

Responses to the Office of the United Nation High Commissioner for Human Rights

1. The Korean Government has implemented the National Basic Livelihood Security Program since 2000. The purpose of this program is to secure the minimum level of living for the extreme poor class and give them the chance of self-support. Because of the financial crisis in 1997, there was severe unemployment in Korea. Though Korea has the Livelihood Protection Program as its social security network at that time, it was not sufficient for the poor who were undergoing hard time during the economic crisis. The increased participation of NGOs promoted the legislation of the National Basic Livelihood Security Act.

(i) The legal and institutional framework

2. Legal framework by which the National Basic Livelihood Security Program is established and implemented;

- a. National Basic Livelihood Security Act (Enacted in 1999. Act No.6024)
- b. Implementing Ordinance of the National Basic Livelihood Security Act (Enacted in 2000. Presidential Decree)
- c. Enforcement Regulation of the National Basic Livelihood Security Act (Enacted in 2000. Ordinance of the Ministry of Health and Welfare)

3. Description of the institutional framework

The central government focuses on designing, planning and monitoring the Program, while the local governments of city, district and ward implement it.

4. Involvement of civil society organizations;

Civil society organizations shall recommend some persons as the members of Central Living Assistance Committee in the Ministry for Health, Welfare and Family Affairs which determines the Minimum Cost of Living and changes in property and income criteria.

5. Popular consultations;

The Living Assistance Committee is to be established in order to deliberate and resolve planning, survey and execution of the living assistance projects under the National Basic Livelihood Security Act. Experts in public aids or social welfare shall be nominated as the Committee members.

(ii) Programme costs and coverage

6. The National Basic Livelihood Security Program covers all people in the Republic of Korea whose Recognized Amounts of Income are under the Minimum Cost of Living. Its coverage is nationwide.

7. Annual budget for the National Basic Livelihood Security Program(2003~2008)

	2003	2004	2005	2006	2007	2008
Amount of budget (million won)	1,612,791	1,805,443	2,150,984	2,448,384	2,618,864	2,941,682

8. Main costs of the program (as of 2008)

	Total	Living assistance	Housing assistance	Educational assistance	Childbirth assistance	Funeral assistance
Amount (million won)	2,941,682	2,256,382	586,883	85,172	688	12,557

9. Number of beneficiaries

Year	No. of beneficial households	No. of Beneficiaries (thousand persons)	Total population (thousand persons)	Beneficiaries out of total population (%)
2003	717,861	1,374	47,859	2.87
2004	753,681	1,424	48,039	2.96
2005	809,745	1,513	48,782	3.10
2006	831,692	1,535	48,991	3.13
2007	852,420	1,550	49,269	3.15

a. Composition of general recipients (Dec. 2007)

	Total	Aged	General	Disabled	Single-parent family	Parentless children	Others
Number of households	852,420	245,935	294,872	154,066	102,854	14,475	40,218
Proportion	100%	28.9%	34.6%	18.1%	12.1%	1.7%	4.7%

b. Composition of special recipients

	Total	Property of persons liable for supporting	Medical care	Educational assistance	Self-support	Duplicate	Recipients under other laws
No. of households	11,658	288	211	54	5,142	32	5,930
Proportion	100%	2.5%	1.8%	0.5%	44.1%	0.3%	50.9%

c. Recipients by age

Total	Infants and children (0-5)	School age (6-11)	Adolescent (12-19)	Youth (20-39)	Middle age (40-64)	Senescence (65 and more)
1,463,140	39,619	118,847	260,764	184,567	473,186	386,157
100%	2.7%	8.1%	17.8%	12.6%	32.3%	26.4%

d. Recipients by age and sex

	Infants and children (0-5)	School age (6-11)	Adolescent (12-19)	Youth (20-39)	Middle age (40-64)	Senescence (65 and more)
Male(100%)	2.4	6.5	25.2	12.3	37.2	16.3
Female(100%)	1.7	4.6	18.3	12.8	28.7	33.9

10. Persons eligible for assistances shall be those who have no person liable for supporting them, or if any, he is either unable to support or unreliable for supporting them, and whose recognized amount of income is less than the minimum cost of living. Persons who are to be the recipients should satisfy both the criteria of Recognized Amounts of Income and Person Liable for Supporting.

a. Recognized Amount of Income = Evaluated Amount of Income of Individual Household + Converted Amount of Property Income

b. Person Liable for Supporting;

To be eligible for the benefits, the Person Liable for Supporting(lineal relation) the potential beneficiary should have no ability to support him/her. If the Person Liable for Supporting has some, though weak, ability to support, the recipient shall be able to receive the assistances on the assumption of imposing on him/her the supporting costs.

11. Potential beneficiaries not reached by the programme;

There are approximately 1.6 million people who earn income less than the Minimum Cost of Living but are not receiving assistances because of the criteria of Person Liable for Supporting.

12. Average amount transferred to each beneficiary;

	One-person household	Two-person household	Three-person household	Four-person household	Five-person household	Six-person household
Minimum Cost of Living(A)	463,047	784,319	1,026,603	1,265,848	1,487,878	1,712,186
Other assistances(B)	75,436	127,775	167,246	206,222	242,394	278,936
Cash transferred (C=A-B)	387,611	656,544	859,357	1,059,626	1,245,484	1,433,250
Housing assistance(D)	79,859	135,268	177,053	218,314	256,607	295,292
Cost of living assistance (E=C-D)	307,752	521,276	682,304	841,312	988,877	1,137,958

13. 1) Criteria used to terminate the support;

The assistance agency shall suspend the whole or part of the assistances, in case where any recipient comes to fall under any of the followings:

- Where there is no further need to provide the whole or part of the assistances; and
- Where any recipient refuses the whole or part of assistances.

In the case where any recipient with ability to labor fails to comply with the conditions, the whole or part of the cost of living assistances to the recipient himself may not be provided until such time when he fulfills the conditions.

2) Exit strategy and way to rejoin;

There are the Earned Income Tax Credit System and the Conditional Assistance (Self-Support) System

that motivate the beneficiaries to work out of the program. If the family which had already exit fail to earn income more than the Minimum Cost of Living, it can receive assistance of this program again.

(iii) Implementation

14. Administrative procedure for beneficiary selection;

1st stage	Application for Assistances and initial consulting
⇕	
2nd stage	Filling in the form of Application for Assistances
⇕	
3rd stage	Accepting the application
⇕	
4th stage	Applying for assistances in <i>Saeall Administrative System</i>
⇕	
5th stage	Investigation on the property data through an electronic network
⇕	
6th stage	Visiting and inspecting the applicant's house

15. Application procedure;

A potential beneficiary can apply for the assistances in person. His/Her relatives or other concerned persons can also apply. The form of Application for Assistances, Written Agreement on Providing Financial Information and other documents on income or property information should be turned in to the assistance agency. The decision shall be made no later than 30 days after application, and the assistances shall be paid retroactively to the application day.

16. Conditionalities;

Persons with ability to labour should participate in the Self-Support Service as a conditionality of assistances. Assistance agencies regularly inspect whether the recipients fulfill the conditionalities.

17. Conditional public services;

Kinds of Self-Support Assistances	Methods of selection
Job-adjusting training	Those who need motivations and preparations for working
Job placement	
Business starting training	
Self-support employment promoting service	
Self-support community service	Persons highly-skilled, motivated for intensive labour
Self-su	Market Entering type
	Those with experience of one-day labour or temporary employment

Support labour	Intern type	
	Social Service type	
	Labour Maintenance type	Persons who are motivated for less intensive labor and can participate in simple nursery services because of his/her household conditions.
Social Adjustment Program		Persons with mental problems such as alcoholism or melancholia, with little will to work.
Loan for rehabilitation		Persons wanting to open business

18. Materials for raising public awareness

The Korean Government produces a publicity brochure every year and distributes it to local governments and welfare facilities.

(iv) Monitoring mechanism and complaints procedures

19. The local government shall make plans on annual investigation on the propriety of assistances and implement investigation more than once a year.

20. Complaints mechanisms;

In case where a recipient of assistance or an applicant for assistance or for any modification thereof is dissatisfied with the disposition of the head of Si/Gun/Gu, he/she may file a written or oral objection with the Mayor/Do governor through the relevant assistance agency within 60 days from the date of receiving the notice of such a decision.

Any person who is dissatisfied with the disposition, etc. of Mayor/Do governor may file a written or oral objection with the Minister for Health, Welfare and Family Affairs through the Mayor/Do governor within 60 days from the date of receiving a notice of the relevant disposition, etc.

21. Legal action taken against the programme of those responsible for its implementation;

Persons who work or worked in the program shall not use the financial information acquired through his work for usage other than the purpose under the law and shall not provide or reveal the information for other people and institutions. Anyone who violates this regulation shall be punished by imprisonment for five years or less or by a fine not exceeding 30 million won.