

MØDTAGET
LEDELSESSEKRETARIATET

Dato 6/6-12 Kl.

May 29, 2012

Mogens Lykketoft

President of the Danish Parliament, DENMARK

Excellency,

It is with great pleasure to write to you in my capacity as the Acting Speaker of the National Assembly of the Republic of Korea.

A prolonged financial and monetary crisis in the international community has deepened global economic uncertainty and social polarization, thus aggravating poverty. The Republic of Korea has also made a diverse set of measures to address increasing poverty. Among others, I would like to draw your kind attention to the "Act on Prevention of and Support for Child Poverty" enacted by the National Assembly of the Republic of Korea. It is my sincere hope that our experience will be informative and helpful in any meaningful way in your endeavors to resolve the issue of child poverty and hunger.

In 2011, the 18th National Assembly of Korea enacted the "Act on Prevention of and Support for Child Poverty," and subsequently made the enforcement decree and rules for the act in 2012. The aim of the act is to allow the government to set up relevant systems as soon as possible to ensure that no child in poverty would suffer from hunger, diseases and discrimination, while creating a social environment where those children can stand on their own feet without increasing their dependence on the nation's welfare system. The bill was initiated by the Honorable KANG Myung Soon, my colleague member of the National Assembly from the Saenuri Party, and co-sponsored by other 103 National Assembly members from the Saenuri Party.

The act was inspired by a report of the U.K. government on the improvement of the quality of life and related systems for the children in poverty, enhancement of family functions and the role of communities, which was published and passed by the House of Commons and House of Lords of the U.K. in 2010. While benchmarking the Child Poverty Bill of the U.K., the act was made best suited to work in Korea's own political and economic context.

I kindly ask you to find the attachment which provides more detailed information

about the act. I believe that the world will be a better place to live, if a similar legislation is put in place in your parliament, too.

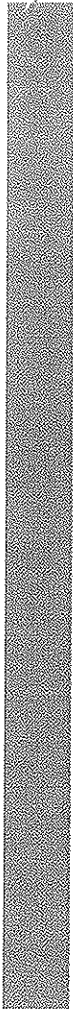
If you have further questions or inquiries, please do not hesitate to contact the “World Community for Ending Poverty (WCEP),” led by Rep. KANG Myung Soon at ledlmin@hanmail.net or visit the website www.wcep.kr.

I wish you good health and every success in your future endeavors.

With the warmest regards,

Sincerely yours,

CHUNG Ui Hwa
Acting Speaker of the National Assembly
Republic of Korea



AC on the Prevention of C P Support for P C

1 Purpose

The occurrences of family break-ups caused by the runaway, divorce, separation, illness or death of parents has been increasingly triggered by the recent economic recession, and the number of children exposed to poverty has grown sharply. Child poverty rate in Korea is 10.2%, and Korea's policy on child welfare is not able to resolve the burning issue of child poverty.

In particular, the budget for child welfare is very minimal comprising only 0.09% of the total government budget. Since the transfer of family and youth affairs from the Ministry of Welfare to the Ministry of Gender Equality and Family in 2009, comprehensive measures are not taken on children problems such as child negligence, and abuse and sexual abuse, which often occur when a child is placed in poverty. Such child poverty blocks seeking diverse opportunities that are required for the growth and development of children, results in a range of discrimination and leads to passing down poverty in a vicious cycle.

Therefore, the government plans to set up the Child Poverty Council for children in financial, social, cultural and emotional poverty to develop a master plan and implementation strategies and create an integrated social welfare support system. By this action, a legal and institutional base will be set up to assist all children to grow up to be sound and productive members of our society.

2 *Act on the Prevention of Child Poverty & Support for Poor Children*

Article 1 (Objective)

This Act aims at establishing an institutional basis for poor children to elude alienation and discrimination in areas of welfare, education and culture and grow up to be sound and productive members of our society.

Article 2 (Basic Philosophy)

This Act is based on the basic philosophy of enabling poor children to enjoy harmonious growth and a sound and happy life to fully develop their capabilities until they can support themselves from their birth regardless of the socio-economic status of their parents.

Article 3 (Definition)

The definition of terms used in this Act is as follows:
<Revised on August 8, 2011>

1. A “child” shall mean a child as defined in Article 3 Paragraph 1 of the Child Welfare Act.
2. “Child poverty” shall mean a situation wherein a child is

socially, economically or culturally disadvantaged due to poor daily living conditions and lack of resources.

3. A "poor child" shall mean a child that requires support to resolve the disparity in welfare, education and culture due to poor living conditions and lack of resources. Specific criteria shall be established by decrees of the Ministry of Health and Welfare.

Article 4 (Responsibility of the Government and Local Authorities)

- ① The government and local authorities shall establish legal and institutional mechanisms required to implement poor children policies such as support for welfare, education and culture and strive to secure stable funding required to undertake said affairs.
- ② The government and local authorities shall formulate and enforce policies to support poor children and their guardians and homes to promote the safety, health and welfare of poor children.
- ③ The government and local authorities shall take necessary measures for children in poverty to be not discriminated against whatsoever.

Article 5 (Relations with other Acts)

When an act on prevention of child poverty and support for poor children is enacted or revised, it shall be in accord with the objectives and basic philosophy of this Act.

Article 6 (Development of a Master Plan)

- ① The Minister of Health and Welfare shall conduct a status survey on the basic needs of poor children in welfare, education and culture and develop a master plan on providing support to poor children in the form of welfare, education and culture (hereinafter "master plan"), which includes the following items, every five years. In such a case, it shall be deliberated by the Child Poverty Prevention Council defined in Article 8.
1. Basic direction of support policies for poor children in welfare, education and culture;
 2. Establishment of a delivery mechanism regarding support for poor children and the improvement of systems;
 3. Matters related to major policies and cooperation of ministries regarding the provision of support to poor children; and
 4. Other matters as set by presidential decrees for supporting children in poverty.
- ② The development and enforcement of a master plan and other required matters shall be directed by Presidential decrees.

Article 7 (Development and Enforcement of Annual Implementation Plans)

The Minister of Health and Welfare, the heads of relevant central authorities, mayors of metropolitan cities and governors of provinces (hereinafter "mayors and governors") and directors of city and provincial offices of education shall develop and enforce annual implementation plans according to the master plan.

Article 8 (Establishment of Child Poverty Prevention Council)

- ① For the formulation of comprehensive policies regarding poor children and the alignment, coordination and mutual cooperation among relevant institutions, the Child Poverty Prevention Council (hereinafter referred to as the "Council") shall be set up as a sub-committee of the Child Policy Coordination Committee in accordance with Article 10 Paragraph 1 of the Child Welfare Act.
<As revised on August 4, 2011>
- ② The Council shall deliberate and coordinate the following items:
 1. Matters regarding the basic direction of policies related to poor children;
 2. Matters regarding the improvement of poor children policy-related programs and budget support;
 3. Matters regarding poor children policies that require cross-departmental cooperation;
 4. Matters regarding the implementation, evaluation and coordination of international treaties related to children in poverty; and
 5. Other matters deemed necessary by the Chairman.
- ③ The members and organization of the Council and other matters required for its operation shall be established by Presidential decrees.

Article 9 (Members of the Council, etc.)

- ① The Council shall have no more than 15 members, including a Chairman. The Chairmanship shall be

assumed by the Minister of Health and Welfare.

- ② Members shall be the following persons. <As revised on August 4, 2011>
1. Minister of Strategy and Finance, Minister of Education, Science and Technology, Minister of Public Administration and Security, Minister of Culture, Sports and Tourism and Minister of Gender Equality and Family;
 2. Ministers appointed by the Prime Minister in relation to matters deliberated by the Council; and
 3. Those appointed by the Prime Minister among members in accordance with Article 10 Paragraph 3 Sub-paragraph 2 of the Child Welfare Act.
- ③ The term of the members shall be two years. However, the term of members who are government officials shall continue only until they are in public office.

Article 10 (Regional Child Poverty Prevention Council)

- ① In order to deliberate important matters regarding the prevention of child poverty and support for poor children, the Regional Child Poverty Prevention Councils (hereinafter referred to as "Regional Councils") shall be established in metropolitan cities and provinces (hereinafter referred to as "cities and provinces") as well as cities, counties and districts (Refer to local authorities. Hereinafter referred to as the same). However, if another committee competent to perform these functions has already been established, the Committee may perform the functions of the Regional Council in accordance with ordinances enacted by

metropolitan cities and provinces as well as cities, counties and districts.

- ② Members of the Regional Council pursuant to Paragraph 2 shall be appointed by mayors/governors or the mayor/county head/district office head (head of an autonomous district) among those that meet any of following requirements.
1. Those with abundant knowledge and experience in the welfare and support of children in poverty; and
 2. Those recommended by the operator of poor child support facilities, parents' organizations, child and youth organizations or non-profit private organizations.
- ③ Other matters required for the composition and operation of the Regional Council shall be set by the ordinances of relevant local governments.

Article 11 (Request for Cooperation to Related Authorities)

If deemed necessary, the Council and the Regional Council may seek the opinions of relevant experts or request relevant administrative institutions for attendance and presentation by their staff members and the submission of related materials.

Addendum <No. 10850, July 14, 2011>

This Act shall enter into effect one year after its promulgation.

The Enforcement Decree of the Act on Prevention of Poverty and Support of Children (Proposed)

Article 1 (Purpose)

The purpose of this Decree is to define the matters delegated under the Act on Prevention of Poverty and Support of Children (hereinafter referred to as the “Act”) and required matters on its implementation.

Article 2 (Establishment of the Master Plan)

- (1) “Matters set forth under the Presidential Decree” under Article 6 (1) 4 of the Act means the scale of financial resource and procurement plan required to support children in poverty.
- (2) In order to establish an efficient master plan in support of welfare, education, culture and others for the children in poverty under Article 6 (1) of the Act (hereinafter referred to as the “master plan”), the Minister of Health and Welfare shall set forth guidelines to prepare the proposal for the master plan and notify the same to the heads of pertinent central administrative institutions.
- (3) The heads of pertinent central administrative institutions shall prepare the agenda for the master plan for each institution in accordance with the guidelines to prepare the agenda for the master plan under paragraph 2 and submit the same to the Minister of Health and Welfare, and the Minister of Health and Welfare shall prepare the comprehensive master plan to finalize the master plan in accordance with the procedure set forth under Article 6 (1) of the Act.
- (4) The heads of pertinent central administrative institutions shall prepare the agenda to modify the master plan when there are intentions to modify applicable matters to submit to the Minister of Health and Welfare, and the Minister of Health and Welfare shall present the proposal to the Committee to Prevent Children in Poverty (hereinafter referred to as the “Committee”) under Article 8 (1) of the Act.

- (5) In the event that the master plan is modified in accordance with paragraph 4, the Minister of Health and Welfare shall notify the same to the head of pertinent central administrative institutions, the Mayor of Seoul City, the Mayors of Metropolitan Cities, the Governors of Special Self-governing Provinces (hereinafter collectively referred to as the “Mayors and Governors”) and the superintendents of Seoul City, Metropolitan Cities and Special Self-governing Provinces (hereinafter collectively referred to as the “Cities and Provinces”).
- (6) The heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces shall duly carry out the implementation plan for each year under the master plan and Article 7 of the Act (hereinafter referred to as “implementation plan”).

Article 3 (Establishment of Implementation Plan for Each Year)

- (1) For efficient establishment and implementation of the implementation plan, the Minister of Health and Welfare shall set forth guidelines for establishment of the implementation plan and notify the same to the heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces.
- (2) The heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces shall establish an implementation plan for the following year for each of the applicable matters in accordance with the guideline for establishment of the implementation plan following paragraph 1 and submit the same to the Minister of Health and Welfare by December 31 of each year. In this case, the Mayors and Governors and the superintendents of Cities and Provinces shall stipulate the contents of the implementation plan with the Minister of Health and Welfare and the heads of pertinent central administrative institutions in advance.
- (3) The Minister of Health and Welfare shall comprehensively consider the implementation plan submitted in accordance with paragraph 2 and obtain the deliberation of the Committee.
- (4) In the event that the implementation plan is finalized with the deliberation

of the Committee in accordance with paragraph 3, the Minister of Health and Welfare shall notify the same to the heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces without delay.

- (5) In the event that the implementation plan of the Cities and Provinces and the board of education of Cities and Provinces violates the master plan and implementation plan of the central administrative institutions, the heads of pertinent central administrative institutions may request the applicable Mayors and Governors and the superintendents of Cities and Provinces to modify the plan and inspect the implementation status of the implementation plan of the Cities and Provinces and the board of education of Cities and Provinces so that it is implemented in accordance with the master plan.

Article 3-2 (Evaluation of Implementation Plan)

- (1) The Minister of Health and Welfare shall prepare evaluation guidelines for the evaluation of the implementation plan and notify the same to the heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces through the deliberation of the Committee.
- (2) The heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces shall evaluate the performance record of the previous year in accordance with evaluation guidelines under paragraph 1 and submit the result to the Minister of Health and Welfare by the end of March each year.
- (3) The Minister of Health and Welfare shall comprehensively compile the evaluation results submitted by the heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces in accordance with paragraph 2 and notify the result to the heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces through the deliberation of the Committee.
- (4) The heads of pertinent central administrative institutions, the Mayors and Governors, and the superintendents of Cities and Provinces shall reflect on

the evaluation results notified in accordance with paragraph 3 on the implementation plan of the next year.

Article 4 (Operation of the Committee)

- (1) The Commissioner of the Committee shall represent the Committee and oversee the affairs of the Committee.
- (2) When the Commissioner is unable to carry out its duties for inevitable cause, any Committee member designated by the Commissioner in advance shall act on behalf of the Commissioner.
- (3) The Commissioner shall convene the meeting and become the chairman of the meeting.
- (4) The meeting of the Committee shall have the quorum with the majority attendance of the registered members and resolve with the majority consent of the attending members.
- (5) In addition, any matter required on operating the Committee shall be determined by the Commissioner through a resolution of the Committee.

Article 4-2 (Coordinator)

- (1) In order to carry out the affairs of the Committee, the Committee shall have a coordinator.
- (2) The coordinator of the Committee shall be nominated by the Commissioner from the government officials in the Ministry of the Health and Welfare.

Article 4-3 (Allowance and Others)

For Committee members attending to the meeting of the Committee, allowance and expenses may be paid within the scope of the budget. However, this shall not be the case in the event that the government official is to attend in direct relations to the affairs undertaken by a Committee member(s).

ADDENDUM

This Decree shall be implemented from July 15, 2012.

The Enforcement Regulation of the Act on Prevention of Poverty and Support of Children (Proposed)

Article 1 (Purpose)

The purpose of this Regulation is to define the matters delegated under the Act on Prevention of Poverty and Support of Children (hereinafter referred to as the “Act”) and the Enforcement Decree of the same Act, and the required matters on its implementation.

Article 2 (Standard of Children in Poverty)

Children in poverty under subparagraph 3 of Article 3 of the Act mean the children applicable in any of the following.

1. Children in need of protection under subparagraph 2 of Article 2 of the Child Welfare Act;
2. Children qualified as recipients under subparagraph 2 of Article 2 of the National Basic Living Security Act; or
3. Children in need of social, economic and/or emotional support for not having the basic requirements needed to sustain the harmonious and healthy growth of children due to a situation of a single parent, multi-culture or poverty in a living situation where children are placed.

Article 3 (Survey of Status)

- (1) The Minister of Health and Welfare shall implement a survey of the status on children in poverty with the subject on children in poverty, their households and others in accordance with Article 6 (1) of the Act.
- (2) The Minister of Health and Welfare may request for a research institution, corporation or organization equipped with a specialization, human resources and equipment on children in poverty for the survey of status under paragraph 1.
- (3) In the survey of status following paragraph 1, the following matters shall be included.

1. Any matter on gender, age, education and other general characteristics;
2. Any matter on the status of support and family relationships of children in poverty;
3. Any matter on poverty type, degree of poverty and cause of poverty and other specific matters on poverty;
4. Any matter on status and demand for service use of welfare, education, and culture provided by the government or private sector; and
5. Any other matter that the Minister of Health and Welfare recognizes as needed for the welfare of children in poverty.

ADDENDUM

This Regulation shall be implemented from July 15, 2012.