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**National Human Rights Commission of the
Republic of Korea Annual Report 2007**

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**National Human Rights Commission
of the Republic of Korea**

16 Eulgiro 1-ga, Jung-gu, Seoul, Korea, 100-842

Tel. +82-2-2125-9700

Fax. +82-2-2125-9811

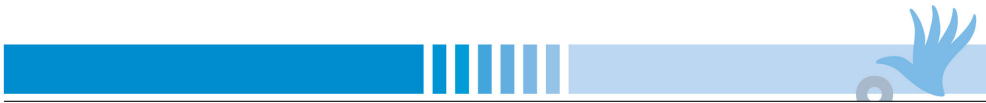
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**National Human
Rights Commission of
The Republic of Korea**

National Human Rights Commission Annual Report 2007

The National Human Rights Commission publishes and distributes this Annual Report on its activities during the period from January 1 to December 31, 2007, prepared for submission to the President and the National Assembly of the Republic of Korea, pursuant to Paragraph 1, Article 29 of the National Human Rights Commission Act.



Chairperson's Foreword

In the beginning of last year, the National Human Rights Commission of Korea set its goals according to the principles of its foundation. These goals include the reinforcement of the protection of human rights of the socially disadvantaged, the establishment of human rights systems and practices that meet the international standards, and the enhancement of the accessibility and effectiveness of rights remedies. The Commission also prioritized the promotion of the rights of children, persons with disabilities and those in detention or protective facilities.

Such goals and priorities show what the Commission must concentrate its efforts on. The Annual Report 2007 outlines the activities and actions that the Commission carried out to promote and protect human rights over the past year, as well as challenges and expected further improvements. We have tried to make objective assessments on the outcomes of our work and the limitations that we continue to face. As such, this report is not only a record of the Commission's activities but also a report on the realities of human rights in Korea.

I often stress that human rights are like "the daily bread", or daily rice for Koreans, that is appreciated and shared in one's everyday life. Respect for human rights is not merely a legal obligation; it is a precondition for social prosperity and maturity. Currently, we are on the threshold of the "advanced era of human rights" where fundamental rights play a crucial part in every individual's daily life. This year marks the 60th anniversary of both the Universal Declaration of Human Rights and the foundation of the Republic of Korea. I believe it is now time for us to take a new step towards the advancement of human rights.

Based on this belief, the National Human Rights Commission of Korea has been making its efforts in earnest to create a world where people live in dignity and will strive harder so that all in Korean society may eventually enjoy human rights. I trust that you will gain important insight into the Commission's goals and efforts through this Annual Report.

Thank you.



Ahn Kyong-Whan

Chairperson, National Human Rights Commission of Korea

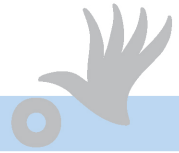


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Introduction



Introduction

The National Human Rights Commission of Korea (hereafter "the Commission") was established on November 25, 2001 "to protect the inviolable basic human rights of every individual and improve the level thereof, thus realizing the dignity and value of humankind and contributing to the establishment of a democratic basic order." Since then, the Commission has been striving to resolve the issue of human rights violations by the national security authorities occurring during investigations by prosecutors and police, or against people in detention and protective facilities. It has also been endeavoring to address issues of discrimination due to sex, disability, nationality, and race.

Based on this, the Commission drafted Recommendation Bill for the National Action Plans for the Promotion and Protection of Human Rights (hereafter "Human Rights NAP") and presented it to the government, advising its implementation. Moreover, the Commission drew up the "Recommendation on Non-Discrimination Bill" and recommended to the Prime Minister that it be legislated. The recommendation establishes criteria for identifying various discriminatory acts and makes provision for effective corrective measures to be taken regarding unreasonable discriminatory practices and systems. Furthermore, taking note of the fact that human rights sensitivities of members of society should be enhanced to raise the human rights level of a society, the Commission embarked on intensive human rights education in various areas. It also presented principles and standards to address human rights issues in North Korea, which have been the subject of heated debates, and established and implemented detailed action plans.

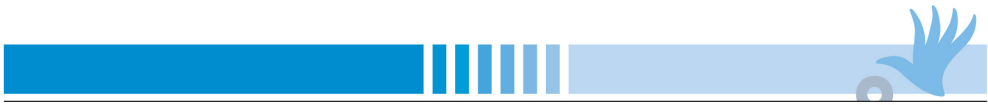
The Commission's Priority Activities for 2007 - Five Strategic Goals and Ten Priority Tasks

Meanwhile, the Commission conducted an organizational restructuring to carry out given duties more effectively and established the "National Human Rights Commission's Action Plans to Promote Human Rights (2006~2008)," presenting the Commission's vision, missions, operating principles, goals and action plans, both at home and abroad. It was in this context that the Commission's work plan for 2007 was formulated.

In 2007, the Commission set the following as its five strategic goals: 1) strengthening the protection of human rights for the socially disadvantaged; 2) establishing human rights systems and practices conforming to international standards; 3) enhancing accessibility and effectiveness of remedial actions of rights; 4) strengthening human rights education to improve human rights awareness; and 5) enhancing the capabilities of the Commission. It also decided to pursue the following 10 priority tasks: 1) promoting human rights of children and teenagers; 2) promoting human rights of those who are in detention facilities; 3) promoting human rights of disabled persons; 4) strengthening the subsistence rights of those who are vulnerable in basic livelihood; 5) promoting human rights of North Korean refugees; 6) promoting human rights of migrant workers and those in international marriages; 7) establishing guidelines to determine human rights violations and discriminatory acts; 8) establishing comprehensive human rights education development plan; 9) strengthening the Commission's international role as a leading national human rights institutions (hereafter NHRIs); and 10) actively submitting the Commission's opinions to major human rights-related legal cases. In order to achieve the aforementioned strategic goals and priority tasks, the Commission divided roles by departments and carried out relevant activities over the past year.

Policy Activities for the Promotion of Human Rights

In 2007, the Commission made concerted efforts to safeguard human rights of the socially disadvantaged and further guarantee their economic, social and cultural rights. To



this end, the Commission not merely handled complaints, but focused its capabilities on recommending the improvement of legal systems and policies, expressing its opinions, and conducting researches on human rights conditions. First of all, the Commission formed the Social Rights Forum to discuss and summarize major issues of Korean society and ways to resolve them. Based on this, the Commission strived to improve legal systems and policies to protect human rights of the socially disadvantaged as follows: △ Expressing its opinions on the revised Enforcement Decree and Enforcement Regulations of Medical Benefits Act; △ Expressing its opinions on the Amendment of the AIDS Prevention Bill; △ Expressing its opinions on Aged Employment Promotion Bill; △ Recommendations on improving human rights conditions for cleaning workers in the public sector; △ Expressing its opinions on revision of the Minimum Wage Act; △ Policy recommendation on improving human rights conditions for poor households concerning cutting power and water.

Moreover, as part of its recommendations on joining and complying with international human rights treaties, the Commission recommended that the government join the Convention on the Rights of Persons with Disabilities and the optional protocol to the Convention and, on its continuum expressed its opinions on the Disability Discrimination Act and its enforcement decree. In addition, the Commission monitored the deliberation process of the United Nations Committee on the Elimination of Racial Discrimination and the deliberations of the 39th Session of the United Nations Committee on the Elimination of All Forms of Discrimination against Women.

Thanks to such efforts, the Disability Discrimination Act came into force and based on the Act, the Commission has come to play a role as an organization fully in charge of rectifying discriminatory practices against disabled persons.

Counseling and Handling of Complaints

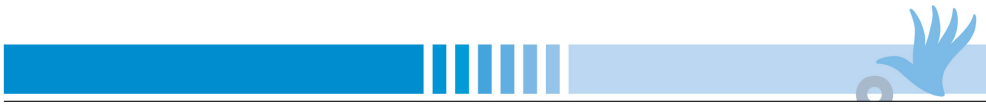
Since its establishment, approximately 29,000 complaints have been filed with the

Commission. The year 2007, in particular, showed a 50% increase in the number of complaints filed, compared to the previous year. This is the result of the fact that the general public in Korea has started to proactively raise various human rights issues, reflecting the improved human rights awareness of society. On the other hand, this also shows that the existence and identity of the Commission are widely recognized. Following the successes of the previous year, the Commission conducted on-site counseling using counseling buses on an ongoing basis, striving to help the socially marginalized people such as migrant workers, inmates of mental health facilities, and the elderly, to have easier access to the Commission. Moreover, the Commission endowed regional offices with powers to investigate detention facilities in their jurisdiction to enhance their ability to resolve problems on-site in receiving complaints and handling investigation and relief activities, thereby increasing the satisfaction of petitioners through prompt handling of matters. In addition, the Commission made an effort to install petition boxes, not only in detention facilities but also in group protective facilities.

Investigation and Relief Activities for the Prevention of Civil and Political Rights Violations

Among civil and political rights violation cases filed with the Commission in 2007, complaints related to detention centers and the police comprised the largest share, taking up 43.2% and 22%, respectively. Complaints related to group protective facilities showed a stark hike, increasing by 119% in 2007, compared to 2006.

While actively responding to pending issues related to human rights violations, the Commission also performed investigation activities from the balanced perspective. Concerning pending issues, including rallies against the Korea-U.S. Free Trade Agreement and E-Land's labor strike, the Commission took urgent relief measures and expressed its position on these matters. With respect to issues whose special investigation



results show that they need institutional improvement, the Commission coordinated opinions through policy forums with relevant organizations and prior meetings to discuss matters. When issuing recommendation that the accused be punished, the Commission offered an opportunity for the accused to state his or her opinions prior to punishment, endeavoring to enhance the impartiality of the Commission's judgment.

In particular, the Commission actively conducted activities to provocatively prevent civil and political rights violations by strengthening its special investigations. Accordingly, the Commission conducted suo moto investigations into human rights conditions of the riot police and auxiliary police and into the enforcement of fines and persuaded relevant organizations to actively accept its recommendations. Concerning notifications of prohibition of assemblies and their prior blockage through the "Act on Assembly and Protest", which drew keen social attention, the Commission reviewed areas requiring policy and institutional improvement and held a hearing. Moreover, based on human rights surveys, the Commission made policy recommendations to improve human rights of the maladjusted serving in the military, contributing to the enhancement of human rights in the military.

With respect to human rights issues in detention centers, the Commission visited and inspected those facilities in a more systematic and stable manner. It recommended that overcrowded accommodation in medical treatment cells and the lack of an underfloor heating system be rectified and that supervision be strengthened and the relevant regulations be prepared not to transfer unidentified persons among those whose sentence is suspended to unregistered facilities.

The Commission also investigated human rights violations in group protective facilities on an ongoing basis and registered complaints against former and incumbent heads of facilities accommodating persons with disabilities, who have been sexually harassed, habitually beaten and those living in the facilities and filed fake marriage registrations, and embezzled basic livelihood allowances of persons with disabilities. It

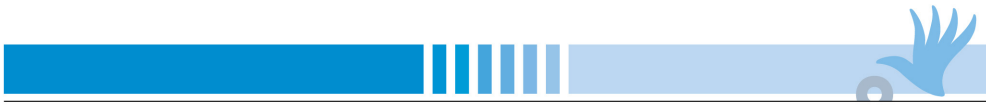
also recommended the improvement of personal freedoms and rights to the health of persons with mental disability in mental hospitals.

Investigation and Relief Activities for Rectifying Discrimination

The year 2007 was a year in which the Commission sharply enhanced efficiency in investigation and relief activities concerning discriminatory acts. The Commission shortened average case handling duration by fifty-five days, compared to the previous year, despite the increase in the number of complaints related to discrimination. Meanwhile, with respect to the trends of discrimination complaints, influenced by the enactment of the "Korea Disability Discrimination Act" and the "Act on Age Discrimination in Employment and Elderly Employment Promotion," the number of cases concerning disability discrimination and age discrimination increased. In addition, sexual harrasment cases were continuously filed due to the gap between women's increasing participation in the job market and low awareness of gender equality.

In 2007, in addition to handling discrimination complaints, the Commission also carried out activities to propose discrimination rectification policy. The Commission conducted a "survey on discrimination against persons with disability in investigation, trial, and sentence enforcement processes" and a "survey on discrimination and right to labor of irregular female workers in the distribution industry." Based on the results, the Commission is reviewing policy recommendations to rectify discrimination. Moreover, it conducted special investigations as part of active discrimination correction activities, including special investigations into discrimination against the right to education for children with audio-visual impairments and discrimination on the right to education for children of parents with Hansen's disease.

Meanwhile, in 2007, the Commission performed various anti-discrimination activities. In order to seek advice requiring professional judgment, the Commission operated four



discrimination-related expert committees. In addition, the Commission organized conferences and discussion sessions to obtain opinions of experts on important discrimination complaints and seek to improve discrimination rectification policy. Furthermore, the Commission published discrimination judgment guidelines that offer a wide variety of information complying with international standards and domestic laws and regulations, providing theoretical and practical support in investigation and relief of discriminatory acts. Besides, the Commission researched and presented suitable alternative relief measures to secure the efficacy of proper relief in a multifaceted manner. Also, the Commission provided various education programs for investigators, including a "training to enhance capabilities of investigators supported by the Asia-Pacific Forum on National Human Rights Institutions (APF)," to enhance their investigative ability.

Major decisions on discrimination rectification are as follows:

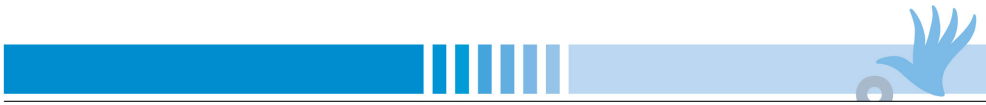
- "Company ○○" paid lower basic salaries to female workers, compared to male workers, although female workers performed the same labor as male workers in production lines, and it was found that this constituted sexual discrimination. The Commission recommended that the company provide compensation for damages to female workers.
- A director of an overseas NGO service center used vulgar sexual expressions such as obscene remarks to female employees dispatched to the center, thereby causing sexual offence and humiliation. As this constituted sexual harassment, the Commission recommended to the head of the NGO that sexual harassment prevention be included in education programs for employees and service corp dispatched overseas.
- "○○ University" refused to share expenses for a sign language interpreter necessary for a person with hearing impairment, who passed the Executive Leadership Program at the Graduate School of Labor Studies of the university, to attend class. As failure to meet the obligation to provide legitimate conveniences constituted disability discrimination, the Commission recommended that the university share the expenses

for a sign language interpreter.

- "○○ Public Corporation" restricted qualifications for new nurse recruits to those who were born after a specific year, regardless of their execution of duties. As this constituted age discrimination, the Commission recommended that the corporation improve the age restriction regulation.
- "○○ Airline" restricted the qualification of flight attendants for domestic service to those who have graduated from two-year colleges, while restricting the qualification for flight attendants for international service to those who have graduated from 4-year colleges. As this constituted discrimination against academic background, the Commission recommended that the airline concerned improve the relevant criteria.

Enhancement of Human Rights Education Function

Meanwhile, the Commission enhanced its human rights education function with an organizational reshuffle that had been conducted in the previous year. As a result, in 2007, the Commission developed and implemented human rights education programs reflecting the characteristics of different groups receiving the education, including the social welfare area, the corporate sector, and journalists. It also established a human rights education system not only for education curriculums for elementary schools, middle schools and high schools, but also in various lifelong education courses. Moreover, the Commission tried to legislate the "Human Rights Education Act," which obligates central and local governments to offer human rights education, while striving to include human rights education in the 7th National Education Curriculum for Primary and Secondary Education. It also designated universities focusing on human rights research, encouraging them to play a role in providing high-quality discourse on human rights. In addition, the Commission formed a taskforce (TF) team with relevant experts to examine the implementation of human rights education areas in the recommendation proposals for the National Action



Plans for the Promotion and Protection of Human Rights (the "Human Rights NAP") and established a human rights education plan to invigorate human rights education, drawing up a draft for a comprehensive plan which the Commission will implement over the next five years. In addition, it offered cyber human rights education courses and the number of applicants for the cyber human rights education, which had stood at a monthly average of 162 in 2006, increased to a monthly average of 734 in 2007, an increase of 353%.

The Commission also endeavored to boost human rights education in the public sector. First of all, it organized a debate forum under a theme of "Taking Human Rights and Social Welfare into Action," jointly with a relevant academic society. The Commission also developed and distributed human rights education materials for military and police investigators, and those who work for facilities for the elderly and persons with mental disabilities. It also strived to enact official instructions for human rights education for the military and to institutionalize human rights education in the social welfare sector.

The Commission also made multifaceted efforts to enhance human rights awareness among the general public. In an effort to encourage enterprises, which have no less influence than state power in terms of human rights of individuals in modern society, to embrace human rights values, the Commission organized an international conference attended by 250 persons from domestic companies, jointly with the Federation of Korean Industries. It also developed and distributed material on "human rights management" which the general public can easily understand. Moreover, the Commission offered 24 sessions of human rights education, which include guidelines on reporting on the socially disadvantaged in the media, the roles of the media as an agenda-setter, and learning of new human rights issues, for both newly recruited and experienced journalists working for central and regional media companies.

In 2007, the Commission also produced "If You Were Me-Anima Vision 2, the second film on human rights and "If You Were Me 4," the fourth film. "If You Were Me-Anima Vision 2" was participated by such film directors as Park Yong-je, Gwon Mi-jeong, Hong

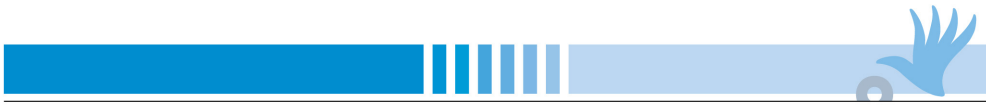
Deok-pyo, Jeong Min-yeong, Ahn Dong-hee, Ryu Jeong-woo, Lee Hong-min, and Lee Hong-soo and dealt with such themes as families with foreign spouses, disability, and sexual harassment. The film was invited to be screened at the 12th Pusan International Film Festival in the independent film category, being shown to domestic and international audiences for the first time. It will be widely utilized through theater release and DVD distribution in 2008.

Cooperation with International Human Rights Community

The Commission continued to actively fulfill its role as a "quasi-international body" in the international human rights community in 2007 as well. As a result, the Commission was elected as a vice chair institution, for a two-year term, of the International Coordinating Committee of the National Institutions for the Promotion and Protection of Human Rights (ICC), an association of global national human rights institutions. As such, the Commission came to exert leadership in the international human rights community, transcending its leading role in the Asia-Pacific region as a vice chair organization of the Asia Pacific Forum of National Human Rights Institutions (APF). Moreover, the Commission dispatched its delegation to the United Nations Human Rights Council and ICC Executive Council held in June, striving to raise the profile of national human rights institutions and elevate their status in the UN Human Rights Council, along with delegations from major national human rights institutions from foreign countries.

In particular, the Commission has participated in the ICC Sub-Committee on Accreditation as a representative of the Asia-Pacific region since 2006 and endeavored to maintain consistency in the application of international standards in establishing and operating national human rights institutions, such as operation of national human rights institutions of different countries based on the Paris Principles.

While playing a major role in presenting opinions on international human rights



agendas and drawing major agreements in international conferences such as the ICC and APF, the Commission implemented training programs for a visiting delegation that is preparing for the establishment of a national human rights institution in China, along with the APF and the Raoul Wallenberg Institute in Sweden. It also invited staffs of national human rights institutions in underdeveloped countries, including staffs of human rights organizations and justice ministries of East Timor, Afghanistan, and Nigeria and offered them training programs. In December 2007, a week-long training was provided to six officials from the justice ministry of Bangladesh which is preparing to establish a national human rights institution.

Moreover, in relation to key implementation tasks, the Commission dispatched its staffs to overseas national human rights institutions and human rights-related organizations, including European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT, to study advanced case studies and apply the outcomes to Korean society, thereby offering opportunities to strengthen the capabilities of its staff members.

The Commission's Public Relations

In terms of public relations to raise the level of public awareness of the Commission's roles and activities, the year 2007 is considered a year in which determined efforts were made to set a new direction in public relations, following the changed domestic and international environment.

The last few years since the foundation, the major human rights-related challenges encountered by the Commission were successfully resolved. However, the media coverage and favorable reception of the Commission were weakened, compared to the early years of its establishment, while the areas of activities of the Commission were expanded, which sparked a series of social controversies. This trend over the past two to three years

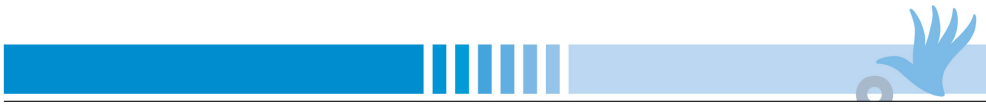
continued through 2007.

In order to overcome this, the Commission made diverse attempts to strengthen media report planning and diversify publicity targets, channels, and other means. Such efforts materialized through strengthened access to non-mainstream, peripheral media, publicity through Internet portals, hosting "Broadcasting and Human Rights" debate sessions to make human rights an agenda for discussion in the media, and events to invite international guests to enhance international networking. Moreover, along with quantitative external expansion, the Commission made efforts to strengthen the human rights community by introducing and piloting the "policy customer relationship management system(PCRM)," collaborating with the religious community regarding human rights issues, and enhancing access to regional human rights organizations.

It is assessed that these efforts have partially succeeded in reaping positive outcomes and opened "gates" in new areas. However, overall, the Commission evaluates that, although numerous attempts were made, a considerable number of such new attempts failed to lead to visible accomplishments, and merely "started the engine," exposing limitations and presenting many challenges.

Activities by Regional Offices

The Commission opened the Daegu Regional Office in July 2007, following the opening of the Busan and Gwangju Regional Offices in 2005. Regional offices conducted human rights counseling, receiving of complaints, including on-site complaints. They also performed basic investigation into complaints about detention and protective facilities, as well as exchange and cooperation with human rights groups and organizations. In particular, they expanded "on-site human rights counseling services" for the socially disadvantaged and those who find it difficult to access the Commission, including those who are living in or operating facilities, migrants, the elderly, and residents in rural areas.



Moreover, regional offices also pushed ahead with human rights education and publicity for local communities, briefings and debate sessions related to major human rights policy, and exchange and cooperation programs with human rights groups and individuals.

Democratization and Human Rights Challenges

The background to the Commission's setting of five strategic goals and 10 key tasks also reflect a critical mindset, showing that it has become a time for urgent internalization of democracy, as the overall degree of democratization of Korean society has reached a certain level. In other words, these developments reflect the Commission's commitment to resolve human rights challenges required by internalization of democratization. In general, rapid changes in and the growth of society tend to be accompanied by exclusion of the socially disadvantaged and minorities, acceleration of class bipolarization, and the issue of domestication of global standards. In particular, the guarantee and promotion of children's rights, the promotion of human rights of persons with disabilities, the protection of the subsistence rights of the poor, and the protection of human rights of migrants, are issues that are still problematic and casting a dark cloud over Korean society. During 2007, the Commission made concerted efforts to enhance social rights to tackle human rights challenges through internalization of democracy.



Human Rights Activities in 2007

Chapter 1 Improvement of Laws, Policies and Practices

Chapter 2 Human Rights Counseling & Complaint

Chapter 3 Investigations & Remedies: Human Rights Violations

Chapter 4 Investigations & Remedies: Discriminatory Acts

Chapter 5 Human Rights Education

Chapter 6 Cooperation with Human Rights Organizations & Communications

Chapter 7 Activities of Regional Offices



Chapter 1

Improvement of Laws, Policies and Practices

Section 1. Overview

One of the major functions of the Commission is to conduct investigations and research with respect to statutes, legal systems, policies, and practices related to human rights, and to provide recommendations for their improvement or present opinions (Article 19.1 of the National Human Rights Commission Act). The Commission is also responsible for conducting research on human rights conditions, in order to develop an understanding of the diversity of human rights issues and policy recommendations (Article 19.4 of the National Human Rights Commission Act), and for conducting research to offer recommendations / opinions on the ratification and domestic implementation of international human rights treaties (Article 19.7).

The Commission may, if deemed necessary to perform duties, arrange consultations with national government organs, local governments, and other public or private organizations (Article 20), and may hold hearings for the aforementioned enterprises (Article 23). Concerning detention or protective facilities, the Commission may visit to conduct investigations, based on filed complaints or by its own initiative (Article 24). In the event that a human rights-related trial is pending, the Commission may present its opinions to the competent court or the Constitutional Court (Article 28). Furthermore, the Commission is mandated to prepare an annual report for the President of the Republic of Korea and the National Assembly, including its activities from the preceding year and a report on the current or improved human rights situation (Article 29). The Commission may also establish subcommittees specialized in certain human rights issues (Article 12) and advisory organs (Article 15), if deemed necessary.

In 2006, the Commission conducted an organizational reform in order to improve efficiency of human rights protection activities. The Investigation and Remedy Bureau and Anti-Discrimination Bureau were additionally mandated to review matters concerning the improvement of statutes and policies related to complaints. The Commission also established the Policy Coordination Team, International Human Rights Team, and Human Rights Research Team under the Human Rights Policy Bureau. These teams are responsible for planning and managing human rights policy matters, researching and making recommendations and presenting opinions on human rights-related statutes and policies, making recommendations and presenting opinions on implementing international human rights treaties, and researching policy recommendations on pending human rights issues related to social rights and mid-to-long term human rights issues.

Section 2. Recommendations and Opinions on Improving Human Rights-related Statutes and Policies

1. Recommendations and Opinions Presented

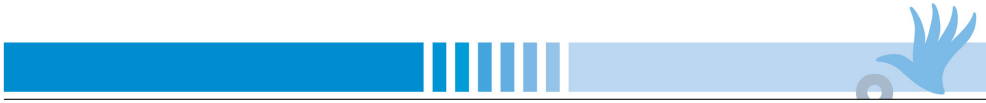
[Table 2-1-1] Recommendations/Opinions on Improving Human Rights-related Statutes and Policies

No.	Recommendation or Opinion Presented	Description	Date	Entities Concerned	Status
1	Opinion: Full Amendment to the Act on Youth Protection from Sexual Abuses	Agreed to the Full Amendment that boys should be also protected from sexual abuses, acts similar to rape should be criminalized, and limited identity disclosure should be introduced instead of the general identity disclosure system, and recommended that some clauses should be revised or deleted including those on prevention of probation or sentencing suspension and DNA registration.	1/8	Chairperson of the Commission on Youth Protection	Partially accepted
2	Opinion: Special Bill on Assistance for Land mine Victims	Fully agreed that the Special Bill should be enacted to assist and help land mine victims who could not receive fair compensation due to legal and practical constraints, specified the compensation criteria, and presented opinion that some clauses should be revised or complemented to ensure that the bereaved are included as heirs under the Civil Law.	1/18	National Defense Committee of the National Assembly	Under review



No.	Recommendation or Opinion Presented	Description	Date	Entities Concerned	Status
3	Opinion: Disability Discrimination Bill	Agreed that the status of the organization to address discrimination should be re-examined, in relation to the Disability Discrimination Bill proposed by Lawmakers Chung Hwa-Won and Jang Hyang-Suk, and presented opinion that definitions of discrimination, disabilities, and remedies should be the same with ones specified in the discrimination prevention recommendations offered to the Prime Minister by the Commission on July 24, 2006.	1/25	Health and Welfare Committee of the National Assembly	Partially accepted
4	Opinion: Amendment to the Enforcement Ordinance and Regulations of the Medical Aids Act	Presented opinion that the Ministry of Health and Welfare should improve and prudently push for the Amendment, as the Amendment might violate rights to health, medicine, and life, and privacy of medical aids beneficiaries, discriminate against medical aids beneficiaries compared to national health insurance holders, and conflict with government's obligations to respect the minimum living standards and the public aid principle.	2/15	Ministry of Health and Welfare	Not accepted
5	Opinion: Partial Amendment to the AIDS Prevention Act	Presented opinion on the Amendment to the AIDS Prevention Act proposed by the Ministry of Health and Welfare, and recommended that the Ministries of Health and Welfare, and Labor should revise their policy on AIDS.	2/25	Health and Welfare Committee of the National Assembly, Ministry of Health and Welfare, Ministry of Labor	Partially accepted
6	Opinion: Bill on the Prevention of Terrorist Financing	Presented opinion that definition of terrorist acts should be deleted, conditions to designate those involved with terrorist acts should be more clarified, and failed attempts and accomplice for terrorist financing should be non-criminalized.	4/9	Finance and Economy Committee of the National Assembly	Accepted
7	Opinion: Elderly Employment Promotion Act	Presented opinion that not a law on the prevention of age discrimination in employment, but a comprehensive law to prevent employment discrimination should be established, in relation to the Amendment to the Elderly Employment Promotion Act	4/10	Minister of Labor	Partially accepted
8	Opinion: Full Amendment to the Passport Act	Presented the following opinions: 1. Passport information should be more specified; 2. Fingerprints are not considered as necessary minimum information for the bio-information collection process for passport issuance;	4/12	Minister of Foreign Affairs and Trade	Partially accepted

No.	Recommendation or Opinion Presented	Description	Date	Entities Concerned	Status
8	Opinion: Full Amendment to the Passport Act	<p>3. Bio-information collected should be used and managed within the scope of purposes, because there is no advantage of storing bio-information;</p> <p>4. Resident registration number currently specified in a passport, in accordance with the Enforcement Ordinance of the Passport Act, should be deleted from passport, as such personal information is not needed for passport issuance;</p> <p>5. Information to be specified in a passport should be defined by the Passport Act, because a passport has critical information.</p>	4/12	Minister of Foreign Affairs and Trade	Partially accepted
9	Opinion: Partial Amendment to the Probation Act	Presented opinion to prudently review the new and existing clauses of the Probation Act, because the use of security devices for arresting those under probation defined in the Probation Act might constitute a human rights violation.	4/19	Legislation and Judiciary Committee of the National Assembly, Minister of Justice	Under review
10	Opinion: Enactment of the Basic Bill on Military Service	Presented opinion that the Basic Bill on Military Service should be revised, as the bill conflicts with the Act on National Defense Reform, which aims to protect fundamental rights of soldiers and improve welfare standards and military culture, puts more focus on obligation of soldiers than on protection of fundamental rights of soldiers, and lacks means and remedies to ensure protection of fundamental rights of soldiers.	4/23	Minister of National Defense	Partially accepted
11	Opinion: Bill on Discrimination Prevention	Presented opinion on the Bill on Discrimination Prevention proposed by the Presidential Committee on Social Inclusion	5/4	Presidential Committee on Social Inclusion	Accepted
12	Opinion: Full Amendment to the Enforcement Ordinance of the Welfare of Disabled Persons Act	Presented opinion that Articles 14 and 15 of the Enforcement Ordinance on the Welfare of Disabled Persons Act should be expanded to include the scope defined in the Disability Discrimination Act	7/5	Minister of Health and Welfare	Accepted
13	Opinion: Violation of personal location information privacy, in relation to "Environment Watchers for Five Major Rivers"	Presented opinion that procedures to get a prior consent on the collection and use of location information of Environment Watchers should be complemented, location information management and security should be improved, a notice on information provision should be delivered to Environment Watchers, and requests for reviewing and changing location information should be accepted.	7/19	Minister of Environment	Partially accepted



2. Major Recommendations and Opinions Presented

1) Opinion on the Partial Amendment to the AIDS Prevention Act

According to a human rights survey conducted by the Commission in 2005, people living with HIV/AIDS faced discrimination in medical facilities, and human right violations in patient management of public health centers, HIV testing without the patient's consent, and inconsiderate notification of test results. In particular, human rights of people living with HIV/AIDS were marginalized, due to social prejudice and discrimination.

The Commission was aware that the Amendment to the AIDS Prevention Act proposed by the Ministry of Health and Welfare to the National Assembly was closely related to human rights. It reviewed government policies related to people living with HIV/AIDS, and decided to present its opinion and recommendation to the National Assembly and government ministries in charge of HIV patient management (February 25, 2007).

In relation to the Amendment, the Commission recommended the National Assembly Speaker to revise statutes to (1) protect privacy of people living with HIV/AIDS; (2) specify the principle of anonymous reporting; (3) restrict doctors and medical institutions from notifying people other than people living with HIV/AIDS and their spouses of the HIV test result. It also recommended the National Assembly Speaker to delete clauses on (1) epidemiological survey of people living with HIV/AIDS and their spouses and families living together; (2) the obligation of people living with HIV/AIDS to report new addresses in case of moving; (3) forced medical examination for people living with HIV/AIDS; (4) treatment orders for those infected with HIV who do not accept treatment recommendations; (5) treatment and protection measures for people living with HIV/AIDS who do not follow treatment orders.

In addition, the Commission recommended the Minister of Health and Welfare to revise the Enforcement Ordinance and Regulations of the AIDS Prevention Act to ensure anonymity in patient reporting and delete personally identifiable information from official documents. Furthermore, it recommended the Ministry of Health and Welfare to provide

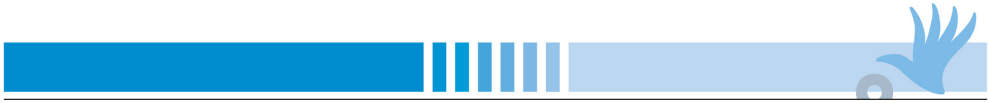
doctors and health professionals in public health centers and medical facilities with human rights education on protection of people living with HIV/AIDS, as part of on-the-job training.

The Commission recommended the Minister of Labor to explore ways to develop a policy or guidelines to notify only employers of the result of HIV/AIDS test and not to their employees, and recommend the employers to accept and promote such a policy or guidelines.

2) Recommendation to Improve Human Rights of Cleaning Service Employee (CSE) in the Public Sector

Since the economic crisis in the late 1990s, flexibility in the Korean labor market has increased. In that process, many jobs including cleaning service have been classified as non-core tasks and employers have been outsourcing such non-core jobs. Outsourcing tasks are usually fulfilled by the disadvantaged such as women and the elderly. Therefore, the Commission conducted a research on working conditions of cleaners in 2006, and recommended to improve human rights conditions of cleaning service employees.

In order to address problems such as low wages and restrictions on fundamental labor rights facing outsourcing CSE in the public sector, the Commission recommended that administrative inspection and supervision on employers adopting a total wage system below the minimum wage should be strengthened, laws to protect outsourcing workers currently not protected by the Labor Act should be enacted, and a quasi-public organization (e.g. a facilities management corporation established by local authorities) should be established to integrate facilities management jobs including cleaning currently scattered across many public organizations in order to ensure job security. In addition, the Commission recommended that statutes on national contracts should be revised in order to improve the lowest price bidding system and extend the penalty period for violations of law to enhance legal compliance effectiveness, and that resting places and welfare facilities (cafeteria, shower room, etc.) should be improved and or newly established to protect



human dignity of CSE.

3) Opinion on the Constitutional Review (12th Abjudication of Constitutionality of Statues in 2007) on Article 15.8 of the Homeland Reserve Forces Act

In relation to the Constitutional Review on Article 15.8 of the Homeland Reserve Forces Act requested by the Ulsan District Court, the Commission re-confirmed that the right to conscientious objection to military service should be protected and alternative military service program should be introduced, and decided to submit its statement on prevention of punishment of those who conscientiously object to serve homeland reserve forces to the Constitutional Court of Korea.

The Commission re-confirmed its opinion that Article 19 of the Constitution (Freedom of Conscience) includes "freedom not to being forced to act against conscience (freedom of conscience based on forbearance; conscientious objection to military service)," and that conscientious objection to military service is within the scope of the protection of freedom of conscience. It also re-confirmed that the government should not turn a blind eye to the pain and suffering of conscientious objectors and should introduce alternative military service programs to strike a balance between protection of rights of conscientious objectors and national security.

As the UN Commission on Human Rights pointed out in a General Comment (No 36/1999), the Commission noted that repeated punishment of conscientious objectors by the Korean government was designed to change the conscience of conscientious objectors, and that a person's conscientious objection to military service should be regarded as the coercion and single action, regardless of the number of objections, if conscientious objectors explicitly expressed their will not to participate in military training. This case is under examination by the Constitutional Court.

4) Opinion on the Proposed Enforcement Ordinance of the Anti-Discrimination against and Remedies for Persons with Disabilities Act

The Commission presented opinion that the Minister of Health and Welfare should revise some clauses of the Enforcement Ordinance of the Anti-Discrimination against and Remedies for Persons with Disabilities Act, which was proposed by the Ministry of Health and Welfare in order to enforce the Anti-Discrimination against and Remedies for Persons with Disabilities Act published on April 10, 2007.

First, the Commission stated that "overseas education organizations" specified in Article 4.2 should be limited to overseas organizations that meet education purposes defined in the Act.

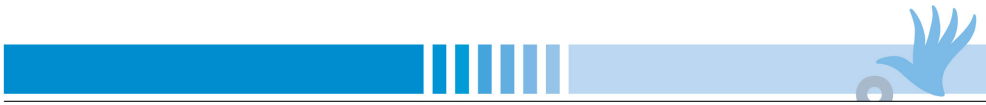
Second, the Commission noted that some words used in Article 8.1 (Article 8 on Regulation of Education Institutions in Phases) should be changed, because they are not appropriate, and that an additional clause, "All education institutions should provide fair convenience" should be inserted to clearly interpret Article 8.1. It also said that Article 8.2 (Imposing Obligations on Education Institutions Not Designated) should be deleted, because the article exceeds the scope of delegated legislation, and that education facilities to be regulated by the Act in phases should be listed in Appendix.

Third, the Commission stated that in relation to facilities use and access, the definition and scope of facilities in Article 7 should be expanded to include "existing buildings," in phases, and fair convenience defined in Article 12 should include relevant services.

Fourth, the Commission noted that Articles 15 and 16 (Movement and Transportation Means) should include and complement transportation means and convenience facilities defined in the Enforcement Ordinance of the Act on Transportation Improvement for the Transportation Disadvantaged, and fair convenience should include relevant human services.

Fifth, the Commission stated that as for Article 14.2 (Driver's License Test), "driving education facilities for people with disabilities" should be changed to "driving education facilities," and "can apply for" to "should apply for."

Sixth, the Commission said that, in relation to Article 15.2.1, means for electronic information access should not be limited to websites, and more concrete means of access



should be specified. It also noted that the scope of events hosted by public organizations defined in Article 15.4 should be expanded and an additional clause on detailed services to support Article 15.4 should be inserted.

Seventh, the Commission said that Article 16.3 (When to Designate Cultural and Art Service Providers) should be revised to accelerate the designation time, and that Footnote 4 should be adjusted, because benefits of designation of cultural and art service providers in phases were not clear.

Eight, the Commission mentioned that the time of sports facilities designation in phases defined in Footnote 5 of Article 17.3 should be reduced to 1, 3, or 5 years after the Act would take effect, and the term of "national and public facilities of local governments" should be changed to various facilities defined in the Enforcement Ordinance of the Act on Sports Facilities Installation and Use, as the term had no clear legal definition and was not appropriate to use in the Enforcement Ordinance.

Lastly, the Commission noted that an additional clause should be inserted to ensure that women with disabilities working in a company with no obligations to establish a workplace daycare center, in accordance with the Enforcement Ordinance of the Act, are also given workplace daycare service or any other service equivalent to daycare service.

5) Recommendation to Protect and Promote Human Rights of Student Athletes

On December 13, 2007, the Commission recommended that the Minister of Education and Human Resources Development, Minister of Culture and Tourism, Superintendents of 16 cities and provinces, and President of the Korea Sports Council should develop a policy to protect and promote human rights of student athletes.

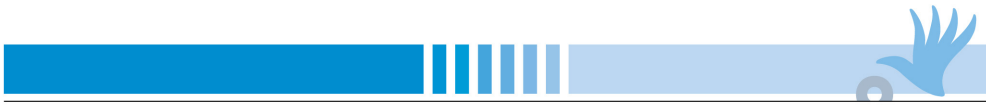
In regard to this, the Commission conducted an in-depth review on policies and institutional framework to improve human rights conditions of student athletes. It held policy discussion forums, expert policy consultation meetings, and meetings of human rights policy-makers, based on the Survey of Human Rights Conditions of Student Athletes. Commission's recommendations include: (1) measures to prevent student athletes

from missing school classes, (2) improvement of training camp system for student athletes, (3) introduction of the "Minimum Acceptable Academic Performance Level," (4) measures to prevent and eradicate violence against student athletes, (5) significant improvement of the way the National and Youth Sports Competitions are held.

More specifically, the Commission recommended that standards for daily and weekly hours of exercise should be developed to prevent student athletes from missing classes, additional classes should be allocated to student athletes, and official guidelines on sports competitions should be prepared to prevent sports competitions from being held on a weekday and to promote sports competitions to be held on weekends or during vacations, in order to address violations of rights to learning of student athletes, due to missing classes. In addition, the Commission recommended that measures to abolish training camps in primary schools should be developed, and training camps in middle and high schools should be improved based on an on-site survey, in order to solve problems with training camps for student athletes.

Furthermore, the Commission recommended that "a comprehensive measure to prevent violence against student athletes and promote human rights of student athletes" should be developed to improve the qualifications of coaches of student athletes, and that coaches who commit serious violence and sexual abuses should be subject to legal actions or face permanent disqualification, in order to prevent and eradicate verbal, physical, and sexual abuses against student athletes.

Lastly, the Commission noted that school sports policy focusing on nurturing elite sports players should be changed to address structural causes for violations of human rights of student athletes. It recommended that the "Minimum Acceptable Academic Performance Level" should be introduced to define standards for admission to higher schools, registration of student athletes, and eligibility for competition application. Furthermore, the Commission recommended that the way the National and Youth Sports Competitions are held should be significantly improved, because the competitions force even primary school students to excessively compete.



In 2008, the Commission plans to designate improvement of human rights in sports including protection of human rights of student athletes as one of its major initiatives. It will conduct a research on human rights violations in sports including violence and sexual abuses, provide human rights education to student athletes, coaches, and parents, and develop measures to improve human rights in sports from a long-term perspective.

6) Opinion on the Amendment to the Communications Confidentiality Protection Act

In relation to the Amendment to the Communications Confidentiality Protection Act, the Commission presented the following opinions: (1) inclusion of location information (GPS) in communications certification data might lead to exposure of excessive personal information, violate privacy of individuals, and misuse by investigators; (2) imposing communications service providers obligations to provide communications information to investigators and punishing communications service providers for failure to do so is discrimination against communications service providers without reasonable causes, and it conflicts with the principles of definiteness, warrant requirement, benefit comparison, and may be declared unconstitutional for investigators have to seize or search places to find evidence and those who retain communications information but do not provide such information to investigators are not punished in usual cases; (3) clauses to force communications service providers to acquire devices needed for enforcement of communications restriction actions do not take into account social implications and potential misuse of cell phone wiretapping, which has been prevented based on the public consensus, and communications service providers might violate privacy of individuals, because they can wiretap cell phone communications not only in exceptional cases allowed by the law but also whenever they want, once they acquire wiretapping devices; (4) institutional measures to prevent reckless collection and disclosure of personal information and swiftly delete personal information retained by communications service providers should be developed, and storing communications data for a certain period of time conflicts with the protection of personal information.

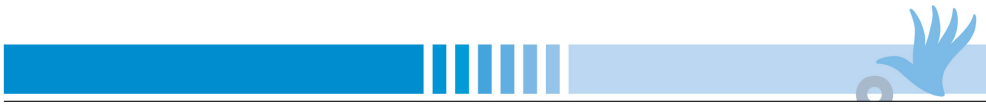
Therefore, the Commission noted that the Amendment to the Communication Confidentiality Act should be changed or deleted, because the Amendment goes against the purposes of the Communication Confidentiality Act, and might violate freedom of communications, privacy, and the warrant requirement principle.

Section 3. Recommendations and Opinions on Accession and Implementation of International Human Rights Treaties

1. Recommendation to Ratify the Convention on the Rights of Persons with Disabilities and Sign the Optional Protocol of the Convention on the Rights of Persons with Disabilities

The Commission believes that Korea can enhance its global status as a nation that respects human rights, if it signs the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Also, it believes that accession of the convention and protocol would promote human rights of people with disabilities, in practical terms, because the signed convention and protocol will have the same effect with domestic laws and become a standards for policies for people with disabilities. Therefore, the Commission recommended to ratify the Convention on the Rights of Persons with Disabilities and access the Optional Protocol of the Convention on the Rights of Persons with Disabilities.

The Commission compared the Convention on the Rights of Persons with Disabilities with the Korean law on people with disabilities. The Convention on the Rights of Persons with Disabilities specifies right to pursue happiness, right to equality, and governments' obligations to promote welfare of people with disabilities, which are also defined in Articles 10, 11, and 34 of the Constitution of Korea, while the Anti-Discrimination against and Remedies for Persons with Disabilities Act announced on April 10, 2007 specifies respect for human dignity and human rights of people with disabilities, and prevention of discrimination against people with disabilities. The latter has more detailed clauses on



prevention of discrimination or right to freedom that requires immediate remedies than the former. Some clauses defined only in the former are designed to define obligations of governments to protect social rights and to set the direction of policies for people with disabilities by promoting human rights of people with disabilities.

Therefore, the Convention on the Rights of Persons with Disabilities dose not conflict with the Anti-Discrimination against and Remedies for Persons with Disabilities Act. Also, personal notification and Commission's right to investigate defined in the Optional Protocol are designed to protect rights under the Convention on the Rights of Persons with Disabilities. In Korea, such rights are effectively protected under the Anti-Discrimination against and Remedies for Persons with Disabilities Act. Also, Korea has made efforts to improve statues and systems related to Anti-Discrimination against and Remedies for Persons with Disabilities Act. Therefore, there is no obstacle for Korea to sign the Optional Protocol.

2. Monitoring on Implementation of the UN Convention on Human Rights

1) Review and Monitoring of the 71st UN Committee on Elimination of Racial Discrimination

In August, 2007 the 71st session of UN Committee on Elimination of Racial Discrimination reviewed 13th and 14th Korean government reports. The Committee presented its opinion on the 2006 government report. Prior to the 71st Committee on Elimination of Racial Discrimination's review of Korean government report, it asked the Commission to present opinion on report. The Commission submitted an independent information report to the Committee, addressing wether the 2007 reports reflected the observation of the UN Committee on Elimination of Racial Discrimination. In addition, the Commission made an oral presentation on the government reports during the session. It was the first time for the Commission to submit an information report at the request of the UN Committee on Elimination of Racial Discrimination and to be officially invited to

make a oral presentation. In concluding observation, the UN Committee on Elimination of Racial Discrimination found it problematic the use of word "mixed blood" and overemphasis on pure blood shown in the government report.

2) Review and Monitoring of the 39th UN Committee on Elimination of Discrimination against Women

The Commission participated in the 39th session of the UN Committee on Elimination of Discrimination against Women at United Nations Headquarters in New York from July to August in 2007 to monitor the review of the 5th and 6th Korean government reports. The UN Committee on Elimination of Discrimination against Women welcomed establishment of the National Human Rights Commission and Ministry of Gender Equality, and abolishment of the male-family-head system. However, it expressed concerns over female marriage-based immigrants, violence against women including sexual abuses, and the disproportionately high ratio of female irregular workers. Preceding a constructive dialogue between the Korean government and the UN Committee on Elimination of Discrimination against Women, the Commission made an oral presentation on human rights conditions of Korean women as a national human rights protection agency.



Section 4. Researches on Human Rights Conditions

[Table 2-1-2] Status of Researches on Human Rights Conditions

No.	Area	Subject	Research Institution
1	Right to Freedom (4)	Study on Application of International Human Rights Protection Standards during the Court Proceedings	Chonnam National University
2		Study on Development of Evaluation Indices in Police Stations	Korean Institute of Criminology
3		Study on the Status of Implementation and Direction-setting of Right to Freedom	Konkuk University
4		The Convention on the Rights of the Child and Youth Justice	Dong-A University
5	Right to Equality (1)	Study on the Status of Discrimination against People with Disabilities in the Process of Investigation, Trial, and Sentencing	Hannam university
6	Social Rights(8)	Case Studies of Application of Punishment of Labor Incidents and Situation	Saenal
7		Study on the Status of Meal Service for Children from Poor Families	Korea Institute for Health and Social Affairs
8		Study on the Status of Settlement of North Korean Defectors Living in Korea: Focusing on the Status of Vocations	Ewha Womans University
9		Study on the Effects of ODA on Human Rights Conditions in Recipient Countries	Korea Human Rights Foundation
10		Study on the Status of Discrimination against Female Irregular Workers and Violations of Labor Rights of Female Irregular Workers in the Distribution Industry	Korea Labour & Society Institute
11		Study on the Status of Protection of Right to Education of Adolescent Unmarried Mothers	Seoul Women's University
12		Research on the Status of Protection of Right to Health of the Elderly in Welfare and Health Services	Public Health Promotion Research Center
13		Basic Research on Development of Indices for Social Rights	Sogang University
14	Human Rights Education(1)	Study on Systemization of Human Rights Education in Primary, Middle, and High Schools	Gyeonin National University of Education
15	Human Rights in North Korea (1)	Survey on the Status of North Korean Defectors Living in Korea	Ewha Institute of Unification Studies

Section 5. Other Activities

□ Special Reporting to President Roh Moo-hyun

On August 21, 2007, the Commission reported to the President on activities, progresses, and pending issues over the last six years.

At a luncheon with the President, the Commission reported on progresses as well as pending issues related to human rights protection in Korea. Also, it expressed opinion that in some human rights issues, government support is needed. The Commission asked the President to establish the Discrimination Prevention Act, one of the major goals pushed by the Commission, and provide assistance to development follow-up measures of the Disability Discrimination Act and establishment of the Human Rights Education Act.

The President expressed his thanks and support to the Commission for its strenuous efforts to promote human rights in Korea. He said that the Commission had successfully done the difficult job of establishing new standards for promoting human rights and increasing public awareness about human rights over the last six years.

He also said that the Commission successfully fulfilled its duty as the Vice Chair of the International Coordinating Committee of National Human Rights (ICC) and Chair of the Asian-Pacific Forum of National Human Rights Institutions (APF) to solidify its status as an advanced organization in charge of human rights protection, despite its short history. The President asked the Commission to further improve its international capacity.

In addition, the President said that he fully understood the current situation, where the Commission might often go against government policy in order to fulfill its duty. He asked the Commission to closely examine human rights issues the Korean government may overlook so as to protect the human rights in the marginalized areas in Korean society.

※ ICC: International Coordinating Committee of National Human Rights Institutions

※ APF: Asian-Pacific Forum of National Human Rights Institutions



Chapter 2

Human Rights Counseling & Complaint

Section 1. Overview

Since it was founded, the Commission has operated the Human Rights Counseling Center to provide counseling services to the public via telephone, in-person, and Internet channels. The Human Rights Counselling Center has not only provided information on legal and institutional solutions and procedures to victims of human rights violations and discrimination, but also helped the victims recover from the pain and suffering. The Commission has provided human rights counseling services to help counsees receive effective remedies for rights violations.

In addition to human rights counseling, the Commission has helped those facing human rights violations or discriminatory acts get remedies through complaint filing. In addition, the Commission visited detention facilities and protective facilities to offer human rights counseling and complaint-filing services.

The Human Rights Counseling Center provided counsees with accurate information on the scope of investigation conducted by the Commission and effectiveness of remedies for rights violations. In particular, it swiftly closed dismissed cases by conducting a preliminary review on dismissed cases clearly defined in Article 32 of the National Human Rights Commission of Korea Act. In addition, the Commission operated a Special Team to handle in-person complaints filed by people in detention and protective facilities to strengthen its capacity to address complaints on-site and increase satisfaction of counsees.

Section 2. Human Rights Counseling

Since the foundation, the Commission has handled a total of 38,531 counseling cases. The number of counseling cases increased every year from 7,738 in 2005 to 8,311 in 2006 and 10,693 in 2007. Human rights violations account for 41.5%, discriminatory acts 10.1%, and others 49.4% of the total counseling cases. Other counseling cases include cases outside the jurisdiction of the Commission including ones related to property rights, interpersonal rights violations, legislation matters, trial issues, and legal consultation.

[Table 2-2-1] Complaints, Counseling, Guide, and Civil Appeal Cases by Year

(Unit: Number of Cases)

Year	Complaint	Counseling	Guide/Civil Petition	Total
2007	6,274	13,387	20,780	40,441
2006	4,187	10,737	19,558	34,482
2005	5,617	9,136	18,684	33,437
Total	28,854	47,587	91,928	168,369

※ The total includes cases from November 2001 to December 31, 2007.

Section 3. Complaints Handled

Since the foundation in November 2001, the Commission has accepted a total of 28,854 complaints. The number of complaints on human rights violations was 23,101, accounting for 80% of the total complaints. The number of complaints on discriminatory act was 4,000 (13.9%) and the number of other complaints was 1,753 (6.1%). The number of complaints on human rights violations increased from 4,199 (75%) in 2005, to 3,332 (79%) in 2006 and 5,068 (80.7%) in 2007. In 2007, the number of complaints on human rights violations increased by 52% (1,736 cases) year-on-year. The number of complaints on discriminatory acts decreased from 1,081 (19%) in 2005 to 825 (20%) in 2006. However, it increased by 40% (333 cases) year-on-year to 1,158 in 2007.



[Table 2-2-2] Classification of Complaints by Year

(Unit: Number of Cases, %)

Category Year	Total	%	Human Rights Violation	%	Discriminat ory Act	%	Others	%
Total	28,854	100.0	23,101	80.0	4,000	13.9	1,753	6.1
2007	6,274	100.0	5,068	80.7	1,158	18.5	48	0.8
2006	4,187	100.0	3,332	79.6	826	19.7	29	0.7
2005	5,617	100.0	4,199	74.8	1,081	19.2	337	6.0

※ The total includes cases from November 2001 to December 31, 2007.

Section 4. On-Site Human Rights Counseling Services

The Commission provided on-site counseling services nine times to the disadvantaged and people in remote areas in 2007. It visited Ansan in Gyeonggi Province, Cheongju in Chungbuk Province, Hongseong in Chungnam Province, Jeju City, Seoguiipo City, Buan in Cheonbuk Province, Daegu City, Andong in Gyeongbuk Province, Chuncheon in Ganwon Province, Ulsan City, and Daejeon City. Counselees varied including migrant workers, irregular workers, people with disabilities, low-income families, marriage-based immigrants, farmers, homeless, and the elderly. In particular, the Commission conducted a research on aftereffects and human rights violations of a driving process of national project pushed for in Buan, Cheonbuk Province, and provided counseling services to residents in Buan.

The Commission plans to expand on-site counseling services to increase public understanding of the Commission and counseling accessibility of the disadvantaged and residents in remote areas, and improve public awareness about human rights, in partnership with local human rights groups.

Section 5. In-Person Complaints Handled

Article 31 of the National Human Rights Commission Act stipulates that people in detention or protective facilities can file a complaint with a Commissioner or a staff member of the Commission in a face-to-face meeting, using a verbal and paper statement. Since the Commission was founded, the number of in-person complaints or counseling cases filed is 19,569. 31.5% (6,173 cases) were filed as complaints, 46.3%(9,056) were closed as counseling cases, and 21.7%(4,242) were withdrawn by complainants. Currently, 96 investigations are under way.



On-Site Counseling in Hongseong, May 15, 2007

After adopting the team-based system in 2006, the Commission established the Special Team on In-Person Complaints within the Human Rights Counseling Center. It closed cases not investigated both in 2006 and 2007 and complaints about inconvenience in daily living as counseling cases. Therefore, in 2007, the complaint acceptance rate decreased compared to 2006. Also, the processing time decreased from 27.5 days in 2005 to 13.7 days in 2006 and 11.5 days in 2007. This is attributable to the operation of the Special Team on In-Person Complaints and proactive counseling services of Regional Offices to improve the capacity to address complaints on-site.

In 2007, the number of in-person complaints accepted from protective facilities increased by 637% year-on-year to 215. However, in-person complaints from protective facilities are not fully utilized. Therefore, the Commission should make a continuous effort to more effectively distribute complaint boxes and provide human rights education to officials working in those facilities.



Chapter 3

Investigations & Remedies: Human Rights Violations

Section 1. Overview

In accordance with Article 19.2 of the National Human Rights Commission Act, the Commission conduct investigations and provides remedies with respect to human rights violations. Under Article 30.1.1 of the Act, any person whose human rights are violated may file a complaint in cases where such rights are violated in the performance of duties of state organs, local governments, or detention or protective facilities, as guaranteed in Articles 10 through 22 of the Constitution.

After reviewing filed complaints, the Commission dismisses or rejects cases that do not fall within the Commission's jurisdiction, or do not constitute as human rights violations. Once a complaint is found admissible, the Commission provides a full investigation and official recommendation in order to prevent recurrence of similar instances, and reparations, if deemed necessary.

As it did in 2006, the Commission visited detention and protective facilities in 2007 to increase on-site investigations and proactively improve and protect human rights conditions of the disadvantaged in those facilities. In addition, it strengthened cooperation with government agencies, public organizations, and NGOs by holding meetings, and made efforts to increase effectiveness of remedies and protection activities.

Section 2. Human Rights Violation Complaints Handled

As Table 2-3-1 shows, the number of complaints on human rights violations increased by 52.0% (1,733 cases) year-on-year to 5,067 in 2007. The number of complaints filed had

gradually increased by the end of 2004. It decreased a little in 2005 and 2006. However, it started to increase again in 2007. In 2007, the number of complaints closed increased by 46.4% (1,508) year-on-year to 4,757.

□ Complaints on Human Rights Violations Handled by Type

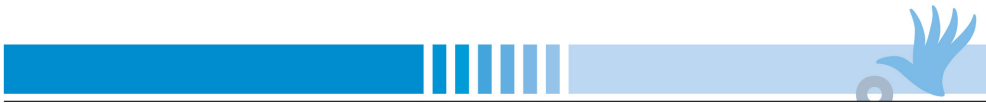
As mentioned above, the number of human rights violation complaints investigated and resolved by the Commission in 2007 increased by 46.4% year-on-year to 4,757. As Table 2-3-1 shows, there were a total of 239 cases affirmed including 13 accusation and investigation request cases, 2 legal aid cases, 1 mediation case, 16 cases recommendations of disciplinary actions, 146 cases of recommendations, and 61 settlement cases. Also, there were 1,215 dismissed cases, 3,152 refused cases, 116 transferred cases, and 35 suspended cases.

[Table 2-3-1] Complaints on Human Rights Violations Handled by Type

(Unit: Number of Cases)

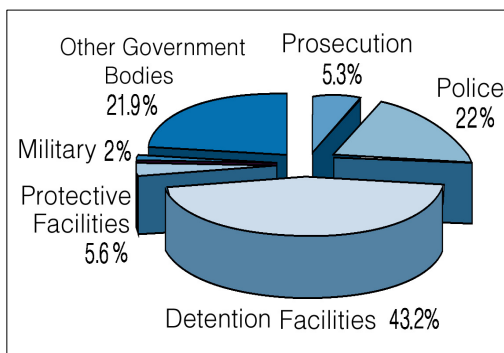
Year	Filed	Closed	Cases Affirmed							Cases Denied			
			Accusation and Investigation Request	Recommendation of Disciplinary Actions	Emergency Relief	Recommendation of Settlement	Settlement	Legal Aid Request	Mediation	Dismissed	Transferred	Refused	Suspended
2002 or Before	2,833	1,365	3	16	2	8	0	0	0	136	26	1,174	0
2003	3,041	3,137	9	3	2	57	23	0	0	717	116	2,210	0
2004	4,627	4,931	6	2	0	79	54	4	0	1,280	148	3,306	52
2005	4,199	4,132	6	6	1	156	73	2	0	1,318	147	2,378	45
2006	3,334	3,249	17	2	0	164	23	1	0	933	70	2,018	21
2007	5,067	4,757	13	16	0	146	61	2	1	1,215	116	3,152	35
Total	23,101	21,571	54	45	5	610	234	9	1	5,599	623	14,238	153

※ Number of cases closed= number of cases applied and closed in the current year + number of cases applied in the preceding year and closed in the current year



In 2007, out of 3,152 refused cases, 2,032 (64.5%) were complaints withdrawn, 359 (11.4%) were outside the jurisdiction of the Commission, 251 (8.0%) were investigated or closed by other organizations, 137 (4.3%) were filed after the prescription period, and 373 (11.8%) were refused as they were filed for no reasons or insufficient reasons.

Diagram 2-3-1 shows complaints on human rights violations filed against public organizations, after the Commission was founded. The number of complaints against



[Diagram 2-3-1] Human Rights Violation Complaints Filed against Organizations

detention facilities was 9,984, accounting for 43.2% of total complaints (23,100 cases). The number of complaints against police was 5,092, accounting for 22%, and the number of complaints against government organizations was 5,067, accounting for 21.9%. The Armed Forces and protective facilities account for 2% (452 cases) and 5.6% (1,290 cases) of total complaints, respectively.

Section 3. Major Investigations and Remedies : Human Rights Violations

1. Human Rights Violations : Forced Settlement and Sexual Harrassment by an Investigator of the Prosecution

Citizen "Lee (51-year-old woman)" filed a complaint with the Commission that a drunken investigator of the Prosecution visited her office at night, forced her to forgive a person who had accused her, and sexually harassed her. Lee said that she reported such an incident to the prosecutor in charge of her case and the Chief Prosecutor of "A" Branch Prosecutor's Office, but there were no remedies.

An investigation found that the drunken investigator of the Prosecution called Lee to

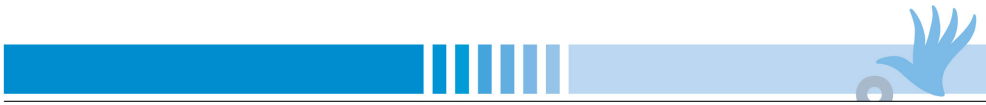
meet late at night and came to Lee's office, threatening that Lee would face disadvantages, unless she forgives the person who accused her. Also, it was found that the investigator of the Prosecution hugged Lee and touched Lee's breast and the buttocks. Lee notified the prosecutor in charge of her case and the Chief Prosecutor of "A" Branch Prosecutor's Office of such an incident, and gave a recorded audiotape to them. However, the prosecutor and Chief Prosecutor of "A" Branch Prosecutor's Office did not take any action, stating that the investigator denied any wrongdoing.

The Commission noted that (1) a settlement should be designed to give benefits to both parties, but settlement in this case was against Lee; (2) it was not socially tolerable that a drunken investigator of the Prosecution met a female accused late at night and sexually harassed her by hugging her and touching her breast and buttocks, saying "let me hug you"; (3) the prosecutor in charge of Lee's case and Chief Prosecutor of "A" Branch Prosecutor's Office did not take any action, in the excuse that the investigator denied any wrongdoing and sexual harassment should be reported to the authorities personally by the victim, even though they knew about the incident through a recorded audiotape. Based on these findings, the Commission ruled that the prosecutor and Chief Prosecutor of "A" Branch Prosecutor's Office violated the Principle of Due Process of Law to protect basic rights of citizens defined in Article 12.1 of the Constitution, Article 38 of the Regulations on Human Rights Protection in Investigations, and Articles 10 and 11 of the Constitution.

The Commission recommended the Prosecutor General and the Chief Prosecutor of "B" District Prosecutor's Office to take a disciplinary action against the respondent and give a caution to the Prosecutor and the Chief Prosecutor of "A" Branch Prosecutor's Office. The Prosecutor General and the Chief Prosecutor of "B" District Prosecutor's Office accepted the recommendation to apply suspension of duty to the respondent and give a caution to the prosecutor and the Chief Prosecutor of "A" Branch Prosecutor's Office.

2. Human Rights Violations: Obstruction of One Person Demonstration and Assembly

Citizen "Cho (50-year-old woman)" filed a complaint with the Commission on May 28,



2007, contending that officials of "C" Local Government tore pickets and white traditional Korean clothes of citizens, who were waging a one person demonstration, four times, and policemen from "C" Police Station on the scene did not take any action against the officials. The complainant said that she and other citizens, who had been forcefully removed from their houses due to a housing environment improvement project of "C" Local Government, were waging a demonstration in front of the official residence of the governor of "C" Local Government to call on "C" Local Government to offer proper compensation to them.

After investigation, the Commission found that the respondents who are officials of "C" Local Government tore white Korean traditional clothes and pickets of one person demonstrators using a pencil knife, and snatched and disposed of the pickets on January 9, 10, and 16, 2007, and that the respondents snatched a picket from demonstrators who were waging a legal demonstration and disposed of it on January 29, 2007. The Commission ruled that the respondents violated Articles 123 and 366 of the Criminal Law (Misfeasance and Malicious Mischief), Article 5 of the Assembly and Demonstration Act, Article 21 of the Constitution, and Articles 19 and 21 of the International Covenant on Civil and Political Rights (Freedom of Expression and Assembly).

In addition, the Commission concluded that the policemen violated Article 7 of the Constitution (Public Officials' Obligations to Serve Citizens), duties of police officers defined in the Law of Performance of Police Duties, government's obligation to protect citizens and the equality before the law defined in the Constitution, and fundamental rights of the demonstrators, because they did not take any action to stop or correct the illegal acts of obstruction of assembly on the scene or afterwards, in accordance with legal procedures.

The Commission recommended "C" Local Government to take a disciplinary action against the respondents for obstruction of one person demonstration and assembly, and provide human rights education to officials of "C" Local Government. Also, the Commission recommended the Chief of the Police Station responsible for "C" region to give a warning to the policemen for neglect of duties to protect citizens, and to provide citizen protection education to the policeman.

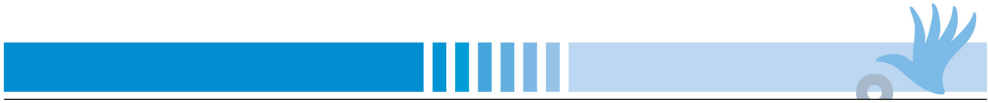
3. Human Rights Violations: Use of Electric Shock Baton by the Police

Citizen "A (25-year-old man)" filed a complaint with the Commission, arguing that his human rights were violated by the police. The complainant said that the police arrested him, took him to a police stand, bound him in a steel chair using a handcuff and iron chain, and injured him using a electric shock baton for no reason.

After investigation, the Commission confirmed that policemen gave a shock to the neck of the complainant using a electric shock baton, made threats several times, and forcefully laid the complainant on a steel chair, even though the complainant was not likely to escape, create a commotion, hit others, or injured himself. CCTV record showed that the complainant sat on a chair with one of his hand bounded by a handcuff and iron chain, made a call using his cell phone, and had a conversation with policemen after being taken to the police stand.

The Commission stated that an electric shock baton should be used in a limited way to eliminate only clear and present risks of escape, violence, commotion, and self-injuring, and that the use of an electric shock baton to the complainant who was not able to physically resist was an over-reaction, even if the complainant cursed to the respondent. Therefore, the Commission concluded that the respondent violated Article 12 of the Constitution (Personal Freedom), as the use of an electric shock baton did not meet the principle of the least damage in restricting personal freedom.

After the complaint was filed with the Commission, the Chief of the Police Station in charge of the police stand conducted an internal investigation and sent the case to "D" District Prosecutor's Office. The respondent admitted his wrongdoing and accepted suspension of duty. Therefore, the Commission concluded that an additional action against the respondent was not necessary. However, it recommended the Commissioner General of the Korean National Police Agency to provide on-the-job training on the use of police devices including electric shock batons to the policemen to prevent recurrence of similar human rights violations.



4. Human Rights Violations Concerning Arrest and Seizure and Search in Violation of Legal Procedures : Publishing Facts of Suspected Crime Before Indictment

Citizen "Ko (51-year-old man, Representative of the Pusan Branch of the Korean Teachers and Education Workers Union)" filed a complaint with the Commission, contending that the police violated his human rights, as the police published facts of suspected crime of the complainant to the press, without sufficient evidence, even before official investigation, and that three policemen seized and searched the office of the complainant early in the morning without prior notice.

After investigation, the Commission found that the respondents, who were investigating a national security law violation incident, seized and searched the office of the complainant on 7 o'clock in the morning when there was no one in the office, and that the respondents officially announced that the complainant and his organization violated the national security law on that day.

The Commission ruled that (1) a prior notice should have been sent to the complainant to ensure that the complainant could participate in the warrant execution process, in accordance with the Criminal Procedure Act; (2) the police concern for "possible evidence destruction" in this case did not require emergency measures, even though the police had the authority not to send a prior notice in emergency cases; (3) the police should have not skip a prior notice, unless there was clear and objective evidence that the police could not execute the search warrant during business hours, when workers were in the office, and had to execute the search warrant in the empty office in the early morning, because the police was in an emergency. The Commission concluded that the police violated human rights defined in Article 12.1 of the Constitution, Articles 122 and 123.2 of the Criminal Procedure Act.

In principle, the Criminal Code forbids investigators from publishing facts of suspected crime before indictment, and allows investigators to publicly announce facts of suspected crime, only when respect for public's right to know is more important than protection of right to personality and privacy of the suspect, and investigators have a reason to

immediately publish facts of suspected crime in an emergency. The Commission ruled that investigators violated human rights of the complainant defined in the Preamble of Article 10 of the Constitution and Article 207 of the Criminal Code, and defamed the organization the complainant belonged to.

Therefore, the Commission recommended the Chief of "E" District Police Agency to give a caution to the three policeman who seized and searched the office of the complainant to prevent recurrence of similar human rights violations.

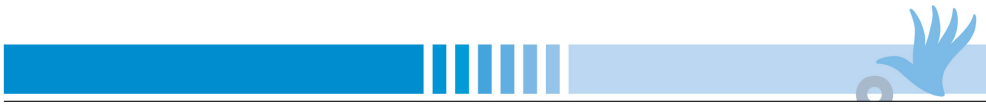
5. Human Rights Violations: Welding and Blocking Exits of a Basement Demonstration Site

□ Emergency Relief

Three groups including "G" Labor Union of "H" Company asked the Commission to provide emergency relief, arguing that the police prevented daily necessities from being delivered to a demonstration site, violating right to life of the demonstrators, restricted free access including visit of demonstrators' families to make the demonstrators actually detained, and welded fireproof shutters, threatening the safety of demonstrators who would not escape in case of a fire, and violating right to personality of the demonstrators.

After investigation, the Commission concluded that an emergency relief was not necessary to address the issue of delivery of daily necessities and restricted family visits. However, it recommended the police to allocate policewomen to check goods for women at the entrance. The Commission found that 13 doors and fireproof shutters on the basement floor except one door were welded to iron bars or chains. It ruled that the welding might cause serious risks to life and physical safety of the demonstrators, in case of a fire, and gravely violated right to personality originated from human dignity and values defined in the Constitution, because the demonstrators felt a sense of being disdained while seeing the police welding all entrance doors.

Therefore, the Commission offered an emergency relief, in accordance with Article 48.2



of the National Human Rights Commission Act, as it ordered the Chief of the Fire Station in charge of the demonstration site and the Chief of the Seoul Metropolitan Fire and Disaster Management Department to take necessary actions to prevent recurrence by conducting an emergency fire safety inspection.

□ **Investigation into Who Led Welding and Blocking Emergency Exits of the Demonstration Site**

After investigation into who led welding and blocking fire safety facilities and emergency exits, the Commission found that (1) the Korean National Police Agency ordered to block all exits except one or two using its internal documents on security guidelines and directions; (2) a high-ranking manager of "H" Company said that the company blocked exits, following the direction and request of the police, according to video data and statement of reporters covered the demonstration on-site; (3) company managers and demonstrators elaborated on the police request and the circumstances; (4) policemen stated that they repeatedly asked company managers to block emergency exits; (5) fire-fighters who participated in fire safety inspections stated that policemen blocked emergency exits. Based on these findings, the Commission finally confirmed that the police ordered and requested "H" Company to weld and block fire safety facilities and emergency exits of the demonstration site.

The Commission ruled that policemen violated international norms including the United Nations Universal Declaration of Human Rights, right to personality defined in Article 10 of the Constitution (Human Dignity and Values), freedom of physical safety defined in Article 12 of the Constitution (Personal Freedom), Article 10.1 of the Act on Fire-fighting Facilities Maintenance and Safety Management, and Articles 4, 10, and 11 of the Regulation on Police Officer Duties.

Therefore, the Commission recommended the Commissioner General of the Korean National Police Agency to give a warning to the Chief of the Police Station in charge of guarding the demonstration site, to give a caution to the Chief of the District Police

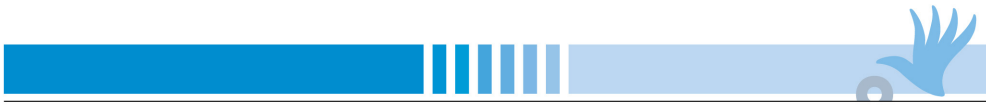
Agency in charge of general management of demonstration-related issues in the region, and to develop and implement measures to prevent recurrence of similar safety incidents and human rights violations, when the police fulfilled its duty within a building.

6. Recommendation to Improve Human Rights Conditions of Maladjusted Soldiers in the Military

While investigating complaints on human rights violations in the military, the Commission confirmed that a significant number of complaints were related to maladjusted soldiers in the military. However, there were no comprehensive investigations on maladjusted soldiers or measures to improve conditions of maladjusted soldiers. Also, as the GP fire-shooting accident in 2005 showed, maladjustment is not only a personal problem of soldiers, but also a social and military problem. Therefore, the Commission selected the Research on Human Rights Conditions of Maladjusted Soldiers in the Military as one of the 2006 human rights conditions research projects. After the research was finished, the Commission made a presentation on the result of the research, held an expert forum, and made a recommendation to "improve human rights conditions of maladjusted soldiers in the military" after the consultation with the Military Human Rights Experts Commission.

According to a statistical analysis on military accidents, 697 (64.2%) out of 1,085 cases of runaway accidents were related to maladjusted soldiers in 2006. Also, it was found that suicide and assault cases were closely related to maladjusted soldiers. Therefore, the Commission concluded that proactive and comprehensive measures should be developed to improve human rights conditions of maladjusted soldiers.

The Commission recommended the Minister of National Defense and President of the Military Manpower Administration to (1) take actions to identify potential maladjusted soldiers in advance from the conscription phases by allocating clinical psychologists to District Military Manpower Administrations, training camps, and drafts; (2) encourage



soldiers to use decent words to address causes of maladjustment and improve the atmosphere pleasant, promote various communication channels, and provide military officers with training and education on maladjusted soldier counseling and management skills; (3) allocate more basic rights counselors and improve status and working conditions of basic rights counselors to protect basic rights of soldiers, establish a cooperative relationship between basic rights counselors and the Commission, and publish how the cooperative relationship is maintained; (4) develop measures to secure financial resources and expertise for the Vision Camp, respect privacy of soldiers in the camp, and manage soldiers in the camp in collaboration with their parents; (5) allow psychology medical officers to participate in a military service suitability examination conducted in the discharge phase from the Vision Camp, introduce a system to re-allocate soldiers who are eligible to fulfill social service duties, if soldiers want, and improve the classification criteria for the injured and dead to provide fair compensation to people who suffer from mental and physical pains and gain mental illnesses or have committed suicide during military service.

7. Human Rights Violations: Violence by a Prison Officer

In March 2007, citizen "Park (55-year-old man)" filed a complaint with the Commission that his son was assaulted by a prison officer. When he visited his son in "I" Prison in February 2007, Park saw his son's face swollen and his son said that he was assaulted by a prison officer.

In response to the claim of Park, the prison officer said, "I did not hit him. I just held his neck and touched his cheek and back in order to restrain him from going mad."

After investigation, the Commission confirmed that the respondent admitted that he assaulted the son of the complainant (victim) later. In It also found that the respondent hit once the left back and cheek of the victim, using his right hand, using CCTV record, which clearly showed the victim escaping and asking for help after being assaulted, the respondent chasing the victim, and the pose of the victim right after being hit.



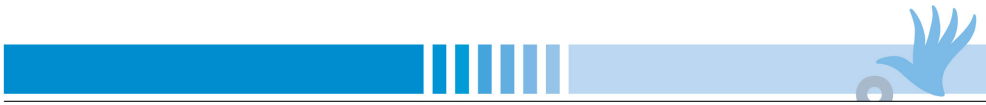
On-site Investigation in A Prison, August 28, 2007

The Commission ruled that it was not appropriate for the respondent to assault an inmate, because the respondent had a duty to enforce the law, and that the respondent violated Article 1.3 of the Penal Execution Act (Respect for Basic Human Rights), Article 4 of the Prison Security Duty Regulations (515th Directive of the Ministry of Justice), and Article 12 of the Constitution (Personal Freedom). It recommended "I" Prison to take a disciplinary action against the respondent.

8. Remedies : Human Rights Violations in a Child Welfare Institution

In July 2007, a complaint was filed with the Commission that the President of "J" Child Welfare Institution made verbal and physical abuses against children. After investigation, the Commission reported the President to the Public Prosecutor General, on charges of violation of Article 29 of the Child Welfare Act, and recommended the Head of "K" District Office who was responsible for supervising "J" Child Welfare Institution to strengthen supervision and monitoring to prevent recurrence of similar incidents, improve child welfare, and enhance the operation of the institution.

It was found that the respondent neglected his duty to protect and care for children by making verbal and physical abuses against children in the institution, frequently cursing



and using vulgar words, and inflicting corporal punishment on children in the name of discipline. In addition, the respondent restricted parents from meeting their children outside the institution, saying that the attitude of some parents was not appropriate. He also restricted children from going or staying outside the institution with their parents and communicating with their parents. The Commission ruled that the respondent violated basic principles of the Child Welfare Act, which stipulates that interest of children should be the top priority in all activities related to children, failed to fulfill the duties to protect rights of children to the maximum extent and provide counseling and guide to help children in the institution go back to their family in accordance with Article 18 of the Child Welfare Act, and violated children's right to pursue happiness.

9. Suo-moto Investigation into the Yeosu Immigration Protection Center Fire

On February 27, 2007, the Commission conducted a suo-moto investigation into the fire in the Yeosu Immigration Protection Center. Human rights of undocumented immigrants were violated, as many undocumented migrant workers detained in the center died in the fire accident.

The Commission found that only two security guards were working in the Yeosu Immigration Protection Center, when the fire broke out, and that the protection center was operated like a detention center, as it had double locks in the door. It also found that the Yeosu Branch of the Gwangju Labor Administration Office did not comply with the principle of "remedies before reporting" defined by the Ministry of Labor, and did not provide proper counseling on overdue wages to migrant workers, even though foreign workers stayed in the center mostly because of overdue wages. In addition, the Commission found that the Yeosu Immigration Protection Center did not provide information on the remedies for rights violations to migrant workers it protected, and did not offer counseling services to Mr. Kim (died) who was suspected to have set fire. It was revealed that employees of the center and outsourcing security guards could not effectively

respond to the fire in early phases, because the Yeosu Immigration Protection Center did not provide proper education on safety to its employees and outsourcing security guards. It was also found that the center let some migrant workers receive medical treatment while being in handcuffs, right after the fire broke out, and forced 22 victims of the fire to leave Korea without providing explanation on remedies for rights violations and psychological treatment to them.

The Commission recommended several government organizations to rectify human rights violations. It recommended the Minister of Justice and Speaker of the National Assembly to (1) specify a legal definition of protection in detail in the Amendment to the Immigration Management Act; (2) stipulate that protection should be provided to the least extent possible, only within the scope that restriction of basic rights of foreigners is required, in the Amendment to the Immigration Management Act; (3) improve the Amendment to the Immigration Management Act to define types and substance of basic rights that can be restricted by protection, and general rights that foreigners can exercise; (4) legally define the principle of "remedies before reporting" in the Immigration Management Act. The Commission recommended the Minister of Justice to develop safety measures to protect foreigners, in case of an emergency including a fire, provide safety training to employees of the center, and revise relevant regulations to develop effective safety measures to protect migrant workers protected in the center. In addition, it recommended the Director of the Yeosu Immigration Protection Center, Minister of Labor, Administrator of the National Emergency Management Agency, and Chief of the Yeosu Police Station to respect basic rights of foreigners protected in the center.



Chapter 4

Investigations & Remedies: Discriminatory Acts

Section 1. Overview

The Commission conducts investigation and remedial activities regarding discriminatory acts, in accordance with Article 19.3 of the National Human Rights Commission Act. In addition, the Commission investigates complaints of discriminatory acts filed by individuals, legal entities, or organizations, in accordance with Article 30.1.2 of the Act. Furthermore, the Commission has the authority to investigate discriminatory acts, even without complaints, if there is substantial evidence to allege a serious case of discrimination, in accordance with Article 30.3 of the Act.

Discriminatory acts violating right to equality and subject to an investigation of the Commission include acts of favorably treating, excluding, differentiating against or unfavorably treating a particular person, without reasonable causes, in (1) employment (recruitment, appointment, training, assignment, promotion, etc.); (2) the supply/use of goods, services, transportation, commercial facilities, land and/or residential facilities; (3) the use of educational facilities or vocational training institutions, on the basis of 19 grounds including gender, religion, disability, age, and social status. However, temporary favorable treatment or enactment of laws intended to rectify discrimination is not considered discriminatory.

In 2007, the Commission investigated and provided remedies to a total of 1,159 cases of discriminatory acts. Among them, 111 cases were remedied, 37 cases were mutually settled, and 264 cases were resolved through investigations. It increased public awareness about discrimination by actively publishing important recommendations regarding discriminatory acts through press releases, persuaded respondents to accept recommendations, and monitored whether its recommendations were fully implemented. In

addition, the Commission conducted special investigations into eight cases including running arbitrary identity checks and discrimination against those with criminal records, and conducted five suo-moto and on-site investigations including the one into the Fire in the Yeosu Immigration Protection Center.

Section 2. Statistical Review of Complaints on Discrimination

In 2007, complaints on most discriminatory acts increased, while complaints on a few discriminatory acts decreased. More specifically, discrimination on the grounds of disabilities and age significantly increased by 2.2 times (115 → 245 cases) and 1.6 times (69 → 107 cases) year-on-year. Also, the number of complaints on sexual harrasment increased by 1.6 (104 → 163 cases) year-on-year. Discrimination for other reasons increased by 2.2 times (117 → 256 cases). In addition, discrimination on the grounds of gender and physical conditions including appearance increased by 1.7 times (44 → 76 cases) and 2 times (10 → 20 cases) year-on-year, respectively.

Complaints on discrimination against disabilities increased in 2007 as people with disabilities had increased awareness of their rights in line with the enactment of the Anti-Discrimination against and Remedies for Persons with Disabilities Act. In addition, the increase in the number of cases on discrimination based on age was attributable to the fact that the government took action to amend the Elderly Employment Promotion Act into the Age Discrimination in Employment and Elderly Employment Promotion Act, and public awareness of discrimination based on age improved. Meanwhile, the number of complaints on sexual harrasment has continually risen, since the investigation and remedy of sexual harrasment cases were transferred from the Ministry of Gender Equality and Family Affairs to the Commission.

Compared to 2006, the number of complaints on discrimination on the grounds of social status (2.2-time decrease from 208 to 117 cases) and marital status (7.7-time decrease from



22 to 3 cases) dropped significantly. In particular, the reduction in the number of complaints regarding discrimination on the grounds of social status was attributable to the fact that the Commission redefined the concept of social status and "other" causes of discrimination to reflect practical concerns. As a result, the number of complaints categorized as "other" grounds of discrimination increased.

[Table 2-4-1] Complaints Filed on the Basis of Discrimination

(Unit: Number of Cases(%))

Classification		Gender	Sexual Harassment	Religion	Disability	Age	Social Status	Region of Origin	Country of Origin	Racial Origin	Appearance	Marital Status	Pregnancy/Childbirth	Family Status	Ethnicity	Skin Color	Ideas	Criminal Record	Sexual Orientation	Medical History	Educational History	Others	
Filed	2002	189	11	2	6	33	7	48	5	20	-	2	2	-	1	1	1	4	7	4	10		25
	2003	358	34	1	5	18	24	75	2	19	1	4	4	15	2	-	-	7	3	2	16	28	98
	2004	389	25	-	8	54	57	64	6	10	-	6	7	4	4	-	-	-	7	1	7	12	117
	2005	1,081	55	62	11	121	87	297	23	19	-	45	9	5	15	1	1	5	23	5	21	48	228
	2006	824	44	104	8	115	69	208	9	28	0	10	22	9	8	1	0	2	12	4	30	24	117
	2007	1,159	76	163	12	245	107	117	8	37	1	20	3	16	13	4	1	2	17	3	31	27	256
	total	4,000	245	332	50	586	351	809	53	133	2	87	47	49	43	7	3	20	69	19	115	139	841
	Share(%)	100	6,1	8,3	1,3	14,6	8,8	20,2	1,3	3,3	0,0	2,2	1,2	1,2	1,1	0,2	0,1	0,5	1,7	0,5	2,9	3,5	21,0
Closed	3,755	229	296	47	529	337	793	52	119	2	80	46	44	42	6	3	19	65	16	110	135	785	
Pending	245	16	36	3	57	14	16	1	14	0	7	1	5	1	1	0	1	4	3	5	4	56	

※ Figures in 2002 includes complaints filed from November 26, 2001 to December 31, 2002.

Section 3. Status of Complaints on Discrimination Handled

□ Complaints on Discrimination by Resolution Type

The number of complaints on discrimination increased by 1.4 times to 1,159 in 2007 from 824 in 2006. As of the end of December 2007, 3,755 cases (93.9%) are closed and 245 cases are under review or investigation, out of 4,000 complaints filed.

[Table 2-4-2] Complaints on Discrimination by Resolution Type

(Unit: Number of Cases (%))

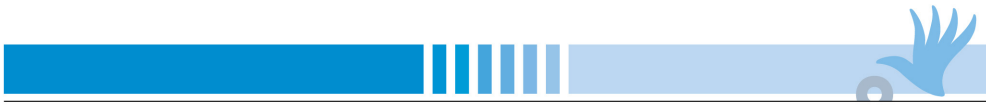
Classification	Cases Filed	Cases Resolved	Cases Affirmed			Cases Denied				Cases under Investigation
			Recommendation	Mutual Settlement	Mediation	Dismissed	Refused	Transferred	Suspended	
2002 or Before	189	102	8	2	–	18	73	1	–	–
2003	358	296	30	3	–	48	215	–	–	–
2004	389	368	21	4	1	74	263	3	2	–
2005	1,081	837	55	7	–	121	650	2	2	–
2006	824	899	115	23	10	182	553	11	5	3
2007	1,159	1,253	111	37	3	172	901	22	7	242
Total	4,000	3,755	340	76	14	615	2,655	39	16	245

※ Recommendation refers to any recommendation for (1) preventing recurrence; (2) human rights education; (3) improvement or rectification of relevant systems, policies, and practices.

※ Number of cases closed= number of cases filed and closed in the current year + number of cases filed in the preceding year and closed in the current year

In 2007, by resolution type, there were 111 cases of recommendations for policy reform and human rights education, 37 cases of mutual settlement between the complainant or the victim and the respondent, and 264 cases of resolution in the process of the investigation, due to proactive efforts by investigators. In 2007, the number of complaints filed and closed increased compared to 2006.

An analysis of recommendations for policy reform and improvement, human rights education, compensation, and provision of reasonable accommodation showed that the highest number of recommendations issued related to age discrimination cases (29 recommendations), followed by disabilities (23 recommendations), social status (17 recommendations), and sexual harassment (15 recommendations). In particular, the number of recommendations to rectify discrimination on the grounds of disabilities significantly increased to 23 in 2007 from 9 in 2006.



Section 4. Major Investigations and Remedies

1. Wage Discrimination Based on Gender at "B" Electronics Company

Nine female workers including "Kim," who worked in the assembly line at "B" Electronics Company, filed a complaint, alleging that they faced wage discrimination on the grounds of gender. They said that female workers received lower wages than male workers, even though they did the same job with male workers.

After investigation, the Commission found that the production department of "B" Electronics Company was responsible for assembling, inspection, and packaging of products, and allocated one worker to each process such as parts testing or soldering in the assembly line. It also confirmed that there were no regulations specifying that only one gender should be responsible for a specific process. Also, it found that there was no task fixed to each individual worker, and tasks were flexibly allocated to workers, according to production rate, defect rate, or vacancy, regardless of gender or employment type.

"B" Electronics Company insisted that it gave higher wages to male employees who were responsible for loading products to trucks, which required physical strength. However, the Commission found out that products were loaded to trucks on an irregular basis, between one and five times per week. It also confirmed that both male and female workers in the assembly line were mobilized to load products to trucks. Therefore, the Commission denied "B" Electronics Company's claim.

The Commission recommended "B" Electronics Company to pay compensation to the complainants, on the following grounds: (1) both male and female employees working in the assembly line of "B" Electronics Company were contract-based employees and there was no major difference in job responsibility based on gender; (2) working conditions of male and female workers were not fundamentally different, as both male and female workers were allocated to the same assembly line and worked together as a group; (3) even if male workers were fully responsible for lading, it was not reasonable to pay more for a job that required only muscle strength than for assembling that required attention to details,

concentration, and experience.

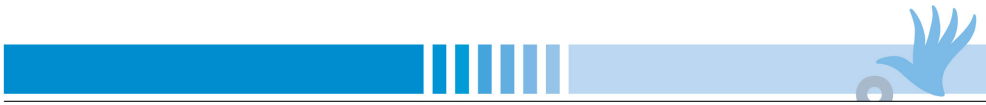
2. Sexual Harrassment by the Director of an Overseas NGO

Citizen "Lee (woman)" filed a complaint with the Commission, contending that she felt harassed and sexually abused, and was under a lot of stress while working for the Cambodian Culture and Welfare Center operated by "C" Public Welfare Group. The complainant alleged that the Director of the Center said that he would describe how he engaged in actions similar to sex with his own daughter and made other comments not socially tolerable. He would also make obscene and vulgar comments that made the complainant a subject of his sexual desires such as "I feel the scent of a woman," and "I imagined a naked woman while you were taking a shower." The complainant also said that the respondent watched pornographic videos at volumes large enough for Lee to hear, and stored a pornographic video in a laptop shared by employees to force Lee to see the video.

The respondent denied any wrongdoing, and claimed that the complainant had a grudge against him, because he scolded her for not following his order in Cambodia.

The Commission investigated witnesses in Korea and Cambodia. It found that the respondent had used sexually abusing words even before the incident happened, and that two other female employees of the Cambodian Culture and Welfare Center had faced similar verbal and physical sexual harassment. It was also confirmed that the complainant had consistently informed her colleagues and "C" Public Welfare Group of the sexual harassment incident.

Based on these findings, the Commission concluded that the respondent's actions amounted to sexual harassment in the workplace and should provide damages of 30 million won to the complainant, because he committed sexual harassment in the workplace. Also, it recommended the Secretary General of "C" Public Welfare Group to include education preventing sexual harassment in its training programs for employees both in Korea and overseas in order to prevent recurrence of similar incidents, and to develop guidelines to address sexual harassment in the workplace.



3. Employment in Recruitment on the Grounds of Disability

Citizen "Kim," a person with a 2nd-class physical disability neuro-developmental disability, filed a complaint with the Commission, contending that he asked "D" Corporation to extend the test time and allow him the help of others to mark the OMR sheet or to use a laptop for the employment test because he has difficulty writing due to shaky hands, but the Corporation rejected his request.

"D" Corporation said, "We have never provided any special conveniences to any applicant with disabilities regarding testing. If we offered special conveniences to the complainant only, it would not be fair to other applicants with disabilities. We did not accept the request from the complainant, because even the Civil Service Commission has only provided an enlarged answer sheet to applicants and has not allowed applicants to engage the help of others in filling out the answer sheet."

However, the Commission found that test time was extended, braille and enlarged sheets were provided, a surrogate answer-sheet marker was allowed, and laptops were provided for the visually impaired or people with neuro-developmental disabilities in the Lawyer or Patent Lawyer Examination, teacher license exam, university entrance exam and some private company employment tests. In particular, the Commission confirmed that the university the complainant attended had allowed him extended test times and a laptop in filling out the answer sheet, considering that he had difficulty writing due to shaky hands.

The Commission concluded that it was the employer's responsibility to provide reasonable accommodation to applicants with disabilities in employment tests to help people with disabilities receive a fair evaluation, in accordance with the Welfare of Disabled Persons Act and the Act on Employment Promotion and Vocational Rehabilitation for People with Disabilities, considering disability degrees, types and characteristics, and that the responsibility was not conditional or dependent on precedents or other organizations' cases in providing reasonable accommodation to people with disabilities in pre-employment testing. The Commission recommended that "D" Corporation provide reasonable accommodation to people with serious disabilities who

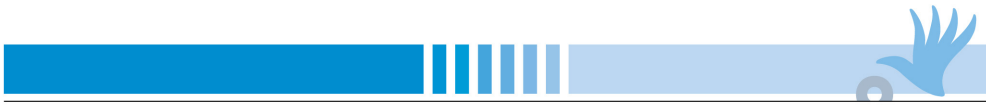
cannot write in employment testing, saying that "D" Corporation discriminated against people with disabilities.

4. Discrimination in the Purchase of Insurance on the Grounds of a Disability

Citizen "Lee," a person with 5th-class physical disability wire transferred the first premium after he purchased a driver's insurance policy from an agent by phone at a Contact Center of "E" General Insurance Company. One day later, another agent called Lee and said that the insurance policy was void because Lee had a spinal disability. Lee filed a complaint with the Commission that "E" General Insurance Company discriminated against him on the ground of a disability.

"E" General Insurance Company insisted that it did not discriminate against a person with a disability, saying that the complainant personally notified it of the diagnosis of lower limb paralysis caused by myelitis. It said that it rejected any insurance applications from people with or without disabilities if notice is served of a diagnosis of lower limb paralysis in accordance with its insurance acquisition guidelines.

The Commission found the following facts: (1) "E" General Insurance Company would review applications from people with 4th and 5th-class disabilities case by case according to the cause of their disabilities and diagnosis; (2) the complainant notified the agent several times of the fact that the diagnosis of lower limb paralysis caused by myelitis was made when he was a third grader in middle school and that the diagnosis had nothing to do with the current disability. The agent confirmed the irrelevance between the diagnosis and the current disability of the complainant; (3) One day later, however, another agent notified the complainant of the cancellation, arguing that Lee had mentioned that the diagnosis of lower limb paralysis caused by myelitis was related to the current disability when he purchased the insurance product; (4) "E" General Insurance Company allowed consumers to buy the insurance product that the complainant bought without a medical examination for convenience, but requested insurance buyers to get a medical examination during the insurance review process.



The Commission concluded that the insurance cancellation by "E" General Insurance Company constituted discrimination based on disability and medical history. It stated that "E" General Insurance Company linked the medical history of the complainant to the current disability, when it had knowledge of the complainant's disability, and that "E" General Insurance Company cancelled the insurance contract based only on the fact that the complainant had a disability and a medical history, without allowing the complainant to get an additional medical examination.

The Commission recommended that "E" General Insurance Company review the insurance cancellation and improve insurance purchasing and examination procedures to prevent the recurrence of similar incidents, saying that the contract cancellation constituted discrimination on the ground of disability and medical history.

5. Age Discrimination in the Recruitment of Nurses

Citizen "Park" filed a complaint with the Commission that she faced discrimination based on age. "F" Corporation posted a recruitment notice that "G" Hospital wanted to employ nurses born in 1981 or after. The complainant said that she was denied an employment opportunity, because she was born in 1977.

"F" Corporation insisted that other public hospitals and general hospitals also restricted the age of new nurses because nurses worked as a team on three shifts and had to create a close relationship with one another.

The Commission made recommendations in the past that government organizations and private companies remove the age limit in recruiting employees including public servants, university faculty and flight attendants, if there is no reasonable correlation between the required duties and age, saying that the age limit constitutes discrimination and a violation of the right to equality. In this case, the Commission believed that the age limit cannot be tolerable if there was no reasonable correlation between the fundamental duties of nursing and age.

The Commission acknowledged that nursing required a stronger hierarchy and order or

systematic cooperation among colleagues than other professions, as nurses care for the lives of patients. However, it found that creating a hierarchy or close relationships among nurses was not part of the fundamental duties of being a nurse, and that an age-based hierarchy was not essential. Even if a hierarchy was required, this did not necessarily have to be based on age. It ruled that there was no reasonable correlation between fulfilling the fundamental duties of nursing and age, and that expertise, experience and leadership of senior nurses was an advantage, not a disadvantage.

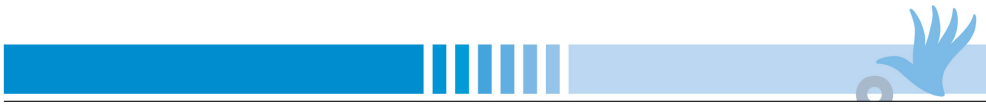
The Commission ruled that the age limit by the respondent in recruiting new nurses constituted discrimination on the ground of age, and recommended that the respondent remove restrictions on the age of applicants in recruiting new nurses.

6. Age Discrimination in Pro-Golf Qualifications

Citizen "Yu" filed a complaint with the Commission that "H" Association Tournament discriminated against those who were over 50 years old by placing an age limit of under 50 years old for the Qualifying School Tournament which golfers had to join to become professional golfers.

"H" Association said that it imposed the age limit of 50 years for the following reasons: First, it was very rare that golfers who were 50 years old or older passed the professional golf tests. Second, it had to be prudent in selecting golfers, as players had to pay a big fee to apply for the competitions and they would face huge financial loss if they were not high in the rankings. Third, the competition for professional golfers required not only a high level of technique, but also significant physical strength and endurance, but players who were 50 years old or older had difficulties playing and might obstruct other players in the competition.

After investigation, the Commission found that the current age limit was not reasonable, considering that life expectancy was rapidly increasing and the correlation between age and physical strength or the capacity to play golf became weaker due to advances in medical and health technology. Also, it concluded that the financial burden was a personal



issue for the complainant and should not be the basis for qualification. The Commission acknowledged that less competent players might obstruct other competent players by delaying the competition. However, it was not reasonable for the respondent to limit the age of players, because the respondent could resort to other alternatives to measure the capacity of players such as an official lowest qualifying score if the respondent was concerned that the complainant might interfere with other players in the competition.

The Commission recommended that "H" Association revise its regulations to ensure that players who were 50 years old or older may participate in the Qualifying School Tournament.

7. Discrimination on the Grounds of Race in Restaurant Access

Foreigners "I" and "J" filed a complaint with the Commission that a restaurant in Itaewon-dong discriminated against them based on skin color. The complainants said that employees at a restaurant in Itaewon-dong requested that the complainants show identification and then said that the restaurant did not accept people from a specific continent when the complainants ordered food. When the complainants asked the staff whether they were raising an issue because the complainants were black, they answered "yes."

The restaurant insisted that it checked the identification of all foreign guests, because there had been some friction between its staff and people from "K" country before. It claimed that it only restricted access to some people who had damaged the business and did not discriminate against people from a specific country or people of specific races. It also insisted that the complainants refused to show their identification and became angry, even though restaurant staff explained the reason they wanted to see identification.

Meanwhile, a lot of witnesses stated that they were also refused service by the restaurant only because they were black or came from "K" country at the time when the complainants were refused service by the restaurant.

After investigation, the Commission ruled that restricting access of people from "K"

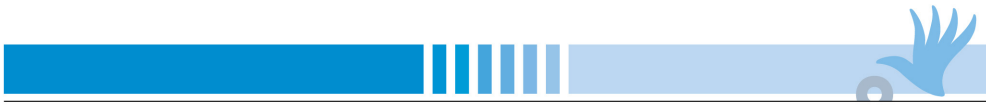
county constituted discrimination based on the prejudice that all people from "K" country have the potential to create an incident simply because a person from "K" country had created problems in the restaurant before. Therefore, the Commission recommended that the respondent not refuse guests on the ground of race or country of origin.

8. Discrimination on the Grounds of Educational History in Recruiting Public Servants through a Special Limited Competition

Citizen "Park" filed a complaint with the Commission that "L" Administration Office discriminated on the ground of educational background in a limited recruitment competition by forcing applicants who applied for Grade-7 Food Administrators to write down the name of schools they had attended and allowing only people with a master's degree or higher to apply for a position with "L" Administration Office.

"L" Administration Office said that there were two kinds of public official recruitment, such as an open competition for all and limited competition for experts with licenses or degrees in some areas including food hygiene, pharmaceutical care, medical technology and scientific research. It insisted that it adopted a limited competition to recruit people with certain degrees in order to hire only those with knowledge and expertise. The Civil Service Commission claimed that the general principle was to prevent discrimination on the ground of educational background in the public official employment exam, but it was possible to apply the education history limit, in accordance with Article 16.1.10 of the Public Official Recruitment Decree.

However, the Commission replied that considering recruitment practices in Korea, the respondent might provide favorable treatment to applicants who graduated from certain schools, if applicants wrote down the names of the schools they attended. It also said that it did not think that there was reasonable cause for the respondent to request applicants to write down the names of the university and high school they attended, and that education level was the only essential qualification to fulfill the duty of food administrator. In addition, the Commission stated that six government organizations including the



Ombudsman of Korea presented multiple qualification standards such as license, research or work experience and degree that the applicant must meet when they recruited new officials, and that such multiple qualification standards fully met the objectives of limited competitions to recruit experts without discrimination on the ground of educational background.

The Commission concluded that the request for applicants to write down the names of schools they attended on the application form or restrict some applicants from applying for some positions in a limited competition to recruit public officials constituted discrimination and a violation of the right to equality. It recommended that the President of "L" Administration Office change the application form to ensure that applicants do not need to write down the names of schools they attended, and to improve limited competition standards to ensure that educational background is not the only standard for recruitment. In addition, the Commission recommended the Chief of the Civil Service Commission to revise the clauses of the Public Official Recruitment Decree that allow government organizations to recruit officials only on the ground of educational background in limited competitions.

9. Discrimination in the Recruitment of Flight Attendants on International Flights on the Grounds of Educational Background

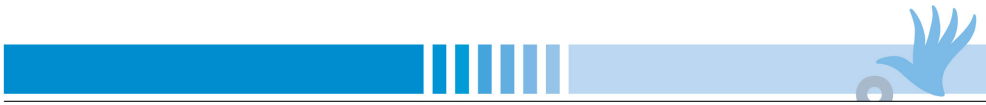
Citizens including "Park," who graduated from a technical college, filed a complaint with the Commission that "M" Airlines discriminated against the complainants on the ground of educational history, as flight attendant positions for international flights were open to 4-year university graduates only.

"M" Airlines insisted that it adopted such a recruitment system to differentiate itself from other airlines, even though the recruitment system increased labor expenses and decreased efficiency in workforce management. It also claimed that flight attendants on international flights did different jobs than those on domestic flights, and therefore,

required different foreign language and interpersonal skills. After the Commission began its investigation, "M" Airlines announced that it introduced a new human resources management system to allow flight attendants with a certain level of experience on domestic flights to work on international flights.

After completing its investigation, the Commission found that the Cabin Crew Service Manual, "M" Airlines' textbook for flight attendants, did not classify duties into those for international flights and other duties for domestic flights. It also found that "M" Airlines posted a recruitment notice saying that flight attendants both on domestic and international flights are responsible for in-flight safety and passenger services, even though there was a difference between the duties of flight attendants on domestic and international flights in passenger service procedures, immigration control procedures by destination and in-flight announcements. However, the Commission ruled that such differences in duties were not acceptable reasons for discrimination on the ground of educational background. In addition, it concluded that there were no reasons to consider university graduation as an essential qualification to become a flight attendant on international flights because "M" Airlines had already been testing applicants' basic capabilities to fulfill duties such as foreign language skills, physical strength and swimming capacity in recruiting flight attendants for international flights, and applicants had to get on-the-job training and gain experience before being assigned to international flights. Furthermore, it stated that the respondent did not specify what benefits it gained from restricting educational background in recruiting flight attendants for international flights, and that the case for restriction was not clear and reasonable, as the respondent admitted that such a restriction was disadvantageous in workforce management and labor expenses.

The Commission said that the work period requirement and detailed processes for the transfer of domestic flight attendants into international flight attendants that the respondent had recently introduced were not yet defined, and that such conversion would not address discrimination in recruiting flight attendants for international flights, even if the conversion system was fully established.



Therefore, the Commission recommended that "M" Airlines improve its recruitment system, saying that allowing only applicants who had graduated from a university to apply for international flight attendant positions constituted discrimination on the ground of educational background.

10. Discrimination against Irregular Workers in a Collective Agreement and Working Conditions

"Park" and 311 other irregular workers employed by "O" Company filed a complaint with the Commission claiming that "O" Company discriminated against irregular workers, as "O" Company (1) did not apply clauses related to activities of the labor union including the scope of union members, union activities during work hours, eligibility standards for full-time officials of the labor union, and education hours for union members to them because they were irregular workers; (2) applied a lower wage increase rate to them than regular workers; (3) fired only irregular workers among employees who received a "D" in their performance review; (4) excluded irregular workers from various bonuses and benefits including family allowance, winter allowance, homecoming allowance, sick leaves, disaster compensation, comprehensive medical examinations, temporary retirement, wage for workers temporarily retired and severance pay, or provided less favorable bonuses and benefits to irregular workers; (5) classified the duties of irregular workers into six grades and set the ceiling of wages for each grade in order to not increase the wages of irregular workers beyond the ceiling, even if irregular workers were employed for a long time and received good evaluations.

"O" Company insisted that it decided to reach an additional collective agreement with irregular workers who were union members, because the existing collective agreement was only for regular workers who were union members. It also claimed that it had significantly addressed the difficulties facing irregular workers including the restriction of union activities during work hours, as it signed the 2007 Management-Labor Agreement for Irregular Workers, an additional collective agreement. As for the family allowance not

addressed, it said that it was reasonable to provide different bonuses to regular and irregular workers, according to employment types, duties and the length of service.

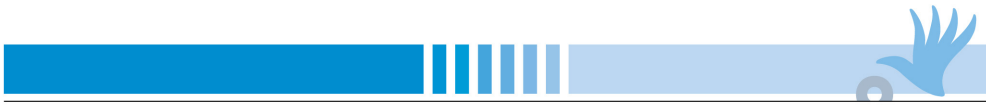
The Commission found that the respondent did not apply clauses related to the activities of the labor union including the scope of union members and education hours for union members who were irregular workers or applied such clauses to irregular workers differently than regular workers, and that the respondent gave lower bonuses, including family allowances, to irregular workers than regular workers or did not give them at all, even though it improved part of its bonus and benefits system.

The Commission recommended that "O" Company apply clauses of the collective agreement related to labor union activities to irregular workers, saying that not applying clauses of eligibility applicable to full-time officials of the labor union to irregular workers and giving fewer union education hours to irregular workers constituted discrimination. In addition, it recommended that "O" Company provide irregular workers with family allowances, sick leave, comprehensive medical examinations, funeral expenses, and long-term service leaves for eligible irregular workers. It also recommended that "O" Company provide the same winter relief allowance and homecoming allowance to both regular and irregular workers.

11. Discrimination on the Grounds of Religion in Employing Professors at "P" University

"Cho," who was a professor fired from "P" University, filed a complaint with the Commission that "P" University discriminated against him on the ground of religion, as it gave employment opportunities only to applicants of a specific religion and deprived competent applicants of employment opportunities.

The respondent insisted that it had the right to provide education in line with its education policy, as it was a private university founded to realize the vision of the founder, and that it had a right to recruit faculty respecting the bylaws of the university in order to



achieve its founding vision.

The Commission found that: (1) "P" University's bylaws specified that the purpose of its foundation was to nurture leaders of "Q" religion who contribute to the development of the nation and society; (2) qualification listed in the recruitment notice was a person with leadership abilities who will realize "P" University's vision; (3) applicants had to write down whether and when they were baptized, contact information for three personal references of "Q" religion, and a self introduction including their religious values on the application form; (4) 177 out of 178 full-time and part-time faculty members practiced "Q" religion; (5) "P" University actually allowed only applicants of "Q" religion to apply for faculty jobs and decided whether it would hire an applicant based on religion.

The Commission acknowledged that nurturing talents by universities founded by a group or individual who wanted to spread a religion was one way of realizing the right to practice a religion, and a university can hire its faculty respecting the founding vision. However, it ruled that the right to practice a religion and a university's autonomy should be exercised to the extent that it did not violate the basic rights of others. The Commission stated that it had to review whether only applicants of "Q" religion were capable of fulfilling the job of professors, considering public education objectives and the founding vision of "P" University, and curriculum's relevance with "Q" religion, before determining whether providing employment opportunities to only applicants of "Q" religion and making an employment decision based on an applicant's religion constituted discrimination.

After reviewing the curriculum of "P" University, the Commission ruled that it was not reasonable to make religion a qualification for all faculty jobs, without consideration of curriculum and its public duty as an institution of higher education, since 11 out of 12 departments provided a general university education not related to the doctrines of "Q" religion, thus a specific religion cannot be an essential qualification for all faculty members.

The Commission recommended "P" University to improve the faculty recruitment system that restricted employment opportunities to only applicants of "Q" religion.



Chapter 5

Human Rights Education

Section 1. Overview

The United Nations considers human rights education as the starting point for realizing human rights and an activity required to enhance human rights. It also stresses that human rights education should be comprehensive and provided to people throughout their lives so that they can learn about it, have the right values, attitudes and personality to respect human rights and become capable of dealing with any human rights violations or discrimination. To this end, the Commission has made great efforts to establish a system to provide everyone with lifelong human rights education by restructuring the organization and its roles according to the target group composed of three teams: school education, public education and civil education.

In 2007, as a result, the internal system for each target group became stabilized. Tailored programs and courses were developed and offered to meet the needs of different groups such as universities, the social welfare field, businesses and journalists. Also, the human rights education system was successfully founded for the regular curriculum of primary and secondary education, work places and lifelong learning facilities. The Commission made significant progress on the legislation of laws on human rights education guaranteeing that all citizens are given the opportunity to be educated on human rights. It also imposed an obligation on local autonomies to offer human rights education, and made efforts to promote the incorporation of human rights-related content into the 7th National Curriculum of primary and secondary education. In addition, it encouraged human rights education on campus by designating several universities as leading institutes on human rights education research and made an effort to institutionalize human rights

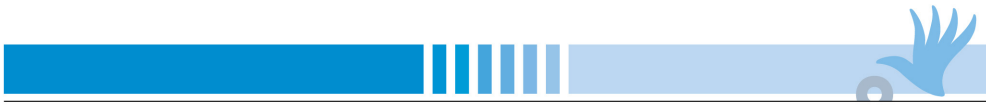
education for the military. In particular, the Commission successfully came to a consensus on the concept of human rights education while working on the related legislation.

Additionally, the Commission formed a task force team to set up a comprehensive plan to invigorate human rights education throughout the society and to monitor the implementation of recommendations made by the Commission in the National Action Plans for the Promotion and Protection of Human Rights of 2006. The task force team drew up a draft for a comprehensive five-year plan. The commission also operated cyber human rights education courses for citizens, teachers and government officials. A total of 9,000 people including 4,800 civil servants took the online courses. Following are the human rights education activities in more detail from laying groundwork for human rights education to encouraging school education, public education and civil education.

Section 2. Laying the Foundation for Human Rights Education

1. Institutionalizing Human Rights Education and Establishing Learning Facilities

The Commission collected opinions from government agencies, local autonomies and civic groups and reflected those opinions when it finalized a bill on April 23 2007. After making a recommendation to the proposal of the bill of the prime minister as the legislation of the government, the Commission collected the opinions of people from all walks of life at the second round of opinion collection and through the legislation notice. It then ironed out differences in opinion with the Ministry of Government Administration and Home Affairs, the Ministry of Planning and Budget, and the Ministry of Justice through meetings with ministers or vice ministers. In particular, with the Ministry of Justice, Office for Government Policy Coordination and the Presidential Office had to intervene to coordinate. After some provisions including one on the foundation of learning facilities for human rights education were deleted in the process of coordination, the bill,



consisting of seven provisions was finally proposed during the 17th National Assembly, deliberated by the Legislation and Judiciary Committee, and is now pending.

The bill defines human rights education as “all educational activities that enable citizens to acquire an understanding and knowledge of human rights, the values, attitudes and personality to respect human rights, become capable of dealing with human rights violations or discrimination, and take actions to protect and enhance the human rights of other people, which contributes to the foundation of a society where the human rights of all citizens are respected.” Along with the definition, the bill presents five basic principles on human rights education based on the U.N. guidelines, guarantees the right to human rights education for everybody and obliges government agencies and local autonomies to provide human rights education to their staff and employees.

2. Promoting Cyber Human Rights Education

With the goal of “laying a stepping stone for the operation of cyber human rights education,” the Commission offered online courses on an introduction to human rights, the prevention of disability discrimination, the prevention of gender discrimination, and the administration and human rights for citizens, teachers, government officials and students. The average number of people taking the online courses per month grew 353 percent to 734 in 2007 from 162 in 2006. In August 2007, the online human rights education center of the Commission was recommended by the Korea Internet Safety Commission for youth.

Section 3. Human Rights Education in Schools

1. Laying the Foundation and Institutionalizing Human Rights Education in Schools

Invigorating human rights education at school requires several conditions be met. First, human rights education should be reflected in the curriculum. Second, there should be

teachers who are interested in and capable of teaching human rights. Third, programs and materials should be prepared to support human rights education. In order to create a favorable school environment and encourage more human rights education at school, a formal body for collaboration with relevant organizations needs to be formed.

Therefore, the Commission formed a school human rights education council with members from 20 organizations including four ministries such as the Ministry of Education and Human Resources Development and the Ministry of Health and Welfare and 16 offices of education including the Seoul Metropolitan Office of Education. At the first meeting, the members agreed that staff at the manager level should attend a meeting to ensure that discussions lead to more workable solutions.

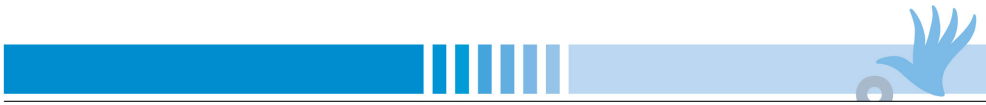
The revised curriculum for 2007 (posted February 28, 2007 by the Ministry of Education and Human Resources Development) emphasizes the importance of human rights and human rights education. Schools can operate a human rights education course at their will. As human rights education is one of 35 study subjects which should be dealt with across the gamut of regular subjects according to operating guidelines, the curriculum makes sure that human rights-related content is addressed comprehensively throughout all educational activities. The



The 1st Meeting of School Human Rights Education Council, October 5, 2007



Briefing session for the introduction of human rights-friendly textbooks, September 19, 2007



Ethics class includes a chapter on human rights, as it presents moral values to meet the changing needs of the society by stressing the importance of human rights, information ethics and bioethics. The social studies class also includes a chapter on human rights as well as other classes.

To ensure that human rights content is systematically incorporated in new text books, the Commission had a briefing session for textbook authors and publishers to explain the guidelines on human rights issues after commissioning a study.

2. Invigorating Human Rights Education in Universities

The Commission designated several universities as hubs of human rights education and research to encourage institutes of higher education to study and implement the value of human rights. It drew up the procedure and criteria in detail in January 2007 and published a notice. Universities with interest and vision applied and the Commission selected several schools based on whether they offered related courses, ran any master's or doctoral courses, had related organizations, contributed to the enhancement of human rights in their region and created a favorable environment.

Chonnam National University and Yeungnam University, both of which signed a memorandum of understanding with the Commission are playing a crucial role in the human rights network in their region by forming a dedicated organization, publishing a journal and building up a human rights database to lay the groundwork. Also, they are conducting an in-depth study and education activities by offering basic courses to make teachers more sensitive to human rights issues, conducting a commissioned study into human rights education programs, hosting local competitions on human rights education and jointly hosting international conferences.

[Table 2-5-1] Signed Universities as Hubs of Human Rights Education & Research

University	Date	Description
Chonnam National University	12/6/2006.	1.Develop human rights education & enhance human rights in region as a hub of human rights education & research
Yeungnam University	4/27/2006	2.Strive to implement human rights education by offering related courses & curriculum and developing a program in collaboration with the Commission
Inha University	10/31/2007	3.Both parties should cooperate to conduct a research for human rights protection in region.
Hanyang University	11/1/2007	4.Both parties should share related materials. A university should have space to display the material and the Commission should support.
Ewha Womans University	11/21/2007	5.To share human rights research or on-site investigation, exchange human resources.
Korean University	11/22/2007	6.The Commission should develop and operate a program for law school students to have related experiences.
Chonbuk University	12/21/2007	

3. Promoting & Supporting Human Rights Education

The National Action Plans for the Promotion and Protection of Human Rights stipulates that introducing a curriculum and textbook on human rights, educating teachers on human rights issues, and designating and fostering universities as hubs for human rights education and research are major tasks to carry out. Accordingly, the Commission continues to designate and foster schools as hubs of human rights education and research by holding workshops two times to date for staff of designated schools, offering education programs and material, supporting lectures and providing technical and financial support for the operation. At the final briefing session where a designated school reports the result of their study to their local office of education and other officials and the comprehensive briefing session on December 12 and 13, where the results of all participating schools were presented and compared, the Commission reviewed and evaluated the two-year operation and set a direction for the future.



Section 4. Human Rights Education in the Public Sector

1. Laying the Foundation for Human Rights Education

To raise the awareness of human rights education among people working in the public sector, the Commission has been holding workshops and debates. In 2006, it hosted the "workshop for the introduction and spread of the human rights perspective in the social welfare field" in Seoul, Busan and Gwangju with Jim Ife, an Australian professor and social welfare expert, which contributed to the spread of human rights education mostly in the social welfare department in colleges and universities and related organizations working in the field. Despite all of these efforts, though, research and studies on human rights-based action plans in social welfare haven't been conducted enough either in Korea or abroad.

Therefore, the Commission co-hosted a debate with the Korean Academy of Social Welfare on the theme of "human rights and the implementation of social welfare" for social welfare professors and researchers in 2007. Social welfare experts including those from the Korean Council on Social Welfare Education participated in the debate and discussed how to incorporate a human rights perspective in the field of social welfare.

By doing so, the Commission raised awareness of the importance of human rights education and at the same time, it developed six kinds of training material on human rights for the military, the police and the field of social welfare. Unlike in the past, the Commission formed a dedicated team to develop those materials instead of commissioning the work to an outside organization.



Comprehensive Briefing Session of Hubs of Human Rights Education & Research, December 12 and 13, 2007

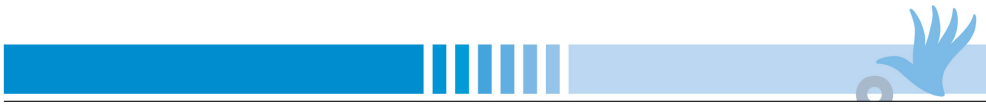
2. Institutionalizing Human Rights Education

For the military, the Commission developed the "Rules on Human Rights Education for the Military (draft)." In November, 2007, the Commission gave the defense minister advice on the institutionalization of human rights education in the military to ensure that it is instituted at an early stage. The ministry is currently working on its own rules for human rights education.

For the military project, the Commission formed a development team including military people and outside specialists to draw up a draft from which to carry out the institutionalization. Also, the development was done jointly with the Ministry of Defense to ensure that the rules were workable.

Since 2006, when the Commission first held a workshop on the need for the introduction of a human rights perspective in the social welfare field, it has taken a two-phase approach. The first one is the "pre-service" phase for university students majoring in social welfare and the second is the "in-service" phase for social workers in the field. As human rights issues were included in six subjects under the "Guideline for Subjects of Social Welfare," human rights education was boosted in the social welfare curriculum in universities, which was the pre-service phase in 2007.

In the administrative sector, the need for human rights education is growing and is shown by the fact that the number of requests for human rights lectures jumped to 12 (Size of audience: 1,975) from a mere three in 2006. In spite of such growing needs, the interest or understanding of people working in this area on human rights education is relatively weak compared with other areas such as the military or the social welfare field. That is why the Commission made more efforts in this area providing proposals on human rights education describing why it is needed and what it is all about and explaining it to heads of educational facilities or responsible staff members face to face.



Section 5. Human Rights Education in the Civil and Private Sector

1. Human Rights Education for the Private Business Sector

As the scope of the economy is becoming more global, businesses have as much influence on the protection and improvement of human rights as states do. In this vein, the U.N. is leading the Global Compact in which six principles out of 10 are related to human rights. Also, as the system of the global economy becomes stronger, there is a sign of standardization and an institutionalization of Corporate Social Responsibility.

The Commission believes that if a business is to embrace the value of human rights, the mindset of the head of a firm and the response of consumers and investors are important. Thus it offered a special lecture on "Business and Human Rights" at the CEO's meeting of the member companies of the Korea Chamber of Commerce and Industry on May 16, 2007 and to the students of management courses for entrepreneurs at major universities. To relieve any negative feelings of businesses toward the concept of "human rights", the Commission hosted an international conference on September 18, 2007 for 250 people in the corporate sector of Korea jointly with the Federation of Korean Industries and invited international business and human rights specialists such as Aron Cramer, president and CEO of Business for Social Responsibility of the U.S. ; Dr. Alan Knight of AccountAbility of the U.K.; Michael Wright, an American lawyer who surveyed "Fortune" 500 companies on how they implement human rights policies at work; and Professor John Ruggi, a special U.N. representative for business and human rights.

2. Human Rights Education for Journalists

The Plan of Action for the U.N. Decade for Human Rights Education 1995 - 2004 focuses on the role of journalists, who have great influences over the protection and enhancement of human rights in society, and stresses that human rights organizations should actively provide them with training and education and support them to ensure that

they can produce and spread a human rights-related agenda.

Since the Commission introduced human rights education for journalists in 2006, it has made great efforts to raise awareness in collaboration with the media and related organizations. As a result, it was able to offer 24 human rights courses for journalists of national and local media in 2007.

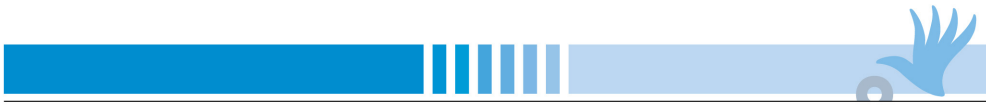
It proved to be a foundation to secure a stable opportunity to provide education since participants were greatly satisfied with the programs covering the role of journalists to protect and enhance human rights as required by the international community, guidelines on how to describe minorities in reporting (the BBC's editorial guidelines and UNICEF's Principles for Ethical Reporting on Children) and the role of the media as a producer of agenda (cases of investigation or recommendations by the Commission triggered by media reports or learning of new human rights issues).

As there is a limitation in directly educating experienced journalists and independent producers because of the nature of their work, the Commission described cases of how the physically challenged, women, migrant workers, the elderly, children and sexual minorities are reported by media in a way that discrimination against them could be deeply rooted and presented reporting guidelines to prevent such problems. In addition, the Commission made efforts to promote human rights education by publishing and distributing material of human rights education programs developed and implemented during 2006 and 2007.

3. Human Rights Education at Lifelong Learning Facilities

While lifelong learning facilities have grown quantitatively with 13 million people enrolled a year in more than 20,000 facilities, the evaluation on their human rights education is not showing very good results. So the Commission held workshops and offered special lectures on the issue where the officials of lifelong learning facilities and experts share the needs for human rights-friendly lifelong education.

Also, the Commission offered the "Films and Human Rights" courses 10 times for citizens, which deals with human rights issues in our society through movies. By doing so,



the Commission was able to accumulate content and a pool of lecturers for human rights education at lifelong learning facilities.

4. Human Rights Education for Social Workers

In 2007, the Commission began to educate social workers helping the socially disadvantaged. While human rights education for the socially disadvantaged is very important, they are not easily accessible as a group. Therefore, the Commission began to educate social workers such as volunteers and teachers of after-school courses who meet the socially disadvantaged face to face.

In particular, the Commission focused on the area of volunteer work. So it shared the needs of human rights education at a session with the Korean Association of Volunteer Centers and local training sessions for staff of volunteer centers in Jeollabuk-do and Gangneung. In the process, the Commission accumulated human rights education content including human rights-based volunteer work and human rights issues in volunteer work and established a network of experts.

Section 6. Development & Distribution of Human Rights Culture Content

1. Production & Distribution of Human Rights Films

The Commission has produced movies and animations as it believes films and animations are effective media to raise awareness and change attitudes towards human rights.

In 2007, it produced the second animation, "If You Were Me 2 - Six Rainbows," and the fourth movie, "The Theory and Practice Theory of Teenage Drama" describing the human rights of teenagers. This movie will be released to the public in 2008.

To distribute cultural content such as films, animations, posters, cartoons and photographs that have been produced since 2001, the Commission uses not only direct distribution but also other methods, for instance, releasing DVDs and publishing books, to make those

materials more accessible and usable.

The human rights films "If You Were Me 2", "If You Were Me (2003)", "If You Were Me 3 (2006)" and the animation "If You Were Me 2 - Six Rainbows" were invited to Cairo International Film Festival and Deauville Asian Film Festival and released on DVDs, resulting in greater distribution to video rental shops and book stores. Also, more than 6,000 DVDs were distributed directly to educational facilities and government agencies in 2007 alone. The film "If You Were Me 3 (2006)" was aired on KBS 2 TV, a national TV network in Korea and OCN, a cable movie network.

Since a cartoon collection, "Every Little Bit Helps" was published in 2003, it is already in its 22nd printing (109,500 copies). Another cartoon, "Sai Si Ot" is also successfully raising public awareness with 23,000 copies issued in two years and 500 copies directly distributed by the Commission.

2. Developing an Animated Teaching Manual for Human Rights Films

To raise public awareness and promote a human rights culture in society, the Commission has continued to produce and distribute human rights content and many schools are using movies and animations as educational material. To provide related information and present how to utilize the material, the Commission developed and distributed a teaching manual for primary and secondary schools, which was favorably received by teachers. One example is the training sessions for writing teachers hosted by Seoul Metropolitan Office of Education in 2007 where the teaching manuals were distributed and used.



Poster of Animation <If You Were Me 2 - Six Rainbows>



Chapter 6

Cooperation with Human Rights Organizations & Communications

Section 1. Overview

In 2007, the Commission successfully consolidated its status and expanded the cooperation and exchanges with other human rights organizations and institutes in Korea and abroad. The exchange and cooperative activities that the Commission has continuously worked on since its inauguration became broader and more in-depth. The Commission began working closely with local organizations and the religious community, which it had relatively little cooperation with prior to 2007. The Commission also actively promotes its activities through various meetings and programs and has contributed to raising public awareness of human rights. Meanwhile, the Commission continued to play an active role in the international human rights community and was elected to the vice presidency for two years by the International Coordinating Committee of International Human Rights Institutions (ICC). Therefore, now the Commission is able to exercise leadership on the international stage as well as the Asia-Pacific region, where it served as a vice chairman of the Asia-Pacific Forum of National Human Rights Institutions. International human rights organizations including the U.N. values the contributions of the Commission and countries preparing to launch national human rights organization closely follow its activities.

Regarding its major tasks, the Commission has sent staff to human rights organizations and institutes in other countries such as the Committee Against Torture in Europe to help them become more capable by having them study best practices and apply such cases to Korea.

In order to provide human rights information to more people and encourage them to be more sensitive to human rights issues, the Commission has established an extensive network. It secured a list of more than 20,000 people, mostly those who have directly and

indirectly helped its activities or participated in its programs, and has sent a newsletter in Korean and English on a regular basis. The newsletter "Human Rights" covered a variety of human rights issues with editing and planning designed to meet the tastes of the public.

The Commission also tried various ways including radio campaigns, TV debates and a leaflet on how to file a complaint in eight languages in order to promote its activities. Also, the Commission made sure its messages are conveyed more effectively by promoting major decisions and organizing events on critical issues such as the death penalty.

Section 2. Cooperation with Domestic Human Rights Community

1. Extent Scope of Cooperation with Local Human Rights Groups

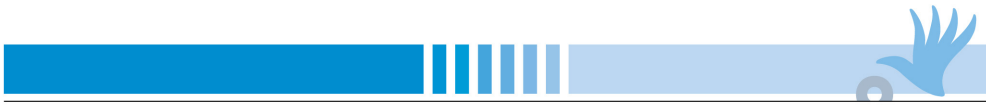
Unlike in the past when the Commission worked with human rights groups mostly in and around Seoul, in 2007 it started to work more closely with organizations located in other parts of Korea .

Out of 14 meetings, eight were with local human rights groups in Daegu, Hongsung, Jeju, Gangneung, Daejeon, Wonju and Jeonju.

Local groups located far from Seoul had little communication with the Commission until then. As the Commission has actively informed these local groups on its activities and provided information to them at meeting and events, they, now see that the Commission truly recognizes them as its partner.

2. Cooperative Activities

To continue an exchange of opinions and enhance collaboration and mutual support with human rights groups, the Commission has carried out various activities more than 100 times, including the chairperson's attendance at events to give congratulatory remarks and meetings with human rights groups in Korea and abroad.



3. Visits to Sites with Poor Human Rights Conditions

Staff members of the Commission including the Chairperson have been visiting locations with poor human rights conditions since 2003 in order to experience and understand the difficulties that many social minorities, socially disadvantaged and alienated groups face. In 2007, a total of nine on-site visits were conducted. Not only the Chairperson and human rights commissioners, but also staff members in concerned bureaus participated in on-site visits and shared visit assessments internally, exploring new tasks for the Commission.

4. Cooperation with the Religious Community

Although the influence of the religious community is already huge with more than 20 million people affiliated with a religion, and most religions are based on human rights in that they value the needs of minorities and the disadvantaged, the Commission has tried little to combine religion and human rights. Therefore, the Commission began to actively pursue cooperation with the religious community by visiting religious leaders through human rights organizations within the community, organizing human rights courses for Buddhist monks and holding a human rights event jointly with the National Council of Churches in Korea during the week of December 10 to commemorate the Universal Declaration of Human Rights(UDHR).

Section 3. Cooperation with International Human Rights Community

1. International Coordinating Committee of National Human Rights Institutions (ICC)

In the International Coordinating Committee, the Commission has played a role as a representative of the Asia-Pacific region and was elected to the position of vice Chair in 2007. It set the stage for the Commission to more actively address changes of the

international human rights community, for instance, launching of the U.N. Human Rights Council (HRC) and exercising leadership both at home and abroad.

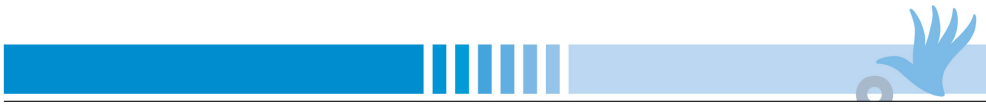
The ICC Conference

The Commission participated in the 19th ICC conference in Geneva, Switzerland, on March 17 - 25 as one of the Asia-Pacific representatives. At the conference, the Canadian Human Rights Commission and the National Human Rights Commission of Korea were elected to the ICC Chair and vice Chair, respectively, for two years. In the regional rotation system, the American region takes the chairmanship from 2007 to 2010 and the Asia-Pacific region takes the vice Chair from 2007 to 2009. By taking on that role, the Commission successfully solidified its status as a national human rights commission in the international community as well as in the Asia-Pacific region to better contribute to the protection and enhancement of human rights. At the ICC conference, a need for a standing ICC representative to Geneva was raised to strengthen the position of the ICC when all systems of the U.N. Human Rights Council are settled. ICC members agreed upon the need and decided to voluntarily give financial support. The commission also selected Kenya as the site for the 9th International Conference of the National Human Rights Institutions for the Promotion and Protection of Human Rights in 2008.

ICC Executive Board

The ICC Executive Board consists of a chair commission, a vice chair commission, representatives from four continents and the ICC secretariat (the NI Unit of the Office of the U.N. High Commissioner for Human Rights) and holds a meeting once or twice a year. In 2007, it held meetings in June and December.

At the meeting in June, the focus was on status-related issues including whether national human rights institutions ("NIs") will have a say on the U.N. board. As a result, the meeting contributed to improving the status of NIs. Participants of the meeting discussed follow-ups, too.



The December meeting covered the status and roles of NIs in the U.N. Human Rights Council; how the Commission, as a vice chair, could help to establish the role of the ICC in the Human Rights Council and strengthen the solidarity among representatives of the four continents; pending issues of individual countries and regional coordinating organizations; procedural rules on holding the ICC Sub-Committee to deliberate whether NIs conform to the Paris Principles; and imminent human rights issues faced by countries all around the world. In this meeting, the interim representative of ICC in Geneva briefed participants on its activities.

The ICC Sub-Committee on Accreditation

● The ICC Sub-Committee on Accreditation (March 19 - 21)

NIs from Canada, the Republic of Korea, Denmark and Nigeria and the Office of the U.N. High Commissioner for Human Rights attended the meeting to review the accreditation and re-accreditation of NIs and discuss the drawing-up of guidelines to apply to the Paris Principles.

As a result, NIs of Bolivia, Indonesia, Malawi and Peru were re-accredited while the review was put on hold for NIs of the Philippines and Portugal because they did not submit all required paper works. In addition, NIs of Nepal, the Fiji Islands, Sri Lanka and Nigeria were under special deliberation. The accreditation review was mostly based on the Paris Principles, that is, whether a commission has diverse commissioners and staff, whether it is financially stable and what the relationship with the president of its country is like.

● The ICC Sub-Committee on Accreditation (Oct. 22 - 26)

NIs from Canada, the Republic of Korea, Germany and Rwanda and the Office of the U.N. High Commissioner for Human Rights attended the meeting. Instead of Denmark and Nigeria, Germany and Rwanda, respectively, participated as representatives of their respective continents to review the accreditation and re-accreditation of NIs.

This time, the sub-committee reviewed 21 NIs and made a lot of effort to apply the Paris Principles consistently in the process. Also, it adopted a general observation on the

interaction between NIs and the international human rights system, paid standing members of NIs, the prohibition of dispatching staff of a government agency to high-ranking posts in NIs and the guarantee of term for operating staff.

2. Asia-Pacific Forum of the National Human Rights Institutions (APF)

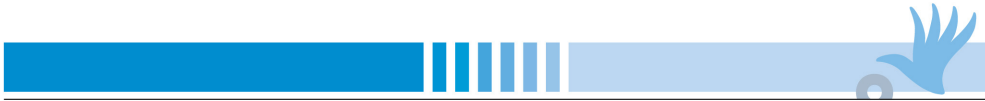
The Commission took over the Chairmanship of the Asia-Pacific Forum of the National Human Rights Institutions ("APF") from the Fiji commission as its independence was questioned since the military coup of the Fiji Islands at the end of 2006. Therefore, the Commission had to deal with what was happening in the Fiji Islands on behalf of the APF, hired staff for the APF secretariat and chaired the 12th APF annual conference. Since the annual conference of September, the Commission has been acting as vice Chair.

Learning Program for the Preparation for China's National Human Rights Commission

In May, the Commission co-hosted a learning program with the Raoul Wallenberg institute of Sweden for a Chinese group preparing for a national human rights commission including a professor of the China University of Political Science and Law. The group learned how to secure independence from the lectures and discussions on how national human rights commission law is institutionalized and run. It plans to draw up a draft of bill to found a national human rights commission in China based on what they learned from the seminar and their visits to the Commission and NIs of other countries.

The 12th APF Conference

The 12th annual APF conference was held in Sydney, Australia, in September 2007. The agenda included issues related to NIs in the Fiji Islands, Nepal and Afghanistan. At the conference, NIs of East Timor and the Maldives were accepted as full member and associate member, respectively. Also, compliance with the Convention on the Rights of Persons with Disabilities (the "Convention") and the role of NIs were discussed. The attendees agreed to set up a database for compliance with the Convention.



3. Cooperation with Other NIs

Exchange of Staff

The Commission sent staff to NIs and organizations in other countries to work and conduct research based on what they proposed to study related to the major tasks of the Commission. As a result, eight staff members visited NIs and human rights organizations mostly in Europe to learn best practices and seek ways to apply them to Korea, which resulted in better trained staff members of the Commission.

Invitation of NIs from Developing Countries for a Training Program

The Commission invited six people from NIs and the justice ministries of East Timor, Afghanistan and Nigeria for a week-long training program. The training was about policy recommendations of the commission, an investigation into violations and discrimination, human rights education and consultations on human rights issues in detail. In particular, it included how anti-discrimination laws were enacted and recommendations for how National Action Plans for the Promotion and Protection of Human Rights were formed, handling cases with military- or police-related issues or with other major discrimination cases, and educational skills and methods depending on a target group. This training program served as a great opportunity for the Commission to transfer its know-how and knowledge to NIs of developing countries and strengthen its position in the international community.

Section 4. Public Awareness Activities

1. Monthly Magazine Publication: "Human Rights"

In August 2003, the Commission published a monthly magazine titled, "Human Rights," to publicize the Commission's activities and improve human rights awareness. So far, the magazine has featured news about the Commission, current human rights issues,

contributed articles, interviews, cartoons and photographs. As the budget was cut in 2007, the monthly magazine became bi-monthly from March. As of December 2007, the 47th issue of the periodical was published (cumulative circulation: 1.42 million copies).

In addition, the Commission established a Webzine called, "Human Rights," as part of its online human rights public relations system. To improve accessibility to human rights information for persons with visual impairment, 600 audio CDs and 600 braille publications were produced and distributed to braille libraries, schools for the blind, and welfare centers for the disabled.

2. Policy Customer Relationship Management (PCRM)

In 2007, the Commission established the e-mail-based Policy Customer Relationship Management system to inform the general public on its activities and human rights information. Thanks to the new system, the Commission is able to provide its customers who have expressed their interest in and opinions on its activities in various forms with human rights information. The Commission made a list of 20,000 customers and divided them into 330 databases. It sends "Human Letter", a bi-weekly newsletter to all its customers and each team provides customers with relevant thematic information whenever it is necessary.

3. Debate: "Broadcasting and Human Rights"

The Commission organized a debate on the theme of "Broadcasting and Human Rights" jointly with the Broadcasting and Human Rights research group to study human rights issues in TV programs that have significant influence over the mindset of the public. In the debate, the Commission focused on human rights issues in news reporting on economic and social affairs and in soap operas. The Commission took the debate as a great opportunity to review the relationship between broadcasting and human rights and to seek ways for broadcasters to contribute to raising public awareness of human rights.



Chapter 7

Activities of Regional Offices

Section 1. Overview

The Commission opened the Busan and Gwangju Regional Offices in October 2005 in order to improve local residents' access to remedies, increase public awareness about human rights, and swiftly address complaints on human rights violations. In addition, it established the Daegu Regional Office on July 2, 2007 to meet the human rights counseling needs of residents in Daegu and Kyungbuk Province and started to provide services to protect and promote human rights of local residents on October 1, 2007.

In order to promote and protect human rights of the citizens of the region, regional offices carry out the following duties:

- 1) Providing human rights counseling and receiving complaints;
- 2) Receiving in-person complaints at detention/protective facilities;
- 3) Installing/managing complaint boxes at detention & protective facilities;
- 4) Conducting preliminary on-site investigation and providing remedies for urgent cases of human rights violations;
- 5) Following-up with the implementation of recommendations made by the Commission;
- 6) Providing support for the Commission's investigation; and
- 7) Completing other tasks on human rights education, public relations and cooperation with human rights organizations.

In particular, regional offices are in charge of investigation into cases related to correctional facilities in the region to facilitate remedial activities.

As the Commission's 1331 hotline for human rights counseling was also expanded nationwide, residents are able to talk directly with counselors from regional offices, which ensures accessibility for residents in the region.

Section 2. Busan Regional Office

One of the major achievements of the Busan Regional Office in 2007 was to have increased public awareness of human rights legislations as a local human rights institution. In order to create a human rights-friendly culture, the Busan Regional Office collaborated with relevant organization in the region. Human rights legislations, which significantly affect daily lives of local residents, can be the foundation of a human rights culture. In this regard, it was meaningful that the Busan Regional Office held a forum on "Case Study on Human Rights Legislations in Japan and Challenges to Korea" to learn a lesson from Japan on human rights legislations and examine challenges facing Korea. The Busan Regional Office plans to expand projects related to human rights legislations based on the outcome of the forum.

1. On-site Human Rights Counseling

In order to increase local resident participation, the Busan Regional Office provides on-site human rights counseling services on weekends and holds various events including a human rights poster exhibition. In the second half of 2007, it visited the Dongcheon Stadium in Ulsan, an industrial city, to provide human rights counseling services to irregular workers, in collaboration with the Human Rights Counseling Center. With the help of lawyers and labor attorneys in the region, the Busan Regional Office provided irregular workers with counseling and effective remedies for each case.



2. Visits to Facilities for the Disadvantaged and Survey on the Status of Complaint Boxes

The Busan Regional Office investigated the conditions of installation and operation of complaint boxes in 32 mental health facilities in the region. Also, it visited detention rooms of police stations to introduce the Commission's activities to prevent human rights violations and protect human rights of the disadvantaged to detainees. The Busan Regional Office maintains cooperative relations with police stations



On-site Human Rights Counseling in Jinju, June, 16, 2007

3. Support for Investigations and Cooperation

In relation to "On-site Investigation to Immigration Protection Centers" organized by the Immigrants' Human Rights Team, the Busan Regional Office planned and conducted an on-site investigation into protection centers in the region from June to September 2007. In addition, it worked together with the Commission to conduct ten investigations in order to provide effective remedies to human rights violations and discriminatory acts in the region.

4. Public Relations Activities

The Busan Regional Office planned to hold human rights film event and poster exhibitions in order to increase local residents' sensitivity to human rights. It also contributed columns or articles to daily newspapers, radio, and newsletters of local civic groups and carried advertisements on subway trains that could be easily accessed by local

residents. In particular, it consistently and effectively promoted the Commission's 1331 hotline for human rights counseling using billboards of the Busan Metropolitan City Hall and local daily newspapers. In 2008, The Busan Regional Office plans to open its own website.

Section 3. Gwangju Regional Office

In 2007, the Gwangju Regional Office conducted the following activities to reinforce its functions and capacity and increase public awareness of human rights:

First, it organized the Human Rights Education Teachers Group, which consisted of 30 local human rights experts including professors, lawyers, and human rights activists, and held two rounds of workshops to expand and reinforce human rights education in the region. The Human Rights Education Teachers Group educated 2,281 officials and employees in law enforcement organizations, correction facilities, and social welfare institutions in 39 sessions of human rights education.

Second, it continuously conducted public relations activities to improve public awareness of human rights issues in the region. It held human rights culture exhibitions and a human rights film competition to increase public access to human rights culture. It also contributed "Case Studies on Human Rights," a column on recommendations made by the Commission to help local residents approach human rights issues in practical terms.

Third, it significantly reduced the time to handle human rights violations complaints and investigations. If a local correction facility files a complaint with the Commission, the Gwangju Regional Office conducts a swift investigation so that it takes an average of 45 days from filing a complaint to investigation.

Forth, it hosted various forums and seminars on policy challenges the Commission faced and cooperated with human rights organizations.



1. On-site Human Rights Counseling

In collaboration with human rights civic groups, the Gwangju Regional Office provided on-site counseling services to local facilities. It also conducted human rights education to officials of local governments to help increase understanding of human rights and the importance of prevention of human rights violations.



Human Rights Education, March 28, 2007/ On-site Counseling, March 28, 2007

2. Visits to Facilities for the Disadvantaged and Survey on the Conditions of Complaint Boxes

The Gwangju Regional Office conducted a survey on complaint boxes in 2006, and checked complaint boxes in 50 facilities in 2007. In addition, it provided human rights education twice to working-level officials in charge of managing complaint boxes to increase effectiveness of prevention of human rights violations.

3. Support for Investigations and Cooperation

The Gwangju Regional Office visited the Yeosu Immigration Protection Center to conduct a preliminary research and monitoring on the fire accident site, and provided assistance for the investigation conducted by the Commission. Also, it conducted on-site

investigations in local hospitals, prisons, and immigration offices to address local human rights issues in collaboration with relevant teams of the Commission.

4. Public Relations Activities

The Gwangju Regional Office contributed case studies on human rights violations, discrimination, and sexual harassment to "Case Studies on Human Rights" in a local daily newspaper to enhance local residents' understanding of human rights. Also, it conducted public relations activities using various media including press releases, live and recorded broadcasts, and lectures.

Section 4. Daegu Regional Office

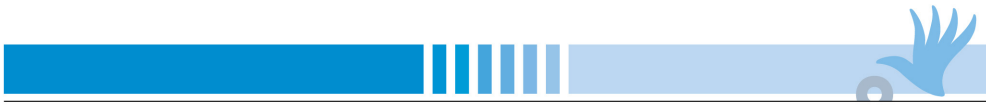
For the first six months after the opening on July 2, 2007, the Daegu Regional Office focused on settling in the region and increasing understanding of local residents of the status and roles of the Daegu Regional Office. It collected opinions and needs from local organizations and citizens including government agencies, civic groups, and the disadvantaged.

1. On-site Human Rights Counseling

As part of its opening events, the Daegu Regional Office provided on-site human rights counseling for two days in its first week in collaboration with the Human Rights Counseling Center, in order to increase local residents' access to human rights counseling and listen to the voice of the disadvantaged in the region.



On-site Human Rights Counseling, August 30, 2007



2. Visits to Facilities for the Disadvantaged and Survey on the Condition of Complaint Boxes

The Daegu Regional Office visited a total of 30 local protective facilities to conduct a survey on the condition of complaint boxes, and held a workshop for officials and employees working in mental health facilities on December 13, 2007 to present the survey result and share Commission's policies on public mental health.

3. Support for Investigations and Cooperation

The Daegu Regional Office provided assistance for investigations into the "Violation of Right to Transportation of People with Disabilities Due to Closure of the Crosswalk in Banwuldang" and "Human Rights Violations in Mental Health Facilities." It constantly offered support to ensure that investigations into complaints on human rights violations and discrimination were effectively conducted and swiftly closed.

4. Public Relations Activities

As part of the initiative to use diverse source on public relations, the Daegu Regional Office used web posters, newsletters and cell phone text messages as well as post mails to promote events and meet the promotion needs of citizens. It also hosted press meetings, establish and operated the Public Relations Support Team, distributed press releases on major activities, and created and distributed promotional materials such as web posters and pamphlets.



Appendices

- 1. Commissioners & Senior Executive Officers**
- 2. Organization**
- 3. Budget**
- 4. National Human Rights Commission Act**



1. Commissioners & Senior Executive Officers

□ Chairperson & Standing Commissioners

Position/Name	Profile	Remarks
 <p>Chairperson Ahn Kyong-Whan</p>	<ul style="list-style-type: none"> - U.S. Lawyer - Commissioner, Copyright Commission for Deliberation and Conciliation - Chairman, Committee of Legal Policy, Ministry of Justice - Member, Personnel Committee of the Supreme Prosecutors' Office - Chairman, University Reformation Committee, Ministry of Education & Human Resources Development - Distinguished Visiting Professor of Law, Santa Clara Law School, U.S.A. - Professor of Law, Seoul National University 	<p>Appointed by the President (October 10, 2006~ October 29, 2009)</p>
 <p>Standing Commissioner Kim Ho-Joon</p>	<ul style="list-style-type: none"> - Managing Editor and Chief Editorial Writer, Seoul Daily News - Editor and managing director, Munwha Daily Newspaper - Director, Korea News Editors' Association - Director, Northeast Asia Peace Movement - Guest Professor, Department of Communication at Chungnam National University 	<p>Appointed by the National Assembly (December 24, 2004 ~ December 23, 2007)</p>
 <p>Standing Commissioner Choi Young-Ae</p>	<ul style="list-style-type: none"> - President, Korea Sexual Violence Relief Center - Planning Commissioner, Policy Advisory Commission, Ministry of Gender Equality - Member, Police Reform Committee at the National Police Agency - Director, Korea Human Rights Foundation - Secretary General, National Human Rights Commission of Korea 	<p>Appointed by the National Assembly (July 23, 2004 ~ September 20, 2007)</p>
 <p>Standing Commissioner Jung Kang-Ja</p>	<ul style="list-style-type: none"> - Co-Representative, Korean Womenlink - Member, Committee on Gender Equality Promotion, Ministry of Gender Equality - Non-standing Commissioner, Special Commission on Women - Non-standing Commissioner, Commission on Improvement of Gender Discrimination, Ministry of Gender Equality - Commissioner, National Human Rights Commission of Korea 	<p>Appointed by the President (December 24, 2004 ~ December 23, 2007)</p>

Position/Name	Profile	Remarks
 Standing Commissioner Choi Kyong-Suk	<ul style="list-style-type: none"> - Head, Sexual Violence Counseling Center, Busan Differently Abled Women Solidarity - Head, Center for Victims of Sexual Violence, Busan Differently Abled Women Solidarity - Representative, Busan Disabled Women Solidarity - Co-representative, Korean Disabled Women United - Deputy Representative, Busan Women's Association United - Expert Member in Non-Discrimination, Presidential Committee on Social Inclusion 	Appointed by the National Assembly (September 21, 2007 ~ September 20, 2010)
 Standing Commissioner Yoo Nam-Young	<ul style="list-style-type: none"> - Director, Finance, Korean Bar Association - Member, Education Informatization Committee under the Prime Minister - Member, National Police Agency's Historical Review Committee - Arbitrator, Korean Commercial Arbitration Board - Provisional Director, Duksung Educational Foundation - Vice-Chairman, Lawyers for a Democratic Society 	Appointed by the President (December 24, 2007 ~ December 23, 2010)

□ Non-Standing Commissioners

Position/Name	Profile	Remarks
 Commissioner Chung In-Seop	<ul style="list-style-type: none"> - Chief Librarian, College of Law, Seoul National University - Professor of Law, Seoul National University - President, Law Research Institute, Seoul National University 	Appointed by the Chief Justice of the Supreme Court (December 24, 2004 ~ December 23, 2007)
 Commissioner Choi Keum-Sook	<ul style="list-style-type: none"> - Professor, Department of Law, Ewha Womans University - Commissioner, Committee on Special Legislation of North and South Korea in the Ministry of Justice - Commissioner, National Tax Examination Committee - Commissioner, Copyright Commission for Deliberation and Conciliation - Vice President, Korea Family Legal Service Center 	Appointed by the Chief Justice of the Supreme Court (December 24, 2004 ~ December 23, 2007)






Position/Name	Profile	Remarks
 <p>Commissioner Shin Hei-Soo</p>	<ul style="list-style-type: none"> - President, Korea Women's Hotline - Co-president, Korean Council for the Women Drafted for Military Sexual Slavery by Japan - Visiting professor, School of NGOs at Kyung Hee University - Member, Asia-Pacific Women and Law Development (APWLD) - Commissioner, UN Committee on the Elimination of Discrimination against Women (CEDAW) 	<p>Appointed by the National Assembly (March 15, 2005 ~ March 14, 2008)</p>
 <p>Commissioner Won Hyung-Eun</p>	<ul style="list-style-type: none"> - Chairperson, Busan National Clergy Conference for Justice and Peace - Co-President, 1996 Busan Human Rights Culture Festival - Chairperson, Human Rights Commission, Pusan Dong Presbytery, Presbyterian Church of Korea - Expert Member, Human Rights Committee, National Council of Churches in Korea - Vice Chairperson, National Clergy Conference for Justice and Peace - Co-president, Busan Human Rights Center - Co-President, Busan Solidarity for Abolition of the National Security Law - Chairperson, Busan National Council of Churches in Korea - Co-President, Busan Solidarity for Practice of the South-North Joint Declaration - Co-President, Busan Solidarity for Rights of People with Disabilities - Co-President, Busan Solidarity Headquarters of Transparency International 	<p>Appointed by the President (June 1, 2005 ~ May 31, 2008)</p>
 <p>Commissioner Kim Tae-Hoon</p>	<ul style="list-style-type: none"> - Passed the 15th Lawyer Examination - Judge, Jeonju, Seoul District Court - Judge, Seoul High Court, Supreme Court - Head Judge, Busan, Incheon, Seoul District Court - Arbitrator, Korean Commercial Arbitration Board - 5th Coordination Director, Copyright Commission for Deliberation and Conciliation - Lawyer 	<p>Appointed by the Chief Justice of the Supreme Court (August 10, 2006 ~ August 9, 2009)</p>
 <p>Commissioner Yoon Ki-Won</p>	<ul style="list-style-type: none"> - Passed the 26th Lawyer Examination - Director, Korean Bar Association - Member, Presidential Committee on Education Innovation - Vice President, Lawyers for Democratic Society - Chief Lawyer, Yoon & Yoo - Member, Information Disclosure Examination Committee and Gender Discrimination Coordination Committee, National Human Rights Commission of Korea 	<p>Elected by the National Assembly (October 25, 2006~ October 24, 2009)</p>

Position/Name	Profile	Remarks
 <p>Commissioner Chung Jae-Guen</p>	<ul style="list-style-type: none"> - Secretary-General, National Association of Buddhist Monks for the Buddhist Elysium - Co-President, Council of Religious People for National Reconciliation and Unification - Planning Director, Administration Office, Jogye Order of Korean Buddhism - Buddhist priest, Bukhan Mountain Kumsonsa, Jogye Order of Korean Buddhism - Commissioner, People's Solidarity for Participatory Democracy - Member, 11th to 13th Central Committee, Jogye Order of Korean Buddhism - Member, Korea Bakdudaegan Mountain Protection Committee - Member, Presidential Commission on Suspicious Deaths in the Military - Standing Commissioner, Democratic Peaceful Unification Advisory Committee 	<p>Appointed by the President (December 8, 2007 ~ February 7, 2010)</p>
 <p>Commissioner Hwang Deok-Nam</p>	<ul style="list-style-type: none"> - Judge, Seoul District Court - Member, Administrative Appeals Commission under the Prime Minister - Director, Legal System, Seoul Bar Association - Member, Commission on Improvement of Gender Discrimination - Lawyer, Sekye Legal Corporation - Member, Law Interpretation and Deliberation Committee, Ministry of Government Legislation - Public Interest Commissioner in charge of rulings, National Labor Relations Commission 	<p>Appointed by the Chief Justice of the Supreme Court (December 24, 2007 ~ December 23, 2010)</p>
 <p>Commissioner Cho Kuk</p>	<ul style="list-style-type: none"> - Director, Justice Watch, People's Solidarity for Participatory Democracy - Member, Committees on Judge Appointment Improvement, and Research on Sentencing System, Supreme Court - Member, Police Reform Committee, Korean National Police Agency - Member, Committee on Improvement of Investigation Practices for Respecting Human Rights, Supreme Prosecutors' Office - Member, Inspection Committee, Ministry of Justice - Director, International Relations, Public Relations, Human Rights, Korea Association of Comparative Criminal Law - Director, International Relations, Korean Association of Criminology - Associate Professor, College of Law, Seoul National University - Vice Director, Office of International Affairs, Seoul National University 	<p>Appointed by the Chief Justice of the Supreme Court (December 24, 2007 ~ December 23, 2010)</p>



□ Former Chairpersons

Position/Name	Profile	Remarks
 1st Chairperson Kim Chang-Guk	<ul style="list-style-type: none"> - Senior Judge, Jeonju District Court and Gwangju District Court - Manager, Lawyers for Democratic Society - 82nd President, Seoul Bar Association - 40th President, Korean Bar Association - Co-President, People's Solidarity for Participatory Democracy 	November 25, 2001 ~December 23, 2004
 2nd Chairperson Choi Young-Do	<ul style="list-style-type: none"> - Judge, Daejeon District Court, Seoul Criminal District Court - Director and Chairperson, Human Rights Commission, Korean Bar Association - Chairman, Lawyers for Democratic Society - Standing Co-President, Korean Human Rights Organization's Council - Co-President, People's Solidarity for Participatory Democracy 	December 24, 2004 ~ March 23, 2005
 3rd Chairperson Cho Young-Hwang	<ul style="list-style-type: none"> - Standing Director, Seoul Bar Association - Lawyer in charge of the institution and support of a public action against the Sexual Torture in the Bucheon Police Station - Director, Anti-corruption Campaign, Citizens' Coalition for Economic Justice - Judge, Goehung-gun Court, Suncheon Branch Court, Gwangju District Court - Chairperson, Ombudsman of Korea 	April 4, 2005 ~ October 2, 2006

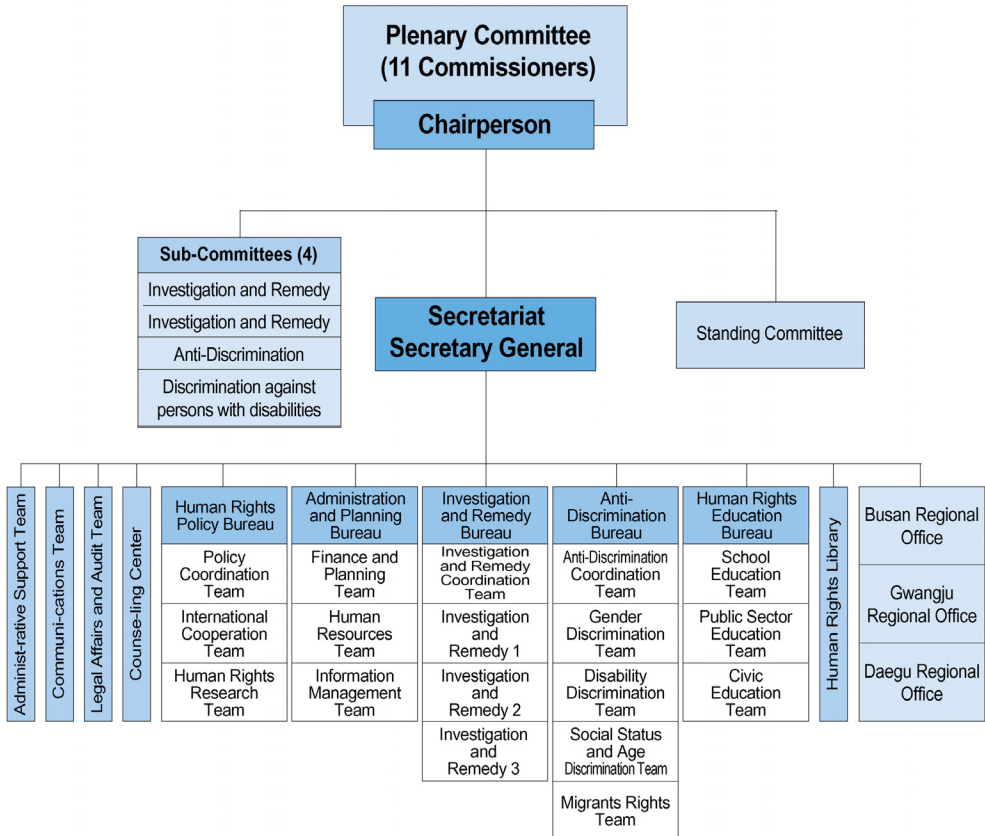
Secretary-General and Senior Executive Officers

Name	Profile	Name	Profile
 Secretary-General Kim Chil-Joon	<ul style="list-style-type: none"> - Co-President, Dasan Law Firm - Chairperson, Restoration of Citizens' Rights Campaign, People's Solidarity for Participatory Democracy - Co-President, Citizens' Solidarity for Gyeonggi Welfare - Member, Human Rights Committee, Korea Bar Association - President, Human Rights Foundation Saram 	 Director-General, Policy & Strategic Planning Bureau Kim In-Jae	<ul style="list-style-type: none"> - Professor, Department of Law, Sangji University - Member, National Unification Advisory Council - Member, Special Commission on Special Employment, the Tripartite Commission - Chairperson, Policy Committee, the National Association of Professors for Democratic Society
 Director-General, Administrative Services Bureau Ahn Jong-Chul	<ul style="list-style-type: none"> - Researcher, Korea Contemporary History Research Institute (May 18 Research Institute) - Member, May 18 Expert Committee, Gwangju Metropolitan City - Expert Member, Democratization Movement Activists' Honor Restoration and Compensation 	 Director-General, Rights Violations & Remedies Bureau. Sohn Sim-Gil	<ul style="list-style-type: none"> - Economic Planning Bureau, Economic Planning Board - Monopoly Bureau, Fair Trade Commission - Head, Discrimination Investigation Team 1, NHRCK - Head, Innovation & Resources Team, NHRCK
 Director-General, Discrimination & Remedies Bureau Chung Yeon-Soon	<ul style="list-style-type: none"> - Chairperson, Committee on Women's Human Rights, Lawyers for Democratic Society - Legal Adviser, Korea Sexual Violence Relief Center - Member, Medical Deliberation Sub-Committee, Jeju April 3 Uprising Fact-Finding Committee - Member, Compensation Deliberation Committee for Victims of Comfort Women, Ministry of Health and Welfare 	 Director-General, Human Rights Education Bureau Na Young-Hee	<ul style="list-style-type: none"> - Secretary General, Korea Women's Association United - Expert Member, Political Affairs Division, Presidential Transition Committee - Policy Officer, Presidential Commission on Women's Affairs - Public Information Chief, Secretary's Office for Speech Planning and Coordination, Cheong Wa Dae

2. Organization (as of December 31, 2007)

- Number of Commissioners : 11 (1 Chairperson; 3 Standing Commissioners; 7 Non-standing Commissioners)
- Secretariat : 5 Bureaus; 23 Teams; 3 Regional Offices
- Total Number of Staff Members : 208

<Organizational Chart>



3. Budget

(1) Budget Summary

(Unit: KRW million)

Classification	2006 Budget	2007 Budget	Change	%	Remarks
Total	21,558	21,909	351	1.6	
Payroll Expenses	9,082	9,962	880	9.7	
Project Expenses	12,476	11,947	△529	△4.0	
•Basic Project Expenses	7,136	7,103	△33	△0.5	
•Major Project Expenses	5,340	4,844	△496	△9.3	

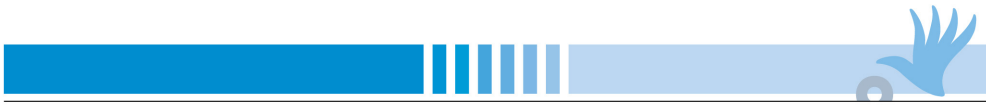
Exchange rate: 1 USD= 1067 KRW ; 1 EURO= 1690 KRW

(2) Payroll Expenses: 9.962 billion won

- Payroll expenses for a total of 201 employees including 7 experts, 3 special employees, and 3 security guards
- Increase in the 2007 budget
 - Recruitment of 7 additional employees: 6 FTEs for Regional Offices, 1 FTE for Human Rights in North Korea

(3) Basic Project Expenses: 7.103 billion won

- Rent and maintenance expenses: 3.496 billion won
 - Rent: 2.490 billion won (2,680 pyung[3.3 m2]×70,380 won×12 months×1.1)
 - Maintenance: 1.006 billion won (2,680 pyung[3.3 m2]×28,431 won×12 months×1.1)
- Regional office operation expenses: 367 million won
- Other operating costs: 3.240 billion won

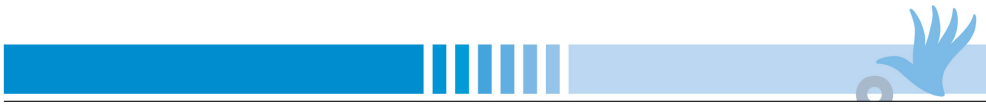


(4) Major Project Expenses: 4.844 billion won

- Publication of media resources to increase public awareness of human rights(KRW 0.257 billion/Approx. \$257,000)
 - Publish specialized monthly magazines to provide information on human rights policies and recommendations, improve public awareness of human rights and increase human rights awareness.
- Human rights specialists on counseling (KRW 0.235 billion/Approx. \$235,000)
 - Appoint specialists on counseling to enhance human rights counseling, seek stabilization and invigoration of human rights counseling and complaint receiving activities, which are rapidly increasing through various counseling channels.
- Prevention on discrimination and creation of human rights cultures (KRW 0.695 billion/Approx. \$695,000)
 - Develop culture-related contents for human rights, including discrimination, to enhance human rights awareness through a cultural approach.
 - Increase the public understanding of human rights policies and discrimination rectification activities; create human rights cultures through human rights policy PR campaigns and discrimination remedy campaigns.
 - Create human rights cultures by developing and expanding public participation programs in commemoration of International Human Rights Day
- Establishment of human rights protection policy and system (KRW 0.588 billion/Approx. \$588,000)
 - Operate human rights thematic task force teams, conduct researches on human rights conditions, translate human rights-related documents and develop policy tasks and establish institutional foundation to improve human rights conditions in Korea through researches on domestic implementation of international human rights laws.
 - Establish a citizen-friendly service system and conduct a customer survey on the Commission to increase public satisfaction
- Improvement of human rights of the disadvantaged (KRW 69 million/Approx.

\$69,000)

- Conduct an on-site investigation into human rights conditions in public facilities, conduct an in-depth analysis on the causes of complaints on human rights violations, and provide preventive and proactive investigations and remedies
- Provide investigations and remedies, and develop policies based on studies of various types of human rights violations and potential problems
- Researches on human rights conditions in North Korea (KRW 0.142 billion/Approx. \$142,000)
 - Study and examine legal systems related to human rights in North Korea
 - Conduct an in-depth analysis on pending issues and challenges of human rights in North Korea
 - Analyze human rights conditions of North Korean defectors and develop policy alternatives
 - Monitor situations of domestic and international developments in North Korea, and cooperation with domestic and international organizations concerned.
- Establishment of Human Rights Information System (KRW 1.356 billion/Approx. \$1,356,000)
 - Establish Information Strategy Plan (ISP) to support goals and strategies of the Commission and develop information system centering on tasks derived from the ISP.
- Strengthening human rights education (KRW 0.706 billion/Approx. \$706,000)
 - Strengthen human rights education for elementary, middle, and high schools and provide human rights education for public servants on a sustained basis and expand the education recipients.
 - Develop legal and institutional foundation for an education implementing system for human rights.
- Cooperative projects with human rights groups (KRW 0.293 billion/ Approx. \$293,000)
 - Enhance and raise public awareness of human rights by developing and distributing



- popular human rights action programs to spread human rights cultures in daily lives.
- Conduct joint projects with human rights civic groups to build cooperative relations, help NGOs improve their expertise, and lay the foundation to promote the human rights campaign
 - International exchange and cooperation (KRW 0.403 billion/Approx. \$403,000)
 - Participate in the Asia-Pacific Forum, UN conferences, and various NGO meetings to monitor Korea's human rights conditions and major international issues, publicize activities of the Commission, and establish a cooperative regime.
 - Promote mutual cooperation through exchanges with international human rights organizations and human rights institutions in foreign countries.
 - Conduct a joint research on major human rights issues to protect and promote human rights in Asia and lay the basis to play a leading role in Asia
 - Support for Asia-Pacific Forum activities (KRW 0.1 billion/Approx. \$100,000)
 - Support the Asia-Pacific Forum's human rights activities, promote international solidarity and mutual cooperation with other member states, thereby playing a leading role in addressing human rights issues, including human trafficking, migrant workers, and racial discrimination.

4. National Human Rights Commission Act

Act No. 6481, May 24, 2001 (Established)

Revised Act No. 7427 (Amended)

Act. No. 7651 (Civil Law)

Act. 7655 (Medical Treatment and Custody)

Revised Act. No. 8435, May 17, 2007

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the realization of human dignity and worth and the safeguard of the basic order of democracy by establishing the National Human Rights Commission to ensure the protection of the inviolable and fundamental human rights of all individuals and the promotion of the standards of human rights.

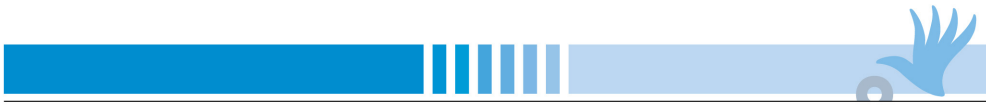
Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "human rights" means any rights and freedoms, including human dignity and worth, guaranteed by the Constitution and Acts of the Republic of Korea, recognized by international human rights treaties entered into and ratified by the Republic of Korea, or protected under international customary law;

2. The term "detention or protective facility" means a facility that falls under any of the following categories:

(a) A penitentiary, a juvenile penitentiary, a holding center and its branches, a



facility for protective custody, an institution for medical treatment and custody, a juvenile reformatory or a juvenile classification review board;

(b) A police station cell or a facility where a judicial police officer investigates, detains or impounds persons in order to perform his/her duties;

(c) A military prison (including its branches, detention homes for those pending trial, and military police guardhouses);

(d) A protective facility for foreigners;

(e) A group protective facility; and

3. The term "group protective facility" means a facility prescribed by the Presidential Decree for the custody or detention of a group of persons.

4. The term "discriminatory act violating the right to equality" means any of the following acts committed without reasonable cause based on gender, religion, disability, age, social status, region of birth (including place of birth, first-registered domicile, one's legal domicile, and major residential district where a minor lives until he/she becomes an adult), national origin, ethnic origin, appearance, marital status (i.e., married, single, separated, divorced, widowed, and *de facto* married), race, skin color, thoughts or political opinions, family type or family status, pregnancy or birth, criminal record of which effective term of the punishment has expired, sexual orientation, academic background or medical history, etc. If a particular person (including groups of particular persons; hereinafter the same shall apply) receives favorable treatment for the purpose of remedying existing discrimination, and the favorable treatment is excluded from the scope of discriminatory acts by any other Acts, then such favorable treatment shall not be deemed a discriminatory act: <Revised on May 17 of 2007>

(a) Any act of favorably treating, excluding, differentiating, or unfavorably treating a particular person in employment (including recruitment, hiring, training, placement, promotion, wages, payment of commodities other than wages, loans, age limit, retirement, and dismissal, etc.);

(b) Any act of favorably treating, excluding, differentiating, or unfavorably treating a particular person in the supply or use of goods, services, transportation, commercial facilities, land, and residential facilities;

(c) Any act of favorably treating, excluding, differentiating, or unfavorable treating a particular person in the provision of education and training at or usage of educational facilities or vocational training institutions; and

(d) An act of sexual harassment. <Established on July 29 of 2005>

5. The term "sexual harassment" means a sexually-suggestive comment or act made by employers or employees of public institutions that causes the sense of sexually-related humiliation or degradation in business, employment or other relations in or outside the workplace; or sexual conduct initiated by supervisory employers or employees of public institutions that results in disadvantage in employment or business by reasons of refusal to respond to such sexually-suggestive language, act or demand. <Established on July 29 of 2005>

6. The term "public institutions" means any of the following bodies:

(a) Governmental institutions;

(b) Local governmental institutions;

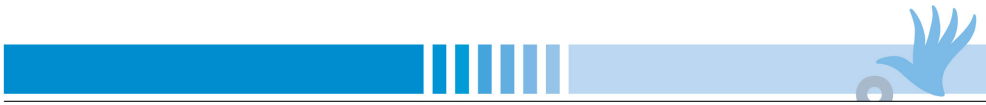
(c) Schools established under the Elementary and Secondary Education Act, the Higher Education Act, or other Acts; and

(d) Public service organizations under 10 (1) (10) of Article 3 of the Public Sector Ethics Act <Established on July 29 of 2005>

7. The term "disability" means a physical, mental, and/or social condition that considerably impairs a person's life activities. <Established on July 29 of 2005>

Article 3 (Establishment and Independence of the National Human Rights Commission)

(1) The National Human Rights Commission (hereinafter referred to as the "Commission") shall be established under this Act to address matters regarding the



protection and promotion of human rights.

(2) The Commission independently addresses matters which fall within the purview of its authority.

Article 4 (Scope of Application)

This Act shall apply to all citizens of the Republic of Korea and all foreigners residing therein.

CHAPTER II ORGANIZATION AND OPERATION OF COMMISSION

Article 5 (Composition of Commission)

(1) The Commission shall be comprised of eleven commissioners for human rights (hereinafter referred to as "commissioner"), including one Chairperson and three standing commissioners.

(2) The President of the Republic of Korea shall appoint to be commissioners four persons selected by the National Assembly (including two standing commissioners), four persons nominated by the President of the Republic of Korea, and three persons nominated by the Chief Justice of the Supreme Court, all of whom possess professional knowledge of and experience with human rights matters and have been recognized to be capable of fairly and independently performing duties for the protection and promotion of human rights.

(3) The President of the Republic of Korea shall appoint the Chairperson of the Commission from among the commissioners.

(4) The Chairperson and standing commissioners of the Commission shall be appointed as public officials in political service.

(5) Four or more of the commissioners shall be women.

(6) In the event the term of office of a commissioner expires, he/she shall

continuously perform his/her duties until his/her successor is appointed.

Article 6 (Duties of Chairperson of Commission)

(1) The Chairperson of the Commission shall represent the Commission and exercise overall control of the affairs thereof.

(2) In the event the Chairperson of the Commission is unable to perform his/her duties for any unforeseen reason, a standing commissioner, whom the Chairperson designates in advance, shall act on behalf of the Chairperson.

(3) The Chairperson of the Commission may attend the National Assembly and state opinions on affairs falling under the jurisdiction of the Commission, and shall, if required by the National Assembly, attend thereupon and make a report or reply.

(4) The Chairperson of the Commission may attend the State Council, present his/her opinion, and recommend that the Prime Minister introduce bills on matters falling under the mandate of the Commission (including the draft of the Presidential Decree regarding the enforcement of this Act).

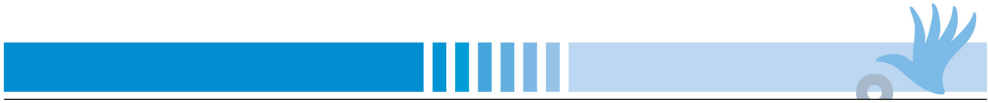
(5) When the Chairperson of the Commission performs duties related to the budget of the Commission, he/she shall be deemed to be the head of a central governmental institution under the provision of Article 6 of the National Fiscal Act.
<Revised on October 4 of 2006>

Article 7 (Term of Office of Chairperson and Commissioners)

(1) The term of office of the Chairperson and commissioners of the Commission shall be three years, but the consecutive appointment may be extended for one additional term.

(2) In the event the term of office of a commissioner expires or a vacancy occurs, the President of the Republic of Korea shall appoint a successor within 30 days after the date of such expiration or vacancy. <Revised on July 29 of 2005>

(3) The term of office of the commissioner who is appointed as a successor



shall start anew. (The date of enforcement is November 25, 2001.)

Article 8 (Guarantee of Commissioners' Status)

A commissioner shall not be removed from his/her office against his/her will unless he/she has been sentenced to imprisonment without labor or a heavier punishment; however, in the event it is difficult or impossible for him/her to perform his/her duties due to any physical or mental handicap, he/she may be dismissed from his/her office by the resolution of consent of 2/3 or more of all commissioners.

Article 9 (Disqualifications of Commissioner)

(1) A person who falls under any of the following subparagraphs shall be disqualified for the position of commissioner:

1. A person other than a citizen of the Republic of Korea;
2. A person who falls under any subparagraph of Article 33 of the State Public Officials Act;
3. A member of a political party; and
4. A person who is registered as a candidate in any such election as held under the Act on the Election of Public Officials and the Prevention of Election Malpractices.

(2) In the event a commissioner comes to fall under any subparagraph of paragraph (1) above, he/she shall, ipso facto, retire from his/her office.

Article 10 (Prohibition of Concurrent Offices of Commissioner)

(1) A commissioner shall neither concurrently take the office falling under any of the following subparagraphs nor perform the duties thereof during his/her tenure of office:

1. A member of the National Assembly or any local council;
2. A public official of any other state institution or local government

(excluding a public educational official); and

3. Other positions or affairs as determined by the rule of the Commission.

(2) The commissioners shall neither join a political party nor participate in political activities.

Article 11 Deleted on July 29 of 2005; ruled unconstitutional by the Constitutional Court.

Article 12 (Standing Commissioners Committee and Subcommittees)

(1) The Commission may establish subcommittees, including the Standing Commissioners Committee, Human Rights Violation Rectification Committee, and Discrimination Remedy Committee (hereinafter "subcommittees"), as it may deem appropriate to perform the duties of the Commission. <Revised on July 29 of 2005>

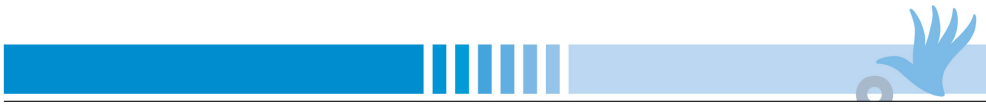
(2) The Standing Commissioners Committee shall be composed of the Chairperson of the Commission and the standing commissioners. Each subcommittee shall be made up of 3 to 5 commissioners. <Revised on July 29 of 2005>

(3) The Standing Commissioners Committee and subcommittees shall be able to establish special committees on gender and disability, etc. in order to research and review issues for deliberation. <Established on July 29 of 2005>

(4) Rules of the Commission shall regulate necessary matters: the composition, work and operation of Standing Commissioners Commission, subcommittees and special committee; and the qualifications, term and appointment of members of special committees. <Established on July 29 of 2005>

Article 13 (Meeting Proceedings and Resolution Quorum)

(1) The Chairperson of the Commission shall preside over the meeting of the Commission, and the resolution thereof shall, except as otherwise provided by this



Act, require the consent of a majority of the incumbent commissioners.

(2) The resolutions of the meetings of the Standing Commissioners Committee and subcommittees shall require the attendance and consent of at least 3 members of each subcommittee. <Revised on July 29 of 2005>

Article 14 (Publication of Proceedings)

The proceedings of the Commission shall be made public, provided that they may not be made public if deemed necessary by the Commission, Standing Commissioners Committee or subcommittees. <Revised on July 29 of 2005>

Article 15 (Advisory Organ)

(1) The Commission may establish an advisory organ in order to seek advice on matters necessary for the performance of its duties.

(2) Necessary matters concerning the organization and operation of the advisory organ shall be prescribed by the rule of the Commission.

Article 16 (Secretariat)

(1) A Secretariat shall be established to address the general affairs of the Commission.

(2) There shall be one Secretary General and necessary staff members in the Secretariat, and the Secretary General shall be appointed by the President of the Republic of Korea on the recommendation of the Chairperson of the Commission after due deliberation of the Commission.

(3) Public officials of Grade V or those registered with the Senior Civil Service Pool System belonging to the Secretariat shall be appointed by the President of the Republic of Korea on the recommendation of the Chairperson of the Commission, and those of Grade VI or lower shall be appointed by the Chairperson of the Commission. <Revised on December 29 of 2005>

(4) The Secretary General shall, under the direction of the Chairperson of the Commission, exercise overall control of the affairs of the Secretariat, and command and supervise the staff belonging thereto.

Article 17 (Establishment of Disciplinary Committee)

(1) Under the Commission, there shall be a disciplinary committee established to resolve disciplinary action against the staff belonging to the Commission.

(2) The composition, authority and deliberation procedure, types and effects of disciplinary actions, and other necessary matters shall be prescribed by the rule of the Commission.

Article 18 (Composition and Operation of Commission)

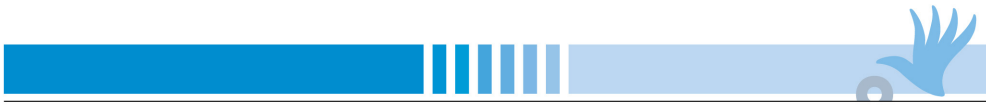
Except as provided by this Act, matters necessary for the organization of the Commission shall be prescribed by Presidential Decree and those necessary for its operation shall be prescribed by the rule of the Commission.

CHAPTER III DUTIES AND AUTHORITIES OF COMMISSION

Article 19 (Duties)

The Commission shall perform duties falling under the following subparagraphs:

1. 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 their improvement or presentation of opinions thereon;
2. Investigation and remedy with respect to human rights violations;
3. Investigation and remedy with respect to discriminatory acts;



4. Survey on human rights conditions;
5. Education and public awareness on human rights;
6. Presentation and recommendation of guidelines for categories of human rights violations, standards for their identification, and preventive measures therefore;
7. Research and recommendation or presentation of opinions with respect to the ratification of any international treaty on human rights and the implementation of the treaty;
8. Cooperation with organizations and individuals engaged in any activity for the protection and promotion of human rights;
9. Exchanges and cooperation with international organizations related to human rights and human rights institutions of other countries; and
10. Other matters deemed necessary to protect and promote human rights.

Article 20 (Consultation with State Institutions)

(1) If the head of a related state administrative institution or local governmental institution intends to enact or amend any statute that includes contents likely to affect the protection and promotion of human rights, he/she shall notify the Commission in advance.

(2) The Commission may, if deemed necessary for the performance of its duties, request the consultation of state organs, local governments, and other public or private organizations (hereinafter referred to as "related entities").

(3) Those related entities which receive a request under paragraph (2) shall faithfully comply therewith unless there exists any justifiable reason not to do so.

Article 21 (Hearing of Commission's Opinion in Preparing State Party Report)

If a relevant state institution prepares a state party's report under the provisions of any international treaty on human rights, it shall hear opinions of the Commission.

Article 22 (Submission of Materials and Reference for Information)

(1) The Commission may, if deemed necessary for the performance of its duties, require the related entities to submit necessary materials to it or refer to the said entities for information.

(2) The Commission may require any person who is deemed to have professional knowledge or experience or know facts necessary for the performance of its duties to present himself/herself in order to hear his/her statement.

(3) Those entities which are so required or referred to under paragraph (1) shall, without delay, comply with such requirement or reference.

Article 23 (Hearing)

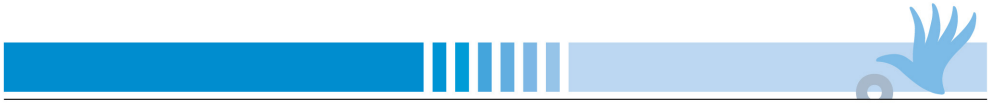
(1) The Commission may, if deemed necessary for the performance of its duties, require the representative of the related entity, the interested persons or other persons who possess knowledge and experience on relevant matters to present themselves and hear their statements of the relevant facts and opinions.

(2) The procedures and methods of hearings held by the Commission under paragraph (1) above shall be prescribed by the rule of the Commission.

Article 24 (Visit and Inspection of Facilities)

(1) The Commission (including the Standing Commissioners Committee and subcommittees) may, if deemed necessary, visit detention or protective facilities to conduct an investigation by its resolution. <Revised on July 29 of 2005>

(2) A commissioner, who visits and investigates under paragraph (1), may be accompanied by members of the staff of the Commission and/or experts who are deemed necessary to perform its duties, and may delegate the investigation to them by specifying its scope. In this case, the experts as so delegated shall, if investigating the said matter, be accompanied by members of the staff of the Commission.



(3) The commissioner, member of the staff of the Commission or expert, who visits and investigates under paragraph (2) (hereinafter referred to as the "commissioner, etc." in this Article), shall show the interested persons identification verifying his/her authority to do so, and the head or administrator of the detention or protective facility visited and investigated by the commissioner, etc. shall immediately provide conveniences necessary for such visit and investigation.

(4) The commissioner, etc., who visits and investigates under paragraph (2), may hold an interview with staff members or detainees of the relevant detention or protective facility (hereinafter referred to as a "facility detainee") and may also have them present oral or written statements or opinions.

(5) Staff members of the relevant detention or protective facility may be present at an interview with facility detainees held by the commissioner, etc., provided that the content of the said interview shall be prohibited from being recorded

(6) Other necessary matters for the procedures and methods of visit and investigation of detention or protective facilities shall be prescribed by the Presidential Decree.

Article 25 (Recommendation of Improvement or Rectification of Policies and Practices)

(1) The Commission may, if deemed necessary to protect and promote human rights, recommend related entities to improve or rectify specific policies and practices, or may present opinions thereon.

(2) The heads of related entities receiving any recommendation under paragraph (1) shall respect and endeavor to implement the said recommendation.

(3) In the event the heads of related entities receiving any recommendation under paragraph (1) fail to implement the said recommendation, they shall clarify in writing the reasons for such failure to the Commission.

(4) The Commission may, if deemed necessary, publish its recommendation and

opinions under paragraph (1) and the reasons clarified by the heads of related entities under paragraph (3).

Article 26 (Education and Public Awareness on Human Rights)

(1) The Commission shall conduct education and raise public awareness necessary to awaken and elevate public consciousness of human rights.

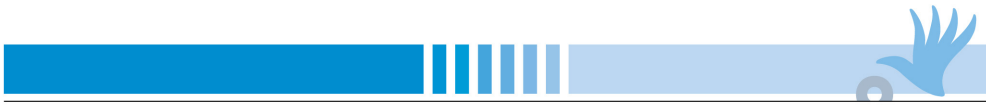
(2) The Commission may consult with the Minister of Education and Human Resources Development to include content concerning human rights in school curricula under the provision of Article 23 of the Elementary and Secondary Education Act. <Revised on July 29 of 2005>

(3) The Commission may consult with the heads of schools established under the provision of Article 2 of the Higher Education Act on necessary matters for the development of human rights education and research. <Revised on July 29 of 2005>

(4) The Commission may consult with the heads of related state institutions or local governments to include human rights subject matter in employment or promotion examinations and training or education courses for public officials.

(5) The Commission may, in consultation with the heads of research institutions or study associations established under the Act on the Establishment, Operation and Fostering of Government-Invested Research Institutions, and the Act on the Establishment, Operation and Fostering of Government-Invested Research Institutions in Science and Technology Field, request them to conduct research on human rights or to carry out such research jointly with the Commission. <Revised on July 29 of 2005>

(6) The Commission may recommend continuing-educational organizations or facilities established under the Social Education Act to include human rights in their educational programs. <Revised on July 29 of 2005>



Article 27 (Center for Human Rights Materials)

- (1) The Commission may establish a center for human rights materials.
- (2) The center for human rights materials shall collect, arrange, and preserve domestic and foreign information and reference materials concerning human rights, and may provide them to the public.
- (3) The center for human rights materials shall be deemed to be a library under the Libraries and Reading Promotion Act.
- (4) Necessary matters for the establishment and operation of the center for human rights materials shall be prescribed by the rule of the Commission.

Article 28 (Presentation of Opinions to Courts and Constitutional Court)

- (1) In the event a trial, which significantly affects the protection and promotion of human rights, is pending, the Commission may, if requested by a court or the Constitutional Court or if deemed necessary by the Commission, present its opinions on de jure matters to the competent court or the Constitutional Court.
- (2) In the event a trial related to matters investigated or dealt with by the Commission under the provisions of Chapter IV is pending, the Commission may, if requested by a court or the Constitutional Court or if deemed necessary by the Commission, present the opinions on de facto and de jure matters to the competent division of the court or the Constitutional Court.

Article 29 (Report Preparation, etc.)

- (1) The Commission shall prepare an annual report on its activities for the preceding year, including the human rights situation and any improvement measures, and report thereon to the President of the Republic of Korea and the National Assembly.
- (2) Except for the report under paragraph (1), the Commission may, if deemed necessary, present any other special report to the President of the Republic of

Korea and the National Assembly.

(3) The related entities, etc. may present to the Commission their opinions on the reports under paragraphs (1) and (2) as well as on the results of the measures which they have already taken or plans of measures to be taken.

(4) The Commission shall open the reports under paragraphs (1) and (2) to the public, provided that any matter which requires confidentiality on the ground of national security, or protection of reputation or privacy of an individual, or the release of which is restrained by any other Acts, may not be made public.

CHAPTER IV INVESTIGATION ON HUMAN RIGHTS VIOLATIONS AND DISCRIMINATORY ACTS, AND REMEDY

Article 30 (Matters Subject to Investigation of Commission)

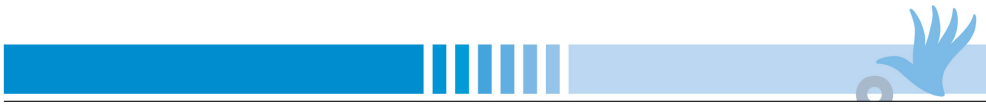
(1) In any case falling under the following subparagraphs, a victim of a human rights violation or discriminatory act (hereinafter referred to as a "victim"), or any person or organization possessing knowledge about a human rights violation may file a petition to the Commission: <Revised on July 29 of 2005>

1. In the case such human rights as guaranteed in Articles 10 through 22 of the Constitution are violated by the performance of duties (excluding the legislation of the National Assembly and the trial of a court or the Constitutional Court) of state organs, local governments or detention or protective facilities; or

2. In the case there exists a discriminatory act or any violation of the right to equality committed by a legal body, organization, or private individual.

(2) Deleted <July 29 of 2005>

(3) Even if a petition under paragraph (1) is not filed, the Commission may initiate an ex officio investigation if it deems that there exists reasonable cause to



believe that human rights violations or discriminatory acts have been committed and that the cases are serious. <Revised on July 29 of 2005>

(4) Necessary matters concerning the procedures and methods of a petition under paragraph (1) shall be prescribed by the rule of the Commission.

Article 31 (Guarantee of Petition Right of Detainee of Detention or Protective Facility)

(1) If a detainee of any relevant detention or protective facility intends to file a petition to the Commission, the public official or staff belonging to the said facility (hereinafter referred to as the "public official concerned, etc.") shall immediately afford such detainee a place, time, and the conveniences necessary to prepare the written petition.

(2) If any detainee desires to file a petition in the presence of a commissioner or the staff member of the Commission (hereinafter referred to as a "commissioner, etc."), the public official concerned, etc. shall immediately notify the Commission.

(3) The public official concerned, etc. shall immediately send the written petition prepared by a detainee under paragraph (1) to the Commission and deliver the voucher of the document receipt which is issued by the Commission to the said detainee. In the case of the notice under paragraph (2), a document verifying such notice and a document of fixed interview date, which are both issued by the Commission, shall be delivered immediately to the same detainee.

(4) If the Commission is informed under paragraph (2) or deems that there exists any reasonable cause to believe that a detainee desires to file a petition, it shall have a commissioner, etc. visit the related detention or protective facility to receive an oral or written petition from the said detainee. In this case, the commissioner, etc. who receives the petition shall immediately prepare a document verifying such receipt and deliver that document to the same detainee.

(5) With respect to the visit to the related detention or protective facility and

receipt of any petition by a commissioner, etc. under paragraph (4) of this Article, Article 24 (3) and (4) of this Act shall apply *mutatis mutandis*.

(6) The staff of the related detention or protective facility shall not participate in an interview that a commissioner, etc. conducts with detainees who have filed petitions (including those who intend to do so), nor hear or record the contents of such interview; however, the said staff may watch them from a distance of visibility.

(7) The public official concerned, etc. shall not peruse a written petition or document prepared by a detainee for the purpose of presentation thereof to the Commission.

(8) Measures that detention or protective facilities shall take to guarantee the independent preparation and presentation of a written petition by a detainee, and any other necessary procedures and methods shall be prescribed by the Presidential Decree.

Article 32 (Rejection of Petition, etc.)

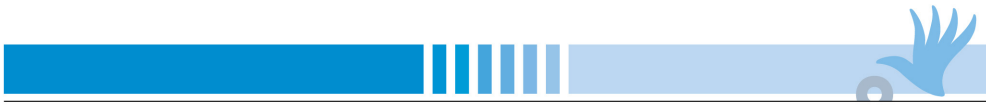
(1) The Commission shall reject a petition that falls under any of the following subparagraphs:

1. In the case the contents of a petition do not fall within the scope of the matters subject to investigation by the Commission;

2. In the case the contents of a petition are deemed manifestly false or ill-founded;

3. In the case a petition is filed by any person other than the victim, but it is manifest that the victim does not desire the investigation thereof;

4. In the case a petition is filed after one or more years have elapsed since the facts causing the petition occurred, provided that this shall not apply to the case if the statutory limitation for civil case and public prosecution with respect to such facts is not completed and the Commission determines to conduct an



investigation;

5. In the case a petition is filed to the Commission at the same time a trial at a court or the Constitutional Court, a criminal investigation by an investigation agency or a procedure for the relief of rights under any other Act is in progress or terminated with respect to the facts causing the petition, provided that this shall not apply if the Commission receives a petition against cases identical to those falling under crimes of Articles 123 through 125 of the Criminal Act which are being investigated by the investigation agency;

6. In the case a petition is filed under any pseudonym or anonym;

7. In the case the Commission deems it inappropriate to investigate a petition;

8. In the case a petition is withdrawn by the complainant who filed it;
<Revised on July 29 of 2005>

9. In the case a petition, with the facts identical to any other petition which has already been dismissed by the Commission, is filed; and

10. In the case the purport of a petition is contrary to the final judgment of a court or decision of the Constitutional Court regarding the facts causing the petition.

(2) In the case the Commission rejects a petition under paragraph (1), it may, if deemed necessary, deliver the petition to related entities. In this case, those related entities to which the petition is delivered shall, if requested by the Commission, inform the Commission of the results of treatment thereof without delay.

(3) The Commission may, even after initiating the investigation on a petition, reject it in any case falling under any subparagraph of paragraph (1).

(4) In the case the Commission rejects or delivers a petition, it shall immediately inform the petitioner, by specifying the cause. In this case, the Commission may, if deemed necessary, advise the relevant victim or petitioner on the procedures and measures for the relief of his/her rights violation.

Article 33 (Other Remedies and Transfer)

(1) In the case the Commission deems that the contents of a petition show a clear intention to file a petition to any relevant state institution with authority, according to the procedure for remedies as prescribed by any other Acts, it shall transfer, without delay, such petition to such state institution.

(2) In the case, after the Commission initiates an investigation of a petition under Article 30 (1), a criminal investigation of the petition with the same facts causing the petition is initiated by another petition or accusations of relevant victims, the said petition shall be transferred to the competent investigation agency.

(3) In the case the Commission delivers a petition under paragraphs (1) and (2), it shall, without delay, inform the petitioner, and those related entities to which the petition is transferred shall, if requested by the Commission, inform the Commission of the results of disposition thereof.

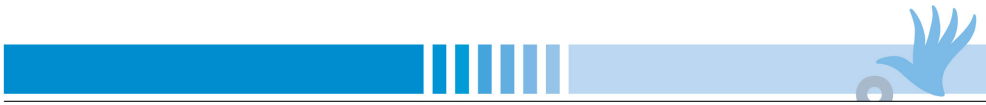
Article 34 (Cooperation between Investigation Agency and Commission)

(1) If there exists any reasonable cause to believe that the facts causing a petition fall under criminal acts and it is deemed that there exists a necessity either for obtaining evidence or preventing the suspect thereof from escaping or destroying evidence, the Commission may request the Prosecutor General or the head of the competent investigation agency to initiate an investigation as well as to take necessary measures.

(2) The Prosecutor General or the head of the competent investigation agency who receives a request under paragraph (1) shall, without delay, inform the Commission of the results of the measures taken by him/her.

Article 35 (Purpose of Investigation)

(1) The Commission shall endeavor to not impede the performance of functions of state institutions in the course of its investigation.



(2) The Commission shall not conduct an investigation for the purpose of infringing on the privacy of any individual, or unduly participating either in any pending judicial proceedings or in an indictment of any case under investigation.

Article 36 (Methods of Investigation)

(1) The Commission may investigate petitions by such methods as prescribed in the following subparagraphs:

1. To require a petitioner, a victim or the respondent (hereinafter referred to as the "party concerned"), or a person involved to be present, and submit a written statement or to hear his/her statement;

2. To require the party concerned, a person involved or the related entity to submit such materials as deemed relevant to matters subject to investigation;

3. To conduct an on-site inspection or evaluation of any such place, facility or material as deemed relevant to matters subject to investigation; and

4. To refer to the party concerned, a person involved or the related entity, etc. for such facts or information as deemed relevant to matters subject to investigation.

(2) The Commission may, if deemed necessary for the investigation, have a commissioner, etc. visit any relevant place or facility to conduct an on-site inspection or evaluation of any place or facility. In this case, a commissioner, etc. may require any party concerned or person involved to present himself/herself and hear his/her statement at such place or facility.

(3) Any person who is required to submit a written statement under paragraph (1) shall do so within 14 days.

(4) The presence of the respondent under paragraphs (1) and (2) of this Article may be required only if it is difficult to judge any relevant case by the very written statement of the person who commits a human rights violation or discriminatory act and if it is deemed that there exists any reasonable cause to believe that a human rights violation or discriminatory act under the provision of

Article 30 (1) occurred.

(5) A commissioner, etc. who conducts an investigation under paragraph (2) may require the head or a managing staff member of the relevant place or facility (hereinafter referred to as a "relevant person" in this Article) to submit the necessary materials or articles.

(6) A commissioner, etc. who conducts an investigation under paragraph (5) shall carry an identification card indicating his/her authority and show the card to the relevant persons.

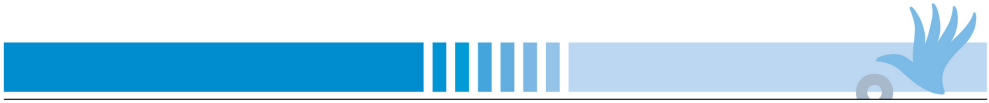
(7) If the Commission requests the head of any relevant state institution to submit related materials or articles, or intends to conduct an on-site inspection or evaluation of the said materials, articles or relevant facilities, the head may reject such submission, inspection or evaluation by clearly explaining to the Commission that those materials, articles or facilities fall under any of the following subparagraphs. In this case, the Commission may request the head to identify any necessary matters and the head shall faithfully comply with such request:

1. In the case the state's classified information has a substantial effect on national security or diplomatic relations; or
2. Any case as deemed liable to cause a serious obstacle to any criminal investigation or pending trial.

Article 37 (Authority to Interrogate or Inspect)

(1) If the Commission intends to know the location of materials or the concerned person necessary for the investigation under the provision of Article 36, it may interrogate such person whom the Commission has any reasonable cause to believe possesses knowledge of the contents thereof, or may inspect the documents and other articles which the Commission has any reasonable cause to believe include such contents.

(2) The provisions of Article 36 (5) through (7) shall apply mutatis mutandis to



the provision of paragraph (1).

Article 38 (Recusal, etc. of Commissioner)

(1) A commissioner and a conciliation member under the provision of Article 41 (hereinafter referred to as the "commissioner" in this Article) shall, if falling under any of the following subparagraphs, be excluded from participation in the deliberation and resolution on the relevant petition:

1. In the case the commissioner or any person who is or was the commissioner's spouse is the party concerned of the relevant petition or holds any rights or obligations jointly with the party concerned;

2. In the case the commissioner is or was a blood relative of the party concerned of the relevant petition;

3. In the case the commissioner has testified or made an evaluation with respect to the relevant petition;

4. In the case the commissioner participates or participated in the relevant petition as an agent of the party concerned; or

5. In the case the commissioner is or was involved in any criminal investigation, trial or relief procedures under any other Act with respect to the relevant petition.

(2) The party concerned may, if there exists any cause for difficulty in expecting the impartial deliberation and resolution of the commissioner, make a request for recusal to the Chairperson of the Commission, who shall, in turn, make a decision thereon without referring the request to the Commission for resolution; however, if it is inadequate for the Chairperson of the Commission to make the decision, the said request shall be referred to the Commission for the resolution.

(3) Any commissioner may voluntarily refrain from the deliberation and resolution on the relevant petition, if he/she falls under either any of subparagraphs of paragraph (1) or paragraph (2).

Article 39 (Dismissal of Petition)

(1) The Commission shall dismiss a petition if the contents thereof fall under any of the following subparagraphs as a result of an investigation:

1. In the case the contents of a petition are false or there is no evidence to support the contents <Revised on July 29 of 2005>;

2. In the case a petition is proven to be unrelated to any human rights violation or discriminatory act defined under Article 30 (1) as a result of an investigation; and <Revised July 29 of 2005>

3. In the case it is deemed that any further remedy is not required because any injury related to the petition has already been relieved.

(2) The Commission shall, if dismissing a petition, inform the party concerned of the result and grounds.

Article 40 (Recommendation of Compromise)

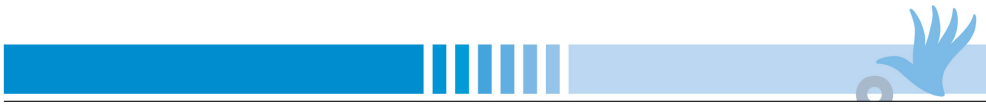
With respect to any petition of which the investigation is in progress or completed, the Commission may propose to both parties concerned a remedy necessary for the fair resolution of the case concerning the petition, and may recommend a compromise.

Article 41 (Establishment and Composition of Conciliation Committee)

(1) Sector-specific committees of the conciliation committee including gender, disability, etc. may be established under the Commission to ensure the speedy and fair settlement of conciliation. <Revised on July 29 of 2005>

(2) Members of the conciliation committee shall be appointed by the Chairperson of the Commission among the commissioners and persons to special committees, including gender and disability, etc, who fall under any of the following subparagraphs: <Revised on July 29 of 2005>

1. Persons who have professional knowledge of and experience with human



rights affairs and whose term of service related to human rights to a state institution or non-governmental organization is ten years or more;

2. Persons whose term of service as a judge, public prosecutor, military judge advocate or attorney-at-law is ten years or more; or

3. Persons whose term of service as assistant professor (or corresponding position thereto) or higher either to a college or to an authorized research institute is ten years or more.

(3) A meeting held by the conciliation committee shall be comprised of the following:

1. One commissioner appointed by the Chairperson from among the conciliation committee members;

2. Two members of sector-specific committees of the conciliation committee appointed by the Chairperson to attend a meeting, regulated under (2). <Revised on July 29 of 2005>

(4) Necessary matters concerning appointment and term of office of members, composition, operation, and the procedures of the conciliation committee, etc. shall be prescribed by the rule of the Commission.

(5) With respect to matters concerning the procedures for conciliation which are not prescribed both by this Act and by the rule of the Commission, the Judicial Conciliation of Civil Disputes Act shall apply *mutatis mutandis* .

Article 42 (Conciliation)

(1) If, with respect to the relevant petition regarding a human rights violation case or a discriminatory act, the conciliation committee may begin the process of coordinating a petition at the request of the party concerned or at *ex officio* referral by the Commission. <Revised on July 29 of 2005>

(2) The conciliation shall be completed at the time when, after the procedures are initiated, both parties concerned enter into the compromised matters of the

document of conciliation by affixing their signature and seal, after which the conciliation committee recognizes it.

(3) If both parties concerned fail to reach a compromise during the course of the procedures for conciliation, the conciliation committee may make a decision in lieu of the conciliation in order to fairly settle the case.

(4) The decision in lieu of conciliation may include any of the following:

1. Stoppage of the human rights violation or discriminatory act subject to the investigation; <Revised on July 29 of 2005>

2. Restitution or compensation for damages, or other necessary remedies; or

3. Measures necessary for the prevention of recurrence of the same or similar human rights violation or discriminatory act.

(5) If the conciliation committee makes a decision in lieu of conciliation, it shall serve both parties concerned with the written decision without delay.

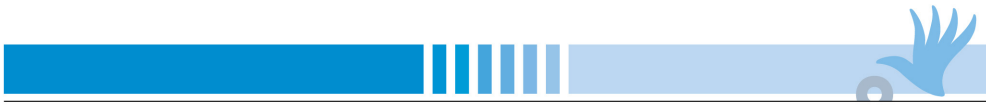
(6) If any party concerned fails to raise an objection within 2 weeks after he/she has been served with the written decision under paragraph (5), he/she shall be deemed to accept the conciliation.

Article 43 (Effect of Conciliation)

The conciliation under the provision of Article 42 (2) and the decision in lieu of conciliation shall have the same effect as a settlement in court, provided that there are no objections under the provision of Article 42 (6).

Article 44 (Recommendation of Remedies, etc.)

(1) If the Commission concludes, as a result of the investigation of any petition, that a human rights violation or any discriminatory act occurred, it may recommend to the respondent or the head of the organ or organization to which he/she belongs or the supervisory institution thereof (hereinafter referred to as the "institution, etc. to which the respondent belongs") any of the following



subparagraphs: <Revised on July 29 of 2005>

1. Implementation of remedial measures under the subparagraphs of Article 42 (4);
2. Rectification or improvement of any relevant statute, institution, policy or practice.

(2) The provisions of Article 25 (2) through (4) shall apply mutatis mutandis to the head of the institution, etc. to which the respondent belongs, who has received recommendation under paragraph (1) of this Article.

Article 45 (Accusation and Recommendation of Disciplinary Action)

(1) If, as a result of the investigation of any petition, the Commission deems that the contents of the petition correspond to an act of crime against which criminal punishment is required, it may file an accusation to the Prosecutor General, except, in the case the accused is military personnel or civilian personnel in the military service, the accusation may be filed to the Chief of General Staff of the armed force to which the said accused belongs or to the Minister of National Defense.

(2) If the Commission finds any violation of human rights after the investigation of any petition, it may recommend disciplinary action against the respondent or any other person responsible for the same violation to the head of the institution, etc. to which he/she belongs.

(3) The Prosecutor General, the Chief of General Staff of the armed force, or the Minister of National Defense, who has received an accusation under paragraph (1), shall complete the criminal investigation within 3 months after receipt and notify the Commission of the results thereof, provided that he/she shall submit a reason for failing to do so within 3 months.

(4) The head of the institution, etc. to which the respondent belongs, who has received a recommendation from the Commission under paragraph (2), shall respect the said recommendation and notify the Commission of the results of disposition

thereof.

Article 46 (Provision of Opportunity to State Opinion)

(1) The Commission shall provide the respondent with an opportunity to state his/her opinion before either making a recommendation or taking measure under the provisions of Article 44 or 45.

(2) In any such case as referred to in paragraph (1), any party concerned or interested person may state his/her oral or written opinion, or present necessary materials to the Commission.

Article 47 (Request for Legal Aid for Victim)

(1) The Commission may, if deemed necessary to investigate petitions, obtain evidence or relieve victims, and/or request the Korea Legal Aid Corporation or any other institution to render legal aid to the said victims.

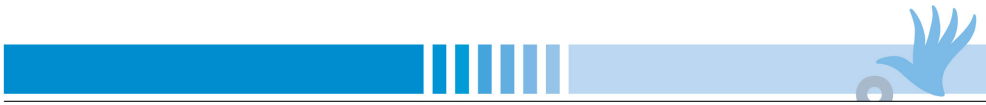
(2) Legal aid under paragraph (1) shall not be requested against the explicit will of the relevant victim.

(3) Necessary matters concerning the procedures, contents, and methods of legal aid under paragraph (1) shall be prescribed by the rule of the Commission.

Article 48 (Recommendation of Urgent Relief Measures)

(1) The Commission may, in the case, after receiving a petition, it deems that it is highly probable that a human rights violation or any discriminatory act subject to investigation is in progress and that it is likely to cause irrecoverable damage if left as violated, recommend the respondent or the head of the institution, etc. to which he/she belongs to take an ex officio measure that falls under any of the following subparagraphs at the request of the petitioner or victim prior to making a decision on the petition:

1. Provision of medical service, meals or clothing;



2. Participation in the on-site inspection and evaluation of any relevant place, facility or materials, or the verification and evaluation thereof which is conducted by any other organ;
3. Change of place of detention or accommodation of detainees;
4. Stoppage of human rights violations or any discriminatory act <Revised on July 29 of 2005>;
5. Displacement of any public official who is deemed to violate human rights or commit a discriminatory act from his/her assigned position; <Revised on July 29 of 2005>
6. Other necessary matters for protecting the life and/or security of person of the victim.

(2) The Commission may, if deemed necessary, take any necessary measures for protecting the life, security of person, and reputation of any party concerned or interested person, and/or obtaining evidence or preventing the destruction thereof, or recommend the interested person and the head of the institution, etc. to which he/she belongs to take such measures.

Article 49 (Confidentiality of Investigation and Conciliation)

The investigation of any petition and the conciliation and deliberation conducted by the Commission shall be confidential, provided that they may be made public if the Commission makes a resolution in favor thereof.

Article 50 (Release of Results of Settlement)

The Commission may release the contents and results of any investigation and conciliation, the recommendation to the related entities, and the measures taken by such entities under this Chapter, provided that this shall not apply to any case in which such a release is restrained by any other Act or is likely to infringe on the privacy of any individual.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 51 (Prohibition of False Impersonation)

Any person shall not exercise the authority of the Commission by falsely pretending to be a commissioner or its staff.

Article 52 (Prohibition of Disclosure of Secret)

A person, who is or was a commissioner, advisory member or staff member of the Commission, and any other person who performed or performs affairs of the Commission after having been dispatched or entrusted by the Commission, shall not disclose any confidential information that comes to their knowledge or is acquired by them during the course of performing their duties.

Article 53 (Prohibition of Use of Similar Name)

No person other than the Commission shall use the name of the National Human Rights Commission or any other name that is similar thereto.

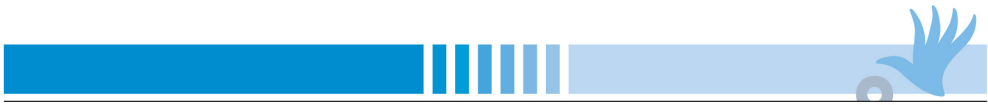
Article 54 (Dispatch of Public Official, etc.)

(1) The Commission may, if deemed necessary for the performance of its duties, request the head of any related entity, etc. to dispatch a public official or staff member under his/her control to the Commission.

(2) The head of the related entity, etc. who is requested to dispatch a public official or staff member under his/her control to the Commission under paragraph (1) may do so in consultation with the Commission.

(3) The public official or staff member who is dispatched to the Commission under paragraph (2) shall perform affairs of the Commission, separate from the entity to which he/she belongs.

(4) The head of the related entity, etc. who has dispatched a public official or



staff member under his/her control to the Commission under paragraph (2) shall not take unfavorable measures against the said public official or staff in terms of personnel matters and treatment.

Article 55 (Prohibition of Unfavorable Treatment, and Supports)

(1) Any person shall not be subject to removal from his/her office, transfer to another position, disciplinary action and unjust treatment, or other unfavorable measures in status or treatment on account of his/her petition, statement, witness, presentation of materials or reply under this Act.

(2) The Commission may give any necessary support or reward to a person who either reveals the fact of any human rights violation or discriminatory act, or finds and presents evidence or materials. <Revised on July 29 of 2005>

(3) The contents and procedures of support or reward under paragraph (2) and other necessary matters shall be prescribed by the rule of the Commission.

CHAPTER VI PENAL PROVISIONS

Article 56 (Obstruction of Performance of Human Rights Protection Duties)

(1) A person who falls under any of the following subparagraphs shall be punished by imprisonment for no more than 5 years or by a fine not exceeding 30 million won:

1. A person who assaults or intimidates a commissioner or staff member of the Commission who performs affairs thereof;

2. A person who assaults or intimidates a commissioner or staff member of the Commission for the purpose of coercing or hindering any act in relation to the performance of duties of the said commissioner or staff or compelling him/her to

resign from his/her office;

3. A person who obstructs the performance of duties of a commissioner or staff member of the Commission by any deceitful plan; and

4. A person who destroys, forges or alters any evidence related to a case involving a violation of any other person's human rights or any discriminatory act subject to the investigation by the Commission under Chapter IV of this Act, or uses any such forged or altered. <Revised on July 29 of 2005>

(2) If a blood relative commits a crime under paragraph (1) 4 for a person who is alleged to have committed a human rights violation or discriminatory act, he/she shall not be punished.

Article 57 (Obstruction of Preparation of Written Petition)

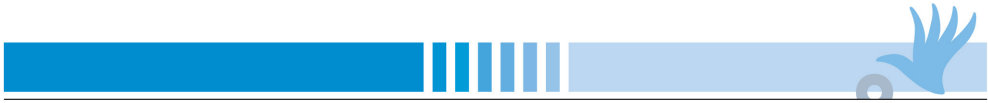
A person who fails to permit or obstructs any petition in violation of the provision of Article 31 shall be punished by imprisonment for no more than 3 years or by a fine not exceeding 10 million won. (The date of enforcement is November 25, 2001.)

Article 58 (False Impersonation)

A person who exercises the authority of the Commission by falsely pretending to be a commissioner or its staff in violation of the provision of Article 51 shall be punished by imprisonment for no more than 2 years or by a fine not exceeding 7 million won.

Article 59 (Disclosure of Secret)

A person who discloses any such confidential information that came to his/her knowledge or acquired by him/her during the course of performing his/her duties in violation of the provision of Article 52 shall be punished by imprisonment with or without labor for no more than 2 years or by qualification suspension for no more



than 5 years.

Article 60 (Obstruction of Urgent Relief Measures)

A person who obstructs the measures taken by the Commission under the provision of Article 48 (1) or (2) shall be punished by imprisonment for no more than one year or by a fine not exceeding 5 million won.

Article 61 (Violation of Guarantee of Petition Right of Detainee)

A person who violates the provisions of Article 31 (6) or (7) shall be punished by a fine not exceeding 10 million won.

Article 62 (Legal Fiction in Application of Penal Provisions)

Any person other than a public official from among the commissioners of the Commission shall be deemed to be a public official in the application of penal provisions under the Criminal Act or any other Act.

Article 63 (Fine for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 10 million won:

1. A person who refuses, obstructs or evades either a visit and investigation under the provision of Article 24 (1) or an on-site inspection under the provision of Article 36 without any justifiable reason;

2. A person who fails to comply with the request for submitting a written statement or presenting himself/herself by the Commission under the provision of Article 36 (1) 1 or (2) without any justifiable reason; and

3. A person who fails to comply with the request for submission of materials and the reference for any facts under the provisions of Article 36 (1) 2 and 4 or (5) without any justifiable reason, or submits false materials.

(2) A person who violates the provisions of Article 53 shall be punished by a fine for negligence not exceeding 3 million won.

(3) A fine for negligence as prescribed in paragraphs (1) and (2) shall be imposed by the Chairperson of the Commission in accordance with the Presidential Decree.

(4) A person who is dissatisfied with any disposition of the fine for negligence as prescribed in paragraph (3) may raise an objection to the Chairperson of the Commission within 30 days after being notified of such disposition.

(5) If a person who is subject to a disposition of the fine for negligence under paragraph (3) raises an objection under paragraph (4), the imposition authority shall, without delay, notify the competent court, which, in turn, shall proceed to trial on a fine for negligence pursuant to the Non-Contentious Case Litigation Procedure Act.

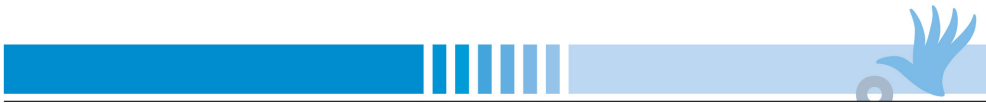
(6) If an objection is not raised within the period as prescribed in paragraph (4) and the fine for negligence is not paid, the fine for negligence shall be collected by referring to the practices of dispositions on default of national taxes.

ADDENDA <Act No. 6481, May 24, 2001>

(1) (Enforcement Date) This Act shall enter into force 6 months after the date of its promulgation, provided that the appointment of the commissioners and staff of the Commission, the enactment and promulgation of its rule concerning the enforcement of this Act, and the preparation for its establishment may be conducted before this Act enters into force.

(2) (Application Example concerning Commencement of Term of Office of Commissioners) The term of office of those commissioners who are initially appointed under this Act shall be deemed to commence on the date when this Act enters into force.

(3) (Enactment of the Presidential Decree) The Chairperson of the Commission may recommend the Prime Minister to submit the draft of the Presidential Decree concerning the enforcement of this Act.



ADDENDA (CIVIL LAW) (Act No. 7427, March 31, 2005>

1. (Enforcement Date) This Act shall enter into force as of the date of its promulgation, provided that (...) Addenda Article 7 (except paragraph 2 and 29) will enter into force on January 1 of 2008).

From 2. to 6. the Same

7. (Revisions of Other Laws)

From (1) to (6) the Same

(7) Some parts of the National Human Rights Commission Act were revised as follows: In Article 56 (2), "blood relatives or the head of house of any person, or family members living with him/her" changed to "blood relatives."

From (8) to (29) the Same

ADDENDA <Act No. 7651, July 29, 2005>

This Act shall enter into force after the date of its promulgation.

ADDENDA (Medical Treatment and Custody)

<Act No. 7655, July 29, 2005>

(1) (Enforcement Date) This Act shall enter into force 6 months after the date of its promulgation.

From (2) to (7) the Same

(8) (Revisions of Other Laws)

From 1. to 6. the Same

7. Some parts of the National Human Rights Commission Act were revised as follows:

Items of Article 2 (2) (a) are as follows:

(a) Prison, prison for the youth, detention center and its branch, facility for

probation, institute of forensic psychiatry, juvenile reformatory, and juvenile classification review board;
From (8) to (9) the Same

Disclaimer

In the case there is any divergence in interpretation of the National Human Rights Commission Act between the Korean and English versions, the Korean version shall prevail.