

The current situation of Korean chinese children and the challenges to their right to education

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Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20497738&lokasi=lokal>

Abstrak

ABSTRACT

Many KoreanChinese are staying in Korea for economic reasons, and unlike other foreign unskilled workers, their children are allowed to accompany them. The right to education is a premise of human dignity and other fundamental rights it is desirable to recognize at least the right to the necessary conditions for receiving compulsory education for the KoreanChinese children living in Korea. In addition, pursuant to the UN Convention on the Rights of the Child, the Korean government has an obligation to guarantee all children free elementary education and public education. The current legislation lacks a basis for the obligations of the state or parents with foreign nationality to provide compulsory education to their children. Also, as the current legislation lacks specificity in the contents of the law, implementation of the policy is left to the discretion of the state. Efforts should be made to ensure that as many KoreanChinese children as possible enjoy practical educational rights. Although it is important for the judiciary to actively consider the right to education in the Constitution and in international treaties, legislative efforts are also important. As cases in foreign countries suggest, cooperation between the private sector and the government should be considered.