles]

## A. People-centred

The Constitution of the Republic of Korea clearly states guaranteeing rights of individuals as the most important value and stresses the importance of the principle taking people first. Non-nationals living in the Republic of Korea are encouraged to exert their capabilities in an environment to have their capabilities respected and recognised as specified in our Framework Act on Treatment of Foreigners Residing in the Republic of Korea. Besides this Framework Act, many other domestic laws and National Human Rights Plans of Action reflect our human-centric principle.

## B. International cooperation

The third Basic Plan for Policies on Foreigners sets international cooperation as one of core values and buttresses stronger global collaboration on international migration.

## C. National sovereignty

The constitution of the Republic of Korea, Immigration Act and Nationality Act define specifics of border management and immigration tailored to fit the needs of the Republic of Korea based on national sovereignty.

## D. Rule of law and due process

The constitution of the Republic of Korea stipulates the respect for the rule of law for the exertion of state power and its control and protecting human rights. The Constitution clearly states limiting the rights of individuals, imposing legal duties and making a decision on criminal justice measures should be done strictly in accordance with laws and due process.

## E. Sustainable development

International migration will be utilised for our sustainable development by resolving the following issues: a decrease in working age population and labour shortages. Our government is also striving to design policies that contribute to sustainable development of labour-sending countries. Policies are made for these countries to benefit from remittances sent by migrant labourers and knowledge and techniques they bring back to their home country.

## F. Human rights

Our Constitution re-affirms the importance of basic human rights everyone is entitled to and holds the government responsible for any unfair treatment and discrimination and human rights infringement. Human right is also upheld as a core value in the third Basic Plan for Policies on Foreigners.

## G. Gender-responsive

Our Constitution upholds the spirit of gender responsiveness by stressing the need for special protection of labour provided by women and greater welfare and rights for women. We have also implemented Framework Act on Gender Equality to realise the spirit of gender equality stipulated in our Constitution in all sectors of our society, such as economic participation and childcare to name a few.

## H. Child-sensitive

The Republic of Korea signed the Convention on the Rights of the Child in 1991, and the Korean government strengthened its protection for children by introducing domestic laws, including Child Welfare Act, Act on the Protection and Support of Missing Children, Act on Prevention of Child

Poverty, Support of Children, Etc. and Act on Special Cases Concerning the Punishment, Etc. of Child Abuse Crimes.

#### I. Whole-of-government approach

In accordance with Framework Act on Treatment of Foreigners Residing in the Republic of Korea, Korea invites all sectors of government in designing five-year Basic Plan for Policies on Foreigners, its Annual Implementation Plans, and evaluation of these targets.

#### J. Whole-of-society approach

Our government takes the following approaches to realise this goal. We ensure relevant committees are staffed by civilian representatives to a certain level, hold monthly Immigration Policy Forum and reflect civilian experts' and relevant stakeholders' opinions on our policies. Our government also runs Social Integration Volunteer Officers and KIIP Mentoring Volunteers, which are participated by immigrants, to consolidate close partnership with immigrants and support their settlement.

Question D: Member States could present critical difficulties envisioned or encountered in reaching GCM objectives and how they could be addressed. The consideration of the objectives could focus on trends, successes, challenges, emerging issues, and lessons learned, including as impacted by regional dynamics, and describe what actions have been taken to address existing gaps and challenges.

[Regarding policies on migrant labourers]

Our government also has been taking action to select migrant labourers who are to take up unskilled labour jobs in a transparent manner by introducing Employment Permit System (EPS) on August 2004. The Republic of Korea signed an MOU with 16 countries and this scheme has been used to connect selected migrant workers with Korean employers, provides them with a wide range of immigration-related support and serves as a safeguard against human rights violations. On December 2015, Seasonal Worker Programme was introduced by signing MOUs with 28 local governments from nine countries to add flexibility to migrant labour supply chain. Korean local governments sign an MOU with local governments from labour sending countries to select unskilled migrant labours, who are allowed to work in farms and fishing villages during busy seasons. These two mechanisms prevent potential corruption and human rights violations, especially during the process of seeking a chance to work in the Republic of Korea, contribute to the economy of migrant workers' home country by being a recipient of remittances sent from the Republic of Korea and address chronic labour shortages experienced by Korean SMEs and agriculture/fishing villages.

In order to prevent migrant workers from descending into irregular status after their visa expires, it is critical to sign an MOU with countries to include solutions on this matter. This requires greater collaboration with the sending countries.

Every nation has its own standards and requirements to recognise qualifications or certifications and this becomes a hurdle when we verify the abilities of migrant workers. This leads to a conclusion of the necessity to sign agreements for bilateral recognition of qualifications/certifications or create an Asia-Pacific regional or universal system, which can be used to verify qualifications or certifications.



[Providing humanitarian aid to the international community and disaster responsiveness]

In regards to ensure better disaster responsiveness, the Republic of Korea, as the chair state of Disaster Risk Reduction Component at the UNESCAP/WMO Typhoon Committee, is working with 14 member states by participating in general assemblies, annual meetings and workshops to set up global networks with international organisations to minimise typhoon risks. Our government strives to devising better ways with other member states by collecting surveys from member countries and conducting self-evaluations.

Although the demand for humanitarian aid from developing countries is increasing, budget is limited and the natural disaster responsive system that was set up by Korea is being poorly maintained by recipient developing countries. This year has proven to be an extremely challenging year as COVID-19 closed borders of virtually all countries, halting all projects that were ongoing and preventing us to survey on how the situation is on the ground.

[Challenges experienced with detainees and their repatriation]

The Coronavirus Pandemic has led to an unprecedented event of some countries strengthening measures of limiting the entry of their own nationals. This resulted in a prolonged detention of detainees triggered by a delay of repatriation procedures. As they had to be stranded in detention facilities for a longer period of time, this turned out to be detrimental to their psychological stability, physical well-being and speedy re-integration to their community of origin.

Preventing entry to his/her own country directly runs counter to Article 12.4 of the International Covenant on Civil and Political Rights (ICCPR), which clearly states the rights of returning to his/her home country cannot be arbitrary deprived of at any case. The international community should take more attention to addressing this challenge by upholding this Article.

[Encouraging a positive awareness of migration]

It is imperative to provide accurate information to Korean nationals on the effects of migration on the national economy, finance and security, and public safety to create an unbiased social discourse on migration. To achieve this goal, an establishment of a whole-of-governmental migration-related statistics collection and analysis system is needed. It is also critical for the international community to a) create a single standard definition for each migration statistics index and b) set up universal classification/analysis methods on major statistics and invest efforts to ensure the credibility of statistics.

#### 4. Means of implementation

Member States may discuss how means of implementation and resources are mobilized, and what additional resources are needed to implement the GCM, including in terms of financing, capacity development and data needs, technology, and partnerships.

Designing Korea's policies on foreign residents involves the following organisations – a) three committees (Foreigner Policy Committee, Multicultural Family Policy Committee and Foreign Labour Policy Committee) installed under the Office of the Prime Minister, b) the central government, c) local governments, d) the private sector (NGOs, migrant communities, enterprises, supporting agencies and e) implementing institutions (institutions that offer Social Integration Programme, Multicultural Family Support Centre, Foreign Resident Human Rights Centre, Foreign Resident Welfare Centre).

The Framework Act on Treatment of Foreigners Residing in the Republic of Korea specifies legal foundation relevant to conducting/promoting research on policies needed for designing Basic Plans for Policies on Foreigners. The government, academia, universities, research institutes and civil societies are involved in the process of designing and evaluation of the Basic Plan. This Plan is being implemented in co-operation with relevant ministries and regional governments.

Relevant ministries support foreign residents within their responsibilities. The Ministry of Justice provide Korean language and cultural lessons for migrants through institutions that run Social Integration Programmes. The Ministry of Gender Equality and Family support multicultural families, specifically focusing on marriage migrants through Multicultural Family Support Centres. The Ministry of Health and Welfare runs Foreign Resident Welfare Centres. The Ministry of Employment and Labour supports foreign labourers who entered Korea under EPS (Employment Permit System) through Foreign Labourer Support Centres.

Required funds are secured by the central/regional governments executing a portion of their budget or by providing funds to outsourced institutes from the private sector for the service they provide.

## 5. Next steps

Based on the outcomes of the review, the Member State could outline what steps are planned to enhance the implementation of the GCM.

Korea is currently implementing the third Basic Plan for Policies on Foreigners (2018 – 2022) and commissioned a research for planning the fourth Basic Plan for Policies on Foreigners (2023 – 2027), which was conducted in 2021.

The findings of the research raised the need for the fourth Basic Plan for Policies on Foreigners (2023 – 2027) to encourage discussion and dialogue among relevant ministries (Ministry of Justice, Ministry of Gender Equality and Family, Ministry of Employment and Labour, etc.) and among relevant committees to save budget by minimising similar/overlapping programmes.

It is the central government that is taking the lead in designing policies on foreign residents. However, the reality is that social integration policies – an important pillar of such policies – are implemented at the regional level that fit the realities of regional communities, where foreign residents live in. This is propelling the need for regional governments to design their own policies on foreign residents and the findings of the research suggested striking a fine balance between the Basic Plan for Policies on Foreigners, implemented by the central government and policies introduced at the regional level. The findings also stressed the need for the central government and regional governments to engage in close collaboration with each other by taking their responsibilities and authority into account.

The fourth Basic Plan for Policies on Foreigners will be improved by reflecting opinions of relevant ministries based on the recommendation described above.

Meanwhile, the Ministry of Justice plans to a) launch an immigration policy committee that represents people from all sectors of our society and b) plans to run an immigration policy planning division as administrative organisation from 2022 to push forward open and inclusive immigration policies that are aligned with universal values cherished by the international community.

Question B: It could be indicated how the results of reviews will strengthen GCM implementation

Korea plans to reflect self-evaluation results of GCM on the fourth Basic Plan for Policies on Foreigners (2023 – 2027) – a pan-governmental basic plan on foreign residents – and reinforce its implementation.