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# A Study for Enhancing the Effectiveness of Women and Family related Laws (IX): Ways to Streamline Laws for Strengthening the Promotion of Gender Equality Policy

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Seon-young Park, Bok-soon Park, Bok-tae Kim,  
Hyeon-seung Ko, Eun Hee kim



Korean Women's Development Institute

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**Korean Women's Development Institute**

225 Jinheung-ro Eunpyeong-gu

Seoul, 03367, Republic of Korea

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# A Study for Enhancing the Effectiveness of Women and Family related Laws (IX): Ways to Streamline Laws for Strengthening the Promotion of Gender Equality Policy

Seon-young Park  
Bok-soon Park  
Bok-tae Kim  
Hyeon-seung Ko  
Eun Hee kim

## I . Introduction

Need and purpose

- Establishing a gender equality promotion organization can be a determinant that tells whether a country sets up gender equality as a national agenda, so it can be an important factor in the development of gender equality policy.
- The Ministry of Gender Equality was firstly shaped in 2001 in hopes of solving organizational limitations that gender issues had been dealt with by the leadership of a cabinet member, responding to the women communities' request of establishing a gender equality organization, and embodying the willingness of political leaders.

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- Since then, the ministry has undergone ups and downs in performing its functions, including of childcare and family, depending on the political bent of the government. Despite those fluctuations, the Ministry of Gender Equality and Family has shown achievements, such as the institutionalization and policy implementation of gender mainstreaming tools, the promotion of gender issues and the set-up of gender equality policies through legal and institutional improvement, and the establishment of the prevention of gender violence and the victim support system.
  - Recently, gender equality awareness has improved among the young generation and in the Korean society as a whole. But the abolition of the Ministry of Gender Equality and Family has frequently appeared as a petition to the Blue House, Korea's presidential house, due to the gender conflict among youth generations and the different perception on gender equality among overall generations.
  - The debate over the existence of the Ministry of Gender Equality and Family has emerged whenever a new administration comes to power. Yet the recent argument of abolishing the ministry has become a gender issue rather than a government reorganization. The Ministry of Gender Equality and Family faces a difficult situation in which it has to realize its gender equality goals in the so-called "gender conflict," while overcoming compromised authority and small budgets and having to take a new approach to gender equality policies and the implementation system at the national level.
  - In order for the Ministry of Gender Equality and Family to fulfill its function and role as a designated organization in this field, it

is necessary to reorganize its policy direction in an environment surrounding gender equality policies and to meet the needs of those in need of gender policy.

- Marking the 20th year of its establishment, this study presents the limitations and achievement of the Ministry of Gender Equality and Family over the years as an organization dedicated to gender equality policies as well as ways of developing the gender equality policy system and gender streamlining-related legal measures, all of which are for implementing gender-equal policies and making gender equality a mainstream.

Details

- First, this study examines the changes of the paradigm in gender equality policy and the transition of the Ministry of Gender Equality and Family, an organization reserved to gender equality policy, and derive implications for the development of the gender equality policy system through Delphi survey. In addition, cases of overseas gender equality implementation systems are investigated and analyzed to bring in implications. Finally, a plan for the development of a gender equality policy promotion system and related legal improvement plans are presented.

Method

- First, domestic and foreign literature studies investigate and analyze reports that bear the gender equality policy paradigm change, gender equality policy implementation change and reorganization direction, academic data and materials related to the French, the German, and

the Swedish gender equality policy promotion system, and other academic data and web sites appearing in the nations' languages. Second, two rounds of Delphi survey are conducted for the collection of opinions on the functions, structure, performance, direction of improvement of the Ministry of Gender Equality and Family, an organization dedicated to gender equality policies as well as for the analysis of SWOT in relation to the reformation of the gender equality policy promotion system. Third, expert advisory meetings are held for related experts to find research directions, develop Delphi questions, and suggest policy ideas.

## II . Transition of the Gender Equality Policy Implementation System

- The Women's Policy Deliberation Committee, which could be the first organization of gender equality policy promotion in Korea, was a channel for dealing with women issues at the government level. It was organized to strengthen the implementation of women-related policies through policy coordination between ministries and agencies.
- Since then, the Second Office of the Ministry of Political Affairs the Secretary of State (Second Office), established as a comprehensive women's policy coordination organization, contributed to laying the basic legal and institutional foundation for women's policy promotion despite the limited authority to exercise practical adjustment as a staff organization. The Presidential Special Committee on Women is the first legal organization dedicated to

gender equality policies and established the Women's Policy Office in six major executive ministries to drive the gender mainstreaming, although not on a professional level.

- With the establishment of the Ministry of Gender Equality which has a complete structure of an independent ministry in 2001, the ministry got to have coordination and execution functions.
- After the establishment of the ministry, the gender mainstreaming strategy and the promotion system attempted to strengthen the coordination function of gender equality policies but no avail by introducing the Women's Policy Coordination Conference and the Women's Policy Responsibility Control in addition to the existing Women's Policy Officer. Due to the institutionalization of gender impact assessment and gender budget, the Ministry of Gender Equality and Family secured a policy tool to enable the realization of gender equality policy coordination functions, but gender mainstreaming strategies are not working effectively among other ministries and local autonomous governments.
- In 2015, the Framework Act on Women Development was revised to the Framework Act on Gender Equality, and accordingly the Women's Policy Coordination Meeting was reorganized into the Gender Equality Committee, with the Women's Policy Officer being changed to the Gender Equality Policy Officer. The scope of the deployment of the Gender Equality Policy Officer has been expanded from the central administrative agencies to the local government ones. In the case of designated gender equality staff, the existing practice in place in four ministries (Ministry of Strategy and Finance, Ministry of Education, Ministry of Government

Administration and Home Affairs, and Ministry of Health and Welfare) was taken up by Grade 5 public officials or those in equivalent positions in the central and the local government.

- However, the Gender Equality Committee has not overcome the limitations of the former Women's Policy Coordination Meeting faced - the failure of practical coordination.
- After the MeToo in 2018, in 2019 the Gender Equality Policy Officer was stationed in eight ministries, including the Ministry of Education, the Ministry of Justice, the Ministry of Culture, Sports, and Tourism, the Ministry of Health and Welfare, and the Ministry of Employment, in order to respond to sexual harassment, sexual violence and gender mainstreaming within ministries.
- As an organization dedicated to gender equality policies, the Ministry of Gender Equality and Family has been changing and developing by expanding and reducing functions since its launch as the Ministry of Gender Equality. The Ministry of Gender Equality, launched by the "People's Government," was to "plan comprehensive women's policies, prohibit gender discrimination, provide relief, and improve women's status." During the Participatory Government, infant and childcare was transferred from the Ministry of Health and Welfare to the ministry as well as the family policy of the Ministry of Health and Welfare, thus transforming it into the Ministry of Gender Equality and Family. The Lee Myung-bak administration again transferred the family and childcare policy back to the Ministry of Health, Welfare and Family Affairs and reduced the role of the Ministry of Gender Equality and Family to the Ministry of Gender Equality. Then, the tasks related to adolescents and family of the

health and welfare ministry were given to the gender equality ministry, which subsequently became the Ministry of Gender Equality and Family.

- The process of expanding and reducing the function of the gender equality policy organization was based on surrounding policy environmental factors such as expanding the size of the Ministry of Gender Equality and Family as a central administrative organization and highlighting the importance of childcare and family policy due to low birth rate problem.

### III. Achievement, Limitation, and Task of the Ministry of Gender Equality and Family, an Organization Dedicated to Gender Equality, Based on Delphi Survey

- Experts, at a higher rate than with other items, agreed that as a gender equality policy promotion system, the Ministry of Gender Equality and Family institutionalized policy tools for gender mainstreaming, such as gender impact assessment and gender budget, as a its main achievement. There was a high degree of agreement that the prevention of violence against women, the protection of victims, and the promotion of rights and interests of the victimized were major achievements of the ministry. In addition, experts regarded as a common achievement the law- and system-based arrangement for gender equality at the national level.

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- Experts believe that the launch of the Ministry of Gender Equality in 2001 was the most appropriate for the process of reforming the implementation system at each stage, including adjusting the scope of work for the Ministry of Gender Equality and Family and changing the name of the ministry. On the other hand, it seemed most inappropriate that the transfer of the mission of gender discrimination to the Ministry of Health and Welfare brought in the reduced function and authority of the Ministry of Gender Equality and Family in 2005 and the hand-over of childcare and family affairs to the Ministry of Health and Welfare in 2008 when the ministry's name was changed to the Ministry of Gender Equality and Family again. Opinions prevailed that it was appropriate for the ministry to have the authority and function of correcting gender discrimination. Yet, it was the opposite in areas of childcare, youth, and family work. There were mixed ideas. Some thought that the ministry should be designated only for gender equality policies, separating itself from missions that are overlapped with other ministries. Others believed that it is necessary to expand by strengthening childcare, adolescents, and family missions, given the fact that gender equality only cannot be a reason for establishing a ministry.
  - Experts viewed as highly appropriate gender equality missions, gender mainstreaming, and protection of gender violence and victims in relation to the importance of the current work fields by the function of the Ministry of Gender Equality and Family. However, they saw it improper that support policies for childcare, adolescents, family, and those who had quit jobs and want to land new ones.

Regarding gender equality and gender mainstreaming, both gender equality policies and gender impact assessment tasks were of high importance. With regard to gender violence and victim protection, rights promotion and child and youth gender protection were significantly important.

- Experts considered gender mainstreaming tasks appropriate in the order of gender equality basic plan, gender impact assessment, gender awareness education and gender equality education in the public sector, national gender equality index and (wider) regional gender equality index, gender-specific statistics, and cooperation with gender budget and gender settlement. In addition, they pointed out that it is necessary to organically link the national gender equality index, gender impact assessment, and gender budget and that gender impact assessment on laws and projects are ineffectively operated except for specific gender impact assessment. As the biggest limitation, experts saw that the Ministry of Gender Equality and Family has a limited authority, weak status and lack of power that can correct gender discrimination with regard to its difficulty in policy implementation. Various opinions were presented, such as the lack of its original function of gender mainstreaming, the absence of coordination functions on other ministries, and the reality that the Ministry of Gender Equality and Family alone cannot drive gender equality agenda. Regarding the appropriateness of the gender mainstreaming organization, the ratings were high in the categories of “Eight ministries’ Establishment and Operation of Gender Equality Policy Officer” and “Pre-consultation with the Minister of Gender Equality when drafting laws and policies.” Experts pointed out that the “Gender Equality Policy Officer” system was an

appropriate system and that measures that can secure authority and effectiveness along with the expansion of the system are needed in the future.

- Experts highly agreed on overhauling the current promotion system with regard to the direction of reforming the gender equality policy promotion system. Gender equality was the most frequently opted word in the survey for renaming the Ministry of Gender Equality and Family. The opinion that it is necessary to strengthen the function of gender mainstreaming and to expand budget if the ministry's current name is maintained was more supported than the escalation of the minister's status to deputy Prime Minister, the budget expansion, and the establishment of the Presidential Gender Equality Committee. Regarding the strengthening of the gender equality policy system other than the Ministry of Gender Equality and Family, experts agreed on the establishment of a designated gender budget department in the Ministry of Economy and Finance, the introduction of gender equality policy officers to all ministries and agencies, the legalization of those policy officers' placement and job description, the reinforcement of those officers' authority, the establishment of gender equality policy coordinators in the Cabinet Office, among others. Higher rates of agreement were found with the establishment of a designated gender budget department in the Ministry of Economy and Finance, the introduction of gender equality policy officers to all ministries and agencies, the legalization of those policy officers' placement and job description.

#### IV. Study on the Change of Overseas Gender Equality Policy Systems

- Gender equality policy organizations established within the central government of Germany, France, and Sweden can be largely divided into the following five types, depending on change process: first, a certain ministry has a bureau; second, a related organization is shaped in the form of a committee; third, it is in the form of a women's department (or gender equality department/gender equality agency); fourth, it coexists with higher-level departments, including of health and labor; fifth, it includes women, families, children, and seniors and adolescents.
- As a result of analyzing the history and current status of gender equality policy promotion organizations in Germany, France, Sweden, and Korea, the strategy for promoting gender equality policies can be largely divided into integrated and merged types. The integrated type can be said to be a form of an organization that is in charge of gender equality policies in one institution and at the same time in charge of gender mainstreaming policies. The merged one is a dual system, or a plural one, in that a department in charge of execution function is separated from another of coordination function.
- To apply these standards, Germany and Korea are categorized into an integrated type that promotes gender equality policies centered on the Ministry of Gender Equality and Family, but France and Sweden are a merged model that cooperates with other departments in implementing gender mainstreaming policies.

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- Germany has been working on an integrated gender equality policy as Korea has been, but its local governments have put in place officials and consultative bodies related to gender equality policies, ensuring the independence of related organizations. Korea has an integrated gender equality policy promotion system, which is similar to Germany, yet the system is not an integrated form of women, families, adolescents, and seniors and still short-staffed, funded, and empowered. It also lacks coordinating ability to lead gender mainstreaming policies.
  - In the case of an integrated model such as Germany, it has great implications in that it can secure the scope and status of a ministry and take the lead in gender mainstreaming by expanding the functions of practicing gender equality policies. However, it is expected for such countries that experience frequent reorganizations due to new administrations coming to power to practice this model. In the case of Korea, gender equality policy promotion organizations are maintained in a relatively consistent way, so it is worth considering integrating gender mainstreaming by expanding the function of practice and strengthening the size of organizations and the stability of budget as Germany does.
  - In Sweden, the minister in charge of gender equality policies of the central government is largely tasked with setting up a target, while the gender equality agency collects research data for solving various gender equality agenda and provides them to each institution and the public – in short, a dual system. This structure has the advantage of making policy development easy according to the circumstances of the times. Sweden is promoting policies focusing on gender

agenda that are important in the context of the times, rather than covering children, the elderly, and the youth. This is a type that can be considered by the Ministry of Gender Equality and Family as it can help the ministry secure its identity as a dedicated organization for gender equality policies and respond more actively to gender agendas. However, for Korea, it could be difficult to adopt it easily in that it requires a certain size for a ministry, which is an important factor for an organization to stably operate.

- In the case of France, the authority and status of the promotion organization are determined according to the president's will for gender equality, and thus the structure of it for gender equality has frequently changed. In this case, flexibility can be secured, but the stability of the organization can be difficult to come by. Thus, the issue of policy consistency can be problematic in this system. France features diversified gender equality policy implementation systems. It has Social Integration Agency within the Ministry of Health and Solidarity and Gender Equality, Diversity and Equal Opportunity of the Prime Minister's Office. In addition, it formed Gender Equality High Commission, a deliberation body for bills discussed in Congress, which directly communicates with Prime Minister and the Gender Employment Equality High Commission, an advisory body of gender equality for the French administration. The Social Integration organization establishes and implements government policies on family, children, women's rights, and gender equality. The Gender Equality, Diversity and Equal Opportunity develops and puts in place the government's policies on gender equality, equality, gender-based violence elimination, equal opportunities and diversity, and sexual minorities. Although France's gender equality policy

promotion system may have a historical context for its diversification, it is difficult to arrange and exercise systematic and consistent policies in gender equality policy goals along with issues of conflicts, overlapping functions and roles between organizations.

## V. Changes in the Environment Surrounding the Ministry of Gender Equality and Family, a Designated Gender Equality Policy Organization

### 1. Changes in the Environment of Gender Equality Policy

#### A. Low Birthrate that has been rapidly developed

- The Korean society is faced with the biggest social problem, an unprecedented low birth rate. As of 2018, Korea was the only OECD member with a total fertility rate of lower than one (0.98), the biggest decline among OECD countries except Mexico. Along with the low birth rate, later-age marriage rate and crude marriage rate are on decrease. Low birth rates, a decrease in the marriage rate, and an increase in the birth age are one indicator of women's life cycle change. The rate of women entering colleges is higher than that of men, and the increase in the employment rate of women, which drives the increase in the employment rate in Korea, has transformed women into those who perform economic activity, not caring service. However, in a structure in which work and family life balance conflict with each other due to gender inequality in the labor market and gender norms in the family, women plan their life by delaying marriage, childbirth, or avoiding marriage in the first

place. As a result, the total fertility rate is unprecedented in the world, and this trend is expected to continue. In this sense, low birth rate can be said to be a 'product of gender discriminatory structure and institution' as mentioned above.

#### B. COVID-19 and women

- After the spread of COVID-19, the number of female employees decreased significantly compared with that of male employees. The reason why COVID-19 caused a greater employment disparity on women than men is that the decline in jobs and income caused by COVID-19 has occurred remarkably, especially in caring and educational jobs where higher rates of women than that of men are working. The rate of decrease in employment was found to be high for temporary women employees in their 20s with high school diplomas. The women's job crisis caused by COVID-19 is a combined effect of the employment market of which the structure is divided by gender and the characteristics of women-intensive jobs, which is more of face-to-face, non-essential services, that is, vulnerable to the pandemic.
- Those women in their 20s had been disproportionately affected by COVID-19, and this left a serious impact on their mental health. According to the results of analyzing the number of people treated for depression by gender and age in the first half of this year, the number of female patients aged 25-29 was the highest at 39,850. Since 2015, the number of male who committed suicides in their 20s has increased 19.7% from 709 to 849, and their female counterparts has increased 64.5% from 378 to 622. The suicidal rate

of women in their 20s has been on the rise even before the COVID-19, but this has accelerated the pace. Females' suicidal rate increase seems to be the result of a complex combination of generation, class, gender, and economic problems caused by COVID-19.

### C. Digital economy and women

- Digital transformation can bring in a positive effect of productivity improvement through technological innovation, while causing a decrease in employment and intra-industrial polarization. In particular, it is expected to have a negative impact on the women's labor market. The expansion of the gig economy and the digital platform-based labor as well as flexible work systems are expected to solidify traditional gender roles. In addition, the spread of flexible works in which employees work at desired times and places by utilizing digital technology, away from the constraints of place and place, blurred the boundaries between work places, working hours, and break. Given this, it is difficult to predict whether those new ways of works will lead to a greater autonomy on the work and life balance and time management, or a heavier burden of caring. Labor market that has been divided by gender, unpaid caring service, and poor evaluation on paid caring service can worsen gender inequality, if faced with low wages of platform labor and increase of unstable labor, and changes in working methods.

### D. Development of digital technology and gender violence

- Digital sex crimes are becoming a transnational problem due to their

spreading and lasting nature, thus making young women feel uneasy in their daily lives. Since the late 2000s, digital sex crimes, including illegal filming using smartphone cameras and SNSs, distribution of illegal pictures, and production of sexual exploitation videos, have been on continuous rise by the day. In addition, the boundary between the production, distribution, and consumption of sexual expressions and the classification between play and violence were dismantled. The number of female victims of violent crimes such as murder, robbery, arson, and sexual violence increased from 5,811 (69%) in 1999 to 29,303 (83.5%) in 2019.

- According to a study (Yoon Deok-kyung et al. 2020), the proportion of illegal shooting crimes was the highest among diverse digital sexual violence crimes. The rate of digital sexual violence crimes that arise from the unknown relationship between the victim and the suspect reached 62.6%, and the rate of such crimes that occurred without a specific motive was high at 83.5%. The proportion of the suspects in their 20s and 30s was high at 54.9%, and that of victims in their 10s and 20s was 37.0%. This reality is adding to the daily anxiety of women, especially young women.

#### E. Gender inequality that still prevails in the labor market

- As of 2018, the gender wage gap in Korea was 34.1%, higher than the OECD average of 13.0%. For more than a decade, the gender wage gap has eased in most countries. However, Korea showed a 10.7% improvement, falling short of the OECD average at 13.3%. According to the results of a survey on the gender wage gap of 2,149 listed Korean companies that disclosed the gender wage in

2020, the bigger retention year gap of a company between genders was, the larger gender wage gap between male and female workers was.

- According to Kim Kyung-hee et al. (2019), more than 40% of respondents who were on payroll agreed that there is gender discrimination when they were asked about a tendency of gender discriminatory practice in employment process. This seems to be the result of the accumulation of women's personal experiences in various employment occasions and exposure to revealed gender discrimination cases in the society.
- According to the results of the Glass Ceiling Index released annually by The Economist, Korea has been in the last slot for nine years in 2020. The rate of women's presence as board members in Korean companies recorded the lowest level, much lower than that of other countries. As of 2021, 5.2% of the total 32,005 executives of 2,246 listed Korean companies was women, which is significantly lower than the OECD average of 25.6%. Although the rate is on a slight increase, the overall gender imbalance in the governance structure of those listed companies is very serious.

#### F. Climate change and women

- Disasters, including of climate change and COVID-19, have not been gender neutral. Considering that more than 70% of the world's poor population is women, their pain is expected to intensify. The impact of climate change on women would develop in various ways, so international organizations such as UN Women and the ILO are already preparing countermeasures. Climate change is expected to

affect general living conditions directly related to women's survival, while, at the same time, other forms of inequality linked with the existing patriarchal structure are going to take place. Given this, it is necessary to approach climate problems through the gender perspective for solutions.

## 2. State of the Ministry of Gender Equality and Family through SWOT analysis

- Abolishing the patriarchal system, supporting victims of women's violence, expanding female representation, increase female participation in the whole society, promoting integrated gender equality policies, boosting gender equality policies, spreading gender-equal culture, establishing gender mainstreaming policies, gender equality legislation, among others, are main achievements of the Ministry of Gender Equality and Family. The fundamental reason for this achievement is that the ministry is an independent organization and is able to systematically plan and implement policies for women and gender equality. Another is that it performed the function of evaluation and worked on the feedbacks on policies.
- In the meantime, the effectiveness of gender equality-related policies in place and the overlapping or connectivity of it with other ministries are weak points.
- As social consensus has been made on gender violence and gender discrimination in hiring process, the expansion of social interest in and the awareness on gender issues can serve as an opportunity for the Ministry of Gender Equality and Family to perform its duties. The COVID-19 has caused society to change into an un-contact one,

increase women's social participation, and enhance women's representation, all of which are making gender equality issues not stay as peripheral issues. Another opportunity for the ministry is that there can be a drive for gender equality policy implementation, which was triggered by the 2022 presidential election and the local council election in 2022 during which diverse gender policies and pledges were announced.

- Even though the paradigm of women's policy has been shifted to gender mainstreaming policy, this is still being dealt with along with other missions, including on women, youths, and family. In addition, the following facts are threats to the ministry: that the gender gap and the generation gap on gender issues are not small; media that take advantage of such difference; political tactics targeted on them.

## VI. Direction and Ways of Developing a Gender Equality Policy Promotion System

### 1. Direction of a gender equality policy system

- The Ministry of Gender Equality and Family, an organization reserved for gender equality policies, should secure organizational stability and strengthen its identity through restructuring of gender equality policy functions and roles. Unless it is a reorganization that reflects changes in the times, it is necessary to seek a change in the promotion system by making the ministry redesign its function in a way it can go relatively independent from ups and downs according to the political ideals and directions of the government.

- In the restructuring of the gender equality policy function of the Ministry of Gender Equality and Family, women have various life designs and interests by generation and class, and there are many changes in the environment surrounding gender relationships. Taking this into account, the reorganizing should be able to reflect all those issues into policy. It is necessary to make it clear that the ministry is not a government organization that only implements women-specific policies any longer but one that works on gender equality policies for both men and women. It also has to render more people know their gender equality policies.
- In order to increase the effectiveness and sensitivity of the target-centered gender equality policy, it is essential to integrate related policies and strengthen the coordination function. In order to make a gender equality policy that drives changes in gender relations, efforts should be targeted to come up with a promotion system that effectively promotes related policy integration and coordination functions and increases levels of practical effects.

## 2. Ways of developing a gender equality policy system

- A. Measures to strengthen the function of implementing gender equality
  - Correction policy on gender discrimination
- As confirmed by the Delphi survey, it was pointed out that the Ministry of Gender Equality and Family did not function its original role due to the lack of gender discrimination correction function. On March 24, 2005, following the abolition of the “Act on the

Prohibition of Discrimination against Men and Women and the Relief” (hereinafter referred to as the “Act of anti-discrimination against men and women”), the affairs of the Act were transferred to the National Human Rights Commission. Since then, the Ministry of Gender Equality and Family has only been carrying out gender correction work to improve gender discrimination in the media, educate and promote gender equality awareness and culture, and take active measures for other general issues.

- Gender wage gap at the lowest level among OECD countries, “last place” in the glass ceiling index for 9 consecutive years, fewer job opportunity to women, sexual harassment, hassle and other gender violence in organizations, discrimination in hiring process, and misogyny and animosity towards women in digital space, among others, can be the results of structural discrimination.
- The Ministry of Gender Equality and Family needs to strengthen its function as a ministry that oversees discrimination correction policy tasks, such as changes in gender discrimination structures and effective relief for victims of gender discrimination. In Korea, where an administrative organization is established according to functions and laws, the ministry needs actual legal provisions to implement corrective policies for gender discrimination in all areas and strengthen victim relief measures. An act that bans gender discrimination should be drafted so that the ministry can promote gender discrimination correction policies. The function of gender discrimination correction policy is one of the main reasons for the existence of the government body.

Gender equality labor policy

- The lack of practical gender equality labor policy is also pointed out as the limitation of the Ministry of Gender Equality and Family. The ministries responsible for women's labor policy are the Ministry of Employment and Labor and the Ministry of Gender Equality and Family.
- The Ministry of Employment and Labor's women labor policy cannot be said as a policy that reflects the characteristics of women's jobs by life cycle, in that it promotes women's employment, develops vocational skills, considers maternal roles and supports work and family balance. In particular, such policies that work for youth females are not practically provided.
- The ministry's labor policy for women does not go beyond the narrow framework of developing female workforce that sits outside the labor market, supporting career-interrupted women's employment, and helping these women participate in economic activities. It is difficult for this policy to establish and implement women's labor policies for women as a whole due to statutory limitations as well as conduct them on women's life cycle. The Ministry of Gender Equality and Family should be responsible for preparing and carrying out policies to resolve gender inequality and gender gaps in the labor market, taking into account overall women's life conditions, including as workers and care-givers.
- On November 11, 2021, bills drafted to revise the Act on the Promotion of Economic Activities of Career Disconnected Women, etc. were passed, and this not only supported reemployment of

career disconnected women but also shifted its focus on preventing career disconnection among women in the labor market. Moreover, it added to “working conditions” to “marriage, pregnancy, childbirth, and childcare” as reasons for women’s career disconnection and expanded the scope of policy object from career disconnected women to “women” themselves. As a result of this, a legal and institutional basis has been laid for systematically and integrally preventing women’s career disconnection as well as promoting women’s employment and stability after career interruption. In addition, among gender violence prevention policies, tasks related to the sexual harassment and sexual violence in the public sector and policies of the Act on the Promotion of Family-Friendly Social Environment need to be reorganized as gender equality labor policies. In doing so, the ministry has to expand its function as a control tower for those policies.

- Women’s health policy
- Women’s health is a topic where their socioeconomic status interacts with the characteristics of women as giving birth. Women’s health policy needs to be well conceived as they have not only biological difference but socioeconomic from their male counterparts, so this policy should be drafted in consideration of women’s whole life cycle. Women’s health policy of Korea has largely covered maternal health concerns, such as pregnancy and childbirth.
- With the Korean Constitutional Court’s overturn of abortion in 2019, women’s sex and reproductive health should be viewed from the perspective of gender equality, not as a means for pregnancy and

childbirth.

- The women's health policy of the Ministry of Health and Welfare belongs to the Maternity Policy Department of the Population Policy Office. It is in charge of affairs related to childbirth, maternal and child health, infertility, preventive measures for optional abortion, and promotion of the health of women in reproductive age. It still does not assume roles other than population policy and maternal and child health policy.
- The Ministry of Gender Equality and Family does not officially include women's health, but it is practically dealing with women's health affairs to some extent because it protects victims of gender violence and provides counseling and treatment services for teenagers exposed to violence and abuse. In addition, as the department in charge of establishing the basic plan for gender equality, it is mining policies of and conducting coordination on women's health policies.
- Women's health policy should not only be a life-cycle health policy considering women's biological characteristics and socioeconomic status but also strengthen women's status and authority through policy intervention for gender relations in all areas of society.
- If the Ministry of Gender Equality and Family strengthens the coordinating function of women's health policies, it can serve as the basis for women's health policies by life cycle to work effectively.
- Response to disasters, including COVID-19 and climate change
- The global crisis of the COVID-19 pandemic and the consequential,

worsening inequality is emerging as a factor that urges inevitable changes to a nation's gender equality policies. Climate change, which has already arrived, is also an issue that cannot be overlooked.

- The Ministry of Gender Equality and Family should also seek new possibilities through the expansion of policies aimed at gender equality in the process of policy transformation to cope with the COVID-19 and climate crisis faced by Korea. Through the expansion of the functions and roles of the ministry, a legal and institutional foundation for active intervention in preventing disasters, such as post-COVID-19 and climate crisis, from aggravating gender inequality. This will expand the policy integration and coordinating function required to the gender and family ministry.

- Strengthening gender mainstreaming

- Strengthening the foundation for promoting gender mainstreaming by ministry can be institutionally realized through expanding the authority of the Gender Equality Policy Officer currently in place in eight ministries. In particular, for ministries and agencies that dully participate in the Gender Equality Committee, it is necessary to first establish the Gender Equality Policy Officer and expand this policy to all ministries later.

B. Measures to strengthen gender equality policy integration and coordinating functions

- Ways of making policy integration one thing and coordinating

function another

- In order to overcome the limitations of the authority, coordination and operation of the Gender Equality Committee, it is necessary to upgrade its status and authority and strengthen governance for a greater gender equality integration function and coordination. The issue is whether the appropriate form for the gender mainstreaming promotion system is the advisory committee or the consensus administrative committee.
- Under the Government Organization Act, government committees are divided into two types: administrative committees, which are consensus-based administrative agencies having administrative functions, quasi-legislative rights, and quasi-judicial rights, and advisory committees that are for deliberation and consultation, being annexed to administrative agencies. Those advisory groups, free of administrative committees, helps administrative agencies make decisions through the provision of deliberation, coordination, and cooperation on as well as expertise consultation on the requested matters of administrative bodies. Those decision are usually conducted by an administrative agency to which those advisory groups belong.
- The administrative committee is a consensus-based administrative agency that is established as prescribed by law when it is necessary to perform some of administrative agencies' affairs. This group is granted a quasi-legislative function to stipulate rules along with administrative execution functions and a quasi-judiciary one to make deliberative and opposite decisions.

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- Regarding whether to reorganize the Gender Equality Committee as an advisory committee or an administrative committee, judgment should be made based on the function of the Gender Equality Committee. The plan to expand and establish the Gender Equality Committee, in addition to the Ministry of Gender Equality and Family, is to strengthen the coordination function through its reorganization into an organization that can practically enable policy integration and coordination functions with other ministries - not to carry out some of the ministry's missions independently.
  - The nature of the Gender Equality Committee should be clarified as a voting institution, not limited as a deliberation and coordination one. The chairperson of it shall be the president or a civilian member, and the vice-chairperson shall be jointly assumed by the Minister of Gender Equality and Family and another civilian member. If decisions are reported to the president, it will have a similar effect of having the president as a chairperson of the committee. In order to strengthen the gender mainstreaming and coordination functions within the government or to serve as a control tower, it is necessary to take measures that force other ministries to follow the committee's decisions and recommendations.
  - It is necessary to adopt gradually more of the Gender Equality Policy Officer currently in place in eight ministries to the ministries whose members participate in the Gender Equality Committee as ex officio members, before extending to all ministries. Also, it needs to reorganize the Gender Equality Policy Officer, currently run by the Ministry of Gender Equality and Family, in a way that this system is managed by the Ministry of Gender Equality. A secretariat and

other necessary units that will be working administrative organizations shall be established for systematic and effective functions of the committee.

- The expansion and reorganization of the Gender Equality Committee to the Presidential Advisory Committee has the advantage of strengthening the coordination function, expanding the participation of gender experts of the private sector, and establishing a multi-organizational structure that operates regular working-level administrative bodies. All of these are different from the current Gender Equality Committee. Conflicting ideas surrounding the status and role of the Ministry of Gender Equality and Family and the president's political willingness on gender equality, embodied as the Presidential Advisory Committee, can bring the ups and downs to the function and role of it.
- Integration of coordination function with execution of Ministry of Gender Equality and Family
- If the gender equality policy coordination body is established as an advisory committee under the president, mixed ideas over the status and role between the Ministry of Gender Equality and Family and the advisory body can take place. Also the role of the advisory body may vary depending on the president's political intent for gender equality. An alternative to this is to establish and place a gender equality policy coordination organization under the Ministry of Gender Equality and Family. If done so, it can integrate execution and coordination functions, making itself a structure that can stably combine and coordinate policies with other ministries, regardless of

the president's political will. However, in a country where central administrative bodies are organized in accordance with laws and functions, there is a problem that policy integration and coordination between ministries are difficult to achieve between organizations with the same status. This is what the 20-year history of the Ministry of Gender Equality and Family demonstrates.

- In order to efficiently promote policies and strongly exercise coordination functions for other ministries, there is a method in which the Minister of Gender Equality and Family is upgraded to the Deputy Prime Minister level and the Minister of Gender Equality and Family concurrently serves as the Deputy Prime Minister. The reason why the deputy prime minister system is in place in government organizations is to adjust the roles and functions of each ministry for inefficiency elimination in policy implementation and efficient policy implementation. Apart from the feasibility, the remaining question is whether the deputy prime minister's authority can have the ability to adjust ministers of the administration branch with the same authority even if the minister-level status is elevated to the deputy prime minister's level.
- In a situation where there is a lack of specific mechanisms that force ministries to comply with the adjustment, such as the right to budget, personnel, or the authority to reorganize the administrative organization, the possibility of the Minister of Gender Equality and Family, who would be on deputy prime minister's level, wielding adjusting power is low.
- One of the main reasons for the current Gender Equality Committee not making practical outcomes is that the Ministry of Gender

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Equality and Family cannot develop policy integration and coordination agenda with other ministries. To solve this problem, a multi-organizational structure that involves gender experts in the private sector and operates regular working administrative bodies can be effective.

