











# Korea, Rep.

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>82.5</b>	<b>74.2</b>	<b>N/A</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for the Republic of Korea due to an insufficient number of responses received from this economy during data collection.

For the Republic of Korea, data refer to the legal frameworks and supportive frameworks that are applicable to the main business city (Seoul). The scores for the Republic of Korea are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	75.0	25.0	100.0	75.0	100.0	100.0	100.0	100.0
Supportive frameworks score	75.0	66.7	100.0	50.0	100.0	100.0	100.0	66.7	33.3	50.0
Expert opinions score	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

In summary, the **WBL 2.0 legal frameworks score** for the Republic of Korea (82.5 out of 100.0) is higher than the global average (64.2) and lower than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting childcare, constraints on women starting and running a business, laws affecting women’s property and inheritance and laws affecting the size of a woman’s pension, the Republic of Korea obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for the Republic of Korea is on the indicator measuring laws affecting women’s pay. To improve on the Pay indicator, the Republic of Korea may wish to consider mandating equal remuneration for work of equal value, allowing women to work in an industrial job in the same way as men and allowing women to work in jobs deemed dangerous in the same way as men.

The **WBL 2.0 supportive frameworks score** for the Republic of Korea (74.2 out of 100.0) is higher than the global average (39.5) and higher than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting women’s decisions to work, supportive frameworks related to marriage, supportive frameworks affecting women’s work after having children and supportive frameworks affecting childcare, the Republic of Korea obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for the Republic of Korea is on the indicator measuring supportive frameworks affecting women’s property and inheritance. To improve on the Assets indicator, the Republic of Korea may

wish to consider putting in place mechanisms or incentives to encourage women to register immovable property and putting in place awareness measures to improve women's access to information about marital and inheritance rights.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Act on Special Cases Concerning the Punishment, etc. of Crimes of Domestic Violence, Arts. 2(1), 2(3) and Ch. II, Sec. 3
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Act on Equal Employment and Support for Work-Family Reconciliation, Arts. 2(2), 37(2), 39(2), and Ch.2 (Sec. II); Framework Act on Gender Equality, Art. 3; National Human Rights Commission Act, Arts. 2(3)(d), 30(1), and 42(4); Act on Special Cases Concerning the Punishment, etc. of Sexual Crimes, Arts. 11 and 13; Act on Punishment of Stalking Crimes, Arts. 2(1)(c), 8-9, and 18; Act on Promotion of Information and Communications Network Utilization and Information Protection, Art. 44-7(1)(1)
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Passport Act, Arts. 7-9; Civil Act, Arts. 3 and 826(1)
Can a woman choose where to live in the same way as a man?	Yes	Civil Act, Arts. 18 and 826(2)
Can a woman travel outside her home in the same way as a man?	Yes	Civil Act, Arts. 3 and 826(1)
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Nationality Act, Arts. 2(1) and 6(2)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Civil Act, Arts. 3 and 826(1)
Does the law prohibit discrimination in employment based on gender?	Yes	Labor Standards Act, Arts. 6 and 114; Equal Employment Opportunity and Work-Family Balance Assistance Act, Arts. 7-11
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Equal Employment Opportunity and Work-Family Balance Assistance Act, Arts. 7, 11 and 19
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	No	Labor Standards Act, Art. 72; Enforcement Decree of the Labor Standards Act, Art. 40
Can a woman work in a job deemed dangerous in the same way as a man?	No	Labor Standards Act, Art. 65(2)
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Civil Act, Arts. 3 and 826(1)
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Act, Art. 834 and 840
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Standards Act, Art. 74; Equal Employment Opportunity and Work-Family Balance Assistance Act, Arts. 18-19; Employment Insurance Act, Art. 70

Are leave benefits for mothers paid solely by the government?	No	Labor Standards Act, Art. 74; Equal Employment Opportunity and Work-Family Balance Assistance Act, Art. 18; Employment Insurance Act, Arts. 75 and 76
Is there paid leave available to fathers?	Yes	Equal Employment Opportunity and Work-Family Balance Assistance Act, Arts. 18-2 and 19; Employment Insurance Act, Art. 70
Is dismissal of pregnant workers prohibited?	Yes	Labor Standards Act, Art. 23(2)
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Child Care Act, Arts. 2, 4, 10, 12, 13, 24(1) and 34
Does the law establish any form of support to families for childcare services?	Yes	Child Care Act, Arts. 34, 34-3 and 34-4; Income Tax Act, Art. 59-4(3)1; Enforcement Decree of Income Tax Act, Art. 118-6(1)5
Does the law establish any form of support to non-state childcare providers?	Yes	Child Care Act, Art. 36, 37 and 39; Enforcement Decree of the Child Care Center Act, Arts. 24-25; Official Website of Ministry of Employment and Labor; Official Website of Korea Employment Information Service; Official Government Website of Korea Worker's Compensation and Welfare Service; Restriction of Special Taxation Act, Art. 85-5
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Child Care Act, Arts. 17, 21, 42 and 49-2; Child Care Act Enforcement Rules, Arts. 10, 12 and Annex 2
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Act, Arts. 3 and 826(1); VAT Act, Art. 8; Business registration procedure
Does the law prohibit discrimination in access to credit based on gender?	Yes	Act on the Protection of Financial Consumers, Art. 15
Does the law prescribe a gender quota on corporate boards?	Yes	Financial Investment Services and Capital Markets Act, Art. 165-20
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Act on Support for Female-Owned Businesses, Art. 9; PPS Regulation of Domestic Procurement Process, Art. 90; PPS Regulation on Construction Works Contracting Process, Art. 19
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Act, Arts. 830 and 831; Farmland Act, Art. 6
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Act, Arts. 1000 and 1009(1)
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Act, Art. 1003
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Act, Art. 839-2
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	National Pension Act of 31 December 2011, Art. 61
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	National Pension Act of 31 December 2011, Arts. 61 and 63(2)
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	National Pension Act of 31 December 2011, Art. 19

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Workplace Sexual Harassment Prevention and Response Manual; Sunflower Centers
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located

Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Women's Human Rights Institute of Korea
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Ministry of Gender Equality and Family Budget Confirmation
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application form; Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	Yes	Ministry of Gender Equality and Family: Gender-equal jobs are created through recruitment without discrimination
Has the government published guidelines on flexible work arrangements?	Yes	Ministry of Employment and Labor: Flexible working hour system introduction manual
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	National Human Rights Commission of Korea Act, Arts. 2(3), 19, 30
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	Yes	Equal Employment Opportunity and Work-Family Balance Assistance Act
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Family Litigation Act, Art. 2(2)
Are there specialized family courts?	Yes	Family Courts
Is legal aid available for family law disputes?	Yes	Free Legal Consultation Service, Seoul Metropolitan Government; Korea Legal Aid Corporation
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Enforcement Decree of the Employment Insurance Act, Art. 121
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Enforcement Decree of the Employment Insurance Act, Arts. 95-2 - 95-3; Equal Employment Opportunity Act, Arts.18-2 and 19
Has sex-disaggregated data on unpaid care work been published?	Yes	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Child Care Center Information Disclosure Portal
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Child Care Act Enforcement Rules, Art. 35-6; Official Website of Seoul Metropolitan Government; Official Website of Childcare Integrated Systems
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	Yes	Official Website of Seoul Metropolitan Government; Official Website of Korea Employment Information Service
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of the Office for Korea Childcare Promotion Institute
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Ministry of SMEs and Startups
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Integrated Call for the Promotion of Women's Business Project by Korean Minister of SMEs and Startups; Female Head of Household Startup Funding Support Project
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located



### Assets

Are there mechanisms or incentives to encourage women to register immovable property?	No	Insufficient evidence located
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	Yes	Korean Statistical Information Service (KOSIS)

### Pension

Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	National Pension Act, Arts. 108-112

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