

**REPORT ON MAIN ACTIVITIES IN 2002  
& PLAN IN 2003**

*January 2003*



**NATIONAL HUMAN RIGHTS COMMISSION  
REPUBLIC OF KOREA**

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# **I. General Information**

## **1. Backgrounds and Objectives of Establishment**

The National Human Rights Commission as a national agency, which does not belong to the legislative, administrative, and judiciary of the government, under the National Human Rights Commission Act, 2001(May 24, 2001):

- was established on November 25, 2001 and launched its limited missions with a preliminary planning team; and
- started its normal operation on April 1, 2002.

### **□ Backgrounds**

In 1993, the Vienna World Conference on Human Rights recommended the establishment of national human rights institutions. The International Amnesty also recommended the Korean government to establish a national human rights institution in 1998. During the campaign for presidential election, Mr. Kim Dae-jung made a public commitment to establish a national human rights commission, and had carried out such a promise as one of 100 tasks to be resolved by the new government. In the meantime, the non-governmental organizations formed a “Joint Committee on Establishment of National Human Rights Commission” and continued to lobby to pass the law of national human rights commission.

### **□ Objectives**

The main objectives of the Commission are:

- To protect and promote the inalienable and fundamental human rights of all individuals
- To realize the dignity and worth of the human person in order to contribute to the safeguard of the basic order of democracy

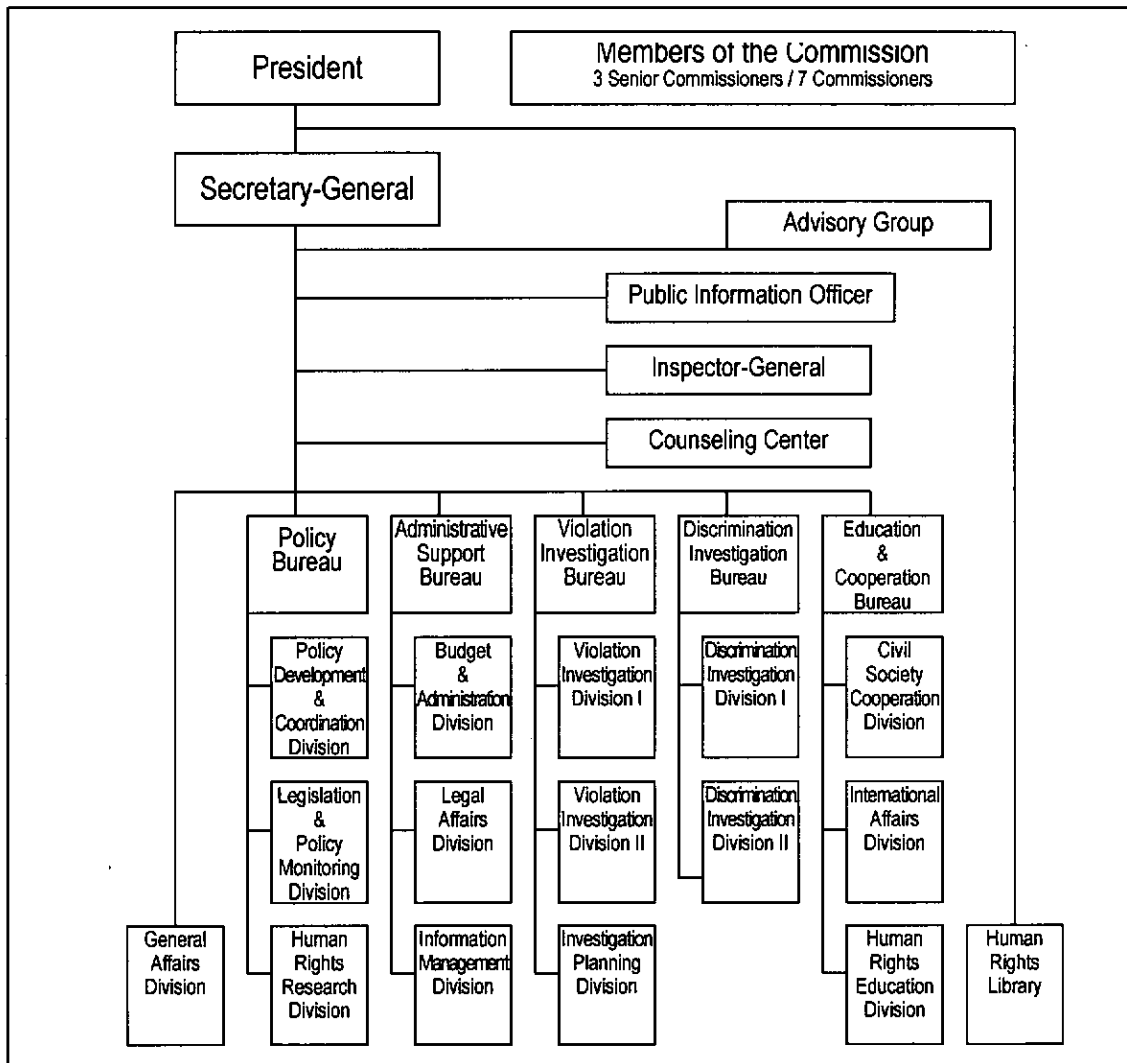
## 2. Structure and Staff

- Members: 11 Commissioners (one President, three Senior Commissioners, and seven part-time Commissioners)
- Secretariat: 5 Bureaus, 18 Divisions and 1 Library
  - Public Information Division
  - Inspection Division
  - Counseling Center
  - Library
  - Policy Bureau:
    - Policy Development & Coordination Division
    - Legislation & Policy Monitoring Division
    - Human Rights Research Division
  - Administrative Support Bureau
    - Budget & Administration Division
    - Legal Affairs Division
    - Information Management Division
  - Violation Investigation Bureau
    - Violation Investigation Division I
    - Violation Investigation Division II
    - Investigation Planning Division
  - Discrimination Investigation Bureau
    - Discrimination Investigation Division I
    - Discrimination Investigation Division II
  - Education & Cooperation Bureau
    - Civil Society Cooperation Division
    - International Affairs Division
    - Human Rights Education Division
- Numbers of Staff of Secretariat:
  - 215 staffers (180 Full-time employees and 35 other supporting

staffers including contract professionals)

- Current staff numbers: 167 as of December 31, 2002

Chart 1. Structure of Commission



### 3. Main Functions

- Investigation and research with respect to statutes (including bills submitted to the National Assembly), legal systems, policies and practices related to human rights, and recommendation for the improvement or presentation of



opinions thereon

- Investigation and provision of remedies with respect to human rights violations and discriminatory practices
- Research on human rights conditions or situations
- Education and promotion of public awareness of human rights
- Research on the implementation of international treaties on human rights and recommendation or presentation of opinions on such implementation

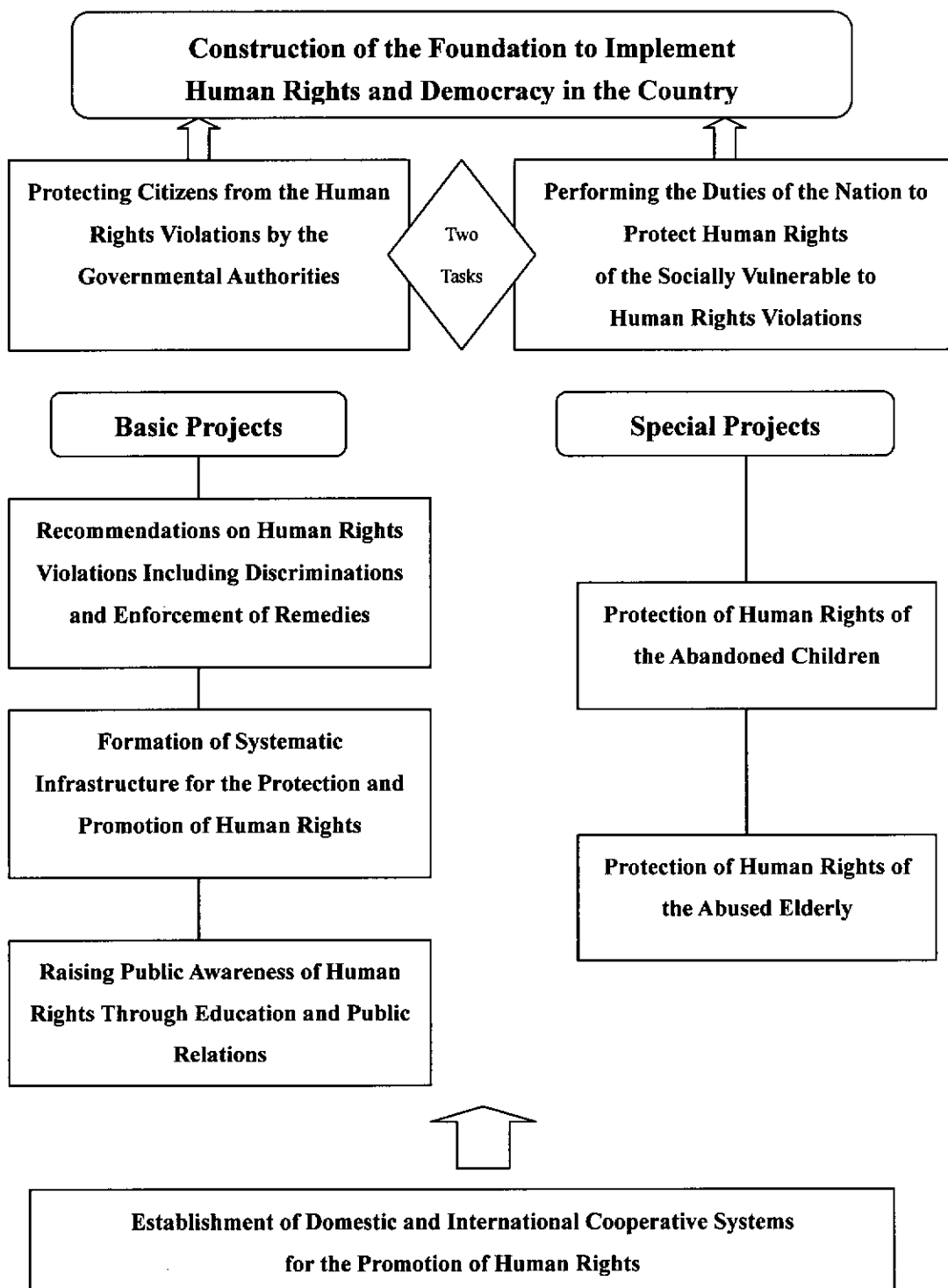
#### 4. Budget

Table 1. Budget of the Commission

<b>Budget in 2002</b>	<b>Amount (Million Won)</b>	<b>Amount (1,000US\$)</b>	<b>%</b>
<b>Revenue from the government</b>	<b>19,203</b>	<b>14,772</b>	<b>100%</b>
Payroll expenses(wage)	5,309	4,084	27.6%
Project Expenses	13,894	10,688	72.4%
- Basic project expenses	9,372	7,208	48.9%
- Major project expenses	4,522	3,478	23.5%
<b>Budget in 2003</b>	<b>Amount (Million Won)</b>	<b>Amount (1,000US\$)</b>	<b>%</b>
<b>Revenue from the government</b>	<b>18,919</b>	<b>14,553</b>	<b>100%</b>
Payroll expenses(wage)	7,199	5,538	38.0%
Project Expenses	11,720	9,015	62.0%
- Basic project expenses	6,355	4,888	33.6%
- Major project expenses	5,365	4,126	28.4%

## II. Main Activities in 2002

### 1. Basic Framework of Human Rights Policies in 2002



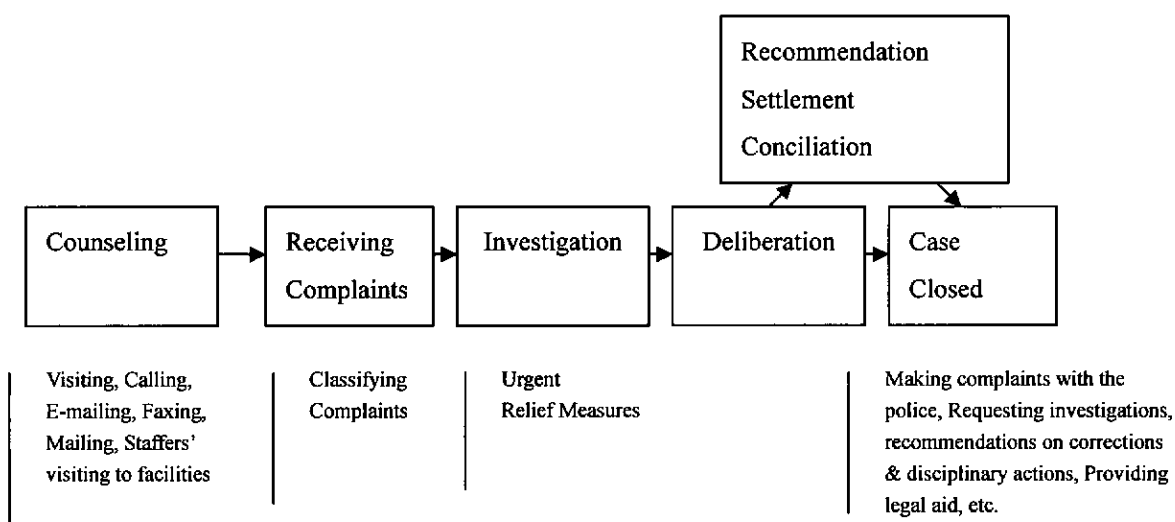
## 2. Main Activities and Achievements in 2002

### 1) Recommendation on Human Rights Violations Including Discriminations and Enforcement of Remedies

#### A. To intensify the capacity to perform the duties to expedite investigations and to provide remedies

- Constructing the complaint handling system
  - The Commission constructed the complaint handling system more conveniently by drafting guidelines of counseling and complaint handling.
  - It shortened the length of complaint handling period after standardizing the procedure of complaint handling.
  - It released accurately and speedily the information on the process of the complaint handling, including investigation and consideration on the filed complaints.
    - It completed the Information Strategy Plan (ISP) to establish the on-line system to handle the complaints in September, 2002 and plans to start the on-line filing and handling complaints in May, 2003.

Chart 2. Complaint Handling Process



**Table 2. Overview of Complaints Received, Counseling, & Others**

Nov. 26, 2001 through December 31, 2002 (cases of complaints)

Total	Complaints				Counseling			Guiding Complainants/ Transferring Cases			
	Sub Total	Visit	Call	Other	Sub Total	Visit	Call	Sub Total	Visit	Call	Other
16,259	3,593	1,241	401	1,951	3,249	1,074	2,175	9,417	815	8,070	532

- Establishing the system of taking and investigating on complaints at the detention or correctional facilities
  - When detainees or inmates request to make complaints through face-to-face interviews at the detention or correctional facilities, where human rights are seriously violated, the Commission may visit such facilities, take complaints, and perform preliminary investigations in order to guarantee the right to make complaints.

**Table 3. Overview of Complaints Through Face-to Face Interviews at the Facilities**

Nov. 26, 2001 through December 31, 2002 (cases of complaints)

Requests for Visitation	Withdrawal of Requests	Visitation Made		Visitation Not-Made
		Taking Complaints	Consultation Made	
1,243 (100%)	241 (19.4%)	556 (44.7%)	307 (24.7%)	139 (11.2%)

- Conducting education and training to enhance the expertise and the sensitivity or awareness of human rights of the staffers, especially investigators of the Commission.
  - The Commission educated the staffers to perceive and recognize the duties, goals, and roles of the Commission to uphold human rights.
  - Last year, it trained the staffers to improve their professionalism and experiences in order to perform their duties effectively, by providing some training programs, such as:
    - practical research presentations on the Constitution (Article 10 through 22) and the Criminal Code (Article 123 through 125);

- 14 sessions training programs through the Curricula of “Practices on Investigation and Remedies on Human Rights Violations” and of “Research on Discriminations”;
- 13 case studies on discrimination complaints filed with the Commission; and
- 14 lectures to study on discriminatory practices.

**B. To monitor closely and rectify human rights violations by national and local governmental authorities and related agencies.**

- The affected persons, whose human rights guaranteed under the provisions of Article 10 through 22 of the Constitution are violated while the governmental authorities, detention or correctional facilities, or other agencies perform their functions, may make complaints to the Commission.

**Table 4. Overview of Complaints Received**

Nov. 26, 2001 through December 31, 2002 (cases of complaints)

Total	Human Rights Violations	Discriminations	Others
3,593 (100%)	2,833 (78.8%)	189 (5.3%)	571 (15.9%)

- Of the complaints alleging human rights violations, the respondents of 1,113.(39.3%) complaints are the correctional facilities, of 839 (29.6%) are the police, of 300 (10.6%) are the prosecutor’s offices, and of 581 (20.5%) are others.
- Major Grounds of Complaints (classified by the types of respondents)
  - Correctional facilities: abuse of punishment, cruel treatment, improper medical treatment, restriction on sending letters or writing, using abusive language by prison guards, etc.
  - Police: random search, illegal detention, using threatening statements and actions, using abusive words during the interrogation of the suspect, violation of the Miranda rights in arresting a suspect, etc.
  - Prosecutors’ offices: Enforcing unlawful indictment, violent and cruel treatment, practices of authoritative and compulsory investigations, etc.

- Performed the *ex-officio* investigations on cases, including a case of Manduk mental hospital in Busan, a case of a suspect's death in a Seoul district prosecutors' office, etc.
  - Visited 5 prisons and some military prisons to inspect the medical conditions of the clinics in such facilities and the management of some alternative correctional or detention facilities.
- **Major Complaints Closed with Recommendations and Measures for Remedies by the Commission:**
- **Complaints related to prosecutors' offices or police:**
    - Jul. 25, 2002. Recommended to stop the frequent aptitude test on the persons with the history of psychiatric treatments for mental illness and to impose a disciplinary action on the relevant public officials
    - Oct. 14, 2002. Recommended to train the police officers who conducted naked searches on the suspects at Gooro police station.
    - Oct. 28, 2002. Requested to a prosecutors' office to investigate the cruel treatment under interrogation at Siheung police station.
  - **Complaints related to Correctional Facilities or Detention Centers:**
    - Dec. 28, 2001. Requested to a prosecutors' office to investigate the case of an inmate's death in Ulsan detention center
    - Jun. 27, 2002. Recommended to stop the execution of sentence of the inmate with anorexia nervosa in Cheongsong prison.
    - Aug. 26, 2002. Recommended to take a disciplinary action against the warden who obstructed the face-to-face interview to file a complaint from the inmate with AIDS in Jinju prison.
    - Oct. 10, 2002. Recommended to settle the complaint by allowing inmates to use the replay-only cassettes to study Buddhism in Busan prison.
    - Oct. 28, 2002. Reported to the Prosecutor General an accident resulted in the death of an inmate because of improper medical treatment in Soowon detention center and requested a legal aid for a complainant.

- Dec. 9, 2002. Recommended to rectify the rule which restricted excessively the rights of detainees during the period of punishment in Gwangju prison.

○ **Complaints related to National and Local Agencies:**

- Aug. 9, 2002. Took urgent relief measures to stop the forcible deportations of Korean-Chinese migrant workers.
- Oct. 18, 2002. Recommended to take a proper measure to prevent from restraining the passage right in certain districts near the Blue House (Korean Presidential Residence).
- Nov. 18, 2002. Recommended to pay compensation for the deceased person with disability in Balsan subway station and to deliberate countermeasure to prevent such an accident in the future.
- Nov. 27, 2002. Recommended to settle a case of unfair personnel administration in the Office of Bupyeong-Gu, Incheon-city.

○ **Complaints which rendered Urgent Relief Measures:**

- Apr. 23, 2002. Recommended to stop the execution of sentence on the inmate with AIDS and to take an urgent measure to transfer the patient-inmate to the hospital outside the Jinju prison.
- Sept. 12, 2002. Took urgent relief measures to stop the forcible deportations of Russian migrant workers.
- Dec. 9, 2002. Recommended a temporary release of a Korean-Chinese who was under the probation of the Incheon Immigration Office.

○ **Complaints which rendered the Imposition of Fines:**

- Aug. 16, 2002. Imposed a fine on a U.S. infantry division stationed in Korea because the respondent failed to comply with the Commission's request to submit relevant documents to investigate a complaint, alleging human rights violations on reporters, who were arrested by the U.S. military servicemen while covering the deaths of two young girls caused by the U.S. military armored vehicle.
- Oct. 31, 2002. Imposed a fine on the 2<sup>nd</sup> Cheongsong prison for its non-

submission of relevant documents to investigate a complaint.

**C. To investigate discriminatory practices violating the right of equality and provide remedies**

- The term “discriminatory act of violating the right of equality” means unreasonable discrimination on one of the 18 grounds by favorably or unfavorably treating, excluding, or differentiating any particular person in employment, in the supply or use of goods and services, etc.
  
- Grounds of discrimination: gender, religion, disability, age, social status, regional, national or ethnic origin, physical condition-features, marital status, race, skin color, thought or political opinion, criminal record, sexual orientation, or history of diseases.

**Table 5. Overview of Complaints Received on Discriminations**

Nov. 26, 2001 through December 31, 2002 (cases of complaints)

Total	Social Status	Disability	Country of Origin	History of Disease	Gender	Origin of Region	Religion	Criminal Record	Age	Thought/Political Opinion	Sexual Orientation	Others
189	40	32	19	10	9	5	6	7	5	4	4	48
%	21.2	16.9	10.1	5.3	4.8	2.6	3.2	3.7	2.6	2.1	2.1	25.4

- The Commission recommended to rectify discriminatory practices based on 7 complaints filed, including the age discrimination to a university applicant.
- To find out any practices of age discrimination in recruiting professors, the Commission made the *ex-officio* investigation on 46 universities and colleges, and after the review, it recommended to rectify discriminatory practices of the 14 national or public universities to the Ministry of Education and Human Resources.
- In some discrimination cases, including a discrimination against the person with disability applying for a professorship, the parties (complainants and respondents) agreed on settlements when the



Commission's investigations were commenced.

- The Commission visited to inspect the protection facilities for foreigners in Hwaseong and Incheon(Immigration Bureau).

□ **Major Complaints Closed with Recommendations and Resolutions**

○ **The Commission recommended on the following cases:**

- Apr. 11, 2002. Discrimination on a person with disability in recruiting a chief director of a health clinic in Jechon-city.
  - On Jun. 24, 2002, the health clinic decided to give priority to the person with disabilities in recruitment.
- May 23, 2002. Discrimination on age in the admission of a college student at the Catholic University in Daegu-city.
  - On Sept. 17, 2002, the university admitted the student who was excluded because of his age.
- Jul. 11, 2002. Discrimination on the person who completed two-year courses through the Internet in obtaining a license as a social welfare worker
  - The Ministry of Health and Welfare amended the enforcement decree of the *Social Welfare Services Act*, and decided to grant a license as a social welfare worker.
- Jul. 25, 2002. Discrimination related to the term "skin color," by referring a beige complexion as a 'skin color' in one of the names of Korean crayon colors.
  - The Korean Agency for Technology and Standards decided not to use the word, 'skin color' and substituted it as 'light orange'.
- Discrimination on a religious gathering of the Jehovah's Witness in the correctional facilities.
  - The Commission submitted to the Ministry of Justice a recommendation for the correction.
- The Industrial Trainee System for Foreign Workers

- The Commission recommended to the Prime Minister to review the system on August 13. On February 10, 2003, the Commission advised again its government to review the government policy on migrant workers.

○ **The following two cases are resolved by the parties' settlement after the Commission's recommendation and deliberation:**

- Apr. 30, 2002. Discrimination on the person with disability in appointing a faculty member at Inje University.
  - Later, the university finally appointed the person as a professor.
- Aug. 9, 2002. Refusal to admit a beneficiary-patient subject to medical care at Goro Hospital.
  - The hospital apologized to the patient for such mistreatment and promised not to refuse such patients in the future.

## **2) Formation of Systematic Infrastructure for the Protection and Promotion of Human Rights**

### **A. To strengthen the functions of consultation, improvement, and recommendation on the laws related to human rights**

- Recommendations on improvement of the laws, systems, etc. which are related to human rights and presentations of opinions on them
  - The Commission may make recommendations to amend or improve the laws (including ordinances and bills in the process of legislation), legal systems, policies, or practices which may infringe on human rights.
  - When the heads of agencies receiving recommendations from the Commission fail to comply with such recommendations, the heads shall submit written explanations on such non-compliance to the Commission.
- Necessity to effectively make consultations for the enactment and amendment of laws related to human rights

- When administrative agencies of central and local governments (municipalities) plan to enact or amend laws and regulations related to human rights, they shall notify of such enactment or amendment to the Commission beforehand. However, because of the lack of the prior knowledge on whether the laws or regulations may infringe on human rights, it is hard to expect that the Commission may effectively discuss on the laws with such agencies in advance.
- Therefore, it is necessary for the Commission to make a guideline, 'Standards to Consultation on the Laws and Regulations on Human Rights,' so as to clarify targeting agencies for prior consultation to enact or amend laws and regulations.

□ Major Accomplishments in 2002 to implement the above functions

○ Policy recommendations:

- Recommended to accede to the Rome Statute establishing the International Criminal Court (Jun. 4)
- Recommended on the issues on human rights of the government policies related to the 2002 World Cup Football Games. (May. 28)
- Provided a policy recommendation regarding the aptitude test before issuing a driver's license, randomly targeting at the person with the history of mental illness. (Jul. 30)
- Recommended on how to improve the system to deal with foreign workers, such as the Industrial Trainee System. (Aug. 13)
- Recommended on a draft rules and regulations related to the code of conduct at school or to the management of students. (Sept. 9)
- Recommended on the human rights-related contents in the textbooks of the elementary, middle and high schools under the current curricular used. (Oct. 28)

○ Submission of opinions or proposals to enact, amend, or abolish laws and regulations on human rights:

- A proposed bill to amend the Act of Korean Emigrants in Foreign

Countries (Dec. 21, 2001)

- A proposed bill to enact the Terrorism Prevention Act (Feb. 20)
- A proposed bill to amend the Enforcement Decree to the Act of Protection of North Korean Defectors and Policy Support (May 8)
- A proposed bill to enact the Regulation on the Operation of the National Leprosy Hospital in Sorok Island (May 10)
- A proposed bill to amend the Enforcement Regulation on the Protection of Communications Secrets Act (May 30)
- A proposed bill to enact the Ordinance on the Facilities for Persons with Disabilities in Gangneung-city (Jul. 26)
- A proposed bill to amend the Telecommunications Business Act (Aug. 14)
- A proposed bill to amend the Regulation on the Establishment and Operation of Facilities for Vagrant Persons (Aug. 13)
- A proposed bill to amend the Act for the Protection of Children's Sex (Sept. 24)
- A proposed bill to amend the Insurance Business Act (Sept. 25)
- Opinion to amend the Special Act to Find the Truth on Suspicious Death (Oct. 28)
- Opinion to enact an act on Life Ethics and Safety (Nov. 4)
- Opinion to amend the provisions of any sexual discrimination to determine the grade of disability benefits in the Enforcement Decree of the Industrial Accident Compensation Insurance Act (Nov. 25)

**B. To perform research projects on human rights situations**

- To obtain basic documentations and resources to develop policies on human rights, targeting at investigating and providing remedies for the cases of human rights violations including discriminations, the Commission makes research on human rights conditions in various fields regarding human rights issues.
- Fields or topics conducting researches or surveys on human rights situations
  - Correctional facilities, detention centers, etc.: unlawful punishment, neglecting to provide proper medical services or restricting the right to have medical care, cruel treatment, conditions of confinement, and other

maltreatment, etc.

- Protective facilities, such as welfare facilities for children and persons with disabilities, psychiatric clinics, etc.: forced labor, physical, psychological, and sexual mistreatment, negligence of the duty to protect persons in the facilities because of the lack of necessary care equipments, etc.
- Discriminations on the social minority, such as the socially-marginalized and the socially-vulnerable: 24 research projects, including the conditions of labor and welfare system for the foreign migrant workers, the cases of discriminations in recruitment of persons with disabilities, the cases of how (or how frequently) persons with disabilities use the public transportation, etc.

□ Major Accomplishments in 2002 to implement the research projects

- Seven research projects have been sub-contracted and in progress since July, 2002, including a project, “The Survey on the Human Rights Conditions in the Military and the Basic Research on Methods to Improve such Conditions.”
- Twenty research projects have been sub-contracted and in progress since October, 2002, including a project, “The Research on the Human Rights Violations against the Suspect during the Criminal Interrogations.”

**C. To develop the standards to analyze cases of human rights violations and discriminatory practices and the guidelines for remedies**

- Establishing the standards to analyze human rights violations and discriminatory cases in order to expedite the complaint handling process, to create ‘human rights-friendly’ environment, and to guarantee legal stability
- Substantiating the major grounds of human right violations and drafting the guidelines to provide remedies
- At first, the guidelines are classified by cases of human right violations in the prosecutors’ offices, police stations, detention or protective facilities, and military, etc.

- Second, they are also classified by the grounds or types of human right violations, such as cruel and inhumane treatment, improper treatment, unlawful arrest and confinement, deprivation of the right to make complaints, etc.
- Substantiating the major grounds of discriminatory cases and drafting the guidelines to provide remedies
  - The guidelines contain discriminations in recruitment of persons with disabilities and of foreign migrant workers, and discriminations in recruitment/employment based on age.
- Major Accomplishments in 2002 to develop guidelines
  - The Commission held 15 workshops with human rights experts to develop the standards for the cases of human rights violations and discriminatory practices.
    - Currently, the standards to analyze human rights violations and discriminatory cases and the guidelines for remedies are being drafted.

**D. To monitor whether the Korean government implements principles of the major international treaties and recommendations to rectify human rights violations**

- To promote human rights by complying with international standards, the Commission monitors national laws and legal instruments in light of the concluding observations of the United Nations on the government reports submitted to major U.N. committees on human rights.

Major International Treaties on Human Rights

- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights (ICCPR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
  - Convention on the Rights of the Child (CRC)
  - Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- ❑ The Commission urges the government to establish the plans to domestically implement major international human rights treaties.
  - ❑ The Commission submits its opinions regarding the government reports presented to the U.N. committees on human rights.
  - ❑ Major Accomplishments
    - Submitted an opinion on the Act of Korean Emigrants in Foreign Countries. (Dec. 21, 2001)
    - Submitted an opinion on the Convention on the Elimination of All Forms of Discrimination against Women. (Jan. 31)
    - Submitted an opinion on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (Feb. 26)
    - Recommended to accede to the Rome Statute of the International Criminal Court. (Jun. 4)
    - Submitted an opinion on the draft Comprehensive and Integral Convention to Promote and Protect the Rights and Dignity of Persons with Disabilities to a UN ad hoc committee. (Jul. 18)
    - Submitted an opinion on the draft general comment of the Committee on the Rights of the Child. (Aug. 28)
    - Submitted an opinion on the paper, "Consideration of the Issue of Trafficking," published by the Advisory Council of Jurists(ACJ) of the Asia-Pacific Forum of National Human Rights Institutions(APF). (Oct. 15)

**E. To prepare for formulating a National Action Plan(NAP) to implement national policies and to publish reports**

- The Commission is preparing a NAP, including its medium-and-long-term visions and tasks, in order to find out more systematic methods to promote human rights.
- In order to strengthen the weak foundation of researches on human rights and to heighten the awareness of human rights in the society, the Commission invited researchers to apply for a prize contest which made them compete with their research works on human rights.
- The Commission will publish its annual report in March, 2003 and the first white paper on human rights, biennial or triennial, will be printed out in December, 2003.

**3) Raising Public Awareness of Human Rights Through Education and Public Relations**

**A. To further human rights education and training for teachers at elementary and middle/high schools and for public officials working for investigation agencies, such as police stations and prosecutors' offices, and military servicemen, etc.**

- The Commission takes into consideration that school education has the significant impact on students who form their human rights awareness in their childhood and that most complaints alleging human rights violations are from governmental authorities, including interrogation authorities and correctional facilities.
- The Commission initiated a variety of courses to educate and train:
  - public officials or employees in investigation agencies, military servicemen, other public officials, and teachers, etc.;



- in order to facilitate their understanding of the laws related to human rights issues and to foster the atmosphere to respect human rights.
- The Commission designed each manual for each targeting group, by differentiating education and training programs to fit each group's need, and formed a 'lecturers' bank' to give lectures on human rights issues:
  - using actively storybooks, visual materials for training, education, lectures, etc.; and
  - constructing and managing a data base of instructors, including experts on human rights.
- Major Accomplishments
  - The Commission enforced a total of 27-session education and training programs for 3,435 people working for the police, the prosecutor's offices, correctional facilities, and other agencies, including the Legal Research & Training Institute, the Police Investigation Security Training Institute, etc.
  - The Commission developed manuals or textbooks differentiated by the different groups of educatees.
    - It published storybooks on human rights: using human rights issues, such as the abandoned children and the abused elderly, as subject matters of the stories.
    - To educate human rights for governmental officers, the Commission made model manuals for lectures and work guidelines for three groups, such as those working at prosecutors' office, police stations, and correctional facilities.
    - Especially for those working at correctional facilities, visual materials for human rights education are produced.
  - The Commission formed a 'lecturers' bank' for the education and training courses of human rights issues, with 104 lecturers, who are lawyers, activists, experts, or professors working for and studying human rights issues, after a series of conferences with them.

## **B. To open human rights curricula in various educational training institutions**

- In order to enhance the students' consciousness, sensitivity, and respect on human rights, the Commission analyzed school textbooks of each grade at elementary, middle and high schools, to find out whether such textbooks contain any contents of human rights violations and discriminations, and recommended to complement and modify such contents.
  
- The Commission researched on academic programs and training courses at universities, social educational institutions, and investigation authorities to find out whether any courses of human rights are offered to trainees or students, and, if not offered, consulted with such organizations to open courses on human rights as new education programs.
  
- Major Accomplishments
  - Twenty-eight human rights experts monitored school textbooks of elementary, middle and high schools.
    - After analyzing the current curricular for schools (i.e., Korea's 7<sup>th</sup> Educational Curricular), the Commission recommended to correct 13 negative aspects or contents related to human rights in the textbooks.
  
  - Consultation to open academic programs or curricula on human rights:
    - Fifty-eight courses for those working for the police, the prosecutors' offices and correctional facilities : Three courses for those at prosecutors' offices, forty-eight courses for those at police stations, and seven courses for those at the correctional facilities.
    - In the process of making consultations to open new academic programs at the law schools of twenty-three national or public universities.
      - \* Seven universities opened new courses related to human rights laws; and two universities decided to offer the human rights classes in one of semesters of 2003.

**C. To perform projects to raise public awareness to spread human rights culture**

- Producing and distributing information materials to enhance public awareness of human rights:
  - Producing movies and comics on human rights
  - Producing advertisements on television, radio, and subways
- Publishing newsletters on activities of the National Human Rights Commission
- Major Accomplishments
  - Producing movies on human rights: Six directors participated in the omnibus movie project, by producing 6 short films, which are addressing different discrimination issues and being presented with English subtitles in April, 2003 at the Jeonju Film Festival.
  - Producing comics on human rights: A comic book on discrimination will be printed out early 2003.
  - Made advertisements to publicize human right issues on television, radio, and subways.
  - Distributed 16,730 posters and 456,830 leaflets on complaint information in the correctional and detention facilities and universities nationwide in cities and provinces.
  - Planning to publish newsletters in Korean and English in May, 2003.
  - Designed the Commission's CI(Corporate Image Identity), and distributed leaflets and brochures in Korean and English to introduce the Commission
  - Exhibited some domestic photographers' pictures featuring human rights issues and pictures of the Commission's activities since its establishment.
  - Done a total of 104 press releases on the Commission's activities.

#### **4) Establishment of Domestic and International Cooperative Systems for Promotion of Human Rights**

##### **A. To intensify cooperation with citizens and human rights organizations in Korea**

- Collecting actively the opinions of civic groups to improve laws and systems related to human rights

- The Commission is planning to organize advisory committees on various human rights issues.

- It activated discussion meetings and conferences with NGOs and other experts on human rights.

- Cooperating with NGOs and civic groups dealing with human rights problems

- The Commission's Civil Society Division is in charge of the projects to cooperate with domestic NGOs and civic groups.

- The Commission prepared 15 interactive conferences with 192 human rights activists from 139 NGOs to discuss about the issues, including foreign migrant workers, Korean-Chinese residents in Korea, and persons with disabilities, etc.

- The Commission sub-contracted with seven NGOs, including the Research Institute for the Differently Abled Rights in Korea, to perform surveys on human rights conditions.

- NGOs and other academic or human rights groups have benefited by using the facilities of the Commission, such as lecture and conference halls, to discuss various policies on human rights issues.

##### **B. To strengthen exchanges and cooperation with human rights organizations in foreign countries**

- Promoting to obtain the membership of international human rights institutions

- The Commission became one of 12 members of the Asia-Pacific Forum of the National Human Rights Institutions (APF) on November 11, 2002.

- Attending international meetings on human rights issues
  - The Commission attended the APF's 10<sup>th</sup> Workshop on Regional Cooperation for the Promotion and Protection of Human Rights on the Asia-Pacific Region in Beirut on March 4-6, and its Regional Workshop on National Human Rights Institutions, Human Rights Education, Media and Racism in July, 2002.
  - It attended the 6<sup>th</sup> International Conference for National Human Rights Institutions, Copenhagen and Lund, Denmark in April, 2002, discussing issues related to racial discrimination.
  - It attended the 4<sup>th</sup> annual meeting of the Canadian International Corrections and Prisons Association held in Noordwijkerhout, Netherlands on October 19-25, 2002, having workshops on restorative justice.
  - One of commissioners was invited by the Japanese International Human Rights Forum 21 in October, 2002, to lecture about the Commission's establishment, law, functions and activities.
  - The Commission attended the APF's 7<sup>th</sup> annual meeting held in New Delhi, India on November 11-13, by joining a member of the APF and reporting its activities.
  - It participated in the meeting of the Asian Civil Society Forum in Bangkok, Thailand, in December, 2002, to monitor human rights NGOs' activities.
  
- Visiting international human rights institutions and making arrangements with them to exchange information, to collect research materials, and to arrange human rights training opportunities for staffers in other human rights institutions
  - During the preparation period to establish the Commission, a delegation of its preparation team visited the Commission for Racial Equality in England in September, 2001. In October, it visited the Human Rights Commission of Sri Lanka, National Human Rights Commission of India, and National Commission for Women while participating the 6<sup>th</sup> annual meeting of the APF.
  - It visited the Australian Human Rights and Equal Opportunity Commission, the Secretariat of the APF, the Anti-Discrimination Board of New South Wales, and the Human Rights Commission of New Zealand in June, 2002.

- In September, it visited several Canadian human rights organizations, including the Canadian Human Rights Foundation, Commission for Public Complaints against RCMP, Canadian Human Rights Commission, Canadian Human Rights Tribunal, Privacy Commissioner of Canada, and Correctional Service of Canada.
  - Two staff members of the Public Information Division of the Commission made a trip to Europe, visiting the Amnesty International in UK, the Catholic institute for International Relations, Commission National Consultative des Droits de l'Homme, and other organizations, to exchange information how to raise public awareness of human rights.
- Welcoming visitors from other human rights organizations, including foreign human rights commissions, national assembly members, professors in law, human rights activists, government officials, etc. from Mongolia, Japan, China, and other countries.
- In May, 2002, seven Chinese judges and scholars visited the Commission to discuss about organizing an exchange program to learn from Korean experiences in the reforms of judicial system and criminal procedure.
  - A five-member delegation of NGOs, to encourage and promote the accession of the International Criminal Court, visited us in May and discuss about the Rome Statute and the necessity to ratify the Statute.
  - More than a score of Japanese lawyers, prosecutors from the Ministry of Justice, and national assembly members had visited the Commission to learn about the process, discussions, and laws to establish the Commission, for reference to prepare the establishment of their national human rights institution in Japan.
  - In October, the delegation of the National Human Rights Commission of Mongolia, accompanied by Chief Commissioner, visited us and had several meetings to learn about the Korean Commission's activities and discussed the issues of Mongolian migrant workers working in Korea.
  - In addition, some government officials from New Zealand, Australia, Sweden, and other countries visited the Commission.
- Participating in international solidarity, by sending protesting letters to governments and other relevant parties who committed, aided, or neglected to

prevent various human rights violations, especially in Asian regions.

- Attending the human rights training and education programs
  - Two staffers participated in the ‘Regional Training Programme on Human Rights for Staff from National Human Rights Institutions in the Asia-Pacific’ from October 21 to November 1, sponsored by the United Nations Office of the High Commissioner for Human Rights(OHCHR) and the Swedish Raoul Wallenberg Institute for Human Rights and Humanitarian Law.
  - Three staffers received training on investigations by joining the Regional Investigations Training Project funded by the OHCHR, in Australia in November.

### 3. The Special Projects in 2002

<p style="text-align: center;"><b>Protection of Human Rights of the Abandoned Children and the Abused Elderly</b></p>
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#### A. Backgrounds and Necessity of Projects

- In September, 2000, a newspaper on health and welfare reported that there were over hundred thousands of vagrant children. According to the 2000 annual statistics report of Health and Welfare, there were 9,579 children who took care of their own families as heads of the households, and 17,720 children who resided in welfare facilities. Although a lot of children are neglected, the society still lacks social systems to protect basic rights or human rights of children.
  
- According to a research by the Korea Institute for Health and Social Affairs, 1999, the 8.2% of the total numbers of the elderly were abused because of their loss of economic independence after their early retirements. In addition, the 2000 annual statistics report of Health and Welfare revealed that 13,979 old people resided in facilities for the abused elderly. The number of the abused elderly is still increasing.
  
- For those who are weak to defend themselves physically and economically against such maltreatments, the government and society need to intervene more actively to protect them.

#### B. Projects

- Researches
  - A research on human rights violations against the abused elderly and abandoned children with analyses on the causes of such social trends
  - A study on the conditions of legal and systematic instruments to protect the abused elderly



□ Recommendations and Campaigns for Citizens

- Recommendations to rectify laws, policies, systems, and practices related to the issues of the abused elderly and the abandoned children: The Commission plans to make guidelines to prevent and to detect any possible abuses or mistreatment.
- The Commission launches campaigns for citizens to raise social awareness of the issues of the abandoned children and the abused elderly.

□ Main Activities

- Six research projects are subcontracted:
  - A research on the cases to abuse the elderly in the communities
  - A study to develop index for analyzing the level of human rights sensitivity
  - A research on cases of human rights violations in the free or paid nursing homes for the elderly
  - A research on human rights conditions for the elderly in the facilities for those of vagrancy
  - A study on alternatives to protect human rights for children and youth in the procedural laws regarding children and youth
  - A study to review laws on children and youth, especially the right to labor or child labor
- The Commission is planning to publish storybooks on human rights, with issues of the abandoned children and the abused elderly as subject matters of such stories.
- In May, 2002, the Commission holds a conference on human right issues regarding children, youth, and the elderly.
- It is planning to produce posters and leaflets related to children and the elderly in 2003.

C. Expectations on the Projects

- By performing such projects, it is expected that the level of public awareness of human rights issues related to the children and the elderly in the society will be enhanced.

#### **4. Evaluation on Activities of the Commission in 2002**

##### **A. Failed to reach its own initial expectations**

- Due to lack of manpower, the Commission had some difficulties to perform its own duties mandated by its Act.
  - It took more time than expected to recruit full-time staff members and contracting experts in human rights fields due to lack of cooperation with the relevant governmental body, which approved the organization and staff members of the Commission's secretariat under the Government Organization Act.
  - Despite lack of staff members (working with 135 staff members out of the 180 assigned positions as of May, 2002), almost all staff members of the Commission had to invest their time to deal with the overloaded requests by inmates in correctional facilities, who wanted to file complaints through face-to-face interviews.
  
- Many of filed complaints are rejected or dismissed after some initial investigations because of the limitations of legality in some complaint cases.

##### **B. In the absence of more scrupulous strategies to carry out human rights policies**

- Negative results
  - In providing policy recommendations and opinions of the Commission,
    - it failed to establish a standard to select some important issues, such as the National Security Act and some deep-rooted, unsolved, sensitive cases of human rights violations nationwide, rather than focusing on other trivial issues; and
    - it failed to respond more actively to the pending human rights issues and to make efforts to find the current, timely issues to be resolved, for example, like the Commission's demand to amend the Status of Forces Agreement(SOFA) as a result of the deaths of two young schoolgirls.

- In selecting the tasks for research surveys on human rights situations,
  - the Commission lacked its strategic planning to conduct more systematic research projects.
- The Commission had difficulties in drafting general guidelines on human rights violations and discriminations and in analyzing complaint cases because of lack of resources and basic materials of filed complaints.
- In case of a public contest of human rights papers, it is regrettable that only a few qualified papers were applied for the contest because of the short advance notice of such a contest.
- Positive results
  - Despite the above negative results of the Commission's activities, it made some achievements by opposing the enactment of the Terrorism Prevention Act, recommending on the Korean Industrial Trainee System, and carrying out a temporary activity to monitor any possible human rights violations by governmental authorities during the 2002 World Cup Football Games.

C. Delayed in the complaint handling process and failed to establish a systematic investigation procedure

- Negative results
  - Because of overloaded complaints filed in comparison to lack of manpower to deal with investigation on the filed complaints, the complaints handling had been delayed and the complainants had been gradually dissatisfied with the Commission's services.
- Positive results
  - However, despite lack of experiences and precedents of the Commission to deal with complaints and limitations of the investigation authority given to the Commission, through its recommendations to rectify human rights

violations including discriminations, the Commission made sincere efforts:

- to promote environments to prevent human rights violations by the governmental authorities' own voluntary education and training programs for those working for interrogation authorities;
- to publicize the necessity to create the national consensus in order to reform the traditional investigatory practices and to protect any criminal suspects' human rights; and
- to correct any traditional discriminatory practices.

D. Lacked systematic programs for human rights education and public information to enhance awareness of human rights for the public

Negative results

- The human rights education and training for law enforcement officials were not successfully carried out.
- The model lecture manual for military servicemen had not been published in time.
- When the Commission published books for children, it failed to reflect opinions from a variety of groups in the society.
- In analyzing the school textbooks to find out any factors to violate human rights, the Commission failed to reach a unanimous analysis because of differences in knowledge and consciousness of human rights among the analysts.
- In case of press releases, because of delays in decision-making in the Sub-Committees and the Plenary Committee of the Commission and lack of information, some press releases failed to be written with thorough advance planning.

Positive results

- However, the Commission established the foundation of human rights education in the areas of prosecutors' offices, police, correctional facilities, and military.
- It also recommended the Ministry of Education and Human Resources

Development to eliminate any negative contents, which portrayed human rights violations, from school textbooks.

- It developed an index to measure human rights sensitivity and performed a research sub-contract on human rights awareness of teachers.
- By producing movies, comics, TV advertisement, the Commission contributed to enhancing the national attention in human rights in different social, cultural areas.

E. Lacked to form more active relationship to cooperate with major civil human rights groups or international human rights institutions

Negative results

- Because of debates on transparency with respect to how to manage the committees(i.e., meetings) of the Commission and whether to disclose information, including the contents of committees' decisions, some human rights NGOs refused to cooperate with the Commission.
- With respect to conference with NGOs hosted by Civil Society Cooperation Division of the Commission, participation of relevant division was not active and internal feedbacks about the suggestion from the conference was poor.
- The Commission failed to attend the U.N. committee meetings related to human rights because of the delay of organization of its secretariat.

Positive results

- The Commission made continuous efforts to keep good relations with NGOs by working together in survey researches, inspections on correctional or detention facilities, conferences and discussion meetings, and by providing advice on the current human rights issues.
- In terms of international relations with other national human rights institutions, the Commission became a member of the APF and established a foundation to actively cooperate with them in the future.
- By presenting its opinion on State Government report related to the International Human Rights Covenants, the Commission has faithfully implemented its monitoring role whether the government follows the U.N.

treaty bodies concluding observations.

F. Failed to raise some visible effect of special projects

Negative results

- The Commission failed to fully discuss or review the subjects of special projects beforehand, without considering the maturity levels of the issues and of the relevant NGOs, when it chose ‘the protection of human rights of the abandoned children and the abused elderly’ as the 2002 special projects.
- Because of lack of contract experts on human rights issues within the Commission, it failed to create a consensus for the necessity to consider other human rights issues as the special projects.

Positive results

- Although human rights issues of the abandoned children and the abused elderly are very important, such issues have been neglected in our society, even among civil groups. However, because of the Commission’s initiation to undertake such projects, the society started to pay more attention to such issues.

### **III. Plan of Main Activities for 2003**

#### **1. Construction of Infrastructure to Develop Human Rights Policies**

##### **A. To establish a National Action Plan**

- Drawing up a National Action Plan(NAP) in order to improve laws, regulations, systems, and policies related to human rights issues.
  - Especially, active participation and support from the government, which possesses various means of policies, are essential in order to promote human rights effectively.
- Systemizing the cooperative system among governmental entities
  - The Commission is drafting some basic legal provisions, such as an amendment to its enforcement decree, which provide authority to hold a meeting sponsored by the Commission, to mediate problems among governmental authorities.
  - It considers installing an office to deal with human rights affairs in each ministry, and making procedural provisions to host a meeting among the relevant governmental authorities.
- The Commission will prepare a draft NAP this year. After holding public forums to review the draft and take opinions from the public, activists, and experts on human rights issues, the final NAP will be decided.

##### **B. To enact the Anti-Discrimination Act**

- Conducting research surveys to enact an anti-discrimination act

- The Commission will research on discriminatory practices based on educational backgrounds, gender, persons with disabilities, irregular employment, particular regions, and foreign workers.
  - Making researches on foreign legislations to prevent discriminations in developed countries and on their discrimination cases
  - Organizing a promotion committee which composes of competent governmental entities, NGOs, and experts on discrimination issues
    - A secretary officer of the Blue House (the Korean President's office/resident Cheong Wa Dae) will participate in such promotion committee to implement one of the pledges of the newly-elected President Roh Moo-hyun.
  - Holding conferences and public hearings in order to reflect the public opinions and to spread the social consensus in enacting anti-discrimination laws.
- C. To carry out comprehensive and systematic researches on the laws and regulations related to human rights issues**
- It is required to make a plan to improve domestic laws and regulations which comply with international standards by making comprehensive and systematic researches on the laws and regulations related to human rights issues.
  - The Commission will research domestic laws and regulations related to human rights issues, such as criminal matters, economic, social and cultural rights, and discriminations. It will consult with experts from research institutes and other competent organizations.
  - The Commission will examine and analyze some precedents decided by the European Court of Human Rights:
    - under the European Convention for the Protection of Human Rights and Fundamental Freedoms, especially related to Article 3 (Prohibition of torture), Article 5 (Right to liberty and security), Article 6 (Right to a fair trial), and Article 7 (No punishment without law).



**D. To actively respond to major human rights issues**

- The Commission needs to recommend more reasonable solutions through systematic study and reviews on major human rights issues in our society.
- It plans to form 3 Task Force Teams(TFT) to study on the three important human rights issues related to:
  - ① National Security Act;
  - ② protective custody under the Social Protection Act; and
  - ③ irregular workers, such as temporary workers under contracts.

**\* Task Force Team**

- Composition: One task force team will be composed of a senior commissioner as a team leader, two commissioners, a staff member from the Secretariat, and 3 or 5 experts on human rights.
- Functions:
  - The TFT will establish its plan how to study on each assignment, and report it to the president and the committees of the Commission.
  - It will arrange joint-study programs or workshops with groups of experts to discuss the assigned issues.
  - It will take opinions from NGOs working for human rights and governmental organizations through public hearings and discussion meetings.

**E. To research on human rights situations**

- The basic research on domestic situations of human rights is required in order to improve human rights conditions and to make more effective policies on human rights issues.
- Criteria to select the issues of the Commission's research surveys on human rights situations in Korea:

- The fields of which human rights situations are not well-known and in which any previous research survey has not been done yet, such as the issues of discriminations against persons with disabilities in employment, human rights awareness of the public, and the protection of privacy, etc.
- The fields to which are not easily accessible, such as correctional and protective facilities, including facilities in the military.
- Such research surveys will be developed as long-term projects rather than short-term or fragmentary investigations which just focus on impending issues.
- The survey will be done on the long-term projects at the national level first by reflecting opinions from the civil society and human rights experts through joint studies with them.

**F. To draft guideline to prevent human rights violations and discriminatory practices**

- It is required to develop preventive measures of human rights violations and discriminatory practices in daily life through the analysis of causes of the complaints received on human rights violations and discriminations.
- The Commission will draft a guideline to classify and evaluate the cases on human rights violations and discriminations.
- It will also prepare a draft to analyze the causes of such cases and a guideline to prevent them.

**2. Improvement of Accessibility and Expertise in Counseling on Human Rights Issues**

**A. Constructing the cyber system for counseling**

- It is required to expand more channels to provide the public with an easier access to the Commission's procedure for remedies.

- The Commission provides an Internet counseling system for persons with disabilities, especially those with hearing difficulties.
- It will expand the cyber system to take complaints over the Internet after reviewing the related laws and considering the security matters related to the system.

**B. Counseling tour to local areas**

- The Commission is planning to make a counseling tour to local areas to provide the Commission's services to the local residents for their accessibility and conveniences.
- The counseling tour in the five main local metropolitan cities:
  - Establishing temporary counseling centers;
  - Making the public informed on the Commission's counseling services through the local governments and press; and
  - Holding conferences with local NGOs.

**3. Reinforcement of Investigation and Remedy on Human Rights Violations and Discriminations**

**A. To more actively remedy the complaints on human rights violations by the governmental authorities**

- In case of human rights violations by unreasonable practices of interrogation authorities, such as the police and prosecutors' offices, etc:
  - The citizen's resentment and grievances on the interrogation authorities are increasing.
  - It is requested to introduce some tasks to improve laws, regulations, systems, and practices related to some routine and unreasonable interrogation procedures of the relevant authorities through the investigations on the

complaints against the police and prosecutors' offices, which are filed with the Commission.

- It is necessary to develop some short-and-long-term policies through the analysis on the current situations on the operation of the cells in the police stations.
  
- In case of human rights violations with the inferior environment of facilities:
  - The Commission will consider introducing some tasks to improve laws, regulations, systems, and practices through the filed complaints and research surveys on mental and physical human rights violations against inmates, especially as results of the inferior environment of health care clinics in the facilities and the consecutive punishments inflicted on inmates.
  - It will also introduce some better approaches to improve the current protective custody system based on the thorough investigations on the filed complaints appealing the illegality of the protective custody system.
    - As of the end of 2002, 115 complaints are related to the protective custody system.
    - The grounds of complaints are related to the abolishment of the Social Protection Act, the work allowances for the person in such custody, the evaluation for parole, and the improvement of the facilities' physical environment, etc.
  
- In order to find a way to maintain the minimum health conditions of inmates, the Commission will conduct some sample surveys on the alternative detention facilities nationwide.

**\* Alternative Detention Facilities**

- Because of lack of detention facilities to accommodate all the inmates, some cells of police stations are used as alternative detention facilities.
  - 1,045 inmates are confined in the cells of the 14 police stations nationwide as of the end of 2001.
- 
- The legal system and human rights situations in the military

- The Commission will seek the truth on suspicious deaths caused by the closedness of the military hierarchy and by distrust in its investigations.

Table 6. Overview of Complaints Received (Related to the Military)

Nov. 26, 2001 through December 31, 2002 (cases of complaints)

Total	Military Prosecutors' Office	Military Police	Defense Security Command	Others
110	4 (3.6%)	41 (37.3%)	6 (5.5%)	59 (53.6%)

- Complaints filed arguing suspicious deaths in the military: 33 cases (26 cases in the army; 6 cases in the navy, and one case in the air forces)
  - Main grounds of complaints: Seeking truth in suspicious deaths in the military, eradicating battery and cruel treatment in the military, improving treatment and environment in the military detention facilities, etc.
  - The Commission will try to find how to improve the policies on the legal systems in the military through intensive investigations on the death accidents in the military.
  - It will seek a measure to prevent any recurrence of similar death cases in the military.
- Researching surveys on human rights situations in the protective facilities for many persons
- According to Article 2 of the Enforcement Decree of the National Human Rights Commission Act, there are welfare facilities for persons with disabilities, vagrants, the elderly, and persons in need of protection, and facilities of mental health, and facilities for rehabilitation.
  - The Commission will conduct researches on the conditions in such facilities in order to examine whether the building conditions comply with the international standards.

- In order to vitalize the function to provide active remedies through the Commission's *ex officio* investigation:
  - The Commission will improve laws, regulations, systems, and practices through the *ex-officio* investigation on the major cases, including human rights violations affecting the socially marginalized, such as person with disabilities, vagrants, and migrant workers.
  - The Commission will review whether its recommendations are implemented in the socially vulnerable areas and if not, urge to implement such recommendations in order to draw social attention into such areas.

**B. To investigate on complaints on the grounds of five major discriminations and rectify such discriminatory practices**

- \* Types of five discriminations: gender, person with disabilities, educational backgrounds, irregular workers, and migrant workers

Sexual discrimination in employment

- The Commission will try to support the women's full participation in social activities, and to solve the factors of inequality between women and men.
- It will improve laws, regulations, systems and practices through research surveys, *ex-officio* investigations, and investigations on the filed complaints, including a case which the married female applicant was rejected in recruitment.

Discrimination against persons with disabilities

- There are discriminations against persons with disabilities in case of employment, and access to educational facilities and transportation facilities.
- The Commission will make efforts to guarantee the right to work, the right to education, the right to travel, and the right to access to information.

- It will improve the laws, regulations, systems, and practices through research surveys, *ex-officio* investigations, and investigations on the filed complaints, including a case of discrimination in issuing the driver's license for large vehicles.
  
- Discriminations based on social status
  - In employment, there are discriminations based on educational backgrounds and irregular workers, such as temporary workers under contracts.
  - The Commission will rectify such discriminatory practices to realize a capability-oriented society and to promote wages and working conditions for irregular workers.
  - It will improve the laws, regulations, systems, and practices through research surveys, *ex-officio* investigations, and investigations on the filed complaints, including cases of discrimination against the self-educated-bachelor-degree holders who apply for teaching qualification certificates, and against the term-contracted teachers.
  
- Discriminations against migrant workers
  - In employment, there are discriminations against migrant workers, including industrial trainees.
  - It is necessary to publicize the image as a country to protect and promote human rights.
  - It will improve the laws, regulations, systems, and practices through research surveys, *ex-officio* investigations, and investigations on the filed complaints, including a discrimination case against foreign workers in vocational training for rehabilitation.

**C. To prevent in advance any discriminatory practices in recruitment**

- The Commission tries to solve the problem earlier at the initial stage of the recruitment process because any post remedial measures can hardly reinstate any damages which have already been incurred.

- 106 cases (60.3%) out of 173 complaints on discriminatory practices are related to discriminations in employment.
  
- In January 2003, the Commission will conduct an *ex-officio* investigation on employment discriminations by analyzing the job application forms of 39 conglomerates in the second half of 2002.
  
- The Commission will conduct an intensive investigation on discriminatory practices on the grounds of personal matters, physical conditions, and family backgrounds which are less-related to the purpose of selecting the appropriate applicants for work positions.
  - Personal matters: gender, educational backgrounds, disabilities, and birth place
  - Physical conditions: height, weight, blood-type, eye vision, etc.
  - Family backgrounds: educational backgrounds of parents, brothers and sisters, the working place, positions, wages, etc
  
- \* Discriminations based on gender, educational backgrounds, and persons with disabilities, among the 5 major discriminations which the newly-elected President Roh Moo-hyun made promised to rectify during his presidential campaign, are already under investigation.
  
- In May 2003, the Commission will collect and analyze application forms and other materials related to discriminations on the recruitment of the major companies for 2003.



#### **4. Strengthening the Activities of Education and Public Information to Promote Human Rights Awareness**

##### **A. To conduct comprehensive projects to develop human rights education**

- It is necessary to establish national action plan for human rights education as recommended by the United Nations Decade for Human Rights Education, 1995-2004 ('Decade') before the Decade ends. Such a plan is pursuant to Article 26 of the National Human Rights Commission Act and Article 15(6)-1 of its presidential decree.
- Based on the result of researches to establish the basic plan for human rights education, the Commission will develop annual plans to make policies on human rights education and to implement such plans.
- After the Commission examines how human rights education has been conducted at schools, local communities, work places, and governmental agencies, it will design to form cooperation networks in order to activate human rights education programs.

##### **B. To train instructors to enhance their specialization and expertise in human rights issues**

- Because the necessity to educate and train law enforcement officials including policemen has been continuously increasing, it is required to ensure more qualified lecturers with expertise in human rights education and training.
- The Commission will operate educational programs to train approximately 200 lecturers, by providing them all the training expenses.

##### **C. To prevent discriminations and to expand human rights culture**

- With Awareness that preventing discrimination in advance is more important than redressing such discrimination later, the Commission makes efforts to

prevent 18 types of discriminations and to spread human rights awareness nationwide in order to substantiate the protection of human rights for the citizens.

- The Commission distributes photo collections, animation films, and posters on human rights issues.
- Because the Commission concerns about the relatively weak research environment on human rights issues in Korea, it started to a research thesis contest in order to support academic researches on human rights, to share the results of such researches with the public, and to strengthen the awareness of human rights in the society in general.
- In order to enhance the awareness of human rights, the Commission distributes periodicals, such as newsletters and e-mail-zine, which include its major policy decisions, complaints, activity news, and other human rights issues, to schools, hospitals, and subway stations, etc.
- The Commission needs to publicize its activities and policies more actively, positively, continuously, and periodically.

**D. Human rights festival to celebrate the 55<sup>th</sup> anniversary of the Universal Declaration of Human Rights**

- The Commission plans a variety of events to publicize the meaning and importance of human rights on the anniversary day(December 10) to celebrate the Universal Declaration of Human Rights.
- It will organize public contests of children's drawings, slogans, and posters; and prepare exhibitions or showings of photos, comics, visual arts, such as movies and animations.

**E. Publishing a guideline for mass media to raise their awareness of human rights**

- The Commission needs to publish a 'guideline for mass media' to prevent human rights violations by the media in case of invasion of privacy or misappropriation of portraits of criminal suspects.

Major projects:

- The Commission requests some NGOs, which are specialized in certain human rights issues, to monitor the mass media with respect to issues of persons with disabilities and the sexual minority.
- It also asks a civil group, which participates in the movement of press subscriptions, to monitor newspapers and broadcasting.
- It will produce a guideline for mass media after analyzing all the information gathered from such monitoring.

## **5. Strengthening the Cooperative Relations with Human Rights Civil Groups**

### **A. To support projects of human rights NGOs**

- It is necessary to promote projects to improve the expertise of NGOs and to vitalize human rights movements.
  - The Commission makes efforts to assist human rights movements in new areas.
  - It will promote public relations with the citizens in order to expand the human rights culture, and strengthen exchanges and cooperation with international organization.

### **B. To undertake a human rights education program for human rights activists**

- The Commission will provide opportunities to educate and train human rights activists working for NGOs in order to improve their expertise in human rights issues.

- The program will be carried out in the main metropolitan areas, such as Seoul, Dajeon, Gwangju, and Daegu.

**C. To develop some practical programs to induce citizen's participation**

- It is necessary to promote more practical and popular programs in order to improve the expertise of NGOs, to vitalize human rights movements, and to enhance awareness of human rights.
  - Such programs will concentrate on 18 discrimination issues, such as persons with disabilities, foreign workers, children and youth, and the elderly, and others.
  - The Commission opens a counseling center and publicizes programs for victimized youth working as part-time.
  - It will develop an educational and practical program to solve a problem of "*wang-tta*," a malicious practice which alienates fellow classmates in Korean schools.
  - It also will design a program to prevent discriminations against persons with disabilities.

**6. Promoting Exchange and Cooperation with International Human Rights Institutions**

**A. To strengthen exchange and cooperation with human rights institutions in the Asia-Pacific region**

- It is expected more exchange and cooperation of information and human resources with other human rights institutions in the Asia-Pacific region after

the Commission became a member of the Asia-Pacific Forum of the National Human Rights Institutions(APF) in November, 2001.

- The Commission expects more active participation in international activities through the meetings of the APF's Council and Advisory Council of Jurists(ACJ).

**B. To attend international meetings hosted by the United Nations and other international human rights institutions including NGOs**

- The Commission plans to attend the 59<sup>th</sup> session of the Commission on Human Rights, the Committee on the Rights of the Child, and other meetings, in order to monitor the implementation of the U.N. concluding observations under the international conventions.
- It will attend meetings sponsored by international NGOs, such as an initial meeting of the Economic, Social and Cultural Rights-Nets, in order to discuss about the current human rights situations and to establish cooperative systems with NGOs.

**C. To promote international activities between national human rights institutions**

- The Commission plans to visit the South African Human Rights Commission (SAHRC) to learn from the SAHRC's experience on handling human rights issues
- It is planning to visit some human rights institutions in Europe, including the European Court of Human Rights, the Danish Centre for Human Rights, Norwegian Institute of Human Rights, and other institutions.