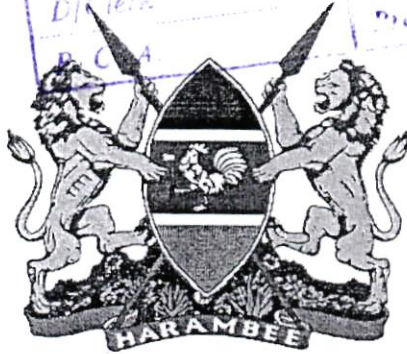


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16/06/11

REPORT  
OF  
THE DEPARTMENTAL COMMITTEE  
ON  
LABOUR AND SOCIAL WELFARE ON

THE STUDY VISIT TO SOUTH KOREA IN OCTOBER 02 TO 12

On the:-

Disaster, safety preparedness and food security  
Youth Development, promotion programmes and projects.  
Social Protection Programmes.  
Borstal institutions

Clerks Chambers  
Parliament Buildings  
Nairobi.

April 2011

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## ABBREVIATIONS

<b>MOPAS</b>	-	Ministry of Public Administration and Security
<b>DSMO</b>	-	Disaster and Safety Management Office
<b>DMS</b>	-	Disaster Management System
<b>NDMS</b>	-	National Disaster Management System
<b>DSCC</b>	-	Disaster Situation Control Center.
<b>NEMA</b>	-	National Emergency Management Agency.
<b>NIP</b>	-	National Infrastructure Protection.
<b>CBS</b>	-	Cell Broadcasting Center.
<b>CCTV</b>	-	Closed Circuit Tele Vision.
<b>NDSCT</b>	-	National Disaster Situation Control Tower.

## PREFACE

**Mr. Speaker Sir,**

On behalf of the Departmental Committee on Labour and Social Welfare, I feel honoured to present to the House the Committee's Report on a fact-finding tour to South Korea in October 02 -12, 2010.

### **Mandate of the Committee**

The Departmental Committee on Labour and Social Welfare is a departmental committee established under Standing Order No. 198. Its mandated to;-

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- b) To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
- e) To investigate, inquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to them by the House or a Minister; and
- f) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

**Mr. Speaker Sir,**

In executing its mandate, the Committee oversees the following Government Ministries:

- i. Ministry of Labour and Human Resource
- ii. Ministry Youth Affairs and Sports
- iii. Ministry Gender, Children and Social Development
- iv. Ministry of State for National Heritage and Culture
- v. Ministry of State for Special Programmes

The Committee is mandated to consider the following issues; Labour, Trade Union Relations National manpower policy and development, Promotion of self employment in micro and small enterprise, National Social Security Fund (NSSF), National Productivity Centre. Gender, Children and Social Development Policies Mainstreaming, Women Enterprise Development Fund, Coordination of volunteer services, Social welfare for Vulnerable Groups, Community Development Programmes, Institutions for Children's Care and Development, Culture and National Heritage, Disaster Management Policies

and Programmes, Coordination of resettlement and mitigation programme for Internally Displaced Persons (IDPs), Youth Affairs and Sports among others.

The committee embarked on the South Korea tour to get first hand information, experience, case study programmes and projects for the Youths initiated for their empowerment and development. The Old persons, the Orphans and Vulnerable Children assistance, Gender mainstreaming beneficiaries projects and programmes progress, the problems of street families, Children Charitable Centres, the disaster preparedness and the food security.

The following are the Members of the Committee:

The Hon. Sophia Abdi Noor, M.P. - Chairperson  
The Hon. Lenny Kivuti, M.P. - Vice- Chairperson  
The Hon. Elijah K. Lagat, M.P.  
The Hon. Joseph Oyugi Magwanga, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Clement Waibara, M.P.  
The Hon. Aden Keynan, M.P.  
The Hon. Gideon Konchella, M.P.

In view of the foregoing, the Committee undertook a Study Visit to South Korea in October 03 to 12, 2010 to study programmes, projects and hold discourses in relation to its functions with the relevant Parliamentary Committees, Government Departments which dealt with the following:-

- i. Disaster preparedness and food security
- ii. Youth Development, promotion programmes and projects.
- iii. Social Protection programmes and projects.
- iv. Children charitable centres / Borstal institutions and

The Committee is grateful to the Kenya Ambassador to South Korea H.E. Mr Ngovi Kitau for facilitating the study tours and discourses.

The committee was able to hold discourse with the Ministry of Public Administration and Security which reviews related legislations and the Management of Disasters and Safety. It also coordinates and designs the Emergency Preparedness' Planning & National Mobilization it also prepares the exercise program against disaster and crisis. It further promotes volunteer activities, public and private cooperation for civil protection at national and local level activities.

The committee visited the Gabong Middle High School, a correctional institution which the main aim is to successfully reintegrate the students into the family and the society. Emphasis is on the practical and student centered education, outdoor activities, visiting the National Maritime Police and helping the handicapped and the old.

The committee is very thankful to the following in South Korea namely;-

The Hon. Lee Jae- Yul - Deputy Minister, Ministry of Public Administration and Security  
Mr. Ahn Byung Yoon - Chief of Division of the Disaster Management Office  
and Disaster Management system and policies.

The Hon. Lee, Jae Sun - Chairman, Committee on Health and Welfare, he emphasized that the welfare and economic develop should go together. Ms. Seung Hui Sa - Program Coordinator Asian Affairs Division and the officers

The Hon. Kim, Sung Soon, Chairman Committee on Labor and Welfare; Who cited that South Korea has a National Pension system that covers over 3 million people and 11% of the government budget is invested in his committee.

The Ministry of Gender Equality and Family; Mr Chung, Bong Hyup - Director, Planning & Coordination office and Ms Shon, Ae lee - Director, International Cooperation Division, Mr. Kim Jeong-Gyu – President, Seoul Juvenile Reformatory  
Mr. Gwak Tae Jin General Director and Mr. Lee, Jeong Soo, Manager of Job placement

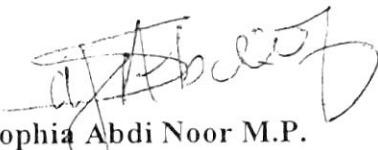
Ministry of Social Development and Human Security and the Social welfare committee  
Mr Chinchai Cheecharoen, Deputy director Office of the National Commission on Social Welfare Promotion.

#### **Acknowledgement**

The Committee is grateful to the Speaker of the Kenya National Assembly and the Office of the Clerk, for facilitating the committee Study Tour.

#### **Mr. Speaker,**

It is my pleasant duty and privilege, on behalf of the Departmental Committee on Labour and Social Welfare to table this Report to the House for adoption pursuant to provisions of the National Assembly Standing Order 111 (2).



Hon Sophia Abdi Noor M.P.

Chairperson , Departmental Committee on Labour and Social Welfare

## **1.0.0 INTRODUCTION**

### **Terms of reference**

The committee embarked on the South Korea and Thailand tour to get a first hand information on the programmes and projects for the Youth Development. Since Kenya has a big number of Youths who lacks employment. The Committee aim was find out how the youth problems have been addressed and which projects or programmes were more viable due to unemployment in Kenya. The administration and management of the social protection, insurance and the pension. The Impact of the old persons, the orphans and vulnerable children cash transfer assistance. The gender mainstreaming projects and programmes development. the Charitable Children Centres and the street children families. The disaster preparedness and the food security. The immigrant workers labour laws and woes.

## **2.0.0. SOUTH KOREA**

The Republic of Korea gained Independence on August 15, 1945 it is located at the Korean Peninsula in North-East Asia. It is bordered by the Amnok River (Yalu River) to the northwest separating Korea from China, and the Duman River (Tumen River) to the northeast which separates Korea from both China and Russia.

South Korea total size is Roughly 1,030 km (612 miles) long and 175 km (105 miles). The Total land Area is 100,140 sq km with a Population of 48.7 Million.

### **2.0.1. Economy**

The South Korea has a market economy which ranks 15<sup>th</sup> in the world by nominal GDP and 12<sup>th</sup> by purchasing power parity (PPP).

GPD – PPP 1.364 trillion/Nominal:\$832.5 billion (2009 est.)

GNI – PPP: \$28,100/Nominal: \$17,074 (2009).

### **2.0.2. Culture**

The Korean culture is spreading around the globe as more and more people visit Korea. There are six cultural symbola: “Han Style”: Alphabet (Hangeul), Cuisine (Hansik), Clothing (Hanbok), House (Hanok), Paper (Hanji) and Musice (Hangulk Eumak).

## **3.0.0. GOVERNMENT OF KOREA**

The organization of Korean Government consists of the President, the Prime Minister and fifteen (15) Ministries.

H.E President Lee, Myung-bak took over office on the February 28, 2008. The Korean government has five year single-presidency term.

On Oct, 01. 2010, Parliament approved Hon Kim Hwang Sik as the Prime Minister after former Prime Minister Chung, Un-chan resigned on August 11, 2010.

### **3.0.1. NATIONAL ASSEMBLY OF KOREA**

The Korean National Assembly is composed of two hundred ninety nine (299) members, two hundred forty three (243) elected by a plurality of votes from electoral districts and (fifty six) 56 through proportional representation system where seats are distributed to parties based on the percentage of total votes they garnered.

#### **Term of office**

All members serve a four-year term. The plenary is the highest decision-making body of the National Assembly, composed of the entire membership of the National Assembly.

### **3.0.2 Speaker of National Assembly**

- Hon. Park, Hee Tae is the Speaker of Korean National Assembly.
- There are two Vice Speakers: Hon. Ui-Hwa Chung, and Hon. Jae-Hyong Hong.
- The Speaker and Vice Speaker of the National Assembly are elected by the National Assembly by secret ballot, securing the votes of a majority of all the Members.
- The term of the Speaker and Vice Speaker is two years.
- A Speaker or Vice-Speaker is chosen through a special election and holds office for the remainder of his or her predecessor's term.
- When a Member is elected as the Speaker of the National Assembly, he or she is not registered in any party from the date before or on which he or she is elected, and throughout his or her term of office.
- The Speaker represents the National Assembly, regulates its proceedings, maintains order and supervises its affairs.

### **3.0.3. Number of Seats by Political Party**



<b>Negotiation Group</b>	<b>Electoral District</b>	<b>Proportional representation</b>	<b>Total</b>
Grand National Party	149	22	171
Democratic Party	72	15	87
The Liberty Forward Party	12	4	16
Future Hope Alliance	0	8	8
Democratic Labor Party	2	3	5
Creative Korea Party	0	2	2
<b>Non-Negotiation</b>			
Solidarity for New	1	0	1
Progressive Party	1	0	1
Members with no political Party Affiliation	8	0	8
<b>Total</b>	<b>245</b>	<b>54</b>	<b>299</b>

### 3.0.4. Committee and Chairman

- There are (eighteen) 18 committees in Korean National Assembly

<u>No.</u>	<u>Committee</u>	<u>No. of Membership</u>	<u>Chairman</u>
1	House Steering Committee	(24)	Kim Moo Sung
2	legislation and Judiciary Committee	(16)	Woo, Yoon keun
3	National Policy Committee	(24)	Huh Tae Yeol
4	Strategy and Finance Committee	(26)	Kim Seong Jo
5	Foreign Affairs, Trade and Unification Committee	(28)	Nam Kyung Pil
6	National Defense Committee	(17)	Won Yoo Chul
7	Pubic Administration and Security Committee	(24)	An, Kyung Ryul
8	Education, Science and Technology Committee	(21)	Byun Jae II
9	Culture, Sports, Tourism, Broadcasting and Communications Committee	(28)	Choung Byoung-gug
10.	Food, Agriculture, Forestry and Fisheries Committee	(19)	Chi, In kee3
11.	Knowledge Economy Committee	(25)	Kim Young Hwan
12.	Health and Social Welfare Committee	(24)	Lee Jae Sun
13.	Environment and Labor Committee	(15)	Kim Sung Soon
14.	Land Transport and Maritime Affairs Committee	(31)	Song Kwang Ho
15.	Intelligence Committee	(11)	Kwon Young Se
16.	Gender and Family Committee	(16)	Choi, Young-Hee
17.	Special Committee on Budget & Accounts	(50)	Lee, Ju-Young
18.	Special Committee on Ethics	(15)	Jeong kab Yoon

### 4.0.0. GABONG MIDDLE AND HIGH SCHOOL

- The School was opened in 1942 as Chosun Correction Center
- In 1986 it was reformed and changed to Seoul Juvenile School
- In 2000 it started offering specialized education as Gobong Information Communication School.
- In 2009 it changed into Gobong Middle. High School (General school)

**The Mission of the School is to;-**

- Accommodate and protect juvenile offenders referred by the court.
- Educate them into sound mind and body.
- Support and rehabilitate them into family and society.

**4.0.1. Educational Overview**

- The school has three main vocational pathways i.e High School, Middle and Vocational Training
- It embarks and reflects the market demands and the preference of the students i.e. teaching automatic welding, car electronics, hairdressing, telemarketing, architecture environment, baking and confectionary, photography and digital Image, craftsman surveying etc.
- Every classroom room has ten (10) to twelve (12) students.
- The whole school perimeter wall has CCTV and cam detect anyone from tress passing by.
- The bakery systems, pottery systems, photographing studio and broadcasting studio are all well highly equipped with sophiscated equipments.
- The broadcasting studio is an internet based channel and the students go out filming if there are any requests from other Reformatory in South Korea.
- Emphasis on practical and student centered education is a must i.e foreign language, computer related course, technicians licenses, IT pottery etc.
- Every student should at least must do more than course to receive more than one certificate.
- Every student must participate in various outdoor activities and contests i.e art therapy, sensitivity training, water rafting, visiting the National maritime Police. Helping the handicapped and the old, protecting nature and traditional Quatet music.
- The main aim of the school is to succefully reintegrate the students into the family and the society as the end Goal
- Education assistance and aftercare guidance is done in partnership with Government and the local agencies.
- Running family relationship and recovering programmes family reunion for four

hundred twenty one (421) persons is done by going home for holidays and out door family camping for ninety (90) persons.

- The students are selected, assessed by the teachers and their merit and demerit system for job arrangements.
- The on line learning system is emphasized and Internet based radio broadcasting.
- The cafeteria's menu is monthly based and contains a balanced diet in every meal.
- The reinforced academic links results for 2009 outcomes were;-,
  - i. Forty four students received school diplomas,
  - ii. five (5) received college certificates,
  - iii. twenty one (21) received high school certificate,
  - iv. twenty seven (27) received elementary and middle class certificates.

#### **5.0.0 DISASTER AND SAFETY MANAGEMENT OFFICE**

##### **Structure of Disaster Safety Management Office (DSMO)**

- The Disaster and Safety Management Office (DSMO) is a big Department inside the Ministry of Public Administration and Security, which was created in February 2008, by the direction of H.E Lee Myung-bak President of South Korea.
- The former National Emergency Planning Commission was integrated into the Ministry of Public Administration and Safety.
- There are many complex types of disasters and cooperation with all the related departments is needed. MOPAS was created for coordinating the activities of the whole government to respond to disasters efficiently.
- The role of DSMO (Disaster and Safety Management Office) is making plans and policies.
- The case of Hebei Spirit Oil Spillage accident in TaeAn in 2008, MOPAS and DSMO was responsible for the response and co-ordination of the various authorities and organizations in the emergency management.
- The DSMO consists of two directors and seven divisions with a total number of ninety eight (98) staffs working for twenty four hours at the center.

##### **5.0.1. Function**

- The Prime Minister coordinates the various ministries through the National safety management committee.
- The minister of MOPAS is secretary of the committee.
- It manages and controls two hundred and sixty (260) National critical infrastructures concerning energies, IT and communication, public transportation, banking etc

- It leads Inter-ministerial Co-operation for Emergency Preparedness.
- It designs the Emergency Preparedness' Planning & National Mobilization.
- It prepares the exercise program against disaster and crisis.
- It promotes the volunteer activities, public-private cooperation for civil protection at national and local level activities.
- It reviews all related legislations and the framework on the Management of Disasters and Safety.

#### **In Times of Emergency**

The Minister of MOPAS commands and coordinates emergency management as the Chief at the Headquarters of disaster control and safety management:

- i.e. in case of Influenza A (H1N1) which may spread rapidly all over the country It will take charge of co-ordinating various networks of crisis management among diverse authorities and organizations.
- Helps the ministry for health, welfare and family affairs to prevent rapid spreading and supports human and financial resources.

#### **In Normal Times**

The DSMO priorities are on buildings to Integrate the Disaster Control and safety management systems i.e ;-

- To streamline the duplicated regulations.
- To train and educate the expert staffs and senior managers.
- To improve local governments' capabilities to cope with disasters.
- To enlarge disaster resource infrastructure and means.
- To standardize systematic disaster management procedures.

### **6.0.0. MAIN PROGRAMMES OF THE DISASTER AND SECURITY MANAGEMENT OFFICE IN 2010.**

#### **6.0.1. To improve traffic safety inside school zones (children protection zone)**

- That within two years, traffic accidents in the school zones areas rapidly increased.
- As the number of accidents in protection zone in 2006 was 323, in 2007, 345, in 2008, 517 and in 2009 was 535.
- The number of children's deaths due to traffic accidents in 2009 ratio was 2.3/100,000 people. This was higher than in average compared to other OECD countries i.e. ratio 1.9/100,000.

### 6.0.2 Improvement plan on the school zones

- **Safety Insensitivity,**  
The violation of traffic rules and unsafe driving was due to insufficient safety precautions by the drivers
- **Increase of school zone designation:**  
The roads are being redesigned to enlarge and include the institutions for Elementary, Kindergarten, Special school and other Private childcare institutions etc.
- **Increase of CCTV surveillance.**  
The improvement of road condition toward pedestrian centered road system and increase of Closed Circuit Tele Vision installation is being upgraded.
- **Strong penalty for violation of traffic rules**  
The improvement of management system and hefty penalty fines for traffic violations within the school zones is being reviewed upwards.
- **Strengthening traffic safety activities**  
The safety consciousness while the children's are going to school and public relations awareness. The trial operation of waling school buses to minimise injury to the students.

### 6.0.3. Concept of safety culture

The "safety culture advancement plan" to mitigate safety accidents are;-

Volunteer safety monitoring group and cooperation with the local Government by;-

- Modification of safety related organization through reinforcing specialists from the area of civil engineering, architecture and safety.
- Development of special capabilities through education and workshop,
- Promotion and motivation activities through public meetings and award giving etc.

## 7.0.0 . NATIONAL INFRASTRUCTURE PROTECTION

### National critical infrastructure

- The national critical infrastructure' are the physical, human and functional system that can affect national economy, citizens, living and government maintenance in the area of energy, IT, communication, transportation, medical, atomic, environment, water supply, etc.

- The systems are Energy, Information Communication, Transportation, Finance, Public Health and Medical, Atomic Power, Environment, Drinking water. The facilities are well monitored and secured.

### 7.0.1. Standardization of disaster management

#### **Background**

- To create Korea's own disaster and safety management in line with THE international trend and standard.
- To systemize the process and working methods to inter organizational cooperation in case of disaster.
- To promoting "research on national response system" fit to Korea's condition.
- To develop and disseminate specified standard for applying disaster management standards.
- Make ISO as the operating disaster and safety accident management standard.

## **8.0.0. DISASTER SITUATION CONTROL MANAGEMENT AND THE OPERATION SYSTEM. (DSCM) AND THE NATIONAL EMERGENCY MANAGEMENT AGENCY CENTER (NEMC).**

### 8.0.1. Role and Function of the Situation Center

The National Disaster Management Control Tower collects data twenty four (24) hours a day and three hundred sixty five days (365) in an year, collects disaster information for dissemination, evacuation, command and control. i.e

#### **Early warning data analysis and decision-making**

- Estimate of rainfall, course of typhoon and size.
- Decide whether water levels of major dams and rivers are dangerous.
- Operate on-site disaster management where casualties are concerned with 1,748 sites including mountain villages and 1,660 commissioned persons.
- Water level inspection of 4 major rivers and 16 irrigation reservoirs, and situation comprehension).
- Hold situation comprehension meeting when necessary to establish step-by-step response plan.

### 8.0.2. Response

- Conducts preliminary visits and inspection of the danger areas according to

disaster situation.

- Request disaster broadcast to broadcasting systems.
- Send SMS messages to each region.
- Evacuate residents in the affected areas.
- Automatic voice notification system.
- Unmanned rainfall warning system.
- Have similar response system for other natural disasters such as snowstorms ,earthquakes etc.

### 8.0.3. Disaster Types

- Natural occurring disasters such as typhoon, flood, strong wind, tidal waves, snowstorm, thunder, drought, earthquake, yellow dust and red tide.
- Large scale damages caused by fire, collapse, explosion, traffic accident, chemical accident and environmental pollution accident.
- Damages caused by the spread of diseases and the paralysis of national infrastructure such as energy, telecommunications, medical, and water services.

### 8.0.4. The National Disaster Management System (NDMS) Departments are the;-

- **Central disaster management system**  
Manages restoration work, facilities, refugees, damage situation, local prevention activity situation according to disaster types.
- **Disaster information sharing system**  
Provides real time disaster occurrence situation and danger information.
- **Disaster management information center.**  
Manages various statistics and supplies according to disaster types.
- **Situation propagation system**  
Sends real time situation and response commands to local and central government ministries.

#### **On-line disaster broadcast system**

Connects exclusively to the network between disaster situation center and major broadcasting systems.

- It sends emergency disaster information, such as captioned TV broadcasting, real time notification of dam overflow, flood warning situation, etc to citizens.
- Promotes installation of disaster broadcast exclusive studio in situation room and,.
- establishes optical fiber cable network between agencies and broadcasting systems.

#### **Cell broadcasting service (CBS)**

- Send Cell Broadcasting Service (CBS) message in case of emergencies, such as typhoon, heavy rain, snowstorm, etc.
- raises awareness throughout the affected cities, provinces and districts.
- The CCTV systems monitors the current status through connections from the local governments and affiliated organizations and those installed in the highways and rivers.

#### **9.0.0. G20 SEOUL SUMMIT**

- The Korean government hosted the G20 Seoul Summit in Seoul from November 11 to 12, 2010 to discuss the state of the global economy as it emerges from the financial crisis.
- The heads of government from the nineteen (19) member countries, central bankers and finance ministers, the heads of key international institutions, including the United Nations, the International Monetary Fund, the World Bank and the Financial Stability Board, participated in the meetings.
- Member countries included the G8 developed economies along with the emerging economies such as the Republic of South Korea. Together, the members of the G20 represent over 85% of the world economy.
- The G20 Seoul Summit focused on commitments within the established timeframe, i.e. safeguarding the ongoing recovery and restoring fiscal sustainability; ensuring strong, sustainable, and balanced global growth, building a stronger international financial regulatory system and modernizing international financial institutions. The heads of 19 countries attended the G20 Seoul Summit.

#### **10.0.0. OBSERVATIONS**

- Most of the youths were working hence no unemployment for the Youths.
- The Gabong Middle school transformed its name as the number of the youths referred to them by the court was becoming fewer and the training was able to rehabilitate the Youths back to the society.
- The Disaster preparedness was advanced with satellite cameras and monitors covering the whole of South Korea with modern communication and gadgets.
- The modern facilities were of a very high quality and very effective as was demonstrated by the Ministry of security.
- South Korea was exporting the surplus food to other countries and there was no food shortage.
- There was extension of protective labour regulation into the informal sector and all the personnel's were covered.



- The merging and rewriting of the different Acts produced a user-friendly and comprehensive social protection legislation for the benefit of the people.
- The Industrial Court of Appeal overcome contradicting jurisdiction between the High Court and the Industrial Court.
- There were no street families.
- The social protection programme has covered all the persons that the average life of a South Korean was sixty years.

#### 11.0.0 RECOMMENDATIONS

The Committee recommends that;-

The Ministry of Labour;-

- Review the Labour Relations Act to effectively deal with the registration, regulation, management and democratization of trade unions, employers organizations or federations.
- Better labour relations through the protection and promotion of freedom of association, encouragement of effective collective bargaining and promotion of orderly and expeditious dispute settlement conducive to social justice and economic development and related matters.
- Provide system of labour courts with exclusive jurisdiction on labour matters.
- Review the Labour Institutions Act to enhance the establish the Labour Institutions and to provide for more functions, powers and duties.
- Create a National Labour Board, whose main duty is to advise the Minister on labour legislation and matters.
- Review the Employment Act to declare and define the fundamental rights of employees, to provide basic conditions of employment of employees and to regulate
- The National social security fund trustees should invest or use the scheme as guided by the retirement benefit act and the regulation act.

The government should ensure that at least the working population covered by the pension scheme meets global standards of 30% as opposed to the current which is less than 15%.

The Juvenile schools should be rehabilitated and modernised with more professional counsellor teachers posted.

The Ministry of Special Programmes Department of Disaster should be well equipped and have specialised officers to deal with Disasters.

