



## International Covenant on Civil and Political Rights

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### Human Rights Committee

## Follow-up progress report on individual communications received and processed between June 2014 and January 2015

### Corrigendum

#### Page 15

Above the entry for communication No. 1304/2004, *Khoroshenko v. Russian Federation*,  
*insert*

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*Republic of Korea*

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<b>Case</b>	X, 1908/2009
<b>Views adopted on</b>	25 March 2014
<b>Violation</b>	Articles 6 (1) and 7 of the Covenant

**Remedy:** Effective remedy, including a full reconsideration of the author's claim. The State party should not deport the author to any third country likely to deport him to the Islamic Republic of Iran.

**Previous follow-up information:** None

*Submission from:* State party

*Date of submission:* 17 November 2014

The Views were published along with their Korean translation in the Government's official gazette on 24 July 2014.

On 22 April 2014, the Ministry of Justice revoked the deportation order against the author and on 12 May 2014 granted him a G-1-5 visa, which is the visa generally granted to asylum seekers, so that he may lawfully remain in the Republic of Korea.

The author's third asylum application, filed on 17 March 2014, will be examined by the head of the Seoul Immigration Office, who will take into account the risk of persecution faced by the author. Under article 2 of the Refugee Act, persons who do not fall within the definition of refugee may be granted a residence permit for humanitarian reasons.

The State party notes that four and a half years have elapsed between the interim measures



request and the adoption of the Committee's Views. The author's circumstances, which had changed during that period, served as determining evidence for the Committee's decision. Domestic courts did not have a chance to examine the author's situation in the light of the completion of his studies in theology, which he could pursue as a result of the interim measures. The use of such evidence by the Committee as a basis for finding a violation is questionable.

*Transmittal to the author:* 10 December 2014

**Committee's assessment:**

- (a) Effective remedy, including a full reconsideration of the author's claim: A
- (b) Publication of the Views: A
- (c) Non-repetition: No information

**Committee's decision:** Follow-up dialogue ongoing, pending receipt of the author's confirmation that he has obtained a residence permit.

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