SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON HUMAN RIGHTS OF CHILDREN AND JUVENILES

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Amendment of Other Laws No. 6016, Oct. 08, 2015
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Partial Amendment No. 6485, May. 18, 2017
Amendment of Other Laws No. 6851, Mar. 22, 2018
Amendment of Other Laws No. 7044, Mar. 28, 2019
Amendment of Other Laws No. 7046, Mar. 28, 2019
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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is to realize the human rights of children and youths of Seoul Metropolitan City pursuant to relevant statutes and regulations, such as the Constitution of the Republic of Korea, the United Nations Convention on the Rights of the Child, the Child Welfare Act, the Framework Act on Youth, the Youth Welfare Support Act, and the Youth Activity Promotion Act. <Amended by Ordinance No. 6016, Oct. 8, 2015>

Article 2 (Definitions)

The terms used in this Ordinance shall be defines as follows: <Amended by Ordinance No. 6016, Oct. 8, 2015>

1. The term "child" means a person under the age of 12 years, and the term "youth" means a person between the ages of 12 and 19 years (except where January 1 of the year in which a person attains 19 years of age has passed) who is:

(a) A person who has his/her domicile or residence in the Seoul Metropolitan City (hereinafter referred to as "City");

(b) A person who stays in the City;

(c) A person who works at a place of business located in the City;

(d) A person who receives education at an educational institution located in the City;

2. The term "facility" means a facility referred to in each subparagraph of Article 52 (1) of the Child Welfare Act, a social welfare facility defined in subparagraph 4 of Article 2 of the Social Welfare Services Act, a child-care center referred to in each subparagraph of Article 10 of the Infant Care Act, a youth establishment defined in subparagraph 6 of Article 3 of the Framework Act on Youth, other facilities where children or youths reside or do activities, and a private teaching institute defined in subparagraph 1 of Article 2 of the Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons;

3. The term "school" means a school defined in Article 2 of the Elementary and Secondary Education Act, a kindergarten established and operated pursuant to subparagraph 2 of Article 2 of the Early Childhood Education Act, and a lifelong educational institution defined in subparagraph 2 of Article 2 of the Lifelong Education Act, which are located in the City;

4. The term "guardian" means a parent, a person with parental authority over, a guardian of, or a person who protects, rears, or has obligation to care for or rear, a child or youth;

5. The term "human rights" means all rights applicable to children and youths, among rights guaranteed by the Constitution and Acts of the Republic of Korea, or acknowledged by international human rights treaties signed or ratified by the Republic of Korea, such as the United Nations Convention on the Rights of the Child, and by customary international laws;

6. The term "minority" means a person who is likely to suffer discrimination or isolation on the grounds that the person is a member of single-parent or multi-cultural family, or is a runaway, migrant or foreigner, or on the basis of religion, a North Korean refugee, a sexual minority, labor, pregnancy or childbirth, learning disability, failure to attend school, etc.

Article 3 (Responsibilities)

(1) In formulating and executing policies, the Mayor shall give top priority to the realization of human rights of children and youths, and shall have the responsibility to faithfully implement the provisions of this Ordinance.

(2) The heads of facilities, guardians, etc. shall endeavor to respect and realize human rights of children and youths and to prevent any infringement of their human rights.

(3) Citizens shall respect human rights of children and youths and endeavor to ensure that the human rights of such children and youths can be realized in communities.

(4) Private business entities, organizations, etc. shall cooperate with each other and endeavor to realize human rights of children and youths.

Article 4 (Requests to State, etc.)

The Mayor may request cooperation from the State, other local governments, public institutions, etc. if necessary to guarantee human rights of children and youths.

Article 5 (Relationship with other Ordinances and Ordinances of Autonomous Gus)

(1) Other ordinances relating to human rights of children and youths shall be enacted or amended in compliance with the provisions of this Ordinance.
(2) Deleted. <by Ordinance No. 6485, May 18, 2017>

SECTION 1 Principles

Article 6 (Subjectivity of Human Rights and Principles of Guaranteeing Human Rights)

SECTION 1 Principles(1) Children and youths shall be the subject of their own human rights, and shall respect others' human rights as well as theirs.
(2) Children and youths, as complete persons, have the right to express their opinions on, and to participate in, their business.
(3) Human rights of children and youths prescribed in this Ordinance shall be the minimum rights that should be guaranteed to maintain human dignity and to pursue happiness, and no human right of children and youths shall be neglected on the grounds not specified in this Ordinance.

Article 7 (Prohibition against Discrimination)

(1) Each child and youth has the right to be protected from all forms of discrimination, irrespective of his/her age, gender, religion, social status, region, nationality, ethnic origin, language, disability, physical conditions, including appearance, pregnancy or childbirth, family types or family circumstances, race, economic status, skin color, ideology or political opinion, sexual orientation, gender identity, medical history, disciplinary punishment, grades, form of employment, etc.
(2) The Mayor, or the heads or employees of facilities shall actively endeavor to guarantee human rights of children and youths who have difficulty on any of the reasons set forth in paragraph (1).

(1) A child or youth separated from his/her family has the right to special protection and assistance from a local government or relevant institution.
(2) Where a child or youth is in emergency or is to be adopted, he/she has the right to be guaranteed that his/her best interests shall be the paramount consideration.

SECTION 2 Rights to Growth Environment and Health

Article 8 (Right to Growth Environment)

SECTION 2 Rights to Growth Environment and Health(1) A child or juvenile separated from his/her family has the right to special protection and assistance from a local government or relevant institution.
(2) Where a child or juvenile is in emergency or is to be adopted, he/she has the right to be guaranteed that his/her best interests shall be the paramount consideration.

SECTION 2 Rights to Growth Environment and Health Article 8 (Right to Growth Environment)

Article 9 (Health)

SECTION 2 Rights to Growth Environment and Health Article 8 (Right to Growth Environment)(1) Children and youths have the right to have opportunities to enjoy the natural environment and to live and do activities in a space with sufficient sunlight, fresh air and adequate green areas, while receiving necessary nourishment.
(2) Children and youths have the right to conveniently use health and medical facilities to maintain best health conditions and to receive appropriate treatment when sick.
(3) Children and youths have the right to receive regular medical check-ups and to be provided with appropriate opportunities and spaces when they need recovery.
(4) Female children and youths have the right to be cared for without physical or mental difficulties in their daily lives due to menstruation, and have the right to be guaranteed a leave or rest prescribed in relevant statutes, regulations, or guidelines.
(5) Children and youths have the right to be protected from any illegal use of narcotics and psychotropic drugs, and not to be used for the production and transactions of such drugs.
(6) The Mayor shall endeavor to prevent and treat diseases increasing among children and youths, and shall implement projects designed to improve the health of children and youths, in cooperation with relevant institutions.

SECTION 3 Right to be Free from Violence and Danger

Article 10 (Right to be Free from Violence)

SECTION 3 Right to be Free from Violence and Danger(1) Children and youths have the right to be free from all forms of physical and mental violence, sexual violence, abuse, exploitation, harassment, contempt, etc. In particular, any of the aforementioned activity against minority children and youths shall be prohibited.
(2) Children and youths have the right not to be kidnapped, sold or traded.
(3) Every child or youth, if harmed by violence, has the right to receive all kinds of appropriate treatments to recover his/her physical and mental health.
(4) The Mayor shall regularly investigate the status of children and youths suffering from violence in cooperation with relevant institutions, and endeavor to create a non-violent and peaceful atmosphere for home, educational environment and communities.

Article 11 (Right to Live Safely)

(1) Children and youths have the right to live in a peaceful and safe environment.
(2) The Mayor shall establish a management system to prevent any accident that may threaten the safety of children and youths, and cooperate with relevant institutions and local residents in order to promptly rescue victims when an accident occurs.

SECTION 4 Right to be Guaranteed Freedom of Conscience, Expression, etc.

Article 12 (Freedom of Conscience and Religion)

SECTION 4 Right to be Guaranteed Freedom of Conscience, Expression, etc.(1) Children and youths shall enjoy freedom of conscience, thought and religion.
(2) No child or youth shall be forced to behave against his/her conscience, nor to learn, or participate in any event relating to, a particular religion or thought.

Article 13 (Freedom of Individuality and Expression)

(1) Children and youths shall be accepted as they are, and have the right to retain their unique culture, language, etc. or those of a group to which they belong.
(2) Children and youths may freely express their individuality and identity through their appearances, clothes, etc. and have the right to be acknowledged as different from others.
(3) Children and youths have the right to express their ideas by various means, and to be guaranteed spaces and opportunities for expressing such ideas.

SECTION 5 Right to Freedom of Privacy and Information

Article 14 (Freedom of Privacy, etc.)

SECTION 5 Right to Freedom of Privacy and Information(1) Every child and youth has the right to be guaranteed, and to keep secret about, their privacy.
(2) Every child and youth has the right not to have his/her reputation attacked, or weaknesses disclosed against his/her will.
(3) No one shall invade privacy of any child and youth recorded in his/her diaries, cell phones, etc. except in exceptional circumstances, such as an investigation into a crime or violence among children or youths.

Article 15 (Right to Information)

(1) Children and youths may have access to information and material useful for them from a diversity of national and international sources, and have the right to demand disclosure of all information affecting them. Minority children and youths, in particular, have the right to have easy access to information, material and educational programs useful for them.
(2) Children and youths have the right to inspect records relating to them, and to demand a correction or deletion of any content in such records if it is inaccurate or unnecessary or violates their rights.
(3) The Mayor prevent the unfair collection or use of information on, or personal records or personal belongings of, children and youths, shall adopt lawful and appropriate means and procedures when he/she collects, processes or manages personal information on children and youths, and shall endeavor to ensure that no information on children and youths is made public without the consent of the parties concerned and their guardians.
(4) The Mayor shall endeavor to make public the information requested by children and youths, by a readily understandable means.

SECTION 6 Right to Education, Culture and Welfare

Article 16 (Right to Education)

SECTION 6 Right to Education, Culture and Welfare(1) Children and youths have the right not to be driven to extreme competition

in the course of receiving education.
(2) Children and youths have the right not to receive unfair education accompanied by violence or suppression, and the right to receive education through which they are able to think and behave freely and creatively.
(3) Children and youths have the right not to be forced to attend private teaching institutes.
(4) Out-of-school children and youths have the right to receive support for spaces necessary for, and expenses incurred in relation to their education.
(5) Children and youths have the right to know and use information and guidelines relating to their education and career, to express their own opinions, and to be respected in selecting an educational institution, the contents, methods, etc. of learning.
(6) The Mayor shall endeavor to guarantee the right to education for poor, disabled or minority children and youths.

Article 17 (Right to Play and Rest)

(1) Children and youths have the right to engage in play and recreational activities, to rest, and to have enough sleeping time.
(2) Children and youths have the right to get out of an excessive burden of studying in order to nurture healthy and individual selves and to receive sustainable education.
(3) Children and youths have the right to be guaranteed spaces and time for play.
(4) Children and youths have the right to have their own time and space.
(5) Restrictions shall be placed on teaching hours of private teaching institutes on holidays and at midnight in order to guarantee children and youths' right to rest. Matters concerning such restrictions shall be prescribed by a separate ordinance.

Article 18 (Right to Cultural, Artistic and Sports Activities)

(1) Children and youths have the right to participate in diverse cultural, artistic and sports activities.
(2) Children and youths have the right to use a space in public facilities, such as facilities for youths and community centers, in order to enjoy cultural, artistic or sports activities on their own will without obtaining another person's consent or approval, and the Mayor shall endeavor to guarantee such right.
(3) The Mayor shall make spaces available for children and youths to enjoy various cultural, artistic or sports activities, in cooperation with the Seoul Metropolitan Office of Education, schools, relevant institutions or facilities and local residents, and shall gather consensus from children and youths when he/she operates relevant facilities.

Article 19 (Right to Welfare)

(1) Children and youths have the right to enjoy a decent life.
(2) Children and youths have the right to benefit from various social security services.
(3) Children and youths have the right to be protected from all forms of exploitation harmful to their health, physical, intellectual and mental development.
(4) The Mayor shall operate assistance programs for children and youths in need of self-reliance and additional care, such as poor, disabled, and minority children and youths.
(5) The Mayor shall use his/her best efforts to ensure that children and youths who use welfare facilities or receive welfare services do not feel stigmatized.
(6) The Mayor may formulate and implement measures necessary for managing hygiene and promoting health of poor women, children, and youths, such as by providing related education and information and supporting hygiene products. <Newly Inserted by Ordinance No, 6328, Sep. 29, 2016>

SECTION 7 Labor Rights

Article 20 (Labor Human Rights)

SECTION 7 Labor Rights(1) Working youths have labor rights guaranteed by the Constitution and statutes.
(2) Working youths have the right to receive fair treatment and wages, and to be protected against industrial accidents.
(3) Each employer shall treat working youths respectfully, and shall not use physical, mental or linguistic violence against them.

Article 21 (Protection of Labor of Children and Youths)

(1) No employer shall infringe on any youth's right to receive education, nor assign affairs likely to harm the health, safety, etc. of children and youths to children and youths.
(2) No employer shall have any youth engage in any type of business or labor prohibited by relevant statutes and regulations.
(3) No employer shall hire any child or youth under the minimum age specified by statutes and regulations.

Article 22 (Mayor's Responsibility)

The Mayor shall have the responsibility to endeavor to ensure that youths can work in an appropriate working environment.

SECTION 8 Right to Self-Determination and Participation

Article 23 (Right to Self-Determination)

SECTION 8 Right to Self-Determination and ParticipationChildren and youths have the right to make their own decision, to present their opinions, and to be respected in relation to all matters affecting them, such as career, hobbies and studies.

Article 24 (Right to Participation)

(1) Children and youths have the right to participate in society for the happiness of individuals and communities.
(2) Children and youths have the right to make friends, and have gatherings, with others, by freely communicating with them.
(3) Children and youths have the right to gather their opinions in various ways.
(4) Children and youths have the right to express their opinions or to hold events in public.
(5) Children and youths have the right to participate in an organization and to be guaranteed autonomous activities.
(6) Children and youths have the right to directly select their representatives or to make their own decision on the method of election.
(7) Children and youths have the right to participate in the process of formulating policies relating to them or compiling budget therefor.
(8) Children and youths have the right to participate in the operation of projects and facilities directly managed, or outsourced to private business entities, by the City.
(9) The Mayor shall provide administrative and financial assistance for participations or autonomous activities of children and youths to the extent possible.
(10) Consent from guardians shall not be required in the process in which children and youths exercise their right to participation.

Article 25 (Right for Guarantee of Rights)

Children and youths have the right to know about the procedures for counseling or remedies they shall undergo where their human rights are infringed, and the right not to be disadvantaged where they file an application for counseling or remedies.

SECTION 1 Guarantee of Human Rights at Home

Article 26 (Guarantee of Human Rights by Guardians, etc.)

SECTION 1 Guarantee of Human Rights at Home(1) A guardian shall ensure that the best interests of a child or youth he/she is rearing are secured when such child or youth exercises his/her right.
(2) In exercising rights on behalf of a child or youth, his/her guardian shall respect the opinions of the child or youth and endeavor to secure the best interests for the child or youth.

Article 27 (Support for Child-Rearing)

(1) A guardian shall have the primary responsibility for rearing a child or youth, and the Mayor shall support guardians who rear a child or youth by providing him/her with counseling, education, or other service.
(2) Where a guardian is in a situation making it impracticable for him/her to rear a child or youth, the Mayor shall endeavor to support him/her, particularly taking into account such situation.
(3) Every business operator shall care about his/her employees so that they can rear their children or youths without worry.

Article 28 (Prohibition of Abuse and Violence)

(1) No guardian shall commit physical, mental or linguistic violence, including corporal punishment, against a child or youth he/she rears.
(2) Each guardian shall endeavor to ensure that a child or youth does not suffer any abuse or violence committed by another member of the relevant family.
(3) In order to prevent domestic violence, the Mayor shall prepare and conduct education programs about human rights for guardians.

Article 29 (Remedies for and Recovery from Abuse)

(1) The Mayor shall take prompt and appropriate remedial measures for any abused child or youth, and ensure that he/she can recover from abuse. To this end, he/she shall actively cooperate with the police and other relevant institutions.
(2) In taking the measures referred to in paragraph (1), the Mayor shall consider the circumstances of the abused child or youth to prevent the occurrence of secondary damage, and shall give special consideration to such abused child or youth if he/she has a disability or is a minority.
(3) In order to detect child abuse early and to ensure prompt and appropriate recovery of abused children or youths, the Mayor shall cooperate with relevant institutions, organizations, etc.

SECTION 2 Guarantee of Human Rights at Facilities

Article 30 (Improvement, etc. of Environment)

SECTION 2 Guarantee of Human Rights at Facilities(1) A founder and manager of a facility defined in subparagraph 2 of Article 2 (hereinafter referred to as "founder and manager of a facility") shall endeavor to ensure that human rights of children and youths are guaranteed and appropriate resting spaces are available for them.
(2) A founder and manager of a facility where children and youth live shall endeavor to create a comfortable environment as similar as possible to home.
(3) A founder and manager of a facility shall endeavor to improve and maintain a safety management system designed to prevent the occurrence of accidents, for the safety of children and youths, and shall cooperate with relevant institutions, guardians and local residents to prevent the spread of damage if an accident occurs.

Article 31 (Prohibition, etc. of Abuse and Violence)

(1) The head and employees of a facility shall not commit any physical, mental or linguistic violence, including corporal punishment, against children and youths.
(2) A founder and manager of a facility shall conduct education on the prevention of abuse and corporal punishment for relevant employees.
(3) The Mayor shall cooperate with the Superintendent of Education to eliminate violence, including corporal punishment at private teaching institutes, and endeavors to prevent any abuse or corporal punishment at facilities, through such measures as providing support for educational programs and ascertaining the actual conditions.

Article 32 (Prevention, etc. of Violence among Children or Youths)

(1) A founder and manager of a facility shall endeavor to prevent violence or bullying among children or youths.
(2) In order to prevent violence or bullying, a founder and manager of a facility shall endeavor to raise children and youths' awareness of human rights.
(3) Afounder and manager of a facility shall endeavor to provide relevant employees with training, etc. for preventing violence or bullying among children and youths.

Article 33 (Counseling, etc.)

(1) Afounder and manager of a facility shall have a system guaranteeing that children and youths can have proper counseling about abuse, corporal punishment, or violence or bullying among them.
(2) After having a counseling session under paragraph (1), a founder and manager of a facility shall consider the best interests of the relevant child or youth, and shall endeavor to remedy the harm occurred to such child or youth or to help him/her recover, in cooperation with persons, relevant institutions, etc. necessary for providing a solution. In such cases, the founder and manager of the facility shall respond appropriately, giving necessary consideration even to children and youths who have engaged in violence or bullying.

Article 34 (Management of Information on Children and Youths)

(1) Each facility shall appropriately manage and keep information on children and youths.
(2) To prepare or collect information affecting the interests of a child and youths, among the information referred to in paragraph (1), consent shall be obtained from the child and youth and his/her guardian.
(3) No facility shall collect or keep information on children and youths for any purpose other than originally intended purposes.
(4) No information on children and youths shall be used for any purpose other than the original purposes of the relevant facility, or provided to any third party.
(5) Where a child or youth leaves a facility, the relevant facility shall delete information on such child or youth, except for the information managed pursuant to statutes and regulations.

Article 35 (Participation and Proper Procedures)

(1) A founder and manager of a facility shall provide children and youths with information on the operation of the facility, and shall hear and reflect their opinions in relation to its operation.
(2) Where a disadvantageous disposition, etc. is to be taken by a facility for a child or youth, the relevant facility shall hear about a situation, opinions, etc. of the child or youth in question before determining such a disposition, etc.

SECTION 3 Guarantee of Human Rights at School

Article 36 (Cooperation and Support)

SECTION 3 Guarantee of Human Rights at School(1) The Mayor shall cooperate with the Superintendent of Education to ensure that human rights of children and youths can be realized at school as well.
(2) The Mayor may provide financial and administrative support so that education and training on human rights can be conducted for students, teachers, etc.
(3) The Mayor shall provide administrative and financial support necessary to prepare an alternative educational system or program for students with special needs or having difficulty receiving practical education, in cooperation with the Superintendent of

Education.

SECTION 4 Guarantee of Human Rights in Communities

Article 37 (Securing and Managing Spaces for Children and Youths)

SECTION 4 Guarantee of Human Rights in Communities(1) The Mayor shall endeavor to secure enough spaces for children and youths in a readily accessible distance.
(2) The Mayor shall investigate spaces for children and youths in each autonomous Gu and Dong, and formulate plans to expand such spaces.
(3) The Mayor shall establish and operate management standards so that spaces for the exclusive use of children and youths, including children's playgrounds, can be used by children and youths for their original purpose.

Article 38 (Guarantee of Right to Information)

(1) The Mayor shall endeavor to regulate any photograph, picture or exhibition which is gender discriminative or violates human rights.
(2) The Mayor shall provide children and youths with the information on spaces available for them.
(3) The Mayor shall establish operation standards to ensure that libraries, etc. cannot deny children and youths access to books or information they need without any reasonable ground.

Article 39 (Guarantee of Labor Human Rights)

(1) Each business entity shall prepare employment contracts with, and distribute them to, working youths, and shall explain the terms and conditions thereof in a language they can understand.
(2) The Mayor may accord preferential treatment, or provide support, to a place of business respecting youths' labor human rights, and shall exclude any place of business which has violated their labor rights or other rights from those eligible for a variety of preferential treatment and support.
(3) The Mayor shall endeavor to provide legal assistance for youths who have been injured or whose human rights have been violated while working.
(4) The Mayor shall establish a counseling system on youth labor, and an assistance and cooperation system for remedy activities, in cooperation with affiliated agencies of the City, Gu offices and labor-related administrative offices.
(5) The Mayor shall endeavor to ensure that education on labor rights can be implemented for youths and employers, in cooperation with the Superintendent of Education, and that such education can be implemented mandatorily and preferentially for working youths or youths attending vocational high schools.

Article 40 (Child and Youth Runaways)

(1) The Mayor shall make available sufficient spaces where child and youth runaways can rest and live comfortably.
(2) The Mayor shall formulate and execute guidelines for guaranteeing human rights so that information on privacy of children and youths can be protected in spaces for child and youth runaways and children and youths who have ever been abused by their guardians can be separated from them.
(3) The Mayor shall establish a support system to help child and youth runaways become self-reliant.

Article 41 (Prohibition of Discrimination against and Support for Out-of-School Children and Youths)

(1) The Mayor shall endeavor to protect children and youths who do not attend school or attend unauthorized alternative educational institutions (hereinafter referred to as "out-of-school children and youths") from suffering discrimination in communities, and shall prepare schemes to guarantee their right to learn, within budgetary limits.
(2) No out-of-school child or youth shall be discriminated against in using public facilities or public transportation or participating in various programs, on the grounds that they do not attend school.

Article 42 (Support for Unauthorized Alternative Educational Institutions)

(1) The Mayor shall provide support for educational activities for unauthorized alternative educational institutions within budgetary limits, such as subsidizing meal expenses and educational expenses, and shall endeavor to provide support for spaces necessary for their educational activities as well.
(2) The Mayor shall ensure that poor children and youths attending unauthorized alternative educational institutions will not suffer discrimination in relation to welfare support due to such fact.
(3) A person who establishes and operates an unauthorized alternative educational institution shall endeavor to ensure that no human rights infringement or discrimination occurs in such educational institution.

Article 43 (Civic Engagement and Cooperation)

(1) Where a citizen discovers abuse or violence against a child or youth in a community, he/she shall take proper actions, such as filing a report thereon.

(2) In order to ensure that human rights of children and youths can be realized, the Mayor shall cooperate with, and provide support for, private organizations, civil organizations and organizations of children and youths which engage in relevant activities.
(3) The Mayor shall establish a cooperative system with institutions related to children and youths, such as the police and courts, in communities.

SECTION 5 Guarantee of Human Rights for Poor, Disabled, and Minority Children and Youths

Article 44 (Guarantee of Rights for Poor, Disabled, and Minority Children and Youths)

SECTION 5 Guarantee of Human Rights for Poor, Disabled, and Minority Children and Youths(1) The Mayor, the heads, employees, etc. of facilities shall endeavor to ensure that poor, disabled and minority children and youths can be properly guaranteed their rights required based on their specific circumstances.
(2) The Mayor shall prepare education programs and counseling programs about human rights necessary to remove any prejudice and discrimination against minorities.
(3) The Mayor and the heads of facilities shall provide appropriate convenience, and secure facilities, for disabled children and youths, formulate policies to guarantee their self-reliant life, and guarantee their participation in the process of determining policies.
(4) The Mayor shall endeavor to ensure that disabled children and youths can be respected in communities without being isolated.
(5) The Mayor shall assist North Korean refugee children and youths in adapting themselves to a new environment, and endeavor to ensure that they can enjoy their human rights without being discriminated against.
(6) The Mayor shall endeavor to ensure that human rights of children and youths from multicultural, migrant, or foreign families can be protected, irrespective of the children or youths or their guardian's status of sojourn, and to provide them opportunities to learn and experience their cultural identity.
(7) The Mayor shall guarantee the right to education for youths who have become pregnant or given birth to a baby, and provide an appropriate subsidy for medical services and rearing, in cooperation with the Superintendent of Education.

CHAPTER IV COMMITTEE ON HUMAN RIGHTS OF CHILDREN AND YOUTHS

Article 45 (Committee on Human Rights of Children and Youths)

CHAPTER IV COMMITTEE ON HUMAN RIGHTS OF CHILDREN AND YOUTHS(1) A Committee on Human Rights of Children and Youths (hereinafter referred to as the "Committee") shall be established in order to deliberate on the City's major policies relating to human rights of children and youths and measures against serious human rights infringements and to create public debate in, and obtain cooperation from, communities in relation to human rights of children and youths.
(2) The Committee shall carry out the following functions:
1. Deliberating on the formulation of comprehensive plans for human rights of children and youths, and evaluating the results thereof;
2. Providing advice on annual implementation plans for the comprehensive plan for human rights of children and youths, and recommending the improvement of the results thereof;
3. Deliberating on the findings of investigation into the relevant human rights infringement conducted by citizens' human rights advocates, and recommending remedial measures therefor, if special remedial measures are deemed necessary or if a policy measure is deemed necessary due to a serious infringement of the human rights of children and youths;
4. Conducting human rights impact assessments for children and youths in connection with the Mayor's policies and legislative activities, and recommending the improvement thereof;
5. Stating opinions on a variety of legislation, policies and activities which affect human rights of children and youths;
6. Conducting activities to make human rights of children and youths a subject of public debate in order to create public opinion on their human rights in communities, such as holding discussion forums;
7. Publishing research papers and survey reports on the current status of human rights of children and youths, such as annual reports thereon;
8. Providing advice on the enactment of the Enforcement Rules prescribed by this Ordinance;
9. Deliberating on other matters suggested by the Mayor, citizens' human rights advocates, or at least three members of the Committee.
(3) In carrying out the function referred to in paragraph (2), the Committee may request the Mayor or a citizens' human rights advocate to submit relevant material or to attend a Committee meeting to answer questions, and may present its opinions on policies for human rights of children and youths.

Article 46 (Composition of Committee)

(1) The Committee shall be comprised of up to 20 persons, including one Chairperson and one Vice Chairperson who are appointed from among members of the Committee.
(2) The Committee shall be comprised of members who have knowledge about and experience in human rights and are highly

sensitive to discrimination suffered by minorities.
(3) Members of the Committee shall be commissioned by the Mayor from among the following persons, who meet the qualifications specified in paragraph (2):
1. An expert in human rights of children and youths, who is recommended by a relevant non-profit private organization;
2. The Chairperson, and the Vice Chairperson of the Child and Youth Participation Commission and two children or youths elected by the Child and Youth Participation Commission;
3. A citizen with a deep interest in human rights of children and youths and the will to participate, who is selected by lottery from among persons who have applied for through an open recruitment procedure;
4. A person recommended by the Seoul Metropolitan Council;
5. The head of the division of the Seoul Metropolitan Government in charge.
(4) The number of members of the Committee with a particular gender shall not exceed 6/10 of the entire commissioned members pursuant to the main sentence of Article 21 (2) of Framework Act on Gender Equality: Provided, That the foregoing shall not apply where any inevitable ground, such as the lack of professional workforce of a particular gender in the relevant field, is deemed to exist, and the Working Committee adopts a resolution thereon. <Amended by Ordinance No. 6851, Mar. 22, 2018>
(5) Members of the Committee shall serve a two-year term, and may be reappointed.
(6) Any member filling a vacancy shall serve for the remainder of his/her predecessor's term of office.
(7) The Mayor may dismiss a member of the Committee if:
1. The member falls under Article 31 of the Local Public Officials Act;
2. The member voluntarily submits a resignation;
3. The member is deemed unfit for Committee activities by the Committee due to loss of dignity as a member;
4. The member fails to attend a Committee meeting at least twice occasions consecutively without any justifiable grounds.

Article 47 (Operation of Committee)
(1) The Chairperson shall represent the Committee and preside over the affairs of the Committee.
(2) Meetings of the Committee shall be called by the Chairperson as follows:
1. Regular meetings: at least quarterly;
2. Extraordinary meetings: when deemed necessary by the Mayor or the Chairperson deems or requested by at least 1/3 of all incumbent members.
(3) Meetings of the Committee shall be held with the attendance of a majority of all incumbent members, and resolutions shall be adopted with the consent of a majority of the members present: Provided, That in cases of a tied vote, the Chairperson shall have the casting vote.
(4) The Committee may establish subcommittees to conduct some of its affairs. Members of subcommittees shall be commissioned by the Chairperson from among members of the Committee, subject to deliberation by the Committee.
(5) A secretary of the Committee shall be designated by the Chairperson from among public officials in the division of the City in charge; Provided, That a person designated by the Chairperson from among members of the Committee may become a co-secretary.
(6) A citizens' human rights advocate may attend a Committee meeting to speak in relation to the affairs of the Committee.
(7) All meetings of the Committee shall be made public, and minutes thereof shall be prepared and kept so that anyone can inspect them: Provided, That a meeting may be closed to the public, or inspection of minutes may be restricted by a resolution of the Committee, if it is inappropriate to disclose the meeting in light of the nature of the relevant matter or if it is necessary to protect personal rights of relevant persons.
(8) Allowances may be provided, and travel expenses reimbursed, within budgetary limits, to members of the Committee other than public officials.

Article 48 (Cooperative System on Human Rights Policy)
The Mayor shall establish a cooperative system on human rights policy participated by the City, the Committee on Human Rights of Children and Youths, the Seoul Metropolitan Office of Education, the human rights promotion agency under the Office of Education and relevant organizations, through consultation with the Superintendent of Education.

Article 49 (Detailed Operating Rule)
Except as otherwise expressly provided for in this Ordinance, matters necessary for the operation of the Committee and subcommittees shall be prescribed by the detailed operating rule of the Committee.

CHAPTER V CHILD AND YOUTH PARTICIPATION COMMISSION

Article 50 (Establishment)
CHAPTER V CHILD AND YOUTH PARTICIPATION COMMISSIONIn order to guarantee child and youth participation in the course of formulating policies relating to children and youths and compiling budget therefor and to facilitate autonomous activities, the

Seoul Metropolitan Child and Youth Participation Commission (hereinafter referred to as the "Commission") shall be established, which performs the following functions:
1. Presenting opinions on, and conducting evaluation of, overall policies for children and youths, and submitting policy suggestions;
2. Recommending measures against infringements of human rights of children and youths to the Mayor, the Seoul Metropolitan Council, or to communities;
3. Gathering consensus from children and youths in the course of their participation in budget compilation, and conveying such consensus to the City;
4. Cooperating with child and youth participation commissions under other local governments;
5. Implementing projects planned directly by the Commission;
6. Presenting opinions on other matters requested by the Mayor.

Article 51 (Composition)
(1) The Commission shall be comprised of up to 100 members, including one Chairperson and one Vice Chairperson.
(2) Members of the Commission shall be selected through open recruitment and then by lottery to ensure equitable distribution of members based on region, gender and age: Provided, That participation by minority children and youths shall be guaranteed separately.
(3) Members of the Commission shall participate on their own will, and no consent from their guardians shall be required in the process of organizing members of the Commission.
(4) Members of the Commission shall serve a one-year term, and may be reappointed.
(5) Any member may be dismissed if he/she fails to attend a Commission meeting at least twice occasions consecutively without any justifiable grounds, and additional recruitment may be conducted if any vacancy arises.
(6) The Chairperson and the Vice Chairperson shall be elected from among members of the Commission; and a public official in charge shall be a secretary performing the affairs of the Commission, and a child or youth may become a co-secretary.
(7) If necessary, the Commission may organize and operate subcommittees for each age group.
(8) In order to support the Commission's efficient operation, activity, etc., the Mayor may organize an advisory group comprised of persons from academia, experts in youths, etc., as prescribed by rule.
(9) Where a child and youth participation commission is organized in each autonomous Gu, the Commission shall conduct activities in cooperation with such commissions.

Article 52 (Assistance)
The Mayor shall assist the Commission in matters necessary for its operation and activities.

Article 53 (Chairperson's Duties)
(1) The Chairperson shall represent the Commission and preside over the affairs of the Commission.
(2) Where the Chairperson is unable to perform his/her duties due to extenuating circumstances, the Vice Chairperson shall act on his/her behalf.

Article 54 (Meetings and Operation)
(1) Meetings of the Commission shall be classified into regular meetings and extraordinary meetings, and the regular meeting shall be held at least quarterly, while the extraordinary meetings shall be called if requested by at least a majority of all incumbent members or deemed necessary by the Mayor or the Chairperson.
(2) Meetings of the Commission shall be held with the attendance of a majority of all incumbent members, and resolutions shall be adopted with the consent of a majority of the members present.
(3) The Chairperson shall notify the Mayor of the results of a meeting within seven days after holding the meeting, and shall make public such results on the City's web-site, etc.
(4) Except as otherwise expressly provided for in this Ordinance, the details about the meetings, operation, etc. of the Commission shall be determined by a resolution of the Commission.

Article 55 (Gathering Consensus)
(1) Where the Mayor deems it necessary for the Commission to present its opinions in the course of implementing a policy or project, he/she shall gather consensus in advance and fully reflect them.
(2) With regard to opinions, recommendations, etc. presented by the Commission, the Mayor shall notify the Commission of the results of handling them in writing.
(3) If necessary to submit its opinions, the Commission may request an interview with the Mayor or the Seoul Metropolitan Council.

Article 56 (Allowances, etc.)
Actual expenses, such as travel expenses, may be reimbursed, within budgetary limits, to a member who has participated in various activities of the Commission, but benefits unfit for the purport of voluntary participation shall not be granted.

CHAPTER VI REMEDIES FOR HUMAN RIGHTS INFRINGEMENTS

Article 57 (Institution in Charge of Counseling and Remedies)

CHAPTER VI REMEDIES FOR HUMAN RIGHTS INFRINGEMENTS(1) Citizens' human rights advocates of the Seoul Metropolitan Government created pursuant to the Seoul Metropolitan Government Framework Ordinance on Human Rights shall take charge of counseling on, and remedies for, infringements of human rights of children and youths.

(2) The Mayor shall designate at least one citizens' human rights advocate of the Seoul Metropolitan Government as advocates exclusively in charge of human rights of children and youths.

Article 58 (Procedures for Counseling and Remedies)

(1) A child or youth himself/herself who has suffered a human rights infringement or discrimination or any person who has become aware of an infringement of the child or youth's human rights may apply for counseling or remedies with a citizens' human rights advocate.

(2) Upon receipt of an application for counseling or remedies pursuant to paragraph (1), the citizens' human rights advocate shall promptly inform a specialized child protection agency established under Article 45 of the Child Welfare Act of such infringement or discrimination if the relevant case constitutes child abuse under the Child Welfare Act so that measures, such as dispatch, isolation, protection and treatment, shall be taken pursuant to Article 27 of the Child Welfare Act.

(3) Upon receipt of an application for counseling or remedies pursuant to paragraph (1), the citizens' human rights advocate shall investigate the relevant case and take appropriate measures, such as recommending corrections to an institution referred to in each subparagraph of Article 20 (1) of the Seoul Metropolitan Government Framework Ordinance on Human Rights or an institution related to human rights infringements (hereinafter referred to as "related institution"). <Amended by Ordinance No. 6016, Oct. 8, 2015>

(4) The citizens' human rights advocate who has taken measures under paragraph (2) shall immediately notify the Mayor thereof in writing.

(5) Upon receipt of the recommendation of correction from the citizens' human rights advocate, the related institution shall take a corrective measure as recommended except in extenuating circumstances, and notify the Mayor of the results of the measure taken. Where the institution fails to take a corrective measure as recommended by the citizens' human rights advocate, it shall explain the reason thereof.

Article 59 (Application Mutatis Mutandis)

Except as otherwise expressly provided for in this Ordinance, Chapter IV of the Seoul Metropolitan Government Framework Ordinance on Human Rights shall apply to counseling on, and remedies for, human rights infringements.

SECTION 1 Education and Public Relations on Human Rights

Article 60 (Seoul Human Rights Day for Children and Youths)

SECTION 1 Education and Public Relations on Human Rights(1) The Mayor may designate Seoul Human Rights Day for Children and Youths in order to enhance interest in human rights of children and youths and to expand participation.

(2) The Mayor shall implement projects serving the purpose of Seoul Human Rights Day for Children and Youths, and guarantee participation by children, youths and citizens.

Article 61 (Public Relations)

The Mayor shall make publicity endeavors, such as producing and distributing explaining materials on human rights of children and youths and on the provisions of relevant ordinances, including the United Nations Convention on the Rights of the Child and this Ordinance, so that a culture respecting children and youths can be firmly established in communities or at home.

Article 62 (Education on Human Rights)

(1) The Mayor shall endeavor to add education on human rights of children and youths to various opportunities for education, such as lifelong education implemented by the City.

(2) The Mayor shall provide opportunities to receive education and training on human rights of children and youths for the heads and employees of facilities, guardians, public officials, persons related to medical service and law, and other persons who meet children and youths on a daily basis.

(3) The Mayor shall provide children and youths with necessary assistance for such activities as their self-learning about human rights.

(4) The Mayor shall formulate and implement a comprehensive plan for education on human rights, subject to deliberation by the Committee on Human Rights for Children and youth.

(5) To educate children and youths in human rights, the Mayor shall develop and distribute educational materials and programs and train human resources capable of conducting education on human rights.

(6) Education, training, learning, etc. set forth in paragraphs (1) through (3) shall include education on prohibition of discrimination

against poor, disabled, and minority children and youths.

Article 63 (Support for Civil Activities)

The Mayor shall endeavor to support and cooperate with citizens who endeavor to guarantee human rights of children and youths.

SECTION 2 Fact-Finding Surveys, Evaluation, etc.

Article 64 (Formulation of Comprehensive Plans for Human Rights of Children and Youths)

SECTION 2 Fact-Finding Surveys, Evaluation, etc.(1) The Mayor shall formulate and implement a comprehensive plan to realize human rights of children and youths (hereinafter referred to as "comprehensive plan for human rights of children and youths") every three years, subject to deliberation by the Committee on Human Rights for Children and Youths.
(2) Comprehensive plans for human rights of children and youths shall include the following:
1. Basic direction-setting for realizing human rights of children and youths;
2. Implementation strategies for each sector of rights and each living space according to the basic direction set under subparagraph 1;
3. Funding plans to execute plans;
4. Investigations and research into human rights of children and youths, and plans to implement education on human rights;
5. Schemes to obtain cooperation from communities and to create public debate;
6. Schemes to cooperate with other institutions;
7. Schemes to evaluate the implementation of plans;
8. Schemes to guarantee human rights of poor, disabled and minority children and youths;
9. Other major matters necessary to realize human rights of children and youths.
(3) Where the Mayor formulates a comprehensive plan for human rights of children and youths, he/she shall gather consensus from children, youths, guardians, citizens, etc. through public hearings, forums, briefing sessions by provincial tour, etc.

Article 65 (Annual Implementation Plans and Fact-Finding Surveys)

(1) The Mayor shall formulate and evaluate an annual implementation plan each year based on the relevant comprehensive plan for human rights of children and youths.
(2) The Mayor shall report to the Committee on Human Rights for Children and youths on the results of the evaluation under paragraph (1).

Article 66 (Fact-Finding Surveys on Human Rights)

(1) The Mayor shall conduct fact-finding surveys on human rights of children and youths every two years, and reflect the results thereof in formulating comprehensive plans for human rights of children and youths.
(2) The Mayor shall include items relating to human rights, such as whether education or training on human rights is conducted, and the level of human rights guaranteed, in the evaluation of facilities related to children and youths operated, upon outsourcing, or financed by the Seoul Metropolitan Government.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 67 (Rules)

CHAPTER VIII SUPPLEMENTARY PROVISIONSThe Mayor shall determine by rule matters specifically mandated by this Ordinance and those necessary for the execution of this Ordinance