

The Legal Basis for Producing Korean Gender Statistics

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1. Introduction

Gender statistics is a vital means of gender mainstreaming with gender budget and gender impact assessment. In particular, gender statistics is the basic measure which makes other means of gender mainstreaming function efficiently, and political requirements of gender statistics have increased on the basis of implementing gender budget and gender impact assessment. In case of Korea, the demand for gender statistics has increased due to the enhancement of participating institutions and the assessment objectives since the first implementation of gender impact assessment in 2005. Furthermore, the construction and guarantee of gender statistics materials have emerged as an important task for the efficient operation of a gender budget system according to the enhancement of gender budget in earnest from 2010 (Kim et al. 2007; Yoon et al. 2008; Hannan, 2007).

Many international organizations such as the UN have emphasized the need to produce gender statistics for a long time to cope with the political significance and demand of gender statistics. The first official discussion about gender statistics at the international level was presented at the first World Conference on Women in Copenhagen, 1975. Moreover, gender statistics is considered as one of the main measures for gender mainstreaming in the international society, and individual nations are endeavoring for development of gender statistics since 'the Strategic objective H.3. Generate and disseminate gender-disaggregated data and information for planning and evaluation' was adopted in the Beijing Platform for Action.

The Korean Women's Development Institute (KWDI) managed the fundamental of Korean gender statistics by publishing *Social Statistics and Indicators on Women*¹ - in 1986, which is the first gender statistics publication in Korea following the above international trend. Since then, gender policy research institutions such as the KWDI, local governments, and the central government such as the Ministry of Gender Equality and the National Statistics Office have been actively dealing with the political demand of gender statistics through research, publication, and legal and institutional efforts for development of Korean gender statistics.

Also, the Korean Government has tried to promote gender statistics policies such as improving existing statistics from a gender perspective, producing a new gender statistics, and carrying out a gender statistics education through the Basic Plan for Women's Policies started from 1998. The Women's Development Act and the new Statistics Act, which was amended in 2007, have become the legal basis of producing gender statistics in Korea.

In this paper, I will introduce the major aspects of the Women's Development Act and the new Statistics Act, and discuss which areas of Korean gender statistics should be targeted for improvement.

2. The Women's Development Act and the new Statistics Act: the Legal Basis for Producing Korean Gender Statistics

The Women's Development Act, which was enacted in 1995, is the first law providing for the duty of framing gender statistics. Article 13 of this law manages the legal basis of gender statistics by explicitly stating: "If it is necessary for efficient women's policy, the Minister of Gender Equality shall conduct a basic survey and a public opinion poll on the affairs related to women."

¹ . This booklet changed its name to Statistical Yearbook on Women which has been published every year since 1994.

Furthermore, the legal basis of producing gender disaggregated statistics in Korean institutions such as central and local governments is provided: “When the state and local governments compile population statistics, gender distinction shall be included in major analysis units” in Paragraph 3 Article 13 of then the Women’s Development Act in 2003.

The Statistics Act which was wholly amended in 2007 is also the legal basis for producing gender statistics in public and private sectors. In particular, when new national official statistics are produced in Korea, the gender distinction in survey lists is enforced through Paragraph 1 Article 18 of the revised Statistics Act.

<Table 1> Legal Basis for Producing Korean Gender Statistics

Relevant Laws	Relevant Articles
Women’s Development Act	<p>Article 13 (Survey, etc. of matters related to Women)</p> <p>(1) If it is necessary for efficient women’s policy, the Minister of Gender Equality shall conduct a basic survey and a public opinion poll on affairs related to women.</p> <p>(2) The Minister of Gender Equality shall strive to provide information related to women by establishing an information system.</p> <p>(3) When the State and local governments compile population statistics, gender distinction shall be included in major analysis units.</p> <p>[This Article Wholly Amended by Act No. 9126, June 13, 2008]</p>
Statistics Act	<p>Article 18 (Approval for Statistics Compilation)</p> <p>(1) The head of a Statistics agency intending to compile new statistics shall obtain prior approval related to the matters prescribed by the Presidential Decree, such as the title, types, objectives, subject of survey, method of survey, distinction of sex in survey questions, etc., from the Commissioner of the Korea National Statistics Office. The same shall apply to the modification of approved matters or the suspension of approved Statistics compilation.</p> <p>[This Article Wholly Amended by Act. No. 8387, Apr. 27, 2007]</p>

3. The Difference between the two Acts

The Women’s Development Act was an important basis for producing Korean gender statistics before the amendment of the Statistics Act in 2007. The differences between the Women’s Development Act and the Statistics Act are as below:

The first, the jurisdiction of the ministries in charge are different. The Women’s Development Act which is managed by the Ministry of Gender Equality has a limited impact on other ministries. However, the Statistics Act has enhanced its impact on other ministries since it is managed by the Korean National Statistics Office.

The second, the Statistics Act provides that “an agency in charge of the Statistics” should carry it out, but the Women’s Development Act provides that “National and Local Governments” should do it

as well. The provision of “agency in charge of the Statistics” is more specific as it mentions specific subjects to carry it out.

The third, “the case of producing population statistics” does not explicitly present in which procedure of statistics production the case is included. The process of producing Statistics can start from the new production of Statistics to the re-analysis of established Statistics. Nevertheless, the Statistics Act explicitly mentions gender distinction in survey lists of a newly produced Statistics (Moon, Jeon, and Ju, 2007).

4. The Connotations of the new Statistics Act in Korean Gender Statistics.

On the other hand, the connotations of the new Statistics Act in Korean gender statistics are as follows:

First of all, it will be possible to introduce gender perspectives in the process of producing statistics although the new gender statistics is just a re-analysis and re-editing of the existing statistics in the light of the users’ point of view. Even though the law limits it as “gender questions” in surveys, the requirement of gender separation in analysis and report results are expected to be possible. Although there is no gender separation in the results of analysis, ministries and research institutions related to gender can separate materials based on gender if there is gender separation in the data collecting process.

Second of all, gender statistics produced by women-related organizations such as the Ministry of Gender Equality and the KWDI are limited to specific women-related topics such as “family surveys” and “women’s employment surveys.” However, the boundary of gender statistics will be expanded with gender responsive improvement in every statistics related to general social topics. (Moon, Jeon, and Ju, 2007).

5. Conclusion: Future Tasks of Korean Gender Statistics

Above all, it is necessary to strengthen the legal and institutional bases for gender statistics production. As this paper already mentioned, the production of gender statistics in Korea is based on the Women’s Development Act and the Statistics Act. However, Korea with the decentralized statistics system – As of January 1st, 2009, 359 agencies produce 952 kinds of national official statistics in Korea - needs to check the current condition of gender statistics in individual agencies and suggest improvements on a regular basis. Moreover, the production of gender statistics by statistics agencies should be improved though the established statistics policy tools such as evaluation of the quality of statistics (Moon 2007; Moon, Jeon, and Ju 2007).

Secondly, the connection between gender statistics and gender equality policies such as gender budget needs to be reinforced. Gender impact assessment, gender budget, and gender statistics are the significant tools for gender mainstreaming. Thus, the ways to effectively support gender statistics for gender budget and gender assessment need to be considered. For this, gender statistics related to gender impact assessment and gender budget should be produced.

Finally, gender statistics needs to be promoted further. Korea already has provided gender statistics publications in central, local, and regional governments. Nevertheless, local governments do

not publish gender statistics booklet every year to meet the demand for gender statistics information. Therefore, Web based statistical DB systems like the KWDI's GSIS need to be developed and used a lot more to overcome the limitations in providing publications, and provide real-time gender statistics information.²

² . KWDI has been operating Web based GSIS(Gender Statistics Information System, <http://gsis.kwdi.re.kr>) since 2006 to overcome the limitations in providing publications. The English version of GSIS will open in March, 2009.

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