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NATIONAL HUMAN RIGHTS COMMISSION
OF THE REPUBLIC OF KOREA

ANNUAL REPORT 2012



National Human Rights Commission
of the Republic of Korea



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

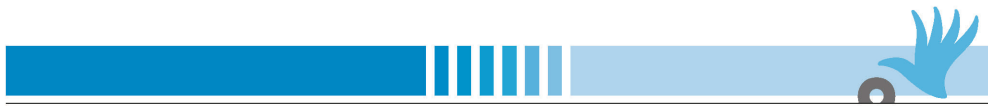
The symbol of the National Human Rights Commission of the Republic of Korea (NHRCK) is designed in a simple logotype to signify the credibility warranted as a human rights watchdog with greater aesthetic sophistication appropriate for the status of the NHRCK as the national institution for the promotion and protection of human rights. Blue, the color believed to represent 'creation' and 'life', and in particular 'spring' according to the Yin-Yang Theory was used in an attempt to represent the unique identity of the NHRCK in its commitment to human beings. It also takes the form that combines a dove and a hand to embody the message of 'peace' and 'tolerance'. The hand-shaped bird is seen with a small circle, the most elemental shape, to communicate the ideas of 'center and concentration', 'diversity and positiveness', 'sun and light', 'harmony and tolerance', and 'fairness'.



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

National Human Rights Commission Annual Report 2012

The National Human Rights Commission publishes and distributes this Annual Report of its activities from January 1st to December 31st of 2012 to submit 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

No one would deny that human rights are dignified values that merit protection. Violations of human rights, however, occur before one is even aware that it has happened, because it is believed that the protection of human rights are not related to “me” personally, but are something meaningful only for the socially vulnerable and minorities elsewhere.

Human rights are a means for protecting and realizing the dignity and value of every human being. For this reason, they are precious values that must be protected in our daily lives, not only for the socially vulnerable but for all of us as. We are well aware that the values that we neglect to protect even for ourselves will never be protected by others.

Our human rights sometimes come under new threats due to rapid changes in the social environment. This is why the National Human Rights Commission of the Republic of Korea (NHRCK) should not be complacent, and rather must continue its efforts to keep track of and study international human rights issues.

In 2012, the NHRCK faithfully undertook its traditional duties while at the same time deal with newly raised human rights issues such as business and human rights, and Information and Communications Technologies (ICTs) and human rights. Moreover, the Commission exerted systematic efforts to improve North Korean human rights.

This annual report is to provide information on the major achievements that the NHRCK has obtained throughout the year while fulfilling its responsibilities for such

as improving human rights institutions and policies, conducting investigations into human rights violations and discriminatory acts, taking remedial actions, providing human rights educations, carrying out promotional activities and engaging in domestic and foreign cooperation.

We hope this year's report, just like previous ones, serves as an opportunity to receive your feedback on our activities which will help us explore future direction. I would like to cordially ask you to share with us your continued support and criticisms.

Thank you.

현 명 철

Hyun, Byung Chul

Chairperson

National Human Rights Commission of the Republic of Korea



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Part I

Introduction



Introduction

Chapter 1. Overview

The National Human Rights Commission of the Republic of Korea (hereafter, “the Commission” or “the NHRCK”) is an independent national institution that advocates for the protection of human rights. The motivations for launching the Commission were to further the protection of human rights, realize the dignity and value of people and establish fundamental democratic order.

The NHRCK marked its 11th anniversary in 2012 and decided to use the year as an opportunity to look back on its achievements and tasks that the Commission promoted through a variety of projects over the past decade, as well as to take a new leap forward.

The Commission has done its utmost to ponder and resolve all kinds of human rights issues and challenges that continuously arise in our daily lives.

Most notably, the Commission devised and initiated its promotion of the Three-Year Plan for the Promotion of Human Rights (2012~2014).

1. The Domestic and Foreign Environments in 2012

The environment the NHRCK worked in throughout 2012 proved to be more challenging to the Commission than any other year up to that point. This was because, first, it was asked by the international human rights community to play an active role as the national institution working on behalf of human rights, in light of the heightened status that the Republic of Korea (hereafter, “Korea”) has achieved in the international

community. In fact, Korea was elected as a member (2013~2015) of the United Nations Human Rights Council (UNHRC) for the third time since the creation of the Council in 2006 and was elected a member (2013~2014) of the United Nations Security Council (UNSC) for the second time since 1996. Consequently, Korea actively participated in the major discussions on human rights taking place in international circles.

Under such circumstances, the Commission had to come up with a response to the expectations of the international human rights community related to, for example, the Universal Periodic Review (UPR) of the UNHRC, monitoring a country report by the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), and hosting the 12th Informal ASEM Seminar on Human Rights. In addition, Korea was appointed as an Asia-Pacific representative to the ICC* Executive Board, the ICC Working Group on Aging, the ICC Working Group on Business and Human Rights as well as to the Organizing Committee of the International Conference of National Human Rights Institutions.

* International Coordinating Committee of National Institutions for the Protection and Promotion of Human Rights

In Korea, the notion of human rights has gained ascendancy, come into the mainstream and become a specialized area unto itself. Such conditions have led to requests to enhance social rights, the spread of human rights ordinances to local government groups, a growing demand for human rights education, and an increase in the number of complaints filed with the Commission, all of which consequently resulted in ever-increasing expectations of the Commission. Also, habitual and various kinds of violence happening in school, at home, in the military and in welfare facilities as well as sexual violence against women have emerged as serious social problems, and many people have raised their voices and declared that the Commission should seek to resolve such human rights issues.

The revised National Human Rights Commission Act went into force on March 21, 2012. This revision was a positive change that expanded the work boundary of the Commission and attracted attention from the general public. Public service-related



organizations and private schools became included in the scope of their investigations, a system for having National Assembly hearings regarding the appointee for the chairperson of the NHRCK was introduced, and organizations which received recommendations from the Commission should provide their implementation plan thereof within 90 days, all of which contribute to strengthening the status and role of the Commission.

2. Basic Directionality of Activities

In 2012, the NHRCK focused on its mid-term plan called the Three-Year Plan for the Promotion of Human Rights. The three-year plan incorporates the clear purpose and goals of the Commission that dreams for a world of dignity for all and delineates the process to be used to achieve these goals.

The plan consists of current human rights issues and mid- to long-term plans, including 5 strategic targets, 1 special task and 2 featured projects. The 5 strategic targets are i) to provide institutional protection for and to reinforce basic human rights, ii) to improve human rights protection for the socially marginalized, iii) to enhance the efficacy of investigations and remedial actions, iv) to foster public understanding of human rights by enhancing educational programs, and v) to strengthen remedies for discrimination. Also, the Commission selected “the improvement of North Korean human rights” as a special task and “spreading a culture of human rights in company management” and “improving information and communications technologies(ICTs) and human rights” as feature projects.

The NHRCK has pursued these goals and strived to develop solutions for the current challenges in front of us as well as mid- to long-term measures that will help improve human rights. The Commission has also fulfilled its basic duties as a national human rights institution, such as improving human rights-related policies, investigating and taking remedial actions on human rights violations and discrimination, providing human rights education, promoting human rights and conducting internal and external cooperative works.

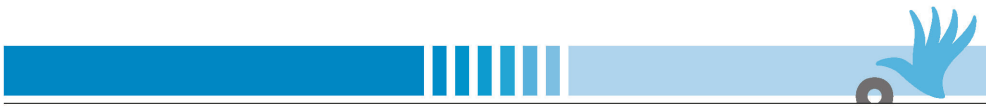
Chapter 2. Achievements by Project

1. Five Strategic Targets

A. Providing Institutional Protection for and Reinforcing Basic Human Rights

The minimum basic human rights standards are guaranteed by the constitution and legislation, as well as by international human rights treaties and international laws to which Korea is a party or which it has ratified. The systems, practices and laws of Korea, however, still fall short of what is required by the constitution and/or international standards; therefore, Korea should make it a priority to lay a foundation on which to establish basic human rights standards and provide practical institutional protection. In this regard, the Commission, in order to institutionally guarantee and strengthen basic human rights, has come up with objectives for its work. Among these objectives are: i) expanding and improving social rights; ii) guaranteeing and reinforcing the right to freedom; iii) promoting the implementation of international human rights standards in Korea; iv) improving human rights in the military and the conscription system; v) establishing a foundation for human rights with the enactment of the Anti-Discrimination Act and other legislation; and vi) developing the Human Rights Index.

One of the first things the Commission did was drawing up the 2nd phase of the National Action Plan for the Promotion and Protection of Human Rights (hereafter, “NAP”) which was then recommended to the government. As pertains to the concrete expansion and promotion of social rights, the Commission recommended improving the labor rights of care workers and of the staff in the broadcasting and visual entertainment industry and revising the medical laws related to the qualifications of masseurs. The Commission also expressed its opinion about the bill on the protection of subcontract workers hired to work within companies, and made comments about the decision of the



Seoul Administrative Court to annul the refusal to allow registration of the Youth Labor Union.

Pertaining to the protection of the right to freedom, the NHRCK expressed its opinion about the 3rd and the 4th country report (draft) of the United Nations Committee against Torture (UNCAT), the effects of CCTVs (closed-circuit television) installed inside classrooms on human rights violations, the distribution of materials for preventing people liable to perpetrate sexual violence from committing a second offense, and the proposed amendment of the Act on the Performance of Duties by Police Officers, all of which demonstrate the Commission's efforts to protect the right to freedom which is a very basic right of people.

The NHRCK, in order to facilitate the implementation of international human rights standards within Korea, submitted an implementation inspection report to the UNHRC that covered items recommended to the Korean government in the 1st UPR, and expressed its opinion about the government's 2nd UPR country report. Also, the Commission participated in the UNCERD, monitored the review of the 15th and the 16th country report presented by Korea and stated the opinions of the Commission. In connection with this, the NHRCK expressed its opinions about the government's 2011 country report (draft).

Furthermore, the NHRCK led the Human Rights Planning Group for the Army to make sure that it would incorporate social concerns about the misguided military culture and seek measures for protecting the human rights of servicepersons in general. The Commission used the group to present its recommendations on political measures to promote a human rights-friendly military culture in the form of the enactment of the Human Rights Act in the Military. Also, the Commission recommended establishing response measures for tinnitus victims who developed the disease while serving in the military, carried out suo moto investigations of habitual assaults in the military, and expressed its opinion about a draft of a revised version of the Support for Discharged Soldiers Act.

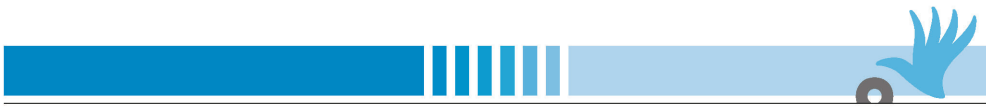
In its most recent actions, the NHRCK, based on “the basic research for the development of the Human Rights Index” which was conducted last year, carried out “a study for establishing an index pool for the development of the National Human Rights Index” with which the Commission developed an index pool that will be used as a framework to set up an index next year. In 2013, the Commission plans to select and run on a trial basis a series of factors that will be quantified via the National Human Rights Index. The Commission aims to complete the development of the Human Rights Index by 2014 so that the Human Rights Index can be used to assess across the country on a regular basis for each human rights area and for separate regions.

B. Improving Human Rights Protection for the Underprivileged and Underrepresented

“The Three-Year Plan for the Promotion of Human Rights” mainly focuses on people such as migrants, the elderly, children, youth and people residing in various kinds of care facilities who are socially vulnerable.

Korea is recently going through an accelerated multicultural and aging transition, but legal and institutional improvements as well as changes in social recognition have not been keeping step with the new changes. Such a reality has been incorporated in the plan. It also attempted a comprehensive approach to some of the newest social issues, such as the human rights of children and youth and the human rights for people living in mental health facilities and in other welfare facilities for children, homeless people and the elderly. In detail, the Commission pursued the objectives of i) improving the human rights of migrants in a multicultural society, ii) enhancing the human rights of the elderly, iii) improving the human rights of children and youth, iii) guaranteeing the human rights of people residing in social facilities.

As pertains to the human rights of migrants, the NHRCK was the first in Korea to have



studied the actual human rights conditions of coastal fishing migrant workers and recommended improving the human rights of migrant workers, and studied a social welfare support system for immigrants into Korea and recommended institutional improvements to better protect the human rights of those who are in less fortunate circumstances, such as people residing for humanitarian reasons and marriage migrant women. Also, the Commission facilitated projects which sought to implement “the International Convention on the Elimination of All Forms of Racial Discrimination” inside Korea and to strengthen exchange and cooperation amongst local communities so as to form a consensus about the human rights of migrants. Through the adoption of this approach, the Commission extensively shared the current issues of multicultural society at home and abroad and contributed to improving the human rights for migrants.

Further, the enactment of the Refugee Act is scheduled for July 2013; hence, it is to be expected that more attention will be paid after the enactment to the human rights of displaced people, such as making the process of refugee status application and determination fair and transparent, and the treatment given to refugee status applicants.

Pertaining to the human rights of the elderly, the Guardian of Human Rights for the Elderly laid the groundwork for improving the human rights of the elderly by, for example, exploring age discrimination. For the purpose of proposing comprehensive policies, a Policy Planning Group for the Human Rights of the Elderly was put into effect, and the group presented various policies and rationales. Also, the NHRCK made efforts to change the viewpoint adopted when approaching issues related to the elderly from focusing on the personal and economical aspects to focusing instead on the social and human rights aspects. The Commission aims to continuously put priority on discussions about, for example, making institutional improvements that will protect and improve human rights for the elderly and issues that should be resolved before we become a super-aged society.

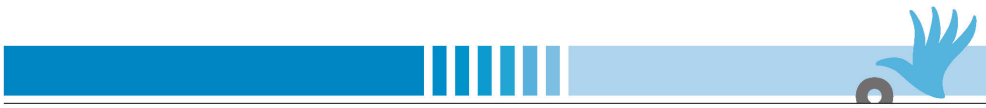
For the sake of improving the human rights of children and youth, the NHRCK took

the first step by conducting onsite investigations at juvenile halls and the Juvenile Protection Education Institutions, and presented measures for improving the human rights of youth under custody in protective facilities. The Commission also expressed its opinions about the proposed revision of the enforcement ordinance and the enforcement regulations of the Child Welfare Act while detailing response measures. The Commission plans to develop policies aimed at enhancing the human rights of children and youth in facilities, such as children welfare facilities (children group homes) and youth protective facilities, who are comparatively living apart from society.

Moreover, the Commission, with the aim of protecting the human rights of people residing in facilities, carried out onsite investigations on human rights conditions in mental health facilities and suo moto investigations in nursing homes of people with severe disabilities and child care institutions, which consequently led to making recommendations to improve human rights protection within the facilities.

C. Enhancing the Efficacy of Investigations and Remedial Actions

Providing a remedy after conducting an investigation, for the purpose of human rights protection, should rectify human rights violations and discriminative behavior, which in turn should bring about real results in terms of actual improvements in human rights; therefore, improving the efficacy of the remedial action is most important when providing remedies. As people's awareness of human rights grows, the scope of human rights violations and discriminative behaviors that should be addressed by the NHRCK becomes more complicated and diversified. Such a phenomenon requires the Commission to be forthcoming in its responses and develop more appropriate remedial solutions. Also, planning investigations should be further promoted, and preemptive actions should be taken for those human rights issues which involve human rights violations or discrimination, even if complaints were not filed in relation to those issues. The NHRCK



has promoted the objectives of: i) expanding in-depth investigations, ii) strengthening the efficacy of investigations and remedies, iii) increasing the degree of satisfaction with human rights counseling services, and iv) improving accessibility to human rights for local residents.

The Commission, in its attempt to expand in-depth investigations and improve the efficacy of investigations and remedies, strengthened its monitoring of social issues and has been quick to conduct preliminary investigations and active in-depth investigations into human rights issues that are becoming more prominent throughout society, all of which reflects the effort to upgrade its abilities in taking preemptive actions in terms of investigations and remedies. For the case of a demonstration related to the Jeju OO village, the Guardian of Human Rights came forward twice to make efficient remedial actions by resolving issues on site and review the necessity for a suo moto investigation. The Commission conducted suo moto investigations into several social issues, such as a civilian inspection of the Prime Minister's Office, the response of the 112 reporting center to the murder case of woman in the city of OO, and human rights violations caused by the excessive use of handcuffs by the police, and recommended improvements in such cases. Also, the Commission carried out onsite investigations into local holding cells and local convoy police stations, foreigner care facilities and custody facilities and sent recommendations so that the environment in the facilities could be improved and the rights of people being held in custody could be guaranteed.

In order to improve the satisfaction with the human rights counseling service, which precedes complaint filing, the pre-existing phone call counseling system was replaced in order to improve the sound quality. The switchover resulted in a significant increase in the success rate for calls, and a callback service was launched to further increase the degree of satisfaction of service users.

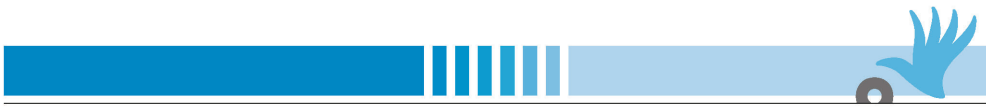
Also, customized onsite counseling sessions were conducted around the country, in which the NHRCK visits the socially vulnerable (North Korean defectors, people with

disabilities, refugees, migrant workers, senior citizens and youth) and regions where social issues have come up. The programs contributed to improving accessibility to the Commission's counseling service. The Commission has been working to guarantee the right that people being held in custody and group care facilities have to file complaints, the lack of which is a known blind spot in human rights protection. To fill in this blind spot, the Commission has continuously studied whether complaint boxes have been installed in such facilities.

D. Fostering Public Understanding of Human Rights by Enhancing Educational Programs

The United Nations Declaration on Human Rights Education and Training (2011) states that everyone has the right to participate in human rights education and training. The 2nd phase of the World Programme for Human Rights Education of the United Nations highlights the importance of continuous human rights education in elementary and secondary education, in educational programs for public officials, law enforcement officials and soldiers, and in higher education. Moreover, some of the issues that cropped up this year, such as the Marine Corps shooting incident, the riot/conscripted police inflicting battery and death, torturing suspects at the police station, and school violence, clearly show that the root cause of accidents and incidents occurring in our society is the absence of a respect for human rights and that human rights education is important for prevention. In this regard, the Commission, in order to create a culture in which the notion of human rights has spread thanks to human rights education, has promoted the objectives of: i) establishing an institutional foundation for providing human rights education, ii) strengthening and expanding human rights education, and iii) developing human rights-related content.

The Commission supported the enactment of a bill called the Human Rights Education



Act so that human rights education can be implemented strategically, and laid an institutional foundation for human rights education by inserting articles into laws and ordinances that would make human rights education mandatory. The bill called the Human Rights Education Act was unfortunately automatically tossed out with the termination of the 18th National Assembly, but the NHRCK is committed to doing its utmost to legislate the bill in the 19th National Assembly.

The NHRCK strengthened a cooperative network with related organizations by operating the Human Rights Education Committee, the Human Rights Education Council for Schools, and the Human Rights Education Council for the Army, as well as by establishing and operating the Human Rights Education Council for Homeless People. Also, the Commission developed a long-term plan for human rights education for the period of 2013 to 2022 to clarify its goals in terms of human rights education, and recommended a comprehensive policy that would form a human rights-friendly culture in the schools.

For the sake of strengthening and expanding human rights education, the Commission established a regular education system by upgrading online human rights education, expanded the service to include more people and laid a foundation for human rights education in elementary and secondary schools as well as universities. Also, the Commission, with the aim of facilitating human rights education by strengthening ties with the mechanism of international human rights education, reviewed the implementation stage of the 2nd phase of the World Programme for Human Rights Education in Korea and submitted pertinent materials to the United Nations.

The NHRCK has developed human rights educational content to standardize human rights education across different areas. To standardize it, the Commission set up a content development system involving, for example, the creation of a manual about the development of the content of human rights education. The Commission also developed educational material related to the human rights of homeless people, the human rights in a multicultural society, standardized lecture programs related to the human rights of the

elderly, and online education content in the areas of discrimination and the military. Also, the educational content is being continuously revised and upgraded in step with the enactment and revision of laws and the rise of new human rights issues. With the emergence of new IT, such as a mobile service, the Commission plans to further develop online human rights education content in a consistent manner.

E. Strengthening Remedies for Discrimination

The NHRCK is an independent agency seeking to rectify discrimination. As such, it aims to actively prevent discrimination by caring for minorities who have been alienated by society and by helping them out with provisional measures. The Commission intends to particularly focus on remedies for discrimination against people with disabilities, women, and minorities as well as discrimination based on age, educational background and religion. Additionally, it is focused on preventing sexual harassment.

The Commission has set up and promoted the objectives of i) reinforcing remedies for discrimination against people with disabilities, ii) strengthening gender discrimination remedies, iii) getting rid of discrimination based on age and educational background, iv) extending activities for preventing sexual harassment, v) improving the human rights of minorities, and vi) getting rid of religious discrimination.

Pertaining to remedies for discrimination against people with disabilities, the NHRCK recommended the installation of wheelchair ramps at banks, schools, libraries, parks and welfare facilities so that the right to access for people with disabilities can be protected. The Commission also proposed a checklist of services to include when implementing guidelines about insurance discrimination against people with disabilities and in the Disability Anti-Discrimination Act. All of these active efforts are aimed at preventing the discrimination that people with disabilities encounter in everyday life and at providing standards about the degrees of discrimination. Other activities include: i) the Monitoring



Unit for the Disability Anti-Discrimination Act focusing on the accessibility for people with disabilities, ii) the establishment of a mid- to long-term plan for improving the human rights of people with disabilities for the period of 2013 to 2017, and iii) proposing recommendations so that major projects can be promoted in different phases within the government. Also, the Commission plans to conduct a basic study into establishing a foundation for allowing people with disabilities to live independently, and will publish a country report in 2013.

As pertains to strengthening remedies for gender discrimination, the NHRCK contributed to revising the Framework Act on Women's Development and pushed for the enactment of the Gender Anti-Discrimination Act (tentative name), reinforced monitoring on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and proposed a policy on a performance-based bonus for teachers on maternity leave. Also, the Commission conducted investigations on the human rights status of female soldiers and of runaway girls in order to draw attention and establish the groundwork for improving the human rights of women. As a part of campaign to change the awareness of female emotional labor workers, the Commission produced and distributed a human rights notebook and conducted campaigns in local regions.

In relation to discrimination based on age or educational background, the NHRCK spearheaded the efforts behind making institutional improvement by cooperating with related organizations to address the exclusion of teachers assigned on a short-term basis from the application of the customized welfare system. The Commission, as a partial effort to eliminate age discrimination in the workplace, held an open forum to mark the 3rd anniversary of the Act on Prohibition of Age Discrimination and gave a presentation session about investigations on the differential retirement age, and studied employment discrimination against service contractors working in government office buildings.

For the sake of the prevention of sexual harassment, the NHRCK published “the

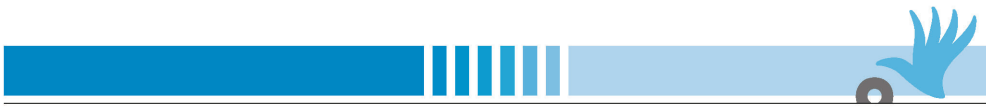
sexual harassment white paper” to improve the efficiency of investigations into and remedial actions for sexual harassment. The Commission recommended making improvements related to sexual harassment and wage discrimination against foreign crews on deep-sea fishing vessels, fulfilling its role as an independent agency in charge of investigations into sexual harassment and sexual discrimination. Also, the Commission studied the status of sexual harassment and sexual violence in universities and tied the results of the study into discussions with experts of sexual harassment and sexual violence in universities in 2011.

Korea is a society that, for its diverse number of religions, has a comparatively peaceful state of existence between the different religions; however, discrimination based on religion needs to be eliminated as it has become a social issue. In 2012, the Commission studied the status of religion-related discrimination and improvement measures in order to prevent such a kind of discrimination in schools established by religion, and plans to facilitate projects to improve and take remedial actions against religion-related discrimination in the process of performing public service, using educational facilities and employment.

2. Special Task and Featured Projects

A. Improving North Korean Human Rights

The NHRCK is responsible for establishing and implementing a variety of human rights policies so that all people including North Koreans can live in a world of dignity for all. In this sense, the Commission included the goal of improving North Korean human rights as a special task in the 3rd phase Action Plan for the Promotion of Human Rights (hereafter, “the Action Plan”). In detail, the special task covers the objectives of i)



improving the human rights of North Koreans (the right to freedom and social rights), ii) enhancing the human rights of North Korean defectors, and iii) resolving three priorities related to the human rights of war prisoners, abductees and separated families after the Korean War.

In 2012, the NHRCK, with the aim of facilitating extensive discussions on the issue of North Korean human rights, hosted the Special Committee on North Korean Human Rights (SCNKR), the North Korean Human Rights Forum, and other meetings. The Commission also acted as a mediator and promoter for the improvement of North Korean human rights through negotiation and cooperation with the government, related authorities and organizations.

In particular, “Compilation of North Korean Human Rights Violations” was translated into English and distributed to urge the international community to pay more attention to the status of human rights in North Korea, which ultimately received attention from major foreign press agencies. The Commission co-hosted an international symposium in LA with University of California Los Angeles in order to instigate paying attention to North Korean human rights issues in the U.S.

Also, the Commission issued a statement urging the government to make efforts to thoroughly investigate the detention and torture on North Korean human rights activists done by the Chinese government, to prevent the reoccurrence of such incidents, and to protect its nationals. It was a timely response to the current issue of North Korean human rights. The Commission also expressed its opinion about the proposed revision of the Act on the Repatriation, the Treatment of the Republic of Korea Armed Forces Prisoners of War, paying special attention to human rights violations that prisoners of war and their family members are currently being subjected to. Furthermore, the Commission presented its opinion about improving the right of North Korean defectors to good health, to reiterate the necessity of taking measures to help North Korean defectors who are suffering from poor health.

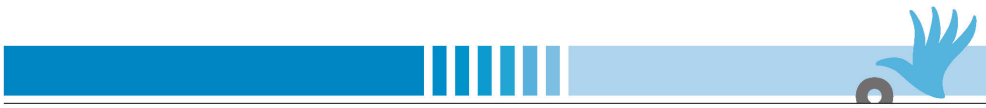
In the future, the Commission will remain committed to reinforcing international cooperation for the sake of improving North Korean human rights, and will ameliorate the rights status of North Koreans by continuously collecting public opinion whenever changes occur in the status of human rights in North Korea.

B. Business and Human Rights

The increasing influence of companies, due to globalization, has resulted in rampant human rights violations by companies. The revised OECD Guidelines for Multinational Enterprises, ISO26000 and the GRI Guidelines demonstrate that companies can no longer sidestep human rights issues. In this sense, the NHRCK included the improvement of human rights in business practices in its 3rd phase Action Plan, which has the objectives of i) establishing a legal and institutional foundation for human rights in business practices, ii) building a consensus on human rights in business practices in Korea, iii) supporting human rights management activities by signing MOUs with major companies, and iv) reinforcing international cooperation.

The NHRCK hosted two rounds of human rights forums with the Korea Chamber of Commerce and Industry (KCCI) and the United Nations Global Compact, and held discussions about the United Nations Framework and labor rights, all of which helped to improve the awareness of stakeholders related to companies and human rights.

Also, the Commission conducted research on the improvement of human rights-related laws, systems, policies and practices. It also developed materials to support its recommendations regarding the laws and policies of the government, and announced them on the international stage. In relation to the right to health of labor workers, the Commission submitted a recommendation to the Ministry of Employment and Labor on the revision of industrial accident compensation insurance system and contributed to disseminating such key issues throughout society.



C. Information and Communications Technologies (ICTs) and Human Rights

Information and Communications Technologies (ICTs) and Human Rights have received an increasing amount of attention both internationally and domestically along with the enactment of the Personal Information Protection Act in Korea. Under such circumstances, the NHRCK inserted the improvement of the human rights with regard to ICTs into its 3rd phase Action Plan with the objectives of i) monitoring the implementation of a comprehensive report on ICTs and human rights, ii) promoting institutional improvements and establishing a standard for privacy protection, iii) developing measures to create a human rights-friendly online culture, and iv) seeking reasonable measures to resolve the digital divide.

At the 12th Informal ASEM Seminar on Human Rights, the Commission discussed the current status of human rights with regard to ICTs in Korea and the international standards, and proposed guidelines after holding comprehensive and systematic discussions on the human rights issues that may arise in our information society. Also, the Commission conducted a survey of cyber investigations and digital evidence collection in order to determine the human rights violations that are considered the product of advances in IT and such cyber investigation techniques, and discussed countermeasures to address the challenge. The Commission concluded its report on information-related human rights by participating on the Committee on the Human Rights to Information as well as in related forums and meetings, and ultimately contributed to promoting discussions on the issue across the society.

Recently, the number of personal information leaks originating at public and private organizations has been continuously on the rise as has the scope of the damage. Accordingly, the NHRCK plans to come up with measures that will prevent the privacy invasion that results when personal data is leaked and large volumes of data are handled.

3. General Projects

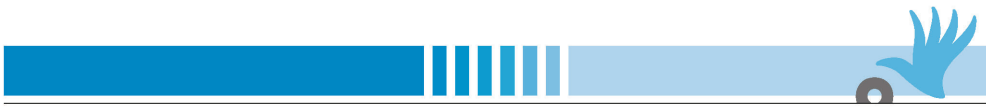
A. Reinforcing the Foundation for Human Rights-Friendly Policies

The NHRCK, with the aim of strengthening the foundation for human rights-friendly policies, carries out surveys of the actual status of human rights and also recommends or expresses its opinion on related laws, systems, policies and practices. It also makes recommendations about signing onto international human rights treaties and recommends or expresses opinions on the implementation of treaties.

The Commission, in order to ensure adherence to the consistency of its recommendations and to explore policy tasks, conducted a total of 19 studies and pieces of research into human rights alone in 2012. The Commission revealed the vulnerable state of human rights in Korea and continued its research into human rights in various different areas. In this way, the Commission has constantly strived to lay the groundwork for human rights-friendly policies by means of institutional improvements.

Based on the results of studies and research, the Commission made 23 recommendations and proposed 18 opinions about the overall issue of human rights, including the improvement of the right to freedom, the right of children who are in a vulnerable social criteria to participate, the protection of the right to work, social issues such as school violence and sexual violence, as well as civil / political / economic / social/ cultural rights.

The separate groups were organized to deal with the right of soldiers, students and the elderly to develop comprehensive measures to revise policies and systems. The supportive actions for the human rights of migrants, women and people with disabilities were also continuously promoted.



B. Enhancing the Effectiveness of Remedies

In 2012, public service-related organizations and private schools were included in the list of subjects to be investigated for the first time after the revision of the National Human Rights Commission Act (March 21). The NHRCK achieved both quantitative and qualitative improvements in the remedial actions taken on behalf of the socially vulnerable by investigating complaints. It did so by efficiently processing complaints that had sharply increased and by promptly responding to human rights issues.

The Commission took action a total of 69,790 times in 2012. This number reflects the number of complaints that it received and resolved, its counseling sessions, and its handling of inquires and civil applications. This was a significant increase of 18.8% compared to the previous year. To be specific, 9,581 complaints, 29,267 counseling sessions, and 30,942 civil applications and inquires were received, and the figures were increased by 2,225 (30.2%), 3,964 (15.7%), and 4,874 (18.7%) respectively compared to the previous year.

Complaints are divided into discriminative acts and human rights violations by public authorities. Of a total of 68,254 complaints received since the establishment of the NHRCK, there were 52,106 human rights violations by authorities (76.3%), 14,098 cases of discrimination (20.7%), and 2,050 other cases (3.0%). In 2012, the Commission received 6,946 (72.5%) complaints related to human rights violations, 2,548 (26.6%) complaints about discrimination, and 87(0.9%) other cases. The Commission resolved 6,936 human rights violations cases which was the largest number for any single year since its launch, and it processed 2,560 discrimination cases and 90 other types of cases.

In total, the Commission processed 9,586 complaints in 2012. Such results were possible because the Commission established and focused on its long-term plan for resolving cases and adopted the suo moto investigations to deal with custody facilities, all of which reflect its efforts to handle complaints more efficiently.

In addition to complaints, the Commission conducted 14 suo moto investigations and 5

onsite investigations through which it actively responded to the human rights issues currently prevalent in society and achieved the desired outcome.

C. Distributing Human Rights Education and Producing/Promoting Cultural Content about Human Rights

The NHRCK, in accordance with Article 19 Subparagraph 5 and Article 26 of the National Human Rights Commission Act, provides essential human rights education and promotional activities in order to increase people's awareness about human rights.

In 2012, the Commission developed a human rights education and training basic plan in order to stabilize and facilitate the operation of the Human Rights Education Center, to lay an institutional foundation that meets the requirements suggested by the human rights education standard of the United Nations, to standardize and spread human rights educational content, and to develop and distribute cultural content on human rights. As a result, the Commission provided human rights education in a total of 1,300 sessions to 124,937 persons in 2012.

Most notably, the Enforcement Regulations on the Welfare and Support for Independence of Homeless People was implemented in June 2012, and accordingly, around 1,500 employees participated in human rights education. The online human rights education system of the Commission, called the Learning Management System (LMS), was upgraded and online programs for citizens were made available in May.

Furthermore, the NHRCK involved in active promotional activities by using various media and different technologies to improve the notion of human rights, form a human rights-friendly culture as well as to inform about the Commission's major projects, policies, functions and roles. The Commission has published a magazine "Human Rights" and used blogs and newsletters to promote the Commission in a steady, consistent manner. The Commission also utilized Facebook and blogs and developed and distributed



human rights-related content in collaboration with service contractors in charge of online promotions. In particular, the Commission created detailed standards applicable to reporting sexual crime and hosted the Human Rights Report Contest based on the human rights report standards established in 2011. Consequently, the press has paid more attention to reports on human rights, and the standard to be used in such reports was established, both of which are great achievements.

It has been ten years since the NHRCK started to produce films talking about human rights. The film “Juvenile Offender” in particular was praised for demonstrating the seriousness of the problem of youth offenders who fall outside the social safety net, and for demonstrating both cinematic quality and artistic value.

D. Domestic and International Exchange and Cooperation

The NHRCK, according to Article 19 Subparagraph 8 and Article 9 of the National Human Rights Commission Act, strives to protect and improve human rights through exchange and cooperation with domestic and foreign human rights bodies, people involved in protecting human rights and international and foreign organizations in charge of human rights.

First, the Commission, in an attempt to learn about the locations where there is a need for the protection of human rights, continuously facilitated cooperative projects with Korean human rights organizations, and conducted onsite visits to listen to the voices of the people involved and to incorporate their voices into its work.

Despite limited conditions, the Commission provided financial support in the amount of KRW 115 million for 15 projects, five of which were chosen as excellent projects. Making these contributions allowed them to help facilitating human rights-related projects in the private sector and spreading a human rights-friendly culture.

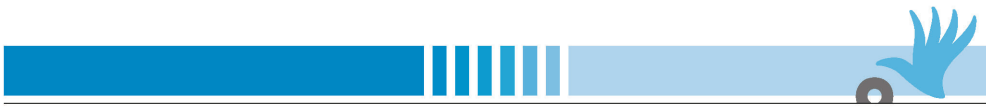
Also, the NHRCK played its role as a human rights watchdog, which is a request

extended by the United Nations to the national human rights institutions, and exercised the right to speak at the UNHRC for the first time since the establishment of the Commission. The Commission also strengthened cooperation with international organizations related to human rights by participating in many international events, such as the 56th United Nations Commission on the Status of Women (CSW), the 19th UNHRC, the Expert Group Meeting for Human Rights of the Elderly, the UNCERD, the 8th Committee on the Rights of Persons with Disabilities, the 5th Forum on Minority Issues, the Forum on Business and Human Rights, and 11th International Conference of National Human Rights Institutions.

The NHRCK successfully held the 12th Informal ASEM Seminar on Human Rights in June in which guidelines on information-related human rights were provided, and the International Conference to Protect and Promote Refugee Rights in August to attract attention to refugee issues and their rights and the improvement of the treatment of refugee applicants.

Chapter 3. Evaluation and Challenges

In 2012, the NHRCK did its utmost to smoothly promote the 3rd phase of the Three-Year Plan for the Promotion of Human Rights and to take the first steps into the new decade in a meaningful way; however, it is true that some of its work could not be sufficiently carried out due to a number of different challenges, such as the confirmation hearing of the National Assembly on the chairperson which was conducted for the first time since the establishment of the NHRCK, political conditions including general elections and the presidential elections, various changes in the environment related to human rights at home and abroad, as well as the organization and the operation of its staff that have not settled in because of the aftermath of the downsizing and reorganization in 2009.



It was pointed out that the Commission was responsible for a number of meaningful recommendations about making institutional improvements regarding various current issues and for human rights that had disappeared into the blind spot, but needs to do more about the right to freedom including freedom of expression.

The Commission carried out studies and researched various fields to grasp the actual status of human rights and to lay a foundation for the improvement of human rights, but most of its projects released their results at the end of year, which made it difficult for them to actually be used during the year 2012.

In the case of international treaties, specific divisions were put in charge and executed control over and made adjustments to the overall task; however, different treaties were dealt with by separate divisions which consequently led to limitations. The Commission needs to improve the overall process by developing the standardized reporting and monitoring process at the level of the Commission.

Pertaining to investigations, the Commission achieved more results than in any previous year by resolving long-standing complaints and conducting in-depth investigations into social issues, despite the rapid increase in the number of complaints. Such an increase resulted in growing fatigue amongst investigators and rendering them unable to provide top quality service to those who filed complaints.

It is predicted that complaints and investigations will continuously increase in the future alongside the expansion of the scope of the investigations made by the Commission and the increase in social issues. In this regard, a variety of different efforts will have to be made in order to secure the number of necessary investigators and to improve the efficiency of the process of solving cases.

As pertains to human rights education, the Commission succeeded in expanding online human rights education and beginning to offer education on a per-professional field basis, but most educational programs are focused on the short term; therefore, long-term and intensive programs should be developed, as is necessary as part of the preparations to

establish the Human Rights Education Institute in the future. Also, a thorough plan should be developed so that the operation of educational programs will not be concentrated at the end of year. As there is a significant shortage of educational content, facilities and workforce relative to the increasing pace of the demand for this education, mid- to long-term measures should be put forth.

On the promotional activities front, the Commission tried in various ways, including the use of online media, to effectively promote its policies, but limited financial sources made it difficult to continue policy promotion and to facilitate promotional activities that would produce the ripple effects that are required to the increase accessibility of people to this national institution that advocates the protection of human rights.

In the case of domestic and foreign cooperation, the Commission faced comparably more challenges on the domestic front than it did overseas. Despite its endeavors, the lack of participation and cooperation from human rights-related civic groups as well as the separation of divisions in charge of cooperative projects in human rights organizations made it difficult to promote cooperative work in an efficient and consistent manner.

The Commission is committed to overcoming such challenges and to responding to the demand for a great amount of respect for human rights as is being requested by the international society and civil society as well. Furthermore, it is committed to exploring human rights issues that are closely related to the livelihoods of people and regarding which a consensus can be easily reached. In doing so, the Commission will continue to fulfill its duties as the national institution advocating the protection of human rights. The new government will take office in 2013. As the new government takes office, the Commission will strive hard so that the issue of human rights can become a new index to be considered when the new government decides important policies.

Part II

Major Activities of the Commission

Chapter 1. Improvement of Laws, Regulations, Policies and Practices

**Chapter 2. Investigations and Remedies: Human Rights Violations
and Discriminatory Acts**

Chapter 3. Human Rights Education and Promotion

Chapter 4. Exchange and Cooperation with Human Rights Organizations

Chapter 5. Activities and Regional Human Rights Offices



Chapter 1

Improvement of Laws, Regulations, Policies and Practices

Section 1. Overview

Pursuant to Article 19 Subparagraph 1, 4 and 7, and Article 25 of the National Human Rights Commission Act, the NHRCK carries out various activities, including conducting investigations of human rights conditions, issuing recommendations and opinions on human rights-related laws, regulations, policies and practices as well as on the accession to and implementation of international human rights treaties in order to facilitate the implementation of the treaties in Korea.

In order to execute these tasks, the Commission is empowered to request cooperation from government agencies, local government groups, and other public and private organizations (Article 20), hold hearings (Article 23), and submit its opinions to the competent court or the Constitutional Court (Article 28) about trials that may have a significant impact on the protection of human rights. In addition, the Commission is mandated to present an annual report on its activities of the preceding year and a report on the latest human rights conditions and improvement measures to the President of the Republic of Korea and the National Assembly (Article 29). It may form, for different areas that are under its supervision, expert committees (Article 12) and advisory bodies (Article 15).

In 2012, the NHRCK remained committed to improving laws, regulations, policies, and practices in the areas of human rights in general, including economic, social, cultural, civil and political rights. To this end, the Commission conducted research and studies on pending issues and collected the opinions of experts by organizing various discussion

sessions and meetings. Special teams were formed to deal with such pending social issues as school violence, human rights in the military and the right of the elderly. They were dedicated to publishing comprehensive proposals to improve relevant policies and institutional systems. These efforts resulted in 23 recommendations and 18 opinions, which contributed to the protection of basic human rights.

The Commission strengthened its efforts to monitor the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) in Korea. It is also notable that Korea will be under the second cycle of the universal periodic review (UPR), a comprehensive review of the human rights records of all United Nations Member States. As such, the Commission reviewed the progress of the implementation of the United Nations Human Rights Council (UNHRC) recommendations for the last four years and submitted a country report compiling human rights issues to be improved in the future to the United Nations human rights watchdog.

In addition, the Commission continued its activities to improve human rights conditions for migrants, people with disabilities and women by, for example, issuing recommendations and holding international conferences regarding the human rights of expats, submitting mid- to long-terms plans to improve the right of the disabled, and publishing the White Book on the Complaints of Sexual Harassment. Most notably, the Commission initiated the development of the Human Rights Index in response to the increasing need for such an index to use as a tool to assess human rights conditions in Korea as well as to improve and promote human rights.



Section 2. Policy Recommendations and Opinions

1. Figures for Policy Recommendations, Opinions, etc.

[Table 2-1-1] Recommendations and Opinions on Regulations or Policies on Human Rights

(Unit: Case)

	Cumulative total	Recommendations	Opinions expressed	Opinions submitted
Cumulative total	441	193	229	19
2012	41	23	18	0
2011	40	18	20	2
2010	42	21	17	4
2009	46	14	29	3
2008	48	14	28	6

※ Cumulative Total: November 1, 2001 to December 31, 2011

※ Opinions submitted: The Commission is empowered to submit to the Court of Law or the Constitutional Court its opinions on ongoing trials that will significantly impact the protection and improvement of human rights.

2. Highlights of Policy Recommendations¹⁾

A. Recommendation on the National Action Plans for the Protection and Promotion of Human Rights (NAP)

The NHRCK presented to the government its recommendations about the 2nd phase of the National Action Plans for the Protection and Promotion of Human Rights (NAP) for the period of 2012 to 2016. It recommended that human rights conditions in Korea be

1) For detailed policy recommendations, see respective chapter-section: suo moto and online investigation (2-3); North Korean human rights (1-4); human rights in business practices (1-4); and information and communications technologies and human rights (1-4).

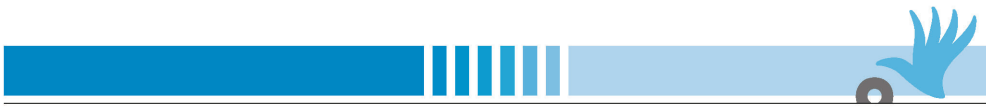
improved with the establishment and implementation of a comprehensive set of policies. (January 4, 2006)

The recommendations focused on addressing emerging human rights issues and identifying key improvement goals by evaluating the 1st phase NAP and its implementation performance, detailing the current condition of human rights, analyzing human rights standards at home and abroad, and presenting overseas case studies. The key actions plans proposed by the recommendations include: i) giving priority to protecting the human rights of minorities and socially vulnerable groups, and ii) improving laws and institutional systems to build a social infrastructure that is inclusive of civil and social rights.

The recommendations for the 2nd phase NAP consist of three parts. The first part contains the overview of Korea's NAP, the processes and methods of implementing the NAP recommendations, and the structure of the NAP recommendations. The second part consists of priority issues that are worthy of being urgently remedied over the duration of next 5 years in pursuit of the protection of the right of 15 socially vulnerable and minority groups, including people with disabilities, non-regular workers, migrants, refugees, women, children and youth, the elderly, patients, soldiers and riot/conscripted police, people in protective facilities, sexual minorities, Korean nationals with foreign residency, crime victims, and human rights in North Korea. Lastly, the third part touches on issues related to the improvement and enhancement of policies needed to develop infrastructure concerning human rights, the advancement of human rights beyond their current status, human rights education, and the international cooperation framework for human rights.

B. Recommendation to Rectify the Practice of Eliminating Applicants for the Police Force Who Were Subject to Prior Criminal Investigation

The NHRCK observed that the chief of the National Police Agency refers to a background investigation, which contains not only criminal records but also the records of an applicant that pertain to the individual having been investigated, when evaluating



police officers during their job interview. The Commission concluded that the practice was unfair to those whose record shows their having been investigated or punished for misdemeanors were discriminated against in their job interview because of the background check system, because the goal of the job interview is restricted to assessing the applicant's conduct, manner, service mindset, integrity, morality and obedience to rules. Morality and obedience to rules are important qualifications for a police officer because they are law enforcement officers, but the discretionary authority wielded by the chief of the National Police Agency in assessing the applicants' qualifications should be subject to reasonable limitations because the opportunity to take a public office is a basic right guaranteed by Article 25 of the Constitution of Korea. In other words, the NHRCK concluded that even though the records of having been investigated are not examined during the screening processes, the recruitment of police officers could be enhanced in accordance with the nature of the police work that requires applications to have high levels of integrity, legal obedience and morality by amending the relevant laws. For example, while the National Public Service Law currently screens individuals who were sentenced to a suspension of qualification or any harsher punishment, it could be further strengthened by disqualifying those with the records of prior conviction for some highly worrisome crimes, even though it resulted in a punishment lower than the suspension of qualification, and restricting the right to take a public office in proportion thereto. Thus, the Commission recommended to the Commissioner of the National Police Agency that the job interview process for police officers be improved so as to ensure that those whose record shows they were investigated would not be discriminated against and can partake of the right to take public office (March 21, 2012).

C. Recommendation to Amend the Medical Act Regarding the Qualification of Massage Therapists

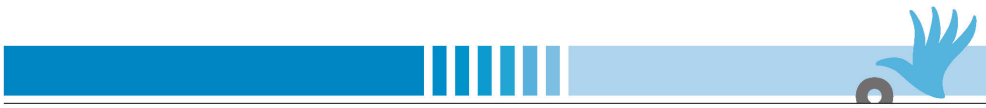
Training materials for massage therapists are sometimes difficult to understand even for those who received higher education. It is, however, reported that few applicants fail

to pass the qualification test based on those materials. This means that the legal limit screening elementary school graduates from entering into the profession has no relevance on promoting the professionalism of the applicants. Accordingly, the Commission recommended to the Minister of Health and Welfare that they delete the phrase "person who has finished educational courses equivalent to or higher than a junior high school" from Article 82 Clause 1 Subparagraph 2 of the Medical Act (March 29, 2012).

D. Recommendation to Establish or Amend the Framework Ordinance on Human Rights

The Commission issued a judgment that the Framework Ordinance on Human Rights would help raise awareness about human rights in local communities, thereby having a direct impact on the livelihood of the residents. Thus, it published the Standard Framework Ordinance on Human Rights as an example that sets out the direction and the content that other Framework Ordinances are required to follow. The Commission recommended that the head of each local government group establish or amend its respective Framework Ordinance in accordance with the standard (April 12, 2012). In addition, the NHRCK recommended that the Minister of Public Administration and Security positively entertain local government requests for consultation regarding the expansion of the workforce in order to build a system for protecting and promoting human rights at the level of the local community, and that the Framework Ordinance be implemented effectively. The Commission held onsite briefings in Seoul, Gyeonggi Province, Busan and other cities and regions in its follow-up measures on the recommendation. Other measures for the effective implementation of the recommendation included unofficial meetings with experts, consultation sessions with relevant policy executors, and monitoring its implementation. As a result, a total of 177 organizations presented the Commission with their future implementation plans.

E. Policy Recommendation to Develop Measures to Aid Tinnitus Victims Caused by Their Military Service



The NHRCK recommended that the Minister of National Defense: i) conduct a comprehensive investigation into the actual conditions of the discharged soldiers with tinnitus (including hearing difficulties), ii) prevent further hearing loss by applying hearing conservation programs, and iii) establish manuals to allow the military units of the Army, Air Force and Navy in high-noise environments to apply relevant countermeasures such as conducting regular noise assessments and hearing tests as well as damage prevention education campaigns. Also, the Commission recommended that the head of Ministry of Patriots and Veterans Affairs develop ways to compensate the victims by i) finding ways to offer treatment to compensate the victims who have no corresponding military hospital record, including reducing the burden of proof, ii) maintaining the requirements for acknowledging them as a person of national merit due to military service-caused tinnitus, which equivalent to the compensation for industrial accidents, and measuring the impact of the disorder on the quality of life and its social implications when conducting tinnitus tests to raise the effectiveness of remedies; and, iii) adopting customized testing methods befitting the characteristics of individual victims in the tests required to register an individual as a person of national merit (April 18, 2012). In reply, the Minister of National Defense notified the Commission that the Ministry would carry out hearing conservation programs, which consists of noise exposure assessments, noise-induced hearing loss prevention education, regular hearing tests and the provision of hearing protectors, to prevent further damage. The Ministry's action plan also calls for the publication of guidelines in order to ensure that military units exposed to high noise levels execute regular noise assessments and hearing tests, damage prevention education, the storage and the use of relevant data, and other countermeasures.

F. Policy Recommendation to Improve the Labor Rights of Care Workers

The NHRCK recommended that the Minister of Health and Welfare create strict requirements to use as standards applied to the facilities, operations, workforce and the establishment of in-home care services for the elderly so that the labor rights of care

workers are protected. It was also recommended that the Minister ensure the practical supervision of the caregivers' working conditions by checking, for example, if employment contracts comply with the Labor Standard Act. In addition, the Commission recommended that the Minister of Employment and Labor conduct thorough labor inspections of long-term care facilities in order to guarantee that caregivers have a certain level of working conditions. The NHRCK also recommended that the heads of local government groups ensure practical management and supervision of the services, and that the Chairperson of National Health Insurance Corporation establish measures to guarantee caregivers industrial safety and to deal with the violence, abusive words and sexual harassment inflicted by service recipients (June 14, 2012).

In response, the Ministry of Employment and Labor and the National Health Insurance Corporation endorsed all of the NHRCK's recommendations, while the Ministry of Health and Welfare expressed their intention to accept the recommendations regarding the improvement of the standard employment contract, the incorporation of labor-related clauses into service evaluation criteria, and the solutions to sexual harassment. As for local government groups, 60.7% of organizations responded, and 98% of the organizations that replied expressed their intent to accept the recommendations.

G. Integrated Policy Recommendation to Build a Human Rights-Friendly Culture in Schools

Schools are undergoing the serious crisis of suicides being caused by violence and bullying among students, excessive corporal punishment and other problems. The NHRCK formed the Research Group for the Establishment of Pro-human Rights School Culture, a group of 11 experts including education professionals, assigned to come up with fundamental alternatives to raising the human rights of students. The research group concluded that building a human rights-friendly culture in schools should involve the institutionalization of the education about human rights, the protection of student human rights, respect for the right of teachers, the development of human rights-friendly student guiding principles without corporal punishment, and the creation of measures for



preventing school violence. Therefore, recommendations were submitted on 52 tasks to the Prime Minister, the Minister of Education, Science and Technology, and 17 city and provincial Educational Superintendents (July 9, 2012).

In response, the Minister of Education, Science and Technology expressed the intent to fully accept 34 recommendations and partially 16 out of the 52 recommendations in total, and other relevant organizations accepted or considered the recommendations positively.

H. Policy Recommendation to Develop Textbooks in Accordance with Human Rights Standards

The NHRCK has monitored the implementation of a plan to introduce pro-human rights education courses and textbooks that have been prescribed by the NAP. To this end, the Commission recommended that the Minister of Education, Science and Technology adopt a policy to render textbooks more friendly and put into them the value of human rights, by correcting the contents of textbooks that are found to contradict with, disregard or ignore the value of human rights, including i) those strengthening gender stereotypes and gender discrimination, ii) those associated with a discriminatory perception about the socially disadvantaged and minorities, and iii) those resulting in prejudice against a specific ethnicity or people from certain places (September 6, 2012).

In response, the Minister of Education, Science and Technology accepted most of the Commission recommendations except for those concerning gender discrimination, people with disabilities, and the right of workers and a few other cases, and revised the textbooks accordingly.

I. Recommendation to Conduct an Investigation on Discharged Soldiers with Tinnitus

The NHRCK recommended that the Minister of National Defense “take stock of discharged soldiers with tinnitus (including those with hearing difficulties) by conducting a comprehensive investigation” on April 18, 2012. The Minister submitted an answer on

August 6, 2012 in response to the recommendation, arguing that such an investigation should be conducted by the Ministry of Patriots and Veterans Affairs because “the general affairs relating to the compensation, protection and support for discharged soldiers are matters under the jurisdiction” of the Ministry. As such, the Commission recommended that the head of Ministry of Patriots and Veterans Affairs “assess the condition of the tinnitus victims of discharged soldiers (including those with hearing difficulties) by conducting a comprehensive investigation.” (September 6, 2012).

J. Recommendation to Improve Policies and Institutional Systems to Instill a Pro-Human Rights Culture into the Military

The NHRCK observed that the public attention and social concern is growing about firearm accidents in the Marine Corps, suicides in the military, sexual harassment, those who fail to adapt to the military environment, and other issues that unfold in the military; therefore, the Commission judged that it was necessary to develop an integrated plan to improve the relevant policies and institutional systems in addition to dealing with individual remedies initiated from complaints.

As such, the Commission formed the “Policy Planning Group to Improve Human Rights Conditions in the Military.” The Group held four discussion sessions and an open forum meeting to review the results of the investigation into human rights conditions in the military, cases of complaints and ensuing recommendations, and military legislation in developed countries. As a result, the Commission made the following recommendations to the Minister of National Defense (October 11, 2012):

- 1) To establish “the Military Human Rights Act”;
- 2) To devise practical solutions to preventing human rights violations such as battery and harsh acts;
- 3) To designate the human rights education program as a course that is directly controlled by the Ministry of National Defense and come up with other measures to raise human rights sensitivity;



- 4) To fix the legal system and provisions concerning the compliant handling program;
- 5) To expand soldiers' participation in managing their barracks life and improve the rights conditions of low ranking officers; and
- 6) To guarantee that outside experts take part in the inspection of military units.

In addition to the comprehensive recommendation package, the Commission made other recommendations, such as improving the right for the small number of females serving in the army, and improving the strategies and medical treatment systems in place in the military that are for addressing the problems of those who fail to adapt to their military service, as this failure to adapt can culminate in suicides and fatal accidents.

K. Policy Recommendation to Improve the Labor Rights of the Staff in the Broadcasting and Visual Entertainment Industry

The NHRCK developed guidelines on employment contracts in the broadcasting and visual entertainment industries based on the Investigation of the Human Rights Condition for Non-Regular Workers in the Culture, Arts, and Sports Industries, which was conducted in 2011. Then the Commission recommended that the Minister of Culture, Sports and Tourism introduce a standard labor contract in those industries based on the guidelines. Also, it recommended that the Minister of Employment and Labor: i) exclude the movie production and entertainment business from the list of businesses exempt from the legal limits on overtime work; ii) develop measures to put limits on long working hours and all-night work to some extent, to provide compensation for night work, overtime work and holiday work, to ban discrimination based on the type of employment contract, and to guarantee the four major social insurance schemes and other social security programs; and iii) strengthen labor inspection to protect human rights related to labor (October 18, 2012).

L. Recommendation for a Mid- to Long-term Plan for Improving the Human Rights of the Disabled

The NHRCK developed the Mid- to Long-term Plan to Improve the Human Rights of

the Persons with Disabilities, which incorporates emerging demands as well as a new framework for the human rights of the disabled, and recommended that Prime Minister and the Minister of Health and Welfare adopt the plan. (October 22, 2012) The plan consists of the following four goals.

The first goal is to lay the groundwork for guaranteeing that people with disabilities have an opportunity for equal participation. To this end, the public administration system should be refitted to accommodate the diverse needs of people with disabilities. Specifically, the disability grading and registration system and service delivery schemes should be improved. Moreover, the plan calls for improving the right to apply for social welfare services so that the system is practically beneficial for those in need. The plan also calls for the improvement of the activity assistance service for the disabled to increase physical access, as well as laying the foundation for people with disabilities to live on an equal basis with the non-disabled.

The second is to guarantee the people with disabilities have the basic right to a decent life. To this end, the plan was designed to provide handicapped people with opportunities and the right to work and the right to make an appropriate livelihood. Moreover, the right to education and health will be re-defined to have more practical implications. In addition, a set of policy proposals will guarantee that people with disabilities have appropriate housing and freedom of movement so that they can live their everyday life freely in their communities.

The third is to correct and prevent discrimination. To this end, the implementation of the Disability Anti-Discrimination Act will be monitored on an annual basis. Also, the Human Rights Centers for the Persons with Disabilities will be established in local communities so that victims of human rights violations can apply for remedies and assistance. Education on the right of the disabled and public awareness campaigns about discriminating against people with disabilities will be strengthened to create a social atmosphere that respects and assures the right of people with disabilities.

The final goal is to lay a social groundwork in which the disabled suffering from



multi-dimensional discrimination can live. To realize this goal, the plan calls for more aggressive measures and investment of resources to improve the environment for people with developmental and mental disorders, as well as disabled women and children who are facing comparatively more multi-dimensional discrimination than those with other types of disabilities. These detailed policy alternatives are expected to assure human rights for all people with disabilities regardless of the type of disability, gender and age.

M. Policy Recommendation and Opinion Regarding Aggressive Lockouts

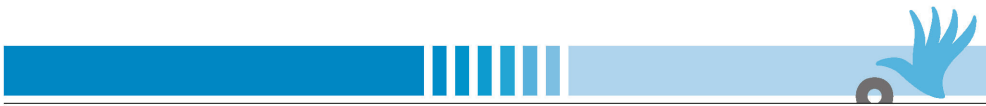
The NHRCK observed that labor-management relations are under mounting tension concerning lockouts because the greater percentage of companies initiated lockouts for a given number of industrial actions, and many lockouts were involved in litigation. The Commission concluded that the institutional system and practices needed to be improved in consideration of the current legal system and the spirit of the three basic labor rights. As such, the NHRCK recommended that the Minister of Employment and Labor strengthen administrative guidance (including training) and its labor inspection efforts of business owners in accordance with relevant previous rulings. The purpose of the recommendation is to ensure that lockouts are not abused as a tool to obstruct the normal activities of trade unions or to deny trade union members access to company premises. Examples of the abusive use of lockouts include those that are initiated preemptively before a trade union begins an industrial action, those that are disproportionate given the degree and method of the trade union's industrial actions, and those that are used to pressure union members to withdraw their union membership. Moreover, the Commission expressed an opinion to the Chairperson of the National Assembly that the recommendations should be incorporated into the future amendments of the Trade Union and Labor Relations Adjustment Act and other relevant rules and laws (November 22, 2012).

N. Policy Recommendation and Opinion Regarding the Intervention of Private Security Company in Labor Relations

The Commission concluded that if private security is employed to deal with an industrial action and this employment results in violence by unlawfully collecting evidence on the activities of a labor union, breaking up a protest of the labor union members or evict them from the company premises beyond their authorized safeguarding work, this can not only threaten the life and integrity of workers but also practically deteriorate the three basic labor rights. As such, the NHRCK reviewed the problems of employing private security companies in industrial actions and ways to correct such practices. Consequently, the Commission submitted recommendations and opinions to the Minister of Employment and Labor and the Chairperson of the National Assembly to restrict safeguard agencies from intervening in labor relations in an aggressive and physical manner. The recommendations and opinions called for the Minister of Employment and Labor to ensure that the work scope of security agencies in labor relations is limited to those activities which are necessary for the protection of the physical facilities. To do so, the Commission requested that the Minister come up with measures to strengthen supervisory and managerial efforts so that when the security agencies are engaged in evidence collection, forceful dispersion and eviction of union members, and other activities that go outside the bounds of their tasks, the facility owner (client) and the actual doers bear ensuing legal responsibility (November 22, 2012). The opinion was presented to the Chairperson of the National Assembly that the above recommendations should be incorporated into future amendments of the Security Services Industry Act and other relevant rules and laws.

O. Recommendations Regarding the Guidelines to Address Discrimination of Insurance Companies against the Disabled, and Relevant Medical and Statistical Research

The NHRCK recommended amending the Insurance Business Act and improving the underwriting guidelines applicable to the underwriting of insurance for the disabled in order to address the discriminatory practices of insurers against the people with disabilities (August 22, 2005). The Insurance Business Act, amended on July 23, 2010,



bans “refusing the insurance subscription by a disabled person referred to in Article 2 of the Disability Anti-Discrimination.”

Despite these efforts, however, people with disabilities have continued to be subject to the discriminatory practices of insurers at every step of their purchasing insurance. It is reported that insurers sometimes refuse to underwrite insurance policies for the disabled, cancel a policy before its expiration and even refuse to pay benefits, using the argument that the disabled people are likely to have accidents.

It has been pointed out that such practices remain unchecked mainly because no detailed guidelines have been established as specific standards for identifying discrimination against people with disabilities. Moreover, insurers have no available medical and statistical data on the risk rates of the disabled even though they want to create underwriting criteria obtained after conducting a rational assessment of risk rates.

As such, the Commission developed the Guidelines for the Correction of Discrimination against People with Disabilities in Insurance and recommended to the Governor of the Financial Supervisory Service that the insurance companies be managed and supervised so that they adhere to the guidelines. It was recommended to the Minister of Health and Welfare and the President of the National Health Insurance Service that the relevant medical and statistical research be done, the need for which has been emphasized (November 26, 2012).

The guidelines also contain various cases that constitute discrimination against people with disabilities and relevant standards in the respective stages of underwriting, signing and maintaining contracts, and the payment of benefits. Moreover, matters related to the burden of proof and justifiable reasons were covered in detail.

P. Recommendation to Improve the Performance Pay System for Teachers

The NHRCK observed that teachers who used their maternity leave or paid nursing hours were disadvantageously treated in terms of the payment of their performance bonus. As such, the Commission recommended that the Minister of Education, Science and

Technology revise the Guidelines on the Payment of Performance Bonus to Public Educational Personnel so that days of maternity leave taken and the hours spent nursing and feeding babies were counted as working hours as a criterion (example) used to assess the performance of teachers. Also, the superintendents of 17 city and provincial Offices of Education were advised to strengthen the supervision and inspection of schools to ensure that teachers would not be treated disadvantageously, as far as the payment of performance bonuses was concerned, if they took maternity leave (November 30, 2012).

Q. Recommendation to Improve the Right of Migrant Workers in Offshore Fishing

The NHRCK performed an investigation on the human rights conditions of fishery migrant workers in consideration of the fact that the issue of violation of human rights of fishing migrant workers has been receiving attention from inside and outside Korea. The investigation focused on the crew of fishing vessels with a gross tonnage of more than 20 tons, who are issued E-10 visas and subject to the Seafarers Act.

The investigation validated that migrant workforce in the fishery industry are subject to human rights violations throughout the entire process from sending the workers to their country of destination to their separation from the workplace. Accordingly, the Commission recommended that government agencies improve the system affiliated therewith. (December 6, 2012)

The following recommendations were made to the Minister of Land, Transport, and Maritime Affairs: i) build a migrant worker recruitment system by public organizations; ii) ensure that the principles of equal treatment of migrant workers and Korean nationals, continue the ban on unreasonable discrimination against workers of foreign nationalities in the Seafarers Act, and correct wage discrimination by disseminating standard labor contracts and amending the current public notices, according to which fishing migrant workers are not guaranteed the legal minimum wage but their wage is set by labor-management agreements unlike Korean nationals; iii) establish mid- to long-term plans to assure fishing migrant workers an appropriate level of welfare services such as the



improvement of housing and mandatory subscription to national health insurance and industrial insurance; iv) engage in the improvement of working and living conditions for migrant workers in the fishing industry in step with the ratification of the Maritime Labor Convention by the Korean government; and v) conduct regular monitoring of the human rights situation of foreign sailors and build a system preventing all kinds of rights violations.

In addition, a recommendation was made to the Chairperson of the National Federation of OO that he i) provide migrant workers in the recruitment and training stage with work-related information, and institutionalize human rights training for staff of the Federation, ship owners and native Korean crew members; and ii) establish support centers in migrant workers enclaves and run interpretation services.

R. Recommendation to Improve the Emergency Aid Program for Marriage Migrant Women and for Those Residing for Humanitarian Reasons

The NHRCK initiated the 2012 Investigation to Improve the Social Welfare and Support System for Migrants in Korea in order to assess and improve the general human rights condition of foreign migrants. The results of the investigation showed that married migrant women and those who are allowed to stay in Korea for humanitarian reasons (hereafter, “humanitarian status holders”) are neglected by humanitarian emergency aid programs even though Korea is transitioning towards a multicultural society.

As such, the Commission recommended that the Minister of Health and Welfare amend the Enforcement Decree of the Emergency Aid and Support Act to incorporate “a person who is given permission to stay on humanitarian grounds” prescribed under Article 2 Clause 3 of the Refugee Act and married migrant women without children into the category of foreigners who are eligible to apply for emergency aid programs, thereby protecting the humanitarian status holders and married migrant women who are going through a financial or other crisis. (December 6, 2012)

3. Highlights of Opinions²⁾

A. Opinion on the House Steering Committee's Review (draft) of the Act on the Support for Human Rights Education

The NHRCK presented its opinion about the Bill for the Act on the Support for Human Rights Education to the Chairperson of the National Assembly. The opinion called for i) expanding the breadth of those who participate in mandatory human rights education (to include students at schools of various grades and years and those in the custody of protective or correctional facilities in addition to public officials or employees of public institutions), and ii) expanding the scope of the investigations made into human rights education (January 31, 2012)

B. Opinion on the Country Report Regarding the Second Cycle of Universal Periodic Review (UPR)

The NHRCK submitted a report that reviewed the performance of the Korean government in implementing the recommendations issued by the UNHRC under the first cycle of the UPR (March 12, 2012), as Korea will be under the second cycle of the comprehensive review process. The report, which is independent of the country report, revisited the recommendations of the first cycle and mentioned the outcomes, limitations and problems identified during the last four years concerning the implementation of the recommendations. Besides issues related to the UPR recommendations, the report contains comments on current major human rights issues and emerging issues in Korea.

C. Opinion on the Bill for the Enforcement Regulations on the Welfare and Support for Independence of Homeless

2) For detailed opinions, see respective chapter-section: North Korean human rights (1-4); human rights in business practices (1-4); and information and communications technologies and human rights (1-4).



The Commission submitted its opinion to the Minister of Health and Welfare with regard to the provisions about mandatory human rights education in the Act on the Welfare and Support for Independence of Homeless and Article 27 of the bill for its Enforcement Regulations which went into effect on June 8, 2012 (March 8, 2012). The opinion called for incorporating into the Act and its Enforcement Regulations the provisions that oblige employees working at homeless shelters to receive at least four hours of human rights education per annum. The proposed subjects of education programs include i) measures to protect the human rights of homeless people, ii) issues pertaining to the examples, remedies and prevention of the violations of human rights of homeless people, and iii) items designed to raise the human rights sensitivity of the employees of homeless facilities.

D. Opinion on the Amendment Bill for the Enforcement Decree and the Enforcement Regulations of the Child Welfare Act

The Ministry of Health and Welfare asked the NHRCK for its opinion on the Amendment Bill for the Enforcement Decree and the Enforcement Regulations of the Child Welfare Act, to which the Commission responded on April 5, 2012. In its opinion, the Commission advised the Ministry i) to make a separate statement about respecting the opinion of a child into the provisions pertaining to the decision to return a child to his/her home; ii) to provide detailed information on the type of crimes when referring to the criminal records of applicants for family foster care, and expand the scope of who is subject to having their criminal records investigated; iii) to improve the regulations about safety education for children so that they require offering education on children's rights into the basic educational coursework; iv) to expand the types of crimes that are subject to having their criminal records investigated, as it applies to the provisions regarding child safety protection personnel and emergency shelters for children; v) to stipulate the completion of educational programs that educate about child abuse prevention and

children's rights as an additional criterion to add to the qualifications required of foster care family homes; vi) to add confirmation of the opinion of a child on the application form for child protection, admission to a facility and their return home; and vii) to establish procedures for informing the child of changes in protective measures and other matters in the provisions concerning child protection.

E. Opinion on a Case of Sexual Harassment and Wage Discrimination Against Foreign Crews on Deep-Sea Fishing Vessels

The NHRCK received a complaint about a case of sexual harassment and wage discrimination against migrant workers on pelagic fishing vessels, which was submitted by the Korean House for International Solidarity and two other organizations in October 2011.

The case came to epitomize the poor human rights conditions for foreign sailors working on deep-sea fishing vessels with Korean registry, as the New Zealand government and scholars published reports about this issue.

As such, the Commission expressed the following opinions to various organizations regarding this case: (May 10, 2012):

1) That the Ministry of Food, Agriculture, Forestry and Fisheries, the Ministry of Land, Transport and Maritime Affairs, the Ministry of Foreign Affairs and Trade and the Korea Coast Guard form a government joint investigation team to scrutinize the human rights violations of foreign crewmembers on deep-sea fishing vessels with Korean registry in New Zealand's exclusive economic zone and come up with measures to protect their human rights and remedies for the victims;

2) That the Korea Deep Sea Fisheries Association protect the human rights of foreign crewmembers and improve their working conditions; and

3) That the owner of the fishing vessels in question strive to resolve the issues of the human rights violations, sexual harassment and wage disputes related to migrant sailors working for the owner company in a smooth and reasonable manner and come up with measures to prevent the recurrence of similar cases.



F. Opinion on the Inquiry into the Distribution of Documents Regarding Persons Liable to Committing Sexual Violence

A sexual offender, who was found guilty of having entered a hospital pretending to be a patient and then raping and robbing nurses by threatening them with a weapon, was released after serving ten years in prison. Regarding the issue, the chief of the Seoul OO District Police Station asked the Commission the question of whether it would constitute a violation of the human rights of a person thought to be likely to commit sexual violence and the victims of his previous offenses to send an official document warning institutions concerned in the jurisdiction of the police station of the release of the offender without identifying the personal information of the criminal and the victims. The document was also written to ask that security managers and relevant personnel be educated so as to ensure that door locks are properly managed over the time period susceptible to crimes and to report to the police station immediately should an emergency occur. In response, the Commission expressed its opinion that the notification of the release of the offender should be replaced with a notice that reminds hospitals of their vulnerability during peak commuting hours and that calls for preventive measures against crimes (May 31, 2012).

G. Opinion on the Partial Amendment Bill for the Support for Discharged Soldiers Act

Article 14-4 (Provision of Financial Information, etc.) Clause 2 of the amendment bill for the Support for Discharged Soldiers Act stipulates that the head of the Ministry of Patriots and Veterans Affairs may request the head of a financial institution to submit documents containing personal information or transfer financial information via the electronic communications network if it is deemed necessary to confirm the eligibility of "an applicant for employment support." Clause (3) of the same article provides that the heads of financial institutions shall provide the head of the Ministry of Patriots and Veterans Affairs with the requested information. The Commission, however, judged that it would amount to an infringement of privacy and other human rights if the head of the

Ministry were to receive the financial information of an applicant for employment support from financial institutions without his or her consent, who had already been given the benefits but remained unemployed. As such, the Commission expressed its opinion that Article 14-4 Clause 2 should be revised to require the head of the Ministry to obtain consent from an applicant first before asking financial institutions to provide financial information. (June 14, 2012)

H. Opinion to Strengthen Human Rights Education Courses for Government Employees

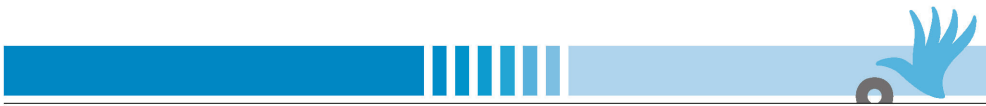
The NHRCK, with an aim to strengthen human rights education for government employees, expressed the following opinions based on the United Nations Declaration on Human Rights Education and Training (2011) and the 2nd phase of the World Programme for Human Rights Education (2010-2014). (August 30, 2012):

1) The Minister of Public Administration and Security should improve the legal provisions, institutional systems and policies regarding the training programs for government employees to make the educational programs more practical, and should specifically include human rights education courses in the annual training guidance for public officials; and

2) The head of public officials training institutions at every level should open and expand human rights education courses and programs.

I. Opinion on the Draft of Country Report Concerning the Implementation of the United Nations Convention Against Torture

The NHRCK expressed its opinion on 27 items in the 3rd, 4th, and 5th Country Reports (draft) concerning the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) (September 10, 2012). One of the noteworthy statement reads: "The Committee Against Torture (CAT) requested information about rulings where a legal court denied the



admissibility of evidence of confessions or statements obtained through torture, and the information on statistics pertaining to cases in which an accused was found guilty under the National Security Law based solely a confession. However, the country report confirmed that there was not a single conviction issued between 2006 and 2011 which was based on a confession obtained by means of torture or based on a confession that lacked supporting evidence. Nevertheless, it is necessary that the Committee be provided with information about the retrial rulings made over the same period that were made to rectify previous convictions of alleged violators of the National Security Act based on confessions obtained through torture."

J. Opinion on the Country Report for the Second Cycle of UPR

The NHRCK expressed its opinion on the country report for the UPR with the aim of ensuring the Korean government receives in good faith the second cycle of the review in October 2012 and write future country reports that take the recommendations of the UNHCR under consideration during its subsequent sessions (October 8, 2012).

In this opinion, the Commission judged that the country report was not written in such a way that it could be used to assess the actual progress of human rights conditions because it simply listed the legal initiatives and policies implemented during the previous four years. Moreover, some of sub-items showed limitations because some of the UNHRC recommendations were not fully covered, previous government positions were repeated, and some items were in contrast with the official position of the government.

K. Opinion and Recommendation to Amend the Criminal Act and Other Laws Related to Sexual Violence

The elements of rape have not changed since 1953 when the Criminal Act was established. Accordingly, the NHRCK judged that legislative actions, as well as ultimately the amendments to the Criminal Act, are needed as a means of protecting the

sexual self-determination of victims of sexual violence. As such, the Commission expressed the following opinions to the Chairperson of the National Assembly:

1) That provisions regarding a sexual offense being subject to prosecution on complaint should be deleted from the Criminal Act, the Military Criminal Act, the Act on Special Cases Concerning the Punishment, etc. of Sexual Violence Crimes, and the Act on the Protection of Children and Juveniles from Sexual Abuse;

2) That pseudo-sexual acts should be incorporated into the provisions defining the types of rape behaviors in the Criminal Act;

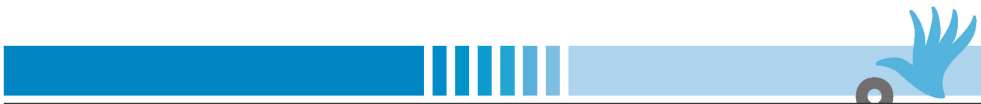
3) That the object protected by the crime of rape should be changed from female(s) to person(s);

4) That the Criminal Act should be amended to lower the level of violence and threat required to constitute a rape from "the extent where the resistance of the victim is impossible or significantly difficult" to "the extent where the resistance of the victim is difficult;"

5) That the Act on Special Cases Concerning the Punishment, etc. of Sexual Violence Crimes should be amended in accordance with the spirit of the Act by deleting a provision that directly quotes a clause of the Criminal Act concerning quasi-rape against the disabled; and

6) That the scope of consanguineous or marital relationships defined with regard to rape through abuse of consanguineous or marital relationship in the Act on Special Cases Concerning the Punishment, etc. of Sexual Violence Crimes should be revised to include those on consanguineous or marital relationships living together with the victim regardless of their family relationship.

In addition, it was recommended to the Minister of Justice that the Minister amend the provisions in the Criminal Act and the Act on Special Cases Concerning the Punishment, etc. of Sexual Violence Crimes in accordance with the aforementioned opinions (Oct. 25, 2012).



L. Opinion on the Banners Congratulating Entrance to Prestigious Universities as Discriminatory Practices Based on Educational Background

The NHRCK expressed the following opinions in order to address the practice of posting and displaying materials congratulating students who are admitted to certain universities as discrimination based on educational background (October 31, 2012):

- 1) That city and provincial educational superintendents should supervise and guide schools and alumni associations not to issue those publications; and
- 2) That principals of junior high schools should refrain from issuing those materials, which are likely to aggravate discrimination based on educational background.

M. Opinion on the Bill for the Act on the Protection of In-House Subcontract Workers

The NHRCK issued a judgment that the Bill for the Act on the Protection of In-House Subcontract Workers (proposed by Assemblyman Lee Han-gu) blurs the distinction between illegal temporary agency work and legitimate subcontracting. As such, the Commission expressed its opinion to the Minister of Employment and Labor that the Ministry should "ensure in-house subcontracting is not abused as a means to avoid direct employment relationships or to employ agency workers illegally by stating, in accordance with the Supreme Court rulings, the criteria to distinguish legitimate subcontracting and illegal temporary agency work in relevant laws so that if the user-company has the actual right to supervise and manage in-house subcontract workers, the company is found to use illegal agency workers" (November 12, 2012).

N. Opinion on the Partial Amendment Bill for the Act on the Performance of Duties by Police Officers

The NHRCK expressed its opinion to the Chairperson of the National Assembly on the amendment bill for the Act on the Performance of Duties by Police Officers as follows (November 15, 2012):

1) That specific standards about the criteria and process used to determine the individuals likely to commit a crime, the scope and methods of collecting information, and the retention period of collected materials should be determined by the Act, not by Presidential Decree;

2) That the Act should state the principle of direct, open and notified information collection and the principle behind the ban on the collection of sensitive information; and

3) That measures to prevent information leakage during the processes of collecting and managing information should be supplemented.

O. Opinion on Local Government's Rejection of the Establishment of Facility for People with Disabilities

The NHRCK expressed its opinion on a case where the OO-county government did not permit the establishment of a facility for the disabled. (December 10, 2012) Its opinion was based on the grounds that the local government's rejection was deemed a hidden discriminatory activity where the decision of rejection was mainly influenced by the complaints of local residents against facilities for the disabled even though the organization's account lacked comments about the disabled. The opinion is as follows:

1) That the local government should withdraw its nullification of previous construction consultations that were in favor of the construction of the facility as well as its rejection to initiate construction; and

2) That the local government should strive proactively to address discrimination against people with disabilities by, for example, helping local residents come to a proper understanding about the disabled.

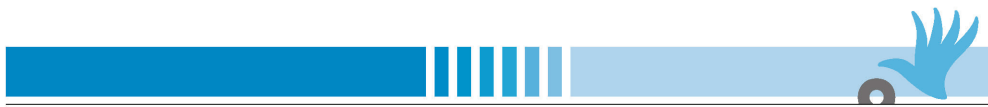
Section 3. Surveys, Research and Studies on Human Rights Conditions

The NHRCK commissioned various research, study and survey projects to comprehend various human rights issues and their actual conditions in Korea. The reports of the surveys, studies and research were reviewed and used as the basic material for establishing human rights policies and laid the groundwork for developing policy recommendations. In 2012, the Commission conducted a total of 19 projects, as shown in the following table.

[Table 2-1-2] Surveys and Research Projects on Human Rights Conditions in 2012

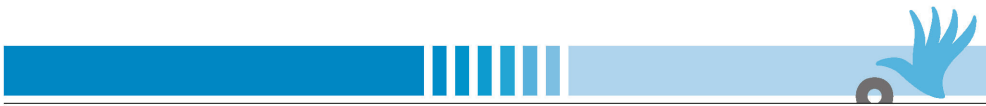
No.	Title	Detail	Research Period
1	Survey of online investigation and digital evidence collection	<ul style="list-style-type: none"> • Research into the types and institutional systems of online investigation and digital evidence collection • In-depth case studies about those who were investigated by online means • Comparative analysis of foreign legal systems with regard to online investigation and digital evidence collection 	Apr.27~Nov.26
2	Survey on human rights conditions for migrant workers in the fishery industry	<ul style="list-style-type: none"> • Survey on the human rights conditions of foreign sailors (E-10 holders) • Interview with relevant personnel in offshore fishing-related organizations and institutions (National Federation of Fisheries Cooperatives, management companies of crewmembers, Korea Shipowners' Association, Sailors' Union, experts, advocate organizations, migrant sailors) • Studies of foreign and Korean legal systems and policies about offshore fishing • Review of measures to improve institutional systems regarding the right of migrant fishing workers 	Mar.21~Sept.20
3	Survey on the human rights status and the management of those who fail to adapt to the military environment	<ul style="list-style-type: none"> • Survey and analysis on the status of those who fail to adapt to the military environment • Analysis of the status and response systems of the entire conscription processes from physical examination, recruit training center and unit assignment to the identification of those likely to fail to adapt, allocation to a special camp and waiting period for disqualification review • Collection of overseas cases about the management of those who fail to adapt and a comparative analysis with the Korean cases • Studies to develop measures to improve the relevant policies and the management of those who fail to adapt to the military 	Apr.5~Oct.31

No.	Title	Detail	Research Period
4	Research on sexual violence and harassment at universities	<ul style="list-style-type: none"> • Data on the operations and activities of organizations related to sexual violence and harassment at universities • Studies on the actual conditions and types of sexual violence and harassment at universities • Analysis of relevant rules and laws, and existing literature • Comparative analysis of foreign cases and presentation of directions for policy improvement 	Apr.12~Oct.11
5	Survey on the human rights conditions in senior jobs	<ul style="list-style-type: none"> • Theoretical approach to senior jobs and rights of older people as well as a comparison with foreign cases • Survey and analysis of practices in senior jobs, including recruitment, employment, job contracts, wages, working conditions and working hours • Survey and analysis about the working conditions of senior jobs, reasons to hire or avoid older workers, and employment satisfaction • Propose policy measures to improve the right of older persons in senior jobs 	Apr.17~Oct.16
6	Survey on the human rights conditions of workers in triangular employment relationships	<ul style="list-style-type: none"> • Survey on private employment service agencies, which have continued to grow since the 2000s, and workers using service agencies which focus on workers on indirect employment contracts • Survey on industrial distribution, volume and their working conditions (wages, working hours, fringe benefits, and the workers offered less than the minimum wage) of indirectly employed workers, and the functions and status of private employment service agencies • Develop measures to improve basic labor rights in legal and institutional systems • Draw comprehensive conclusions about the human rights status of workers in indirect employment relationships and develop policy recommendations 	May.3~Nov.2
7	Study of the status of discrimination on the ground of religion and improvement measures	<ul style="list-style-type: none"> • Definition and criteria of a religion and discrimination based on religion • Analysis of the status of schools owned and operated by religious foundations (religion-based schools), including their types, sizes, and the number of employees and students) • Research into discriminatory rules and cases in the operations of schools, qualifications for admission and educational contents • Research into cases where a religion serves as a qualification criteria for employment at religion-based schools • Research into the cases of at employees and students suffering discrimination on the ground of religion at religion-based schools • Analysis of research results, relevant laws, existing literature, foreign cases and policy improvement directions 	May.16~Dec.15
8	Survey on the human rights conditions for child caregivers	<ul style="list-style-type: none"> • Qualitative study on general working conditions of child caregivers and current child nursing policies through interviews and other methods • Research into the human rights conditions of child caregivers through questionnaires and studies of human rights issues for caregivers through analysis of the qualitative study 	Aug.17~Dec.16



No.	Title	Detail	Research Period
9	Study for the improvement of legal provisions, institutions, policies and practices concerning business and human rights	<ul style="list-style-type: none"> • Review major rules and laws related to the issue of business and human rights and propose amendments and legislation • Research into the policies, systems and practices of government agencies and public institutions and propose improvement measures • Case studies of foreign governments' policies 	May.15~Nov.14
10	Survey on the human rights conditions of the children of North Korean defectors staying overseas	<ul style="list-style-type: none"> • Survey of female North Korean defectors living in South Korea to examine the status of children that were left in China • Survey on the human rights conditions of the children of North Korean defectors in China • Analyze policies, review the relevant rules and laws at home and abroad, and develop policy proposals 	Jun.15~Dec.14
11	Research into the human rights index pool and other basic tools for the development of the national human rights index	<ul style="list-style-type: none"> • Set respective human rights areas and form a pool of various indices as the first-year actions out of the three-year plan for the development of the national human rights index • Comparative analysis of major human rights indices at home and abroad • Set the proper scope for human rights areas befitting the purpose of measuring the national human rights index in consideration of the Korean context • Form a human rights index pool in targeted areas • Form an index pool to measure human rights levels in respective geographical areas • Analysis of the status of human rights conditions and policies in the preset areas and provide basic research materials for the ensuing years 	Jun.27~Dec.26
12	Survey for the improvement of the social welfare systems for migrants in Korea	<ul style="list-style-type: none"> • Analysis of foreign policies and institutions • Develop measures to provide expats in Korea with social welfare services • Analysis of the Framework Act on Social Security, Emergency Aid and Support Act, Infant Care Act, Welfare of Disabled Persons Act, Single-parent Family Support Act, and other social welfare laws and international standards 	May.11~Nov.10
13	Survey of the human rights conditions for women in the military	<ul style="list-style-type: none"> • Research into the stature and roles of women in military organizations, rules and regulations regarding the human rights of female soldiers, status of female soldiers, and measures to promote gender equality and human rights of female soldiers concerning child nursing and maternity protection • Study of the examples of advanced countries and best practices to figure out international trends and lessons • Propose policy improvement directions to protect the human rights of women in the military 	Apr.17~Dec.24

No.	Title	Detail	Research Period
14	Survey of discrimination in employment against facility management workers in public office buildings	<ul style="list-style-type: none"> • Survey on discrimination in wage, age and other working conditions against facility management workers on outsourcing contracts for the management of public office buildings • Case studies of criteria for outsourcing contracts and the experience of employment discrimination of facility management workers at public office buildings • Identify tasks to rectify employment discrimination against facility management workers 	Jun.14~Dec.13
15	Survey for addressing prejudice against persons with psychological disabilities	<ul style="list-style-type: none"> • Research into the status of media coverage representing unfair prejudice and inaccurate information about persons with mental disabilities • Monitor and analyze the documentaries, news shows and educational programs of three major broadcasters and the articles of five major newspaper companies (Kyunghyang, Dong-A, Chosun, Jung-ang and Hankyoreh) • Propose a Manual for Human Rights-Friendly Coverage of Persons with Mental Disabilities (draft) 	Jun.21~Dec.20
16	Building an advanced model for independent living for the disabled by studying foreign cases and policy directions	<ul style="list-style-type: none"> • Analysis of foreign cases, including those of the US, the UK, Australia, France and the Netherlands • Comparative analysis on the definition of disabilities, and delivery and operational systems for welfare and employment services • Propose policy directions to lay the groundwork for independent living, including adult guardianship in respect of self-determination, direct payment programs, and rights advocacy systems 	Jun.21~Dec.20
17	Survey of the status and problems of policies to integrate the disabled into local communities	<ul style="list-style-type: none"> • Figure out challenges to the integration of persons with disabilities by analyzing welfare services for the disabled, international standards and relevant policies, and propose improvement measures • Explain the status, problems, international and domestic standards, policy directions and key action plans of policies for the disabled especially in the income, medical services, employment, residence and activity support areas, which are considered important for independent living, and propose a policy agenda and future direction 	Jun.21~Dec.20
18	Survey on the residential conditions of persons with disabilities at welfare facilities and the desire of the disabled to live independently	<ul style="list-style-type: none"> • Figure out the residential conditions of persons with disabilities living in welfare facilities and their desire for independent living, and conduct a survey of the reasons for entering into the facilities among those who are waiting for admission into such facilities • Identify policy tasks to figure out and analyze relevant rules and laws, institutional practices and support systems • Develop legal grounds and actual support measures to promote independent living in communities 	Jun.21~Dec.20
19	Research into Korea-customized programs to facilitate independent living of the disabled with a comparative analysis of Korea and Japan	<ul style="list-style-type: none"> • Translate the newly established Comprehensive Supports for Persons with Disabilities Act of Japan, and compare it with similar acts of Korea • Compare supportive systems for independent living in Korea and Japan and propose a customized model to facilitate the independent living of the disabled in Korea 	Oct.17~Dec.20



Section 4. Special Task and Featured Projects

1. Special Task: Reinforcing Activities to Promote North Korean Human Rights

A. Overview

1) Background

The NHRCK established the “North Korean Human Rights Research Team,” a non-standing body, after its 40th Plenary Committee Meeting in 2003. From 2003 to 2008 when the team was in place, it conducted research into human rights status in North Korea and hosted annual international conferences. Based on the team’s research, the Commission announced the “Opinion on Human Rights Conditions in North Korea” in 2006, selected “North Korean Human Rights Issues” as one of its 10 priority projects in 2007, and adopted “Reinforcing Policy Efforts to Improve North Korean Human Rights Conditions” as one of its 6 priority projects for 2008. Particularly in 2010, the Commission formed a new “North Korean Human Rights Team” to carry out activities related to North Korean human rights in a systematic and comprehensive manner. Since North Korean human rights issues have become increasingly important and have received growing attention from international organizations such as the United Nations, the Commission again designated the promotion of North Korean human rights issues as its special task in 2009 and has carried out the project so far.

2) Objectives

The objectives of promoting the human rights of North Koreans are to i) monitor their current status and seek measures to improve them by conducting objective and specialized research and investigations, ii) systematically collect and manage data related to North Korean human rights, iii) vigorously pursue cooperation with international organizations

and experts related to North Korean human rights, iv) hold policy consultations with government agencies on a regular basis, and v) strengthen the monitoring activities of domestic and international organizations and groups working in the field of North Korean human rights.

To this end, the NHRCK performed policy activities including reviewing government policies that have North Korean human rights implications and the delivery of its recommendations and opinions. In addition, the Commission pursued projects that would strengthen exchange and cooperation with international human rights organizations and NGOs at home and abroad, as priority projects. In addition to these efforts, it also conducted a policy research and investigated the latest human rights status in North Koreans; human rights of North Korean defectors wandering overseas; the human rights of South Korean prisoners of the Korean War and abductees detained in North Korea; the human rights of families separated in the two Koreas; and improving the human rights for North Korean defectors.

B. Major Activities

1) Opinions and the Chairperson's Statement

① **Opinion on the Bill for Partial Amendments to the Act on the Repatriation and Treatment of the Republic of Korea Armed Forces Prisoners of the Korean War**

The government submitted to the National Assembly a bill for the partial amendment to the Act on the Repatriation and Treatment of the Republic of Korea Armed Forces Prisoners of the Korean War on August 24, 2012. The Commission expressed its opinion to the Chairperson of the National Assembly that a provision is needed stipulating a burial in the National Cemetery for those war prisoners who remain unreturned to South Korea, and a clause on granting the bereaved families the status of the families of death in battle to protect the right of bereaved families of the Armed Forces prisoners who died while in detention. (October 11, 2012)



② Opinion on the Promotion of the Right to Health of North Korean Defectors

As part of its efforts to promote the right to health of North Korean defectors, the NHRCK expressed its opinions as follows: i) that the Minister of Unification should pave the way for providing North Korean defectors entering Korea with stable medical services by recruiting more full-time medical staff for an office providing settlement assistance services for North Korean defectors (“the Hana Center”); ii) the connection between medical programs of the Hana Center and on-site medical services of health centers should be strengthened to help North Korean defectors more easily gain access to medical information; and, iii) the medical assistance system should be reinforced to enable North Korean defectors leaving the Hana Center to receive regular checkups through guidance and counseling programs. To this end, the Commission also expressed its opinion to the Minister of Public Administration and Security on the necessity for relevant ministries, including the Ministry of Unification, to cooperate with the request of the Hana Center for more full-time medical staff. (December 6, 2012)

③ The Chairperson’s Statement on Protecting Human Rights of North Korean Human Rights Activists Detained in China and Harm from Torture

Four North Korean human rights activists including Kim Young-hwan were arrested and detained by the Chinese authorities, and in this process, the human rights of those Koreans were violated by the Ministry of State Security of China which refused their right to have the assistance of a lawyer. In response to this, the NHRCK called on the Chinese government to approve their immediate access to the Korean consul in China and provide lawyers, and at the same time, announced its Chairperson’s statement calling for the Korean government’s proactive involvement in ensuring the safety of the detainees and their swift release by using its full diplomatic weight. (May 24, 2012)

Despite their release in the form of deportation, the four activists were found to have suffered harsh treatment like electrical torture while being detained in China. In response to this, the Commission once again announced its Chairperson’s statement that the Chinese

government should take follow-up measures such as i) quick and thorough fact-finding, prevent the recurrence of such acts, and enforce disciplinary actions against the accountable officials, and conduct a joint investigation by forming an international investigation committee in case the Chinese government should refuse to do so; and ii) the Korean government should strive to mobilize its diplomatic capabilities to resolve this situation, and come up with a system for the protection of human rights for Koreans living overseas to ensure a swift response to human rights violations. (August 2, 2012)

2) Establishment of Institutional and Physical Foundations Regarding North Korean Human Rights

① The Reporting Center for Human Rights Violations in North Korea and the North Korean Human Rights Documentation Center and Archives

The NHRCK opened the Reporting Center for Human Rights Violations in North Korea and the North Korean Human Rights Documentation Center and Archives with the goal of collecting and documenting actual cases of human rights violations suffered by North Korean defectors over the entire process of their gaining passage to South Korea, South Korean war prisoners of the Korean War and abductees, and separated families. (March 15, 2011)

There have been private attempts to collect testimonies or records of human rights violations suffered by North Korean defectors, but with the number of North Korean defectors reaching almost 20,000, it is significantly meaningful that a governmental effort is being made to collect the information scattered here and there and compile it into one single database.

The center has conducted surveys of actual cases of human rights violations experienced or witnessed by 619 new North Korean defectors, categorized, documented and stored them since March 2012.

Meanwhile, the Commission published and distributed the Compilation of North Korean Human Rights Violations, in both Korean and English, to disclose North Korea's human rights conditions. It also translated the "The Hidden Gulag: Exposing North Korea's



Prison Camps” published by the U.S. Committee for Human Rights in North Korea and distributed it, and produced an educational documentary titled “Are you listening to our story?” which illustrates cases of human rights violation in North Korea.

② Investigation of Human Rights Conditions of Children of North Korean Defectors Living Overseas

The NHRCK conducted an investigation of the human rights conditions of children left behind, whose mothers married local males or were trafficked during their stay overseas such as China and were later repatriated to North Korea or entered Korea.

The investigation validated that the number of those defecting mothers’ children born in China is estimated to be as high as 20,000 to 30,000 and that the number of children requiring actual care due to family disruption resulting from the repatriation of their mothers or her entering South Korea is about 4,000. Given that the root cause of such children issues lies in family disruption stemming from the Chinese government’s forced repatriation, several policy agendas have been proposed, such as the necessity of diplomatic efforts to resolve this, and the need for measures that can bring those children requiring protection into South Korea.

3) Strengthening International Cooperation

① International Symposiums

The NHRCK hosted an international symposium under the theme of “Analysis and Projections on the Situation of Human Rights in North Korea, Policy Suggestions for Advancing North Korean Human Rights (Role of International Society)” in order to introduce its activities and roles in promoting North Korean human rights to the international society and strengthen cooperation with the international society on policy directions and strategies for improving the human rights of North Koreans. (May 14, 2012, University of California Los Angeles)

The Commission held a meeting with Korean immigrants living in LA to collect up diverse opinions on North Korea defectors and North Korean human rights issues, and held another meeting with Antonio Villaraigosa, the Mayor of Los Angeles, Herb Wesson, the Los Angeles City Council President and others to share the international understanding of the human rights conditions in North Korea and build a network of cooperation.

② Onsite investigations of North Korean Human Rights Conditions Overseas

The NHRCK conducted various onsite investigations to examine the latest status of North Korean defectors and how the consul interviews Korean people detained in China. It also conducted an onsite investigation in the North Korea-China border areas, including neighborhoods around the Amnok River and Dandong, to examine the current status of North Korean defectors in China, and their treatment.

③ Strengthening Cooperation with International Experts

The NHRCK conducted interviews with international experts including the U.S. special envoy for North Korean human rights issues, German and EU Ambassadors to Korea and the representative of the UNHCR Seoul Office, and heads of diplomatic offices in Korea to share their understanding of North Korean human rights issues and strengthen solidarity and cooperation.

The Commission also actively brought up North Korean human rights issues to the international society and enhanced publicity on these issues to raise more attention in order to promote the human rights of North Koreans. As part of these efforts, the Commission sent its chairperson's letter on the forced repatriation of North Korean defectors in China to the Secretary General of the United Nations and the heads of international human rights organizations, and attended the UNHRC to present its opinions on North Korea's human rights issues.

4) Promoting Domestic Cooperation



① Operation of the North Korean Human Rights Forum

In May 2008, the Commission formed the “North Korean Human Rights Forum,” which consisted of experts on North Korean human rights from academia, legal professions, the media, and civic groups. The Commission sought to use the Forum to provide a venue for the systematic development of policies on North Korean human rights by promoting communication on major issues and expanding the limits of their awareness. In 2012, the Commission held the 16th forum under the theme of “Analysis of North Korean Human Rights under Kim Jong-un Regime and countermeasures” and the 17th forum under the theme “Policy Challenges for the Promotion of North Korean Human Rights” to collect comprehensive opinions on North Korean human rights issues affected by changing situations at home and abroad, and sought effective policy measures to address the issues.

② Operation of Working-Level Policy Consultation Body

The Commission operated the North Korean Human Rights Policy Consultation with the participation of working-level officials from Prime Minister’s Office, the Ministry of Foreign Affairs and Trade, the Joint Interrogation Center and the Hana Center to share pending issues with relevant government agencies and maintain a channel for cooperation and discussion. Most notably, the Commission, with the consultation of the Joint Interrogation Center, collects human rights violation cases that have been directly experienced or witnessed by newly-arrived North Korean defectors in the North or during the course of escape, and keep them at the North Korean Human Rights Documentation Center and Archives.

2. Featured Project I: Human Rights in Business Practices

A. Overview

The rapidly expanding influence of businesses in step with the globalization of the

economy has resulted in widespread violations of human rights by businesses, not by governments. As it is emerging as an urgent issue for the international society to address, debates are ongoing with regard to the regulations on the human rights violations conducted by multi-national enterprises. In response, the international society has come to build up various measures to prevent and rectify those violations. It is notable that the United Nations established the Framework for Business and Human Rights³⁾ in 2008, made a resolution on guidelines about the implementation of the Framework in 2011, and it remains committed to its global implementation.

The revision of the OECD Guidelines for Multinational Enterprises⁴⁾, the establishment of ISO 26000⁵⁾, sustainability reports published in compliance with GRI Guidelines⁶⁾, a growing number of enterprises joining the United Nations Global Compact⁷⁾ and other global trends attest to the fact that managing enterprises in a human rights-friendly way is now an unavoidable mission for Korean enterprises.

As such, the NHRCK remains dedicated to responding proactively to pending human rights issues in the context of business and ongoing efforts to develop policy agenda. To this end, the Commission strengthened monitoring efforts to make the government's business policies, systems and practices more friendly to human rights, and distributed guidelines on business and human rights.

3) The Framework for Business and Human Rights (2008): Based on three principles of the country's duty of protecting people from human rights violations by businesses; the responsibilities of businesses to respect human rights; and the remedies for human rights violations caused by business practices

4) The OECD Guidelines for Multinational Enterprises: Recommendations for Responsible Business Conduct in a Global Context in 9 fields including employment, human rights, the environment, and consumers (revised 6 times since 1976)

5) ISO 26000: Standard on corporate responsibilities (related to human rights and labor practices, etc.) enacted by the International Standard Organization (ISO) (November 2010)

6) GRI Guidelines: A comprehensive guidance on reporting of sustainability applicable to all kinds of institutions including small and medium-sized businesses, multinational businesses, public service-related corporations, and the civil society

7) United Nations Global Compact (UNGC): The largest global initiative stating 10 principles in the areas of human rights, labor, the environment and anti-corruption



The upcoming report on business and human rights, which is scheduled to be published in 2013, will help raise public awareness about business and human rights, and present measures to improve relevant legal provisions, systems, policies and practices. Going forward, the Commission will supplement the Guidelines on Human Rights-friendly Management and Checklists, do a test-run by applying them to private enterprises first, and distribute it throughout the whole of society thereafter.

B. Major Activities

1) Recommendation Related to Human Rights Laws and Policies

☐ **Recommendation to Improve the Industrial Accident Compensation Insurance Act**

It was found that occupational diseases are on the rise because of the changes occurring in the social environment; nevertheless, the victims of the occupational diseases are often offered insufficient compensation. As such, the Commission recommended the Minister of Employment and Labor as follows (May 17, 2012):

1) To amend the provision related to the burden of proof in the Industrial Accident Compensation Insurance Act to ensure that the plaintiff has the responsibility to prove that he or she has been exposed to or has handled hazardous and dangerous items while performing work whereas the defendant bears the responsibility to prove that the alleged disease has nothing to do with the work in question;

2) To supplement and compliment the Attached Table #3 “Specific for the Recognition of Industrial Diseases in the Enforcement Decree on the Industrial Accident Compensation Insurance Act,” the disease list of which has not been updated since 2003;

3) To come up with measures to strengthen the independence, impartiality and professionalism of the occupational disease approval committees by improving committee member appointment system so that the chair of the committee is appointed among non-government officials and an occupational health & safety specialist is in attendance at committee meetings; and,

4) To abolish the policy of requiring an applicant for industrial accident benefits to acquire their employer's signature.

In response, the Minister of Employment and Labor accepted parts of the recommendations related to improvements for the approval criteria of occupational diseases and for greater independence, impartiality and professionalism of occupational disease approval committees.

2) Investigations of Human Rights Conditions and Key Findings

□ Study for the Improvement of Legal Provisions, Institutions, Policies and Practices Concerning Business and Human Rights

The purpose of this study was to review the domestic status and conditions of legal provisions, institutions, policies and practices concerning business and human rights and to propose measures for improving the institutional systems.

The study introduces international standards on the issue of business and human rights and related examples, namely EU cases and the United Nations policy framework, which rests on the three pillars of the state's duty to protect human rights, the corporate responsibility to respect all human rights, and greater access to effective remedies. Based on the basic studies, this study covers extensive labor rights issues as they relate to the Labor Standard Act, the Minimum Wage Act, the Act on the Protection of Fixed-term and Part-time Employees, the Act on the Protection of Temporary Agency Workers, the Act on the Employment of Foreign Workers and other laws of collective labor relations. It evaluates the current institutional practices and policies related to labor and presents measures for further improvement. It also proposes domestic laws and systems related to business and human rights, including the corporate laws and consumer relations laws, in detail, as well as improvement measures.

By presenting detailed examples of domestic laws, systems and policies, the research attempts to shed light on the future course of recommendations that needs to be issued in respect to enterprises and human rights.



3. Featured Project II: Information and Communications Technologies and Human Rights

A. Overview

Various international conferences held under the theme of information and communications technologies (ICTs) and human rights have resulted in more attention in the international society, while the establishment of the Act on the Protection of Personal Information shed light on that issue in Korea as well. As such, there is a growing need for quick response to emerging information rights issues in line with the development of technologies. Moreover, a growing number of the violations of ICTs and human rights are happening in relation to the integrated collection and use of personal information, which are operated by public institutions as well as enterprises and other private entities. This emphasizes the growing need to protect personal information rights.

B. Major Activities

1) Opinion on the Improvement of Rules, Laws and Policies Related to Human Rights

□ Opinion on the Installation of CCTVs in Classrooms

The NHRCK judged that installing CCTVs (closed-circuit television) in classrooms is highly likely to infringe human rights on the ground that some research results doubt the effectiveness of CCTVs in preventing school violence even though the purpose of installing CCTVs is to prevent school violence. Moreover, the Commission found that it is argumentative whether it is proper to capture all the activities of students and teachers given that there are alternatives such as specialized education programs and the use of windows to the outside corridor, through which one can see inside the classrooms. In particular, activities of having meals, sleeping, and changing clothes are also recorded; therefore, the Commission expressed its opinion that it is not proper to install CCTVs in

classrooms because it may infringe student's basic rights such as their portrait rights, privacy, freedom of action and freedom of expression (February 23, 2012)

2) Investigations of Human Rights Conditions and Key Findings

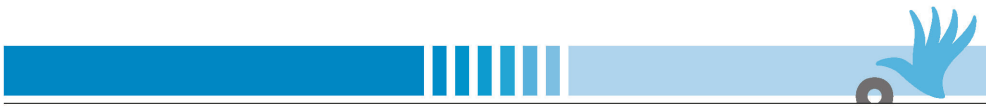
□ Investigations of Online Investigation and Collection of Digital Evidence

Today investigative institutions use communications data and records of communications, investigate base transceiver stations and use digital forensic technology when conducting criminal investigations. Accordingly, many have complained about the excessive online investigation practices as a violation of human rights, as some investigating authorities were found to have requested information service providers to submit the personal information about tens of thousands of users just for one case. In response, the Commission conducted an investigation to examine relevant case studies and develop policy improvement measures.

The purpose of the study was to examine the existing literature and summarize the types of online evidence and collection processes, while comparing relevant standards at home and abroad, and survey the investigating institutions, those who were investigated, lawyers and information service providers (including the operators of portal sites) to identify human rights violations related to online investigations and develop measures to improve the legal system. In addition, in-depth interviews with working-level investigators and those being investigated and unofficial meetings with information service providers resulted in measures to correct drawbacks identified by examining actual practices related to the Protection of Communications Secrets Act and Criminal Procedure Act.

3) ICTs and Human Rights Report

The emergence of sophisticated information technology has brought conveniences to daily life, more effective communications and other positive changes to society. On the other hand, however, it has been accompanied by a growing number of personal information leaks, the expansion of surveillance and control technology, and inequalities in



the access to information. The improvements in the legislation and institutional systems regarding information technologies have failed to catch up with the speed of development. As such, the Commission created the ICTs and Human Rights Report.

The ICTs and Human Rights Report is a government-wide initiative that is in compliance with international standards for human rights and ICTs and human rights. This comprehensive report covers the definitions of various terms arising in relation to the negative effects of information society (the right to communicate, freedom of expression and the right to information access), and the scope of ICTs and human rights.

In addition, the report was published to review the current status of ICTs and human rights in Korea by examining the Commission's recommendations and opinions about legal systems regarding this issue and decisions to rectify violations and discrimination. It served as an opportunity for the Commission to revisit and adjust the scope of and the approach taken vis-à-vis ICTs and human rights. It also encouraged the government to proactively implement the recommendations and opinions and proposed comprehensive policy directions to the government and other agencies with regard to ICTs and human rights.



Chapter 2

Investigations and Remedies: Human Rights Violations and Discriminatory Acts

Section 1. Overview

Pursuant to Article 19 Subparagraph 2 and 3 of the National Human Rights Commission Act, the NHRCK has made investigations into and provided remedies for human rights violations and discriminatory practices.

The scope of its investigations include violations of and/or discriminatory acts against human rights that have been stipulated in Article 10 to 22 of the Constitution of the Republic of Korea, and discriminatory acts committed by legal entities, organizations or individuals, in relation to the work of governmental organizations; local government groups; schools that are installed in accordance with Article 2 of the Elementary and Secondary Education Act and Article 2 of the Higher Education Act; public service-related organizations or correctional/institutional group care facilities (excluding legislation of the National Assembly, and the trials of the Courts and the Constitutional Court) that are stipulated in Article 3-2 Clause 1 of the Public Service Ethics Act. Private schools and public service-related organizations have been included in the scope of its investigations since the revision of the National Human Rights Commission Act that was enacted on March 21, 2012.

In general, investigations into the aforementioned human rights violations and discriminatory acts begin with the victim filing a complaint. Complaints can be filed by the victims themselves or by a third party, individual or organization provided they are aware of the case. Also, in-person complaints⁸⁾ are utilized for people being held in custody

8) In-person complaint: For the people being held in custody who find it difficult to file complaints via oral statement or phone calls, public officials of the NHRCK visit the correctional/institutional group care facilities to received complaints in writing or orally.

whose right to file a complaint is difficult to protect.

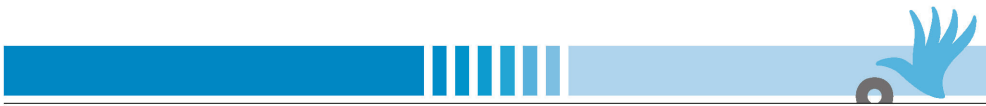
By the power of Article 30 Clause 3 of the National Human Rights Commission Act, the NHRCK may initiate suo moto investigations even in the absence of the formal filing of a complaint when it deems that there exist reasonable grounds for believing that human rights violations or discriminatory acts have taken place and that such violations are serious. Article 24 Clause 1 of the same Act states that onsite investigations can be conducted in correctional/institutional group care facilities according to the Commission's decision when it deems them necessary.

The NHRCK also investigates filed complaints, and decides to reject or dismiss any case that does not fall under the scope of its investigations, or is not related to human rights violations or discriminatory acts. When any case is recognized to be a human rights violation or a discriminatory act, the Commission, with the aim of preventing its reoccurrence and restoring the status quo, takes the necessary measures, such as sending recommendations to the same party against which a complaint had been previously filed or its supervisory office.

As provided in Article 48 of the National Human Rights Commission Act which addresses urgent remedial measures, in the case when there is a high probability that the subject of an investigation is in the process of committing human rights violations or discriminatory acts, and that it is likely to cause irrecoverable damage if left alone, the Commission may provide an emergency remedy.

The Commission achieved both quantitative and qualitative growth in 2012 in terms of remedial measures for the socially vulnerable that were provided by investigations into complaints about human rights violations and discriminatory acts.

In 2012, the Commission received a total of 9,581 complaints, and resolved 9,586 cases. Despite the 30% increase in the number of complaints compared to 2011 (7,357 cases), the Commission resolved them in a timely manner so that the ratio of resolved cases increased by 35% compared to the previous year. Furthermore, the Commission carried out 14 suo moto investigations and 5 onsite investigations, all of which demonstrate that the



Commission responded to social issues in an efficient manner.

There were a total of 6,946 complaints regarding human rights violations, which was more than in 2011 (5,424 cases). The Commission resolved 6,936 cases, which is the largest number recorded since its establishment. By entity, the largest number of complaints were filed in the order of: institutional group care facilities (2,115 or 30.4%), correctional facilities (1,731 or 25.0%), and the police (1,222 or 17.6%). Also, the number of complaints for school violence, which was one of the hottest social issues in 2012, jumped 3.3 fold from the 34 of 2011 to the 113 of 2002.

Most complaints related to human rights violations that were filed with the NHRCK basically complained of unfair human rights violations that the governmental authorities were responsible for. These days, however, an increasing number of complaints are resulting from the conflicts of various rights and interests, and consequently, complaints are also becoming more complex and complicated. Complaints of human rights violations that result from structural and institutional elements are on the rise as well.

In 2012, the Commission received a total of 2,548 complaints with regard to discriminatory acts, which was a 744 case increase compared to the previous year, and resolved 2,560 cases. One of the causes for this increase can be found in the increased number of discriminatory acts that were detected according to the Disability Anti-Discrimination Act, whose enactment widened the scope of coverage. Discrimination based on academic background, place of origin or country of origin was slightly less than the previous year, but on the contrary, discrimination on the grounds of social status, medical history, sexual orientation and appearance, and sexual harassment increased to a certain degree.

Discrimination against people with disabilities accounts for 52% of all discrimination cases. By type of disability, the largest number of complaints were filed for physical disabilities, intellectual (developmental) disabilities, and hearing impairment in descending order. By type of discrimination, the area of goods and services overwhelmingly showed the highest ratio.

In addition to resolving filed complaints, the NHRCK conducted suo moto

investigations into several social issues, such as a civilian inspection of the Prime Minister's Office, the response of the 112 telephone reporting center to murder cases involving woman, chronic sexual assault and harsh acts in the military, and the excessive use of equipment by the police. The investigations culminated in improvement recommendations. Moreover, the Commission carried out onsite investigations into local holding cells and local convoy police stations, foreigner care facilities, and protective facilities for the youth, and actively responded to human rights violations committed by national investigative agencies and governmental authorities during the process of execution of penalties and arrest warrants, focusing on preventive remedial actions.

The NHRCK operates exclusive counseling windows for the sake of receiving complaints and counseling with professional human rights counselors and expert advisers. In this way, the Commission has tried to improve the quality of its counseling service and enhance accessibility to the Commission.

In 2012, the Commission replaced its pre-existing phone call counseling system with a new system that can support the functions of recording, callback and statistics management, and launched an appointment system, counseling in English for foreigners and in sign language for people with hearing impairment. These attest to the Commission's efforts to improve the quality of human rights counseling service.

A total of 7 customized onsite counseling sessions were held around the country, in which the NHRCK visits the socially vulnerable (North Korean defectors, people with disabilities, refugees, migrant workers, senior citizens and youth), with the goal of improving accessibility to the Commission's counseling service. The Commission has continuously studied whether complaint boxes have been installed in correctional/institutional group care facilities which are a known blind spot in human rights protection so that the right to file complaints of people being held in custody is protected.

Thanks to such efforts, the Commission resolved a total of 69,790 complaints in 2012, including 9,581 complaints, 29,267 counseling sessions, and 30,942 civil applications and inquiries.



Section 2. Human Rights Counseling and Complaint Filing

In 2012, the NHRCK received 9,581 complaints, 29,267 counseling requests, and 30,942 civil applications and inquiries for instructional information (regarding investigations, the filing process, and other organizations). The figures were increased by 2,225 (30.2%), 3,964 (15.7%), and 4,874 (18.7%) respectively compared to 2011.

1. Human Rights Counseling

A. Counseling

The NHRCK has performed counseling a total of 166,575 times since its establishment until 2012. The number of counseling sessions constantly increased every year from 17,069 in 2008, 20,077 in 2009, 24,772 in 2010, and 25,303 in 2011, to 29,267 in 2012. In 2012, counseling about human rights violations accounted for 40.4%, discriminatory acts 8.6%, and others 46.3%. In-person complaints comprised 4.7%. The category of others includes counseling about property rights, infringement between private individuals, legislation, and trials.

[Table 2-2-1] Counseling by Year

(Unit: Case, %)

	Cumulative Total		Human Rights Violations		Discriminatory Acts		Others		Closed In-Person Counseling	
Total	166,575	100.0	59,439	35.7	14,877	8.9	72,572	43.6	19,687	11.8
2012	29,267	100.0	11,816	40.4	2,529	8.6	13,556	46.3	1,366	4.7
2011	25,303	100.0	8,957	35.4	2,293	9.1	12,692	50.1	1,361	5.4
2010	24,772	100.0	8,807	35.6	2,140	8.6	11,825	47.7	2,000	8.1
2009	20,077	100.0	6,738	33.6	1,974	9.8	8,721	43.4	2,644	13.2
2008	17,069	100.0	5,391	31.6	1,607	9.4	6,812	39.9	3,259	19.1

※ Cumulative Total: November 2001 to December 31, 2012.

※ The closed in-person counseling sessions do not distinguish between human rights violations and discrimination.

B. Counseling for Human Rights Violations

The most notable peculiarity of counseling for human rights violations in 2012 was that counseling in schools of all grade levels surged compared to the previous year. The number of counseling requests nearly doubled in just one year from 453 in 2011 to 861 in 2012. This was not only because schools of all grade levels were included in the list of subjects to be investigated after the revision of the National Human Rights Commission Act, but also because school violence, suicide and bullying have emerged as serious social issues. Counseling in institutional group care facilities constantly increased for several reasons. First, there has been an increasing concern for the human rights of people being held in mental hospitals. Second, standard complaint boxes have been distributed and employees in such facilities have received education since 2008. Third, the Commission presented a country report on the mentally challenged in 2009. The number of counseling sessions in institutional group care facilities has been constantly rising, from 1,996 (37%) in 2008 to reach 5,773 (48.8%) in 2012, to account for almost half of all counseling requests. Counseling for human rights violations relating to the prosecution, the police, law enforcement agencies, and custody facilities gradually increased to 2010, showed a slight decrease in 2011, and rebounded in 2012. Counseling for human rights violations perpetrated by local government groups and other governmental bodies in 2012 stayed on the decreasing trend as they were also on in 2011.

C. Counseling for Discriminatory Acts

Pertaining to counseling for discrimination, counseling about disabilities was in first place in 2012 which it has been since 2008 when the Disability Anti-Discrimination Act was enacted. The number of counseling cases slightly decreased in 2011, but increased again by 104 (12.5%) in 2012. Counseling related to sexual harassment (602 or 23.8%), other discriminatory acts (240 or 9.5%), social status (198 or 7.8%), age (158 or 6.2%), and medical history (71 or 2.8%) followed in descending order.



2. Complaint Filing

The NHRCK has received a total of 68,254 complaints since its establishment in November 2001. 52,106 (76.3%) cases were related to human rights violations, 14,098 (20.7%) were for discrimination, and 2,050 (3%) were categorized as belonging to the miscellaneous category. The changing number of human rights violation went from 4,892 (77.5%) in 2008, 5,282 (75.6%) in 2009, 6,460 (70.5%) in 2010, and 5,424 (73.7%) in 2011, to 6,946 (72.5%) in 2012. The number of cases in 2012 increased by 1,522 (28.1%) compared to 2011.

The number of discrimination cases changed from 1,380 (21.9%) in 2008, 1,685 (24.1%) in 2009, and 2,681 (29.2%) in 2010, to 1,804 (24.5%) in 2011. The number of cases in 2012 was 2,548 (26.6%) which rose by 744 (41.2%) compared to 2011.

[Table 2-2-2] Complaint Filing by Year

(Unit: Case, %)

	Cumulative Total		Human Rights Violations		Discriminatory Acts		Others	
Cumulative Total	68,254	100.0	52,106	76.3	14,098	20.7	2,050	3.0
2012	9,581	100.0	6,946	72.5	2,548	26.6	87	0.9
2011	7,356	100.0	5,424	73.7	1,804	24.5	129	1.8
2010	9,168	100.0	6,460	70.5	2,681	29.2	27	0.3
2009	6,985	100.0	5,282	75.6	1,685	24.1	18	0.3
2008	6,309	100.0	4,892	77.5	1,380	21.9	37	0.6

※ Cumulative Total: November 2001 to December 31, 2012

※ The number of cases may increase because there are cases which are re-categorized after having been filed.

3. Onsite Counseling

The NHRCK conducted a total of 7 onsite counseling sessions in 2012, in which the Commission visits the socially vulnerable and minority groups. The Commission provided onsite counseling for people with disabilities, the youth, people with hearing impairment, refugees in cooperation with the United Nations High Commission for Refugees (UNHCR), North Korean defectors, the elderly and migrant workers. In addition to the onsite counseling sessions, the Commission carried out individual counseling for privately-owned taxi drivers, town shuttle bus drivers, and senior citizens who live alone.

The Commission is committed to planning onsite counseling sessions that cover the appropriate topics, are in the right place and have the right number of sessions, in connection with its annual strategic projects, so that minority groups and residents in local areas can easily get access to the Commission's investigations and remedies, and is committed to strengthening a nationwide network of human rights counseling.

4. In-Person Complaints

Article 31 of the National Human Rights Commission Act guarantees that people being held in correctional or institutional group care facilities have the right to personally file complaints to commissioners or the staff of the NHRCK in writing or orally. From 2001 to 2012, 39,977 out of 40,179 in-person complaints filed from people in correctional/institutional group care facilities were closed, and 202 remain pending. Of the closed cases, 10,791 (27.0%) were received as formal complaints, with 19,687 (49.6%) closed during counseling sessions, and 9,499 (23.8%) withdrawn by the complainants.

The Commission has sought for a way to utilize complaint filing via mail since 2010 in order to improve the process of making in-person complaints. As a result, more people in custody filed complaints via mail, instead of in-person. The number of in-person complaints has decreased every year from 5,009 in 2009, 3,949 in 2010, and 3,117 in 2011, to 3,070 in 2012, showing the positive effect that improving the efficiency in the in-person



complaint filing procedure has had.

[Table 2-2-3] In-Person Complaints by Year

(Unit: Case, %, Day)

	Forwarded from Previous Year	Complaints	Closed								Pending	Average Processing Time
			Subtotal		Withdrawn		Formal Complaints		Counseling Closed			
Cumulative Total		40,179	39,977	100.0	9,499	23.8	10,791	27.0	19,687	49.2	202	
2012	201	3,070	3,069	100.0	989	32.2	714	23.3	1,366	44.5	204	27.9
2011	139	3,117	3,055	100.0	1,019	33.4	675	22.1	1,361	44.5	201	20.9
2010	106	3,949	3,916	100.0	1,129	28.8	787	20.1	2,000	51.1	139	19.9
2009	119	5,009	5,022	100.0	1,096	21.8	1,282	25.5	2,644	52.6	106	9.6
2008	95	5,465	5,441	100.0	1,024	18.8	1,158	21.3	3,259	59.9	119	9.5

※ Cumulative Total: November 2001 to December 31, 2012

Section 3. Investigations and Remedies: Human Rights Violations

1. Complaint Receiving and Processing

A. Complaint Receiving

In 2012, the NHRCK received a total of 6,946 complaints of human rights violations, which was a 1,522 case increase (28.1%) over the previous year. There was been a steady increase in the number of complaints of human rights violations up until the end of 2004, but then was on a decreasing trend in 2005 and 2006; however, the figures rose dramatically again in 2007, slightly decreased in 2008, increased in 2009 and 2010, and slightly decreased in 2011. In 2012, they increased again.

The NHRCK has received a total of 52,106 complaints related to human rights violations since its establishment until the end of 2012. By entity, the largest number of

complaints were about correctional facilities (18,933 or 36.3%), the police (11,334 or 21.8%) and institutional group care facilities (7,508 or 14.4%), with the rest of the complaints alleged against other governmental institutions (5,434 or 10.4%). Complaints against correctional and institutional group care facilities and the police have always been above a certain level.

[Table 2-2-4] Complaints of Human Rights Violations Filed Against Institutions

(Unit: Case, %)

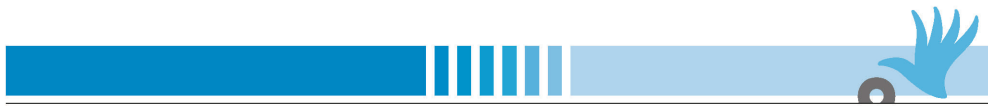
Year	Total	Prosecution	Police	Detention Facilities	National Intelligence Service	Military	Other National Institutions	Protective Facilities	Judiciary Institutions	Legislative Institutions	Local Gov	Immigrant Office, etc.	Schools	Public Service-Related Organizations	Other
2012	6,946	146	1,222	1,731	16	184	424	2,115	85	0	335	27	480	133	48
2011	5,424	138	1,108	1,360	15	131	529	1,555	71	3	247	41	199	0	27
2010	6,460	225	1,590	1,885	17	117	486	1,372	156	14	295	10	218	0	75
2009	5,282	137	1,215	2,027	17	96	452	489	50	5	214	0	5	0	575
2008	4,892	172	1,107	1,946	25	89	307	685	69	2	323	0	0	0	167
2007	5,067	226	1,131	2,004	36	80	327	586	62	8	449	0	0	0	158
2006	3,335	137	796	1,427	12	65	394	255	56	2	177	0	0	0	14
2005	4,199	214	937	1,918	11	64	525	234	63	2	194	0	0	0	37
2004	4,627	164	688	1,835	11	60	1,553	126	41	8	115	0	0	0	26
2003	3,041	173	702	1,686	5	73	201	57	35	2	81	0	0	0	26
2002	2,833	300	838	1,114	33	110	236	34	70	1	66	0	0	0	31
Total	52,106	2,032	11,334	18,933	198	1,069	5,434	7,508	758	47	2,496	78	902	133	1,184
%	100	3.9	21.8	36.3	0.4	2.1	10.4	14.4	1.5	0.1	4.8	0.1	1.7	0.3	2.3

※ The number may differ from previous numbers due to revision of errors.

B. Complaint Processing

Over the past three years, the NHRCK resolved 6,264 complaints of human rights violations in 2010, 5,158 cases in 2011 (down 17.7% year-on-year), and 6,936 cases in 2012 which is higher than 2010.

As verified in Table 2-2-5, 263 cases were affirmed in 2012. Out of 263 approved cases, the Commission filed charges or demanded police investigation for 2 cases, recommended disciplinary actions for 1 case, issued recommendations on 154 cases, settled 103 cases,



and referred 2 cases to legal aid. At the same time, the Commission dismissed 2,229 cases, rejected 4,391 cases, transferred 22 cases, and suspended investigation in 31 cases.

Of the 4,391 rejected cases in 2012, 2,790 cases (63.6%) were voluntarily withdrawn, 685 cases (15.6%) were deemed to be beyond the scope of the Commission's investigation, 195 cases (4.4%) were rejected because remedial actions were underway or completed by other authorities, 104 cases (2.4%) whose valid investigation date by the Commission had passed, and 617 cases (14.0%) for which there was no valid complaint or did not merit investigation.

[Table 2-2-5] Complaints of Human Rights Violations By Resolution

(Unit: Case)

Year	Filed	Closed	Cases Accepted								Cases Denied			
			Total	Accusation & Investigation Request	Recommendation of Disciplinary Actions	Emergency Relief	Recommendation of Settlement	Settlement	Legal Aid Request	Mediation	Dismissed	Transferred	Rejected	Suspended
2012	6,946	6,936	263	2	1	1	154	103	2	0	2,229	22	4,391	31
2011	5,424	5,158	260	6	4	0	130	117	2	1	1,908	35	2,935	20
2010	6,460	6,264	331	6	3	1	198	122	1	0	1,831	130	3,907	65
2009	5,282	5,108	365	5	5	1	235	118	0	1	1,637	78	2,974	54
2008	4,892	5,288	308	12	30	2	213	48	1	2	1,644	99	3,177	60
2007	5,067	4,757	239	13	16	0	147	61	2	0	1,215	116	3,152	35
2006	3,335	3,250	207	17	2	0	164	23	1	0	933	70	2,019	21
2005	4,199	4,132	244	6	6	1	156	73	2	0	1,318	147	2,378	45
2004	4,627	4,931	145	6	2	0	79	54	4	0	1,280	148	3,306	52
2003	3,041	3,137	94	9	3	2	57	23	0	0	717	116	2,210	0
2002	2,833	1,365	29	3	16	2	8	0	0	0	136	26	1,174	0
Total	52,106	50,326	2,485	85	88	10	1,542	742	15	4	14,848	987	31,623	383

※ The number of closed cases combines the number of closed cases newly received within the year and that were transferred from the previous year.

※ The numbers may differ from previous numbers due to revision of errors.

The Table below is a breakdown of complaints of human rights violations by institution and by resolution in 2012.

[Table 2-2-6] Complaints of Human Rights Violations By Institution and Resolution in 2012

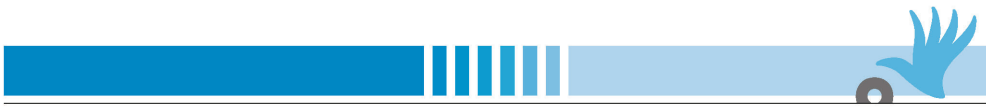
(Unit: Case)

Category	Received (A)	Closed (B)	Cases Accepted								Cases Denied				Under Investigation	%
			Total	Accusation & Investigation Request	Recommendation of Disciplinary Actions	Emergency Relief	Recommendation of Settlement	Legal Aid Request	Settlement	Mediation	Rejected	Transferred	Dismissed	Suspended		
(No. of Case)	6,946	6,936	263	2	1	1	154	2	103	0	4,391	22	2,229	31	1,785	100
(%)		100	3.8	0	0	0	2.2	0	1.5	0	63.3	0.3	32.1	0.4		
Prosecution	146	160	4	0	0	1	1	0	2	0	89	4	63	0	43	2.3
Police	1,222	1,243	66	0	1	0	51	0	14	0	583	6	570	18	445	17.9
Detention Facilities	1,731	1,772	13	0	0	0	5	0	8	0	1,043	6	707	3	318	25.5
National Intelligence Service	16	21	1	0	0	0	1	0	0	0	11	0	9	0	3	0.3
Military	184	165	9	0	0	0	7	2	0	0	117	1	37	1	56	2.4
Other National Institutions	424	442	8	0	0	0	5	0	3	0	345	1	85	3	120	6.4
Protective Facilities	2,115	2,153	144	2	0	0	76	0	66	0	1,462	2	540	5	406	31.1
Judiciary Institutions	85	82	0	0	0	0	0	0	0	0	58	0	24	0	32	1.2
Legislative Institutions	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0.0
Local Gov	335	328	2	0	0	0	1	0	1	0	254	1	71	0	129	4.7
Immigrant Office, etc.	27	23	1	0	0	0	1	0	0	0	14	0	8	0	5	0.3
Public Service-Related Organizations	133	88	0	0	0	0	0	0	0	0	67	0	21	0	46	1.3
Schools	480	409	15	0	0	0	6	0	9	0	301	1	91	1	174	5.9
Others	48	49	0	0	0	0	0	0	0	0	46	0	3	0	8	0.7

2. The Prosecution, Police and Military

- **Suo Moto Investigation: Response of the 112 Reporting Center to the Murder Case of Woman in Her 20s**

Doubts have arisen across the country concerning a murder of a woman in which the



112 reporting center failed to respond in a prompt and appropriate manner that culminated in the victim's death; thus, the NHRCK determined to launch a suomotoinvestigation.

The investigation validated that the victim was connected on the phone for as long as 7 minutes and 34 seconds, in spite of the urgent situation, and provided detailed information about the location; however, the agent of the 112 reporting center missed out on such information when giving reports and orders, kept asking questions that were not appropriate to the pressing situation, and caused delays.

Also, it was confirmed that when the agents received the initial dispatch order to go to the site and take action, its agents only looked around outside the building in the car or on foot; the police investigators acquired the file of the victim's report late and it delayed their decisions and response; and the leader of a patrol team did not appear on site nor report to the head of police substation even after being informed of the emergency.

Accordingly, the Commission recommended to the chief of the National Police Agency that the Agency improve the 112 reporting system so that all citizens can trust in the public order that is secured by the police as follows (September 18, 2012):

The recommendations were: first, to strengthen on-the-job training for employees working at the 112 reporting center and to include gender sensitive education in the educational material; second, to improve a system of conducting cross validation and checking orders promptly in the case when urgent and significant reports are made by crime victims; third, to reform the system so that local police officers and the police stations can also listen to recorded files of case reporters when necessary; and fourth, to improve the working environment and the system so that the 112 reporting center can faithfully perform its role and to develop an on-going monitoring system that includes outside experts.

The defendants accepted the Commission's recommendation that they provided education for the purpose of strengthening professionalism of agents at the 112 reporting center, improved the response system for urgent cases and the system of sharing the reports called in to the 112 number, improved the working environment, and established an on-going monitoring system.

□ Onsite Investigation: Local Holding Cells and Local Convoy Police Stations

The NHRCK conducted onsite investigations into human rights conditions at three local convoy police stations and three local holding cells that are installed at district public prosecutor's offices for the purpose of holding suspects for investigation before prosecution.

The investigations revealed that there are not sufficient heating, water supply and space in the local convoy police stations. Most notably, the standard rules for judiciary facilities, which are also the standard for convoy police stations, do not include any design criteria and applicable regulations for indispensable convenience facilities, such as restrooms, shower rooms, ventilator, skylights, and cooling and heating equipment, except for the size of the waiting room for the police officers, the single cell and the associate cell. Accordingly, the Commission, pursuant to Article 10 of the Constitution, recommended to the Minister of Justice that he enact and implement a design criteria standard to apply to convoy police stations so that the minimum human rights of people being held in custody, such as personal rights, can be protected from being violated.

Also, the Commission investigated the overall management and operation conditions of three local holding cells during onsite investigations, and issued a judgment that human rights conditions should be improved, for example, regarding the facilities, the environment, and treatment of people in custody. Consequently, the Commission recommended to the chief of the National Police Agency that he revise the regulations on holding suspects by separating departments in charge of holding suspects and conducting investigation, and to improve facilities so that they coincide with the design criteria standard for holding cells, for example, regarding restrooms, convenience facilities for people with disabilities, and counsel reception rooms. (December 18, 2012)

□ Human Rights Violation by Restricting Clothing of Participants in Traffic Safety Education

A complainant filed a complaint with the NHRCK, insisting that the complainant participated in the traffic safety education with a hat on, and it is unfair that a police



officer in charge of education notified that wearing hats, masks and sunglasses is banned and asked the complainant to take off the hat.

The traffic safety education is not a kind of penalty or disposition for a traffic offense, but its aim is to educate those who have received administrative disposition such as suspension of their license and to reduce the number of days under administrative disposition once the education has been completed, and ultimately to prevent reoccurrence of traffic offenses in the future.

Considering the purpose stipulated by the Road Traffic Act, the Commission decided that it is difficult to concede to the justification of a method in which participants are made to stand on streets with heavy traffic while exposing their faces and take time to conduct self-examination. As the campaign takes place on streets, participants may request for health reasons that the sunrays be kept off of them for long hours, and there may be sometimes when it becomes necessary to wear hats or sunglasses. In this sense, the Commission issued a judgment that preventing participants from wearing them as a group is hardly reasonable.

The Commission recommended the Chief of the Gyeonggi Provincial Police Agency that he prevent the police officers from excessively restricting the clothing of participants. (August 16, 2012)

The defendant notified that it will educate the police officers in charge not to excessively prevent participants from wearing sunglasses, hats and masks depending on the weather and physical condition of the participant.

□ Violating Human Rights with the Unreasonable Use of Water Cannons

The NHRCK received 17 complaints saying that the police blasted water cannons during demonstrations which took place in sub-zero weather, and such actions violated their human rights.

The Commission reviewed reports on the use of water cannons and reports on demonstrations submitted by the police, weather records of the Korea Meteorological

Administration, and advice from experts of the Korean Society of Emergency Medicine. Even though water cannons may efficiently minimize injuries caused by physical contact between demonstrators and the police, if a person's clothing and body get wet in winter, conductivity and evaporation of water may lower the body temperature. In this case, there will be a high danger of harming the body and of possible death. As a result, the Commission decided that the use of water cannons irrespective of the weather conditions is excessive and that such a decision was made without paying attention to the right to life or bodies of the demonstrators, and concluded that it violated the right to liberty that is stipulated in Article 12 of the Constitution.

Also, there is no explicit ground for the use of a watering cart, a piece of police equipment, in accordance with the Act on the Performance of Duties by Police Officers, but it is included in the list of police equipment in the Presidential Decree on the Use of Police Equipment. The usage itself has a legal basis, but detailed standards are stipulated by non-binding official orders and guidance of the police. In this regard, the Commission made a judgment that there is no clear legal basis for using the watering cart.

Accordingly, the Commission recommended establishing a legal basis by a binding Ministerial ordinance that is associated with the weather condition to be used as a standard of utilization of watering carts (a water cannon for the purpose of controlling demonstrations) which can seriously endanger the life or body of demonstrators. It also recommended realigning related terminology. (September 18, 2012) The defendants, upon receiving such recommendations, notified that it will educate officers in command so that they can be careful when using water cannons and do so only after considering external conditions such as the weather as well as the size and conditions of demonstrations, and will seek ways to revise related laws after finding a new, human rights-friendly term for a water cannon.

□ Human Rights Violation by Taking Off Underwear and Disclosing the Actual Name

A complainant filed a complaint with the NHRCK, alleging that she was taken to the police station for taking part in a demonstration and was asked to take off her bra while



being imprisoned and investigated. The complainant said that she felt a sense of shame and outrage, and that the police posted a press release in which her real name was exposed, violating her privacy and freedom.

The Commission decided that such an act of the police was excessive, because in general there is a relatively higher possibility of shaming a woman being held in custody by asking her to take off her bra, but empirically lower possibility of using the bra to injure or kill herself. Also, the correctional facilities belonging to the Ministry of Justice allow women in custody to wear a bra, but there is no rational reason for treating women in the police holding cells differently.

Moreover, it was decided that the police posted a press release to explain itself in which it included the actual name of the complainant, which violated the privacy and freedom of the complainant that ought to have been protected in accordance with Article 17 of the Constitution, regardless of intentionality.

Accordingly, the Commission, in order to prevent the personal right violations caused by requesting that a person take off his/her underwear during an investigation, recommended deleting the bra from the list of “tools that may be used to commit suicide or self-injury” in the Police Manual, and training the police officers against whom the complaint was filed to prevent the reoccurrence of such an incident. (December 18, 2012)

□ **Suo Moto Investigation: Firearm Accident and Violence and Harsh Acts in OO Division of the Army**

The NHRCK received an anonymous complaint regarding a fatal firearm accident that occurred in the Army in which the battalion commander habitually used violent and abusive language towards military personnel before and after the accident, and tried to reduce and conceal the accident once an investigation into the dead personnel was started by the higher command.

The investigation validated that the victim was struck and treated harshly by a number

of senior soldiers, and had not received any institutional assistance about difficulties and distress with “the letter of heart” which aims at preventing battery and brutality.

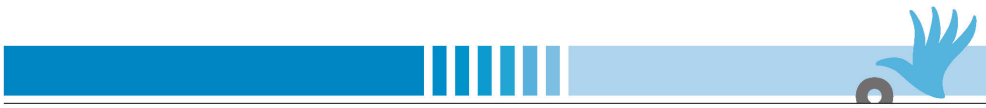
It was also disclosed that the battalion commander while serving his duties verbally abused and battered some military personnel, and used his superior position to collect a penalty of KRW 1,000 every time without prior consent from those who failed a physical strength examination.

As a result, the Commission recommended that the related institutions consider the victim of a fatal shooting accident as a serviceperson who died in the line of duty, hold the battalion commander responsible for abusive language and violence and take a disciplinary measure, and develop and implement measures for preventing the reoccurrence of such human rights violations (December 18, 2012). The defendants accepted the Commission’s recommendations that they investigated all remote divisions, developed measures for the purpose of preventing their reoccurrence, and charging assailants criminally.

□ Excessive Coercion to Quit Smoking in the Military

A complainant filed a complaint with the NHRCK, insisting that the officer in command forced approximately 450 smokers to write a pledge to quit smoking and took disciplinary actions when they were discovered smoking, all of which are excessive coercion.

The Commission found it difficult to determine that military personnel had signed up to quit smoking on their own initiative on the grounds that, i) almost all commanding officers and soldiers wrote and submitted a pledge to quit smoking, ii) all areas inside the boundary of the division was designated a non-smoking zone, iii) 6 out of 9 subordinate units reported that they achieved a 100% cessation rate, iv) there are restrictive policies for disobeying pledges, such as imposing a fine, checking for smells, and notifying their family, and v) they opened the disciplinary committee 9 times and took disciplinary actions against those who were found smoking.



Also, designating all areas of the division for 24 hours as a non-smoking zone, rather than a reasonable limitation to necessary areas such as residence halls or the armory, was deemed an excessive restriction without a legal basis.

The Commission concluded that in spite of proper motivation, the coercion to quit smoking which went beyond a quit-smoking campaign that had the voluntary participation of military personnel is deemed abuse of the right to command. The military personnel's right to freedom of action that is protected by Article 10 of the Constitution and privacy that is protected by Article 17 of the Constitution were violated in the case. Accordingly, the Commission recommended that the related institutions remove the forced measure on smoking, take appropriate actions, such as restoration to original status, for those who faced disciplinary actions for smoking, and investigate the current condition of "smoking-free divisions" to prevent the officers in command from forcing military personnel to quit smoking (March 6, 2012). The defendants accepted the Commission's recommendations and they lifted the coercive order to quit smoking, compensated those who received disciplinary actions, and made up guidelines for smoking-free divisions.

□ Human Rights Violation by Checking and Deleting Smartphone Applications in the Military

The NHRCK issued a judgment that there is ground for the necessity of blocking the access to four applications that were allegedly developed by North Korea or that praised North Korea. The Commission, however, concluded that rebellious content that criticizes the president, who is also the commander-in-chief, or the governmental policies did not damage the existence and safety of a nation nor liberal democracy. It also decided that an argument that such content may weaken spiritual combat power once a soldier simply listens to it or sees it has no basis in reason, but is only based on a subjective concern. Also, the Commission confirmed that the Decree on Military Service limits political acts, but does not include within its scope the type of information that is essential for soldiers to develop a conscience or values, and to vote or exercise the right to vote.

When considering the political neutrality of the military, having access to information cannot be seen as a political act, and the president of Korea is not only the commander-in-chief but also the leader of a specific party. In this sense, the Commission decided that raising a question about listening to applications that criticize the president runs the risk of threatening the political neutrality of the military.

Accordingly, the Commission recommended the Minister of National Defense and other related institutions that they establish appropriate measures to avoid restrictions and violations of the fundamental rights of soldiers, such as privacy and the right to know, per the arbitrary decision of the officers in command which are without a legal basis. The Commission also recommended holding the officers in command responsible for their acts (December 18, 2012).

3. Correctional and Institutional Group Care Facilities

□ Onsite Investigation: Abuse of Protective Equipment and Punishment

People being held in custody are restricted from the right to freedom. Their punishment refers to restricting them from receiving letters, receiving visitors, making phone calls, watching TV and using goods purchased at one's own expense, and at the same time holding them in a separate room of punishment. Also, it is an administrative measure that is likely to violate human rights as they affect the results of correction, the treatment rating, and parole. It directly restricts the personal freedom that is stipulated in Article 12 of the Constitution, and therefore there is a high possibility of a human rights violation if the system is not operated in an appropriate way. Moreover, the use of protective equipment that directly restrains the bodies of inmates is a strong restriction on the basic right; hence, once abused, the damages will be serious. Such conditions led to the necessity of onsite investigations as a preventive measure.

In this regard, the NHRCK conducted onsite investigations on the abuse of protective equipment and punishment in prisons, i.e. the correctional facilities.



The Commission, based on the investigation results, determined that it is necessary to develop measures for improving human rights conditions in relation to the use of protective equipment and punishment, and made the following recommendations to the Minister of Justice and other related organizations: i) establish measures for inmates who are subject to punishment so that they can attend the disciplinary committee meeting to actively exercise the right to make a defense, ii) put a punishment system into practical operation, in which inmates who had received punishment in the past can make up for any inconvenience caused by the punishment by behaving in an exemplary manner, iii) strengthen management and supervision, including employee training, so that inmates can be protected from being injured by the excessive use of protective equipment, and iv) to operate separate rooms for investigation and punishment in order to avoid an unreasonable situation in which inmates subject to investigation and to punishment may face the same treatment during the investigations. (November 29, 2012)

□ Onsite Investigation: Juvenile Protective Facilities

In spite of the necessity of systematically monitoring human rights conditions at juvenile halls and the Juvenile Protection Education Institutions which are special facilities that accommodate minors, the NHRCK did not carry out onsite investigations before 2012. The Commission conducted the first investigation in 2012 for the two juvenile facilities of OO Juvenile Hall and OO Juvenile Protection Education Institution.

The investigation validated that two facilities were being operated in an efficient manner, and the youths being held in custody showed a high degree of satisfaction. They were unsatisfied with the deprivation of some freedoms, such as restrictions on using a mobile phone or travelling, but showed a high level of intimacy, fellowship and trust with employees and their colleagues.

It cannot be denied that the general public was vaguely aware of and misunderstood that such facilities were in a blind spot in human rights protection; however, the recent onsite investigations confirmed that there have been significant developments in terms of

human rights in the Juvenile Protection Education Institution that is under control of the country. The Commission, therefore, is required to continuously monitor any violation of the basic personal freedoms by violence or harsh acts, and at the same time to pay more attention to explore new challenges relating to social rights at facilities and whenever there are educational opportunities for children.

4. Foreign Citizens

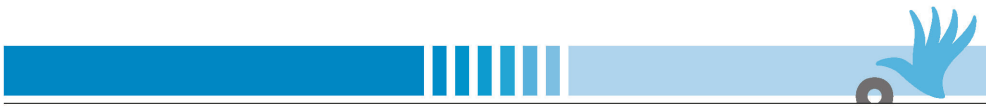
□ Onsite Investigation: Protective Facilities for Foreigners

The NHRCK organized an investigation team with external experts, and conducted onsite investigations at three protective facilities for foreigners, including the immigration detention center and the immigration office.

The purpose of the onsite investigation that the Commission has carried out every year begins from the starting point that foreigners who are protected by the country are not in the position of a criminal or a suspect, and is based on the spirit of the Constitution that the regulations applicable to them should coincide with the sense of human dignity.

During the onsite investigations in 2012, the team reviewed the recommendations that were previously made for the facilities as well as the environment, the status of personal hygiene, health and leisure activities of and the remedial process for detainees. The investigations focused on improving the rights of and the treatment of detainees so that their rights can be practically strengthened.

Based on the results, the Commission recommended institutional improvements in eight areas as follows; i) keeping the Guidelines on the Remedial Procedures for Foreigners in protective facilities in their normal form, ii) protecting the rights stipulated in the Criminal Procedure Act for detainees, iii) posting guidance notes inside the facilities about the 1350 Counseling Center of the Ministry of Employment and Labor, iv) posting a list of books inside the facilities to practically prepare the right to access multicultural books, v) designating space within the facilities for the purpose of



protecting personal privacy, vi) improving the shielding facilities in the restrooms to protect the privacy of detainees, vii) seeking solutions to increase the exercise time for detainees, and viii) dispatching nurses to the OO Immigration Detention Center to reinforce the right to have access to medical services. (November 29, 2012)

□ Recommendation for the Protection of Right of Refugee Applicants

The NHRCK received a complaint from a refugee right activist that A from Ethiopia expressed the hope of gaining refugee status after his arrival at the international airport, but failed to receive appropriate guidance from the Immigration Office, stayed at the repatriation waiting room for two and half months, and was ultimately deported to Thailand.

The investigation validated that the public official of the Immigration Office decided on his own that it was difficult to recognize the sincerity of the refugee application and consequently, did not proceed with the refugee recognition procedure; however, the Commission determined that it is not an issue to be decided by an arbitrary decision, but by following a legal procedure. Hence, the Commission recommended that the related institutions develop measures to prevent their public officials from making arbitrary decisions regarding refugee recognition at the international airports, and provide human rights education to their employees in order to prevent reoccurrence of such situations and to improve understanding about the right of refugees and the duty that countries have, which are stipulated in the Convention Relating to the Status of Refugees and related laws. (September 25, 2012) The defendants accepted the Commission's recommendations that they offered human rights education to the employees concerned, and are preparing related laws and guidelines.

□ Recommendation on Human Rights Violations by the Breach of the Due Process of Crackingdown on Unregistered Migrants

The NHRCK, regarding four complaints of human rights violations that arose during the crackdown on unregistered migrants conducted by the Immigration Offices of the

Ministry of Justice (e.g. the entrance into a dwelling without agreement, the excessive use of handcuffs, and those who were compulsively taken to the police station), recommended obeying laws and guidelines related to crackdowns, establishing measures to prevent human rights violations in the future, and providing human rights education to the public officials in charge. (April 24, 2012) The defendants accepted the Commission's recommendation that they offered human rights education to the employees concerned, and are preparing related laws and guidelines.

5. Other National Institutions (Local Government Groups, Schools, etc.)

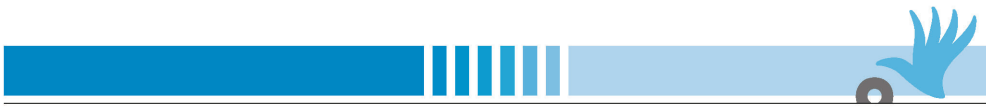
□ Suo Moto Investigation: Illegal Civilian Surveillance of the Prime Minister's Office

The disclosure on April 16, 2012 of reports about the indiscriminate surveillance of civilians by the Prime Minister's Office during the period of 2008 to 2010 greatly impacted society. The NHRCK decided that there is a necessity to investigate victims and the individuals concerned in order to take remedial actions and to prepare measures to prevent the reoccurrence of such an incident, and conducted a suomoto investigation.

The Commission investigated approximately 50 victims, who are civilians and people working in the fields of journalism, labor, politics and public organizations, as well as 22 people involved in the surveillance, 2 conductors behind the scene, and 12 other staff who were involved in direction and supervision including the presidential secretary via in-person, phone calls or written methods. It also conducted onsite investigations into the Civil Service Ethics Division under the Prime Minister's Office.

□ Passive Response of the Principal Against Racial Discriminative School Violence

A fourth-generation overseas Chinese elementary student whose nationality is Chinese Taipei was insulted with racial epithets and beaten up by a number of classmates, and the child counteracted. After the incident, the school held an Anti-School Violence Committee



meeting, and decided that the attacks were mutual and that virtually the same discipline (special education) should be given to four students including the victim. The Commission confirmed that the disciplinary action stemmed from an insufficient understanding of racism, and recommended offering human rights education to the teaching staff and students. (September 3, 2012) The decision of the Anti-School Violence Committee is likely to violate the right to equality, but above all, the Principal have the duty to give additional discipline to students who use racist language and instigate violence. The Commission decided that negligence of such a duty violated the student's human rights. The defendants accepted the Commission's recommendation and invited a professional instructor to provide human rights education to the teaching staff and students.

□ Negligence of Duty to Protect Children in Group Homes

Regarding a case in which a head of a group home made an arbitrary decision to send a child with intellectual disabilities who was entrusted from protectors to a juvenile protective and care facility, the NHRCK decided that the local government groups failed to actively utilize its authority over investigation stipulated in Article 30 of the Child Welfare Act and recommended providing human rights education to the public officials in charge. (February 29, 2012)

A group home is one of the most typical types of deinstitutionalized child welfare facilities. Entrusting a child who had already been entrusted to the group home is legal, but is an issue that requires serious consideration. The head of the group home, however, sent the child to another facility simply because the child was uncontrollable. Also, the local government groups in charge were not aware of the incident, and took passive action after a complaint was filed. At that time, the local government groups did not have the authority to conduct a *suo moto* investigation into group homes, which made it impossible to take action against the head of the group home; however, the Commission confirmed that the local government groups' negligence to afford protection of basic rights violated human rights. There is an excessive amount of work and an insufficient

number of employees in such facilities, but the Commission highlighted the necessity of making more active administrative effort to protect human rights. The defendants accepted the Commission's recommendations and invited a professional instructor to provide human rights education to the employees in charge of child protection.

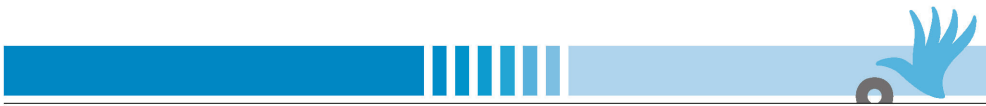
□ Human Rights Violation by Fixed Name Badges

The NHRCK pointed out that there still exists an old practice of using fixed name badges even outside the school which inevitably expose the names of students, and recommended 11 schools and their superintendents that they prepare measures to sufficiently incorporate the opinions of students into the School Life Regulations. (April 24, 2012) The key points in the recommendation that the Commission intended to reiterate was that sticking name badges on a school uniform is allowable, but the alternative of replacing fixed badges with removable badges should be considered. Given that students are not allowed to wear ordinary clothes to schools but only school uniforms, exposing their names to the general public outside the school violates human rights. Upon receiving the Commission's recommendations, the defendants accepted the recommendations and revised the School Life Regulations and replaced the fixed badges with removable badges.

6. Mental Health Facilities

□ Harsh Treatment Toward a Pregnant Patient with mental disorders

A complainant was in 5th week of pregnancy while being hospitalized in a mental hospital. She notified the defendants about her pregnancy and refused to take medicine because she was concerned about malformation of her baby. Then the defendants tied the complainant in an isolation room for 27 days from the first day of hospitalization and forced her to take medicine. The complainant could not stand isolation and coercion that she faced for a long period of time, took the medicine at last, and had to get an artificial abortion out of a concern of giving birth to a malformed child.



The investigation found in the daily record of the ward that i) the complainant was separated and forced, and detailed the orders of the defendants that said “not to untie the patient,” and ii) the complainant was separated and forced as soon as she refused to take medicine, but was freed from separation and coercion as soon as she took the medicine. Considering such facts, it was confirmed that the defendants separated and forced the pregnant complainant for a long period of time for refusing to take the medicine. Furthermore, it was recognized that the complainant did not want to take the medicine due to pregnancy, but had to take the medicine after facing continued separation and coercion and consequently had no choice but to get an artificial abortion.

Accordingly, the Commission decided to request a prosecution investigation about the harsh acts that were inflicted upon the complainant. (July 18, 2012)

□ Lack of Medical Action and Restriction on Communication in a Mental Hospital

A complainant, while being hospitalized and trying to escape from a mental hospital, fell from the 4th floor and suffered a bone fracture and severely hurt his eye. After the accident, the defendants separated the complainant for two days and banned him from contacting his family members. The complainant was severely injured during the escape process and so asked for medical treatment outside the hospital. The defendants, however, did not take an emergency or appropriate measure, but just tied the complainant, and consequently, the complainant lost the eyesight in his right eye.

The investigation validated that the defendants, despite there being an emergency after the falling accident, did not take prompt action, nor did not refer the complainant to other medical institutions. Consequently, the complainant could not receive the appropriate treatment, and it was decided that this violated the Medical Service Act as well as the Emergency Medical Service Act. Furthermore, the defendants did not pay attention to the continued complaints of pain after the falling accident, and neglected and failed to provide an examination of or treatment for the injuries in a timely manner. Most notably, the fact that the defendants did not notify the protector about the results of the external medical

examination involves intentionally concealing the accident as well as significant negligence. Accordingly, the NHRCK decided to request investigation by the prosecution about the defendants' negligence regarding injuries that occurred during the hospitalization period of the complainant (May 25, 2012), and the A District Public Prosecutor's Office imposed fines of KRW 3 million on B, the head of the mental hospital.

Section 4. Investigations and Remedies: Discriminatory Acts

1. Complaint Receiving and Processing

A. Categories of Complaints

The NHRCK has received a total of 14,098 complaints of discrimination since its inception until the end of 2012, and to be specific, 4,677 (33.2%) about employment, 5,384 (38.2%) about the supply or use of goods, and 890 (6.3%) about the use of educational facilities and others.

Of the total of 2,548 complaints filed in 2012, there were 774 cases (30.4%) related to employment, 1,091 cases (42.9%) the supply or use of goods, and 179 cases (7.0%) the use of educational facilities and others, indicating a remarkable increase from the previous year. One of the reasons for such an increase is that there were 453 more complaints about providing convenience facilities to people with disabilities than there were in 2011.

774 complaints about employment were again segmented into recruitment (125 or 16.2%), hiring (138 or 17.9%), wages (112 or 14.5%), retirement age (58 or 7.5%), and termination (44 or 5.7%). 1,091 complaints about the supply or use of goods and services were categorized into goods (418 or 38.2%), service (472 or 43.4%), and commercial facilities (107 or 9.8%). Of a total of 179 complaints regarding the use of educational facilities and vocational training institutions, complaints about educational facilities



accounted for the majority (170 or 95.0%). There were also 504 complaints of other discriminatory acts that did not fall in the above three categories and they accounted for 19.8% of the total complaints of discrimination filed in 2012.

[Table 2-2-7] Complaints of Discrimination by Category

(Unit: Case, %)

Category	Received	Employment													Supply or Use of Goods					Educational Facilities			Others		
		Total	Recruitment	Hiring	Assignment	Education	Promotion	Wage	Non-Wage Payment	Loan	Retirement Age	Retirement	Termination	Others	Total	Service	Goods	Transportation	Commercial Facilities	Residential Facilities	Land	Total		Educational Facilities	Vocational Training Facilities
2012	2,548	774	125	138	27	11	21	112	35	1	58	23	44	179	1,091	472	418	56	107	37	1	179	170	9	504
2011	1,804	480	75	114	28	7	14	57	16	—	14	16	49	90	768	440	180	64	57	23	4	82	76	6	474
2010	2,681	578	118	112	33	5	16	66	8	1	32	18	43	126	1,467	184	1,146	75	40	21	1	106	96	10	530
2009	1,685	532	162	91	15	7	12	45	13	—	27	21	41	98	659	292	201	84	61	18	3	122	116	6	372
2008	1,380	467	101	59	30	11	15	67	17	—	4	12	50	101	551	199	149	115	62	21	5	102	98	4	260
2007	1,159	498	124	98	27	6	20	51	13	1	17	12	58	71	288	124	110	17	22	15	—	103	96	7	270
2006	824	387	101	97	21	2	14	52	8	—	13	18	26	35	165	50	91	15	3	6	—	87	83	4	185
2005	1,081	503	90	148	17	6	36	50	12	—	3	10	45	86	270	87	151	9	13	5	5	56	51	5	252
2004	389	175	51	22	18	—	9	12	4	—	3	5	17	34	54	10	40	2	1	1	—	26	24	2	134
2003	358	209	21	54	14	—	11	26	4	—	3	6	61	9	33	2	29	—	1	—	1	17	14	3	99
2002	136	55	6	14	1	1	7	11	3	—	—	—	8	4	27	3	20	1	2	1	—	10	7	3	44
2001	53	19	—	—	4	—	2	6	3	—	—	1	2	1	11	—	10	1	—	—	—	—	23	—	23
Total	14,098	4,677	974	951	231	56	177	555	136	3	174	142	444	834	5,384	1,863	2,545	439	369	148	20	890	831	59	3,147
(%)	100	33.2	6.9	6.8	1.6	0.4	1.3	3.9	1.0	0.0	1.2	1.0	3.2	5.9	38.2	13.2	18.1	3.1	2.6	1.1	0.2	6.3	5.9	0.4	22.3

B. Reasons of Complaints

The reasons of the complaints received in 2012 exhibited a trend similar in general to that of 2011, excluding a sharp increase in discrimination against disabilities from 886 in 2011 to 1,339 in 2012. As for other reasons, discrimination based on appearance doubled from the previous year (19 cases to 40 cases), while discrimination based on sexual orientation posted a fivefold increase (3 cases to 15 cases).

[Table 2-2-8] Complaints of Discrimination by Reason

(Unit: Case, %)

Category		Gender	Sexual Harassment	Religion	Disability	Age	Social Status	Place of Origin	Country of Origin	Ethnicity	Appearance	Marital Status	Pregnancy /Delivery	Family Status	Race	Skin Color	Ideology	Criminal Record	Sexual Orientation	Medical History	Academic Background	Others
2012	2,548	44	228	12	1,339	166	186	6	8	1	40	6	27	8	1	1	2	20	15	34	47	357
2011	1,804	35	217	10	886	146	127	10	27	1	19	5	19	17	4	—	1	17	3	30	52	178
2010	2,681	45	210	14	1,695	196	81	7	27	3	24	5	39	8	12	4	1	13	6	41	40	210
2009	1,685	83	166	14	725	138	91	5	16	3	23	7	17	14	22	—	3	10	2	39	77	230
2008	1,380	42	151	13	640	62	103	4	28	2	15	5	14	10	7	—	3	16	3	19	23	220
2007	1,159	50	165	14	256	108	117	9	38	1	20	3	15	13	4	1	2	18	3	31	28	263
2006	824	28	107	8	116	69	208	10	28	—	11	22	9	8	1	—	2	13	4	30	24	126
2005	1,081	53	60	11	121	87	297	23	19	—	45	9	5	15	1	1	5	23	5	21	48	232
2004	389	24	1	8	54	57	64	6	10	—	6	7	4	4	—	—	—	7	1	7	12	117
2003	358	33	2	5	18	24	75	2	19	1	4	4	15	2	—	—	7	3	2	16	28	98
2002	136	10	1	4	20	6	31	2	12	—	2	2	—	—	1	—	3	6	3	8	—	25
2001	53	2	—	2	13	1	17	3	8	—	—	—	—	1	—	1	1	1	1	2	—	—
Total	14,098	449	1,308	115	5,883	1,060	1,397	87	240	12	209	75	164	100	53	8	30	147	48	278	379	2,056
(%)	100	3.2	9.3	0.9	41.7	7.5	9.9	0.6	1.7	0.1	1.5	0.5	1.2	0.7	0.4	0.1	0.2	1.1	0.3	2.0	2.7	14.6

C. Resolution Types of Complaints

A total of 14,098 complaints of discrimination were filed with the NHRCK since its establishment until the end of December 2012, of which 13,124 cases (93.1%) were closed and 973 cases (6.9%) are under investigation or review.

Of the 13,124 closed cases, 967 cases (7.4%) were resolved by making recommendations including institutional improvements, human rights education and disciplinary actions after they were acknowledged to be discriminatory acts, such as a violation of the right to equality. For 9 cases, the Commission requested that the prosecution conduct an investigation and filed criminal charges. 413 cases (3.1%) were settled by mutual agreement during the process of investigation, and 21 cases (0.2%) reached a settlement agreement through a mediation committee. Meanwhile, 3,814 cases (29.1%) were dismissed for lack of



grounds or a failure to prove unreasonable discrimination, and 7,702 cases (58.7%) were rejected because they fell outside the scope of the Commission's investigation or were withdrawn by the complainant. In addition, 2,362 cases were closed during the process of making the investigation thanks to active efforts in providing remedial actions, such as investigators persuading the defendants or finding another solution.

[Table 2-2-9] Complaints of Discrimination by Resolution Types

(Unit: Case)

Category	Received	Closed*	Cases Accepted					Cases Denied			
			Recommendation*	Disciplinary Action	Criminal Charge	Mutual Settlement	Mediation	Dismissed	Rejected	Transferred	Suspended
2012	2,548	2,560	171	2	1	41	2	1,007	1,312	2	22
2011	1,804	1,898	187	0	5	79	1	737	872	5	12
2010	2,681	2,108	103	0	3	100	1	626	1,224	23	28
2009	1,685	1,660	78	0	0	90	1	589	875	9	18
2008	1,380	1,143	88	2	0	27	2	240	765	14	5
2007	1,159	1,253	111	1	0	37	3	171	901	22	7
2006	824	899	115	0	0	23	10	183	552	11	5
2005	1,081	837	55	0	0	7	0	121	650	2	2
2004	389	368	21	0	0	4	1	74	263	3	2
2003	358	296	30	0	0	3	0	48	215	0	0
2002	189	102	8	0	0	2	0	18	73	1	0
Total	14,098	13,124	967	5	9	413	21	3,814	7,702	92	101

※ Recommendation: Rectification or improvement of regulations, policies and practices; prevention of recurrence; or human rights education

※ Closed cases: The sum of the number of closed cases received in a year and the number of closed cases transferred from the previous year

In 2012, the Commission issued recommendations for institutional improvements for 174 cases, and closed 41 cases by reaching a mutual agreement between complainants (victims) and defendants during the process of making the investigation. The Commission resolved 478 cases thanks to investigators who did their utmost during the process of making investigations into dismissed or rejected cases.

Many discrimination cases were resolved by making recommendations for the improvement in institutions and practices, human rights education, compensation for

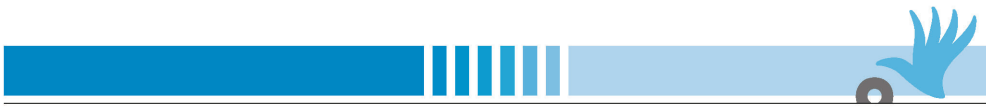
damages, and the improvement in convenience facilities. Of these discrimination cases, 115 were related to disabilities, 16 related to sexual harassment, 1 related to academic background, and 21 based on other reasons. The Commission filed a criminal charge in 1 case related to discrimination against disabilities, and mediated 2 cases related to sexual harassment. In addition to issuing recommendations, a total of 41 complaints including 20 cases against disabilities and 15 cases against sexual harassment were closed by mutual settlement during the process of investigation.

[Table 2-2-10] Complaints Resolution by Reason and Type of Discrimination in 2012

(Unit: Case)

Category	Total	Mediation	Recommendation	Mutual Settlement	Rejected	Transferred	Dismissed	Suspended
Gender	35	—	2	—	17	—	16	—
Religion	15	—	—	—	11	—	3	1
Disabilities	1,508	—	116	20	616	1	754	1
Age	148	—	6	1	103	—	37	1
Social Status	134	—	1	1	95	—	36	1
Place of Origin	9	—	—	—	3	—	6	—
Country of Origin	18	—	—	—	11	—	6	1
Ethnicity	1	—	—	—	1	—	—	—
Appearance/Physical Condition	34	—	2	—	25	—	7	—
Marital Status	9	—	—	—	6	—	2	1
Pregnancy/Delivery	26	—	—	—	17	—	9	—
Family Status	8	—	—	—	6	—	2	—
Race	2	—	1	—	1	—	—	—
Skin Color	1	—	—	—	1	—	—	—
Ideology/Political View	2	—	—	—	—	—	2	—
Criminal Record	19	—	4	—	14	—	—	1
Sexual Orientation	14	—	1	2	9	—	2	—
Medical History	27	—	1	2	18	—	6	—
Academic Background	41	—	1	—	28	—	11	1
Sexual Harassment	231	2	16	15	156	1	27	12
Others	278	—	21	—	174	—	81	2
Total	2,560	2	174	41	1,312	2	1,007	22

※ Recommendation: Rectification or improvement of regulations, policies and practices; prevention of recurrence; or human rights education



2. Gender

□ Differentiated Discounts Awarded by University Hospitals to the Teaching Staff Based on Gender

A University Hospital provides a discount to the teaching staff of its university when their family members use the university hospital, but the parents of married women are excluded from the benefit. Hence, complainants whose daughter is an employee of the university filed a complaint that they were denied the discount after the marriage of their daughter.

Once a female employee gets married, the university hospital uniformly excludes her parents from the discount yet includes her parents-in-law. Such a process is made without considering whom she actually supports after getting married and no opportunity was given to choose the persons eligible for the discount after marriage. If both the husband and wife are employees of A University, the beneficiaries are limited to the parents of the husband. The university hospital insisted that the case was not a discriminatory act without rational reasons because the hospital had a prior consultation with A University and decided to apply the benefit to family members of husbands in the case of married female employees. The NHRCK, however, decided that it involves discrimination as well as conventional wisdom based on prejudice against women whereby they are no longer considered a member of their own family after marriage so that it is difficult for them to assert the responsibilities and rights they have in their own family, like sons do. Also, a prior consultation between the university hospital and A University cannot justify gender discrimination. In this context, there are no rational grounds for limiting “grandparents” to grandparents of male employees or the grandparents-in-law of married female employees either.

Accordingly, the Commission recommended revising the standard for applying the discount in order to eliminate discrimination between female and male employees who are married. (August 22, 2012)

3. Sexual Harassment

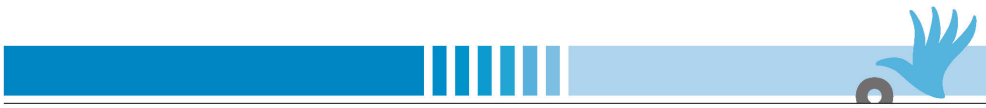
□ Sexual Harassment by Boss of Internet Company

A complainant filed a complaint of sexual harassment with the NHRCK that her boss kissed on her right eye and touched her hips while drinking, and he took her to near a motel and said “let’s go to the motel” while sending the complainant home when she was seriously drunk. It was judged that the boss thought of the complainant as a sexual object, and did not use words and behaviors that are generally expected between boss and employee. In this sense, the Commission concluded that the actions shown by the boss constituted sexual harassment because they caused sexual humiliation and aversion from the reasonable perspective of a woman, and recommended that the business owner provide preventive discipline against sexual harassment so that sexual harassment within the company can be prevented and a safe working environment can be provided to the employees. (June 19, 2012)

□ Sexual Harassment by Employees Against Those Who Did Not Participate in Union Activities

Victims were passing by the company’s front gate in a car to meet up for dinner after finishing their night duties. Then, one unidentified person amongst 20 union members outside the gate said “You guys offered sexual service, didn’t you?” and shouted sexual insults towards the victims inside the car for more than ten times.

The NHRCK judged that it is sexual harassment to use abusive language as a means to attack and criticize the employees who were leaving the office without participating in union activities as if the victims had had sexual intercourses with many people, which consequently caused sexual humiliation and feelings of aversion. To resolve the complaint, the Commission recommended that the CEO of the company take disciplinary actions against the defendants, and strengthen preventive disciplines against sexual harassment to prevent the reoccurrence of such an incident. (September 17, 2012) The CEO accepted the



Commission's recommendation and took disciplinary actions against them.

4. Age

□ Age Restriction in Selecting the Consignees at the Postal Agencies

The Korea Post recently developed a new standard for postal agency installations and limited the age of consignee at the postal agency window to 70 or under. A complainant filed a complaint that it is discrimination based on age without reasonable grounds.

The Korea Post's response was: "People consider the postal agency equivalent to the post office; therefore, the age limit of consignees which was decided after considering the peculiarities of duties, such as data processing and handling of heavy postal material, is not based on discrimination."

The NHRCK issued a judgment that it is difficult to find reasonable grounds to make a age-based restriction that was uniformly applied when recruiting consignees at the postal agencies for the following reasons: i) Data processing and handling of heavy postal materials can be performed by other employees at the postal agencies, and the work should not necessarily be done by the chief of the postal agency; ii) As of May 2012, there were 106 persons (13.8%) out of 768 persons who were working as the chief of the postal agency who were aged 70 and above; and iii) Article 7 of the Enforcement Ordinance of the Consignment Act includes assessment items that can be used as a means to evaluate the capacities of the consignees. In this regard, the Commission recommended revising the operation system of the postal agencies in order to prevent discrimination based on age when recruiting consignees at the postal agencies. (October 17, 2012) Upon receiving the recommendation, the defendants accepted them and deleted the clause that excluded "people of over 70" in the agreement on consignment for the postal agency window.

□ Age Restriction in Selecting the Representatives of Apartment Buildings

Complainants filed a complaint saying that it is discrimination without rational reasons

for the chairperson of the Apartment Residents Commission to conduct a survey in order to insist that people who are under 30 or who are over 65 cannot be elected as the representatives of apartment buildings, and revised the apartment management rules to put a restriction on the age of representatives of apartment buildings.

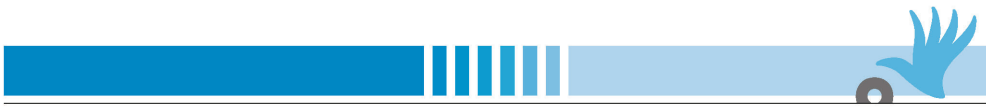
The NHRCK concluded that there is no explicit ground to support the argument that people under a specific age limit can energetically and actively perform the role of representatives, and that professional competence and the energy required to manage an apartment building depends on the person's abilities on an individual basis, not on a specific age limit. Also, it was difficult to say that the argument of the Apartment Residents Commission that the necessity of age limit was reasonable, because there is no concrete ground on which to forbid people who are older than a specific limit are not able to perform the role of representatives. Considering such facts, the Commission decided that the use of the age restriction to limit the right to be elected to the position of members of the Apartment Resident Commission and to the position of representatives of the apartment buildings is discrimination that violates the right to equality. Accordingly, the NHRCK recommended abolishing the age restriction placed on candidates applying to be the representatives of apartment buildings. (December 26, 2012)

5. Disabilities

□ Discrimination Based on Restriction to Dedicated Disabled Parking Space

A complainant, who is a person with a Rank 3 physical disability, filed a complaint with the NHRCK that it is unfair to allocate the dedicated disabled parking space to residents based solely on the degree of disability.

The investigation validated that the parking lot bylaw uniformly allocated the dedicated disabled parking space according to the degree of disability without considering or judging about the type of disability and the difficulty in walking. Consequently, people



with disabilities, whose rank of disability was relatively lower but who needed the space more than others due to the type of their disability, were excluded from being prioritized as such. Also, the defendants made a mistake because it first allocated the space to the cars owned by the people taking care of the people with disabilities without considering whether people with disabilities actually use the car or not.

Based on the investigation, the Commission recommended that the defendants and related organizations revise the parking lot bylaw so that only the cars which have attached disabled parking permits and which are used by people with a walking disability can use the dedicated disabled parking space, notify the residents of the apartment in the jurisdiction of the A borough office about the management and usage of dedicated disabled parking space, and take restrictive measures against violators.

□ Discrimination against People with Disabilities by Hindering Access to Websites

A complainant filed a complaint with the NHRCK, alleging that the accessibility to the websites of three terrestrial broadcasters and OO local broadcaster was weak, because people with impaired vision encounter significant restrictions when trying to get access to and use the websites.

The Commission evaluated the accessibility of the websites of three terrestrial broadcasters three times and of one A local broadcaster once, and found out that their compliance rate is 53.9% and 36.4% respectively, which means that all of them need significant improvements.

To be specific, the websites did not provide conveniences, such as texts that replace visual images, guarantee of the use of all functions on the keyboard, and data entry service using voices when signing up for membership. Consequently, people with visual impairment were not able to gain access to or use the websites without the help of others. Also, those users could not sign up for membership when trying to use the reviewing service of multimedia content on the websites, which means that it was impossible for them to gain access and even if they did, there were no alternative measures available to help

them understand the content. Such conditions resulted in significant restrictions on their use.

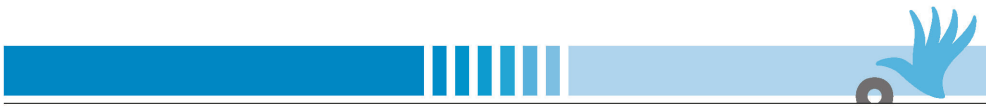
For these reasons, the Commission issued a judgment that significant restrictions that hinder access to and the use of websites that are managed and operated by the broadcasters constitute discrimination against people with disabilities without reasonable grounds. The Commission recommended that the operators of each website refer to the Internet Web Contents Accessibility Guideline 2.0 and improve the websites in order to guarantee accessibility. (May 1, 2012)

□ Discrimination against People with Intellectual Disabilities by Denying Accident Insurance

A complainant, who is the mother of the victim who has a Rank 2 intellectual disability, tried to buy an accident insurance of the OO Post Office, but her request was denied because the victim was taking psychiatric medicine. For the reason, the complainant filed a complaint with the NHRCK.

The post office insisted that it referred to its own examination standard called the Postal Insurance Underwriting Medical Manual and refused to sell policies to the complainant; however, it was shown that the post office did not abide by its own standards written in the manual, i.e. that i) medical opinions about the result of treatment must be attached and screened, and ii) when taking medicines for ADHD (attention deficit hyperactivity disorder), a doctor's medical opinions must be attached and screened. Moreover, the defendants denied the request of the complainant on the ground that the victim took psychiatric medicine once a month. In the case, the victim was deprived of the opportunity to have access to insurance without concrete screening, only because the victim had a disability and was taking psychiatric medicine. The Commission judged that the case violated the Anti-Discrimination Act.

Accordingly, the Commission recommended the related institutions as follows: i) rescreen the insurance subscription of the complainant, ii) provide human rights education related to the Anti-Discrimination Act to the staff in charge of insurance, iii) give compensation of KRW 2 million to the victim and the complainant respectively, and iv)



thoroughly monitor the postal insurance business and establish measures to prevent similar discriminatory acts in the future. (May 1, 2012)

□ Lack of Convenience for People with Hearing Impairment During the Judicial Procedure

A complainant who has a hearing impairment of Rank 2 received a text message on the mobile phone from the A District Public Prosecutor's Office which requested that the complainant participate in an investigation. The message, however, was sent from a landline and the complainant could not directly make inquiries. The complainant filed a complaint with the NHRCK, insisting that a request for attendance made using a landline which people with hearing impairment are not able to use failed to provide proper convenience to people with disabilities in relation to the provision of judicial and administrative procedures and services.

The investigation found out that summoning people involved in incidents is a public duty, and that the principle is in place of using an official telephone installed at the prosecutor's office. Article 26 of the Anti-Discrimination Act prohibits discrimination against people with disabilities in the area of providing judicial and administrative procedures and services. These "judicial and administrative procedures" include investigations into alleged suspects conducted by the investigative agencies, and accordingly, the investigative agencies have a duty to provide proper convenience for alleged suspects who have a disability when conducting investigations, depending on the type and degree of the disability.

For these reasons, the Commission recommended that the Prosecutor General establish comprehensive measures for providing proper convenience to people with disabilities after considering the type and degree of disability so that they will not be discriminated during the process of investigations including a request for attendance, investigations and notification of the results. (July 4, 2012) The defendants accepted the Commission's recommendation by improving the method of summoning and notifying people with disabilities of the results.

6. Lapse of Criminal Sentences

□ Disapproved Employment of a Civilian Personnel of the Military Service for the Reason of Non-Prosecution Disposition in the Past

The complainant applied to be recruited as a civilian personnel of the military service and was included in the final selection; however, the complainant was notified that he was denied employment due to issues that cropped up during the background investigation. The recruiting manager explained that the complainant joined a demonstration 16 years ago when in college and received a non-prosecution disposition. The complainant filed a complaint that it is a discriminatory act without rational grounds that the defendants reversed the decision on the final selection on the grounds that a non-prosecution disposition was given 16 years ago.

The defendants clarified that the final selections of civilian personnel of the military service should undergo a background investigation and be confirmed as “nothing significant to report” or “qualified” in the results of security proprietary investigation in accordance with Article 10 of the Directive on Military Security and the Rules on Military Security Proprietary Investigation. The Security Proprietary Investigation Council was held to discuss the issues related to the complainant, and the Council considered the potential influence that he may bring to the military group and the division that may arise after he were hired as a civilian personnel of the military service, and decided that he was unqualified for employment. The Council argued that its decision was a legitimate discretionary act in light of national security and it applies strict standards when hiring military officials after considering the distinct peculiarities of the military, and the strict standards themselves are not unreasonable discrimination.

The only basic data that the defendants used when deciding that the complainant was unqualified for the position was the background investigation report of the Defense Security Command, and the only significant issue related to the complainant written in the report was the suspension of an indictment in December 1996. In accordance with the Act



on the Lapse of Criminal Sentences, the records of non-prosecution disposition including suspension of indictment should be kept for up to 10 years, and the suspension of indictment of the complainant should have been deleted after December 2006. In this regard, the Commission decided that it is difficult to recognize the rationality of this case in which the defendants used the criminal record whose retention period had already expired, the defendants disapproved the employment of the complainant without further checking the data and the case violated the Act on the Lapse of Criminal Sentences, hence, it involved discrimination related to employment without reasonable grounds. As a result, the Commission recommended preparing measure to prevent the reoccurrence of such an incident and rescreen the complainant according to Article 11 of the Act on the Management of Civilian Personnel in the Military Service. (October 31, 2012)

7. Social Status and Others

□ Exclusion of Teachers Assigned on a Short-Term Basis from the Application of the Customized Welfare System

A complainant, who is a full-time high school teacher, filed a complaint that the A Office of Education excludes teachers assigned on a short-term basis from the application of the customized welfare system and it is a discriminatory act against short-term teaching positions without rational reasons.

The contract period of short-term teaching positions vary from one month to one year. Some of them can have their contract extended up to four years, and consequently, they perform the same work for the period of more than one year. In this context, the argument of the defendants that the work performed by short-term teaching positions is not performed on a continual basis is not necessarily relevant to all teachers assigned on a short-term basis. Accordingly, the Commission made a judgment that the exclusion of short-term teaching positions from the application of the customized welfare system without considering their

work period constitutes discrimination in terms of the provision of non-wage payment for the reason of social status. To solve the complaint, the Commission recommended revising the related guidelines so that teachers working on a short-term basis who have held their position for 1 year and more will not face discrimination in terms of the establishment and operation of the customized welfare system. (April 27, 2012)

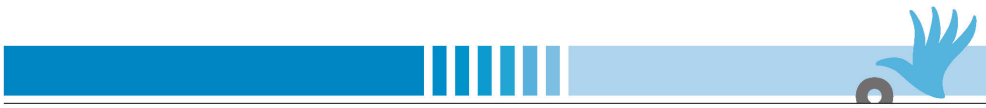
□ Exclusion of Government Officials of Grade 6 and Under from the Reward Training Program

A complainant filed a complaint, alleging that the A Office of Education operates a reward training program for public officials who will soon retire, but limits the people eligible for the training program to those of grade 5 and above, which is discrimination against public officials of grade 6 and under.

The public officials of both grade 5 and above as well as of grade 6 and under would need a preparatory period for reemployment or social adaption after retirement, and there are no grounds to treat them differently. The NHRCK decided that as long as the reward training program exists, it would not be reasonable to exclude the public officials of grade 6 and under from the program. Accordingly, the Commission recommended including the public officials of grade 6 and under to the reward training program. (October 31, 2012) Upon receiving the Commission's recommendation, the defendants submitted an implementation plan to include the public officials of grade 6 and under into the reward training program.

□ Differential Retirement Age Depending on the Ranks by the Korea National Joint Conference of Taxi Association

A complainant filed a complaint that the mutual aid association of the Korea National Joint Conference of the Taxi Association differentiated the retirement age depending on the ranks of employees as 58 for grade 1, and 55 for other grades and that it is a



discrimination based on the ranks of employees.

The investigation provided confirmation that members of the mutual aid association were performing the same task of “compensation for loss related to automobiles” regardless of their ranks, and that there was no concrete evidentiary material about the job specifications of different ranks, the level of difficulty, the degree of responsibility, and the importance of the influence that the outcome of their work would extend to the mutual aid association. Furthermore, in the case of the executives who are in the position of team leader and above, some staff of grade 2 hold the same roles and responsibilities as do staff of grade 1 and their assignments were changed without some concrete reasons. It means there is no clear boundary between the jobs and capabilities of the two groups which have different retirement ages. Accordingly, the Commission judged that the different retirement age which depends solely on the ranks constitutes discrimination that violates the right to equality, and recommended revising the current personnel policy which stipulates the different retirement ages amongst the different ranks. (November 30, 2012)

□ Restrictions on the Assignment of Construction Design Experts to a Subcommittee

A complainant filed a complaint that the current appointment standard of members of the Design Evaluation Subcommittee constitutes discrimination without reasonable grounds, because it does not examine the verified professional competence, such as the educational degree or certification in techniques, but is based instead on the organizations to which the candidates belong to and their rank.

The NHRCK determined that it is difficult to say that it is reasonable to limit the qualification of members of the subcommittee to professors of universities and colleges that appear as (1) of Article 2 of the Higher Education Act while excluding professors who are working at other colleges including industrial colleges or technical colleges without considering their achievements, experience and activities as external commissioners. As it is a discriminatory act that violates the right to equality by limiting the qualification of members of the subcommittee to professors of universities and

colleges stipulated in Article 2 (1) of the Higher Education Act, the Commission recommended improving the appointment standard to prevent discrimination against the professors of technical colleges who are not working at universities and colleges stated in Article 2 (1) of the Higher Education Act. (November 30, 2012)

□ Failure to Award Relocation Expenses to People living in Goshiwon (shared living facility) when Forced to Relocate for the Purpose of Redevelopment

A complainant was living in a Goshiwon which is a share living facility, and was forced to leave due to the redevelopment of the area. The complainant complained that the Korea Urban Renaissance Center did not provide relocation expenses for the reason that the complainant was residing in a Goshiwon, not in a building that was constructed for the purpose of providing housing.

The investigation confirmed that the victim made a moving-in report prior to the notification of the redevelopment authorization and lived in the Goshiwon, that the Goshiwon had living accommodations inside, and that the complainant conducted daily life activities such as cooking and washing clothes. Also, the purpose, structure and usage of buildings must be considered to confirm whether such buildings are used for housing purposes. Additionally, whether or not the people residing in the buildings actually perform their daily life activities should be considered. In this regard, the Commission decided that there is no reason to exclude the complainant from being provided relocation expenses as the complainant was a proper tenant who had lived in the student residence and carried out his daily life there. Accordingly, the Commission, in relation to the compensation for residents living within the urban redevelopment area, recommended that the defendants review the practical use of buildings even for tenants who are not living in residential buildings and provide moving expenses for those who are actually residing in such buildings. (November 30, 2012)



Chapter 3

Human Rights Education and Promotion

Section 1. Overview

The NHRCK, in accordance with Article 19 Subparagraph 5 and Article 26 of the National Human Rights Commission Act, has been involved in human rights education and promotional activities that are necessary to awaken and improve people's awareness about human rights.

Human rights can be enjoyed only after one has become aware that he or she him/herself is entitled to them. In this sense, human rights education and promotion aimed at improving awareness about human rights and forming a pro-human rights culture is the very cornerstone on which to create an egalitarian society without discriminatory practice and where human rights are respected. Bearing this in mind, the Commission actively facilitated various projects in the areas of human rights education and their promotion in 2012.

First, the Commission established the 2012 Human Rights Education and Training Basic Plan to make an effort to stabilize and facilitate the operation of the Human Rights Education Centers. The Commission thereby laid down an institutional foundation that could fulfill the requirements suggested by the human rights education standard of the United Nations. Additionally, it standardized and disseminated human rights educational content, and developed and distributed human rights cultural content.

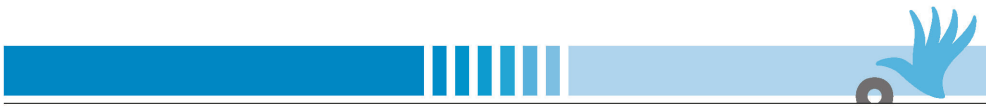
The improvement of human rights education programs for public officials, law enforcement officials and servicepersons was reiterated in the 2nd phase of the World Programme for Human Rights Educations of the United Nations. The Commission, in order meet these objectives, has been trying to promote a human rights-friendly military culture and establish regular human rights education programs by, for example, fostering

human rights instructors in the army, navy and air force, providing human rights sensitivity improvement courses for commissioned officers and non-commissioned officers, and providing special lectures on human rights for military officials. Moreover, the Commission, with the aim of protecting and improving human rights for people with disabilities, migrant women and the elderly, strengthened human rights education for operators of group facilities and employees working in related fields. Human rights education courses have been provided to over 1,500 employees in accordance with the enactment of the Enforcement Regulations on the Welfare and Support for Independence of Homeless People in June 2012.

There has been a rapidly increasing demand for human rights education across various fields which, combined with our transitioning to an information-centered society, is creating a greater need for online human rights education. The NHRCK has, therefore, developed guidelines on the operation of online education programs and a mid- to long-term plan for the period of 2013 to 2017 related to the establishment of the Online Human Rights Education Center. The Commission also launched online human rights education courses for citizens in May by upgrading its Learning Management System (LMS).

Human rights education should be provided to people in different fields throughout society, such as children, youth and university students; educational officials such as teachers and school commissioners; public officials; service persons; employees in the social welfare sector such as social workers; migrant women; human rights education experts; NGO activists; and journalists. To provide courses in human rights education for this diverse group of people, the NHRCK cooperated with related organizations and closely collaborated with regional Human Rights Offices, and accordingly, has improved accessibility to human rights education in local areas as well as the efficiency of work and the quality of education.

Furthermore, the NHRCK focused on reinforcing cooperative networks with related organizations by operating the Human Rights Education Committee, the Human Rights



Education Council for Schools, and the Human Rights Education Council for the Army, as well as by establishing and operating the Human Rights Education Council for Homeless People. In its policy on human rights education which is unfolding at the national level, the Commission developed a mid- to long-term action plan for human rights education for the period of 2013 to 2022 which covers every field across society, including governmental organizations (including legislative, judicial and administrative bodies), local government groups, and other kinds of public and private organizations.

Lastly, in order to strengthen human rights education for public officials, the Commission operated a year-round leadership course on human rights policies for public officials, and put forth its opinion calling for an expansion of human rights education to public officials working at different levels of the government. This opinion was submitted to the Minister of Public Administration and Security and to the training institutions that deliver the education.

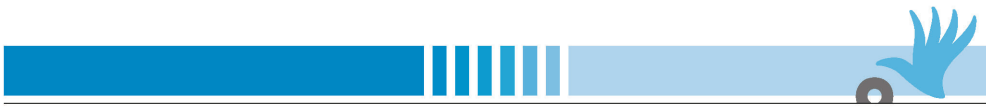
A variety of promotional activities were actively conducted to improve awareness about human rights. First, a total of 157 press releases regarding the NHRCK's policy recommendations, investigation results, projects and activities were distributed to the media and were also made public by being posted on its official website. Also, the Commission provided data about requests for interviews and data collection, of which there were as many as 420 requests. Releasing this data helped inform people about the stance and projects of the Commission in an efficient manner. For such human rights issues as the human rights of part-timers, discrimination related to financial services and school violence, the Commission promoted featured reports with major media sources to put the issues on the agenda in discussions across society and to seek solutions.

The NHRCK created detailed standards applicable to reporting sexual crime and hosted the Human Rights Report Contest based on the human rights report standards established in 2011. Such occasions have become a significant opportunity to expand the role of the Commission in the media sector based on a firm relationship between the Commission and the Journalists Association of Korea, which is one of the major media related bodies.

The Commission also focused on promoting its activities via a range of media sources including the Internet, printouts, video clips, and electronic bulletin boards. The Commission made more active use of its traditional means of communication, such as the official blog “Byeol-byeol-i-ya-gi” (meaning “Stories You Need to Know”) and the online newsletter “Human Letter” through which it shares the latest news about the Commission’s important decisions, projects and activities as well as events it has promoted. In addition to the traditional sources, the Commission launched an official Facebook page to further facilitate its online promotional activities. The Commission posted advertisements on electric bulletin boards, and produced and distributed an English version of “For the Sake of Human Rights.”

In 2012, the NHRCK published six editions of its bi-monthly magazine “Human Rights” which was first published in August 2003. “Human Rights” is a specialized and national magazine for the general public which touches upon a variety of human rights issues so that the general public as well as the socially vulnerable and minorities can learn about their own rights and remedial actions, and use them to strengthen their capacities. A total of 24,000 copies were published and distributed to public organizations, public service-related bodies, and people who are interested in human rights issues. “Human Rights” was posted on the official website of the NHRCK in the form of a “webzine” to guarantee the right to access for people who do not receive the printed version. From 2009, the Commission also made an effort to ensure that people with visual impairment have access to the magazine by including voice-eye barcodes in all content of the magazine and by publishing books containing Braille and silent letters.

It has been ten years since the NHRCK started producing films that talk about human rights. The film “Juvenile Offender” which was released last year in particular was praised for underlining the seriousness of the problem of youth offenders who fall outside the social safety net, and for having both cinematic quality and artistic value.



Section 2. Major Activities

1. The Institutional Foundation for Human Rights Education

Article 7 of the Declaration on Human Rights Education and Training adopted by the 66th General Assembly on December 19, 2011 stipulates that the primary responsibility to develop, implement, and improve education and training on human rights lies with the state and relevant government organizations. Accordingly, the NHRCK has continuously strived to enact laws that aim at promoting and facilitating human rights education so that human rights education can be provided in a systematic manner.

In January 2012, the Commission submitted an opinion to the National Assembly about the review (draft) of the House Steering Committee on the bill called the Human Rights Education Act that was proposed in March 2011. The bill, however, was automatically tossed out with the termination of the 18th National Assembly. Hence, the Commission, in an attempt to have the Act legislated in the 19th National Assembly, co-hosted an open forum with the Korea Human Rights and Law-related Education Association last December to discuss ways to make human rights education mandatory.

The Enforcement Regulations on the Welfare and Support for the Independence of Homeless People was recently implemented on June 8, 2012. Accordingly, employees working in facilities for homeless people are obliged by the regulations to receive human rights education. Also, the importance of human rights education for the purpose of preventing human rights violations and discrimination has been highlighted. This kind of education can be achieved by enacting and implementing legislation that makes human rights education mandatory for workers in the fields of prosecution, the police, and the military as well as those in social welfare. Furthermore, there has been a change within local government groups that they aim for the protection of human rights for local residents with the enactment of human rights ordinances, and enact Articles under which human

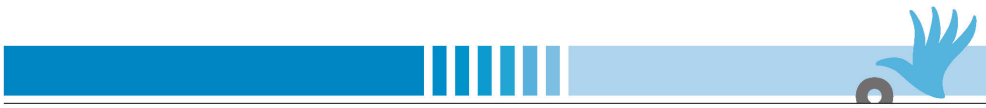
rights education becomes obligatory in order to improve the awareness of human rights amongst local residents.

Moreover, the 2nd phase of the World Programme for Human Rights Education is committed to human rights education in higher education and human rights training for public officials, law enforcement officials and servicepersons of all levels. It pursues the purpose of specializing human rights education. In this sense, it is different from the 1st phase of the World Programme for Human Rights Education that is mainly focused on human rights in elementary and secondary schools. The 2nd phase is focused on specializing human rights education.

In August 2012, the Commission, in an attempt to further facilitate human rights education for public officials, presented its opinion to the Minister of Public Administration and Security that laws, systems and policies related to public officials education and training should be revised and human rights education should be included in the annual training guidance for public officials. This opinion was also presented to the heads of education training institutions for public officials of across ministries, agencies, offices and local government groups. The Commission recommended the establishment and expansion of human rights education courses and the subjects they cover.

Additionally, the international community which is led by the United Nations emphasized the necessity for human rights education that is promoted through various declarations and programs as well as the responsibility that states have to implement them. Consequently, the Commission developed a mid- to long-term action plan for human rights education for the period of 2013 to 2022, which is a policy on human rights education at the national level that involves every sector throughout society, such as governmental organizations (including legislative, judicial and administrative bodies), local government groups, and other kinds of public and private organizations.

2. The Human Rights-Friendly Culture in Schools



A. Human Rights-Friendly Textbooks

The NHRCK, for the purpose of creating a human rights-friendly educational environment and textbooks, has continuously monitored the textbooks of elementary and secondary schools that have been upgraded in stages since 2009 and recommended improvements.

The Commission organized “the 4th Textbook Monitoring Student Group” and promoted the constant monitoring of human rights educational activities and textbooks. It also organized “the Teacher Monitoring Group” for the purpose of intensively monitoring the revised textbooks. The results of monitoring, which has moved forward under the administration of the Student and Teacher Monitoring Group, reveal that the number of cases that are inconsistent with the values of human rights and/or are based on stereotypes or prejudice, significantly declined in textbooks that were published in 2012.

Most notably, an analysis concluded that descriptions, photos and illustrations that may stir up prejudice against a certain gender or the socially vulnerable that have been frequently criticized so far have remarkably decreased, and the human rights-friendly cases whose content itself can educate about human rights have been gradually increasing.

B. Human Rights Education Pilot Program for Schools

The NHRCK has designated pilot elementary and secondary schools to operate the human rights education pilot programs since 2004 for the sake of promoting the installation of a pro-human rights culture in schools, and has expanded human rights education since then.

In 2012, a total of 7 metropolitan and provincial Offices of Education designated 12 pilot schools to run human rights education programs. In this way, the Commission supported the operation of human rights education pilot schools in a way that is consistent with the purpose and direction of pilot schools, rather than directly designating the subjects of pilot schools in the year.

The results of the operation of pilot schools in 2012 showed that different schools ran various and unique human rights education programs or human rights education programs that can be practiced in everyday life. Also, it was verified that there have been structural changes, such as the autonomy system for students and the revision of school regulations, to create a human rights-friendly culture in schools.

C. Human Rights Education at Universities

The NHRCK has pursued a wide range of projects including the signing of MOUs on the Promotion of Human Rights, conducting investigations on the current status of human rights-related courses, and carrying out human rights education and research.

The Report of Universities with Human Rights Education Research Emphasis released in March 2012 showed that research and activities have so far yielded positive results, and proposed the signing of MOUs with more universities so that human rights education can further spread to general universities. Based on such an achievement, the Commission signed an MOU on the Promotion of Human Rights with Chungbuk National University.

The NHRCK has investigated the status of human rights-related courses in universities since 2003 to gain a proper understanding of the human rights education being provided at universities, and has helped to gradually improve the recognition of human rights amongst people working at universities.

The investigation found out that there were 525 human rights-related courses being offered by 132 universities in 2012, and that 43% of authorized universities that took part in the investigation had opened up such courses. In each university, 3.97 courses were provided on average. Most human rights-related courses were related to law, politics, social welfare, international issues, peace, NGOs, multicultural, women and social studies. Also, a total of 72 universities (24%) across the nation were offering 261 human rights courses whose main subject is human rights, and each university was running 3.63 such courses on average.



Such investigatory results for 2012 demonstrate that the ratio of universities that have developed courses dealing with human rights was slightly lower than in 2011, but that the actual number of courses increased.

Furthermore, the ratio of universities that have established human rights courses and the number of such courses have doubled compared to figures collected at the beginning of the establishment of the NHRCK in 2002, meaning that human rights education has expanded. Human rights issues used to be dealt with only within the confines of the law in the past, but the scope is extending to various other academic fields such as sociology, pedagogy, international relations, social welfare, women's studies and multicultural.

3. Expansion of Human Rights Education at the Human Rights Education Center

A. Efficient Operation of the Human Rights Education Center

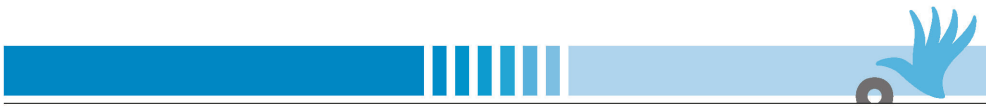
The NHRCK, in an attempt to facilitate human rights education by reliably providing courses and offering standardized and systematic educational programs, opened the Human Rights Education Center at the CG Construction Management Training Center located in Chungju in 2009. The Human Rights Education Center has been providing human rights education courses that span various fields, and extended the scope of its courses as well as the number of participants in the courses.

The Commission offered a total of 1,456 sessions for 140,867 persons in 2012, which was a 16% increase in the number of participants compared to the previous year. To be specific, the Commission directly operated 442 educational courses, supported 858 programs including special lectures on human rights, and jointly provided 156 programs using available content in cooperation with related organizations.

[Table 2-3-1] Human Rights Education by Year (2002 to 2012)

Year	Total		Training Course		Visit Program		Online Course		Special Lecture	
	Session	Persons	Session	Persons	Session	Persons	Session	Persons	Session	Persons
2002	32	3,942	4	122	—	—	—	—	28	3,820
2003	117	10,591	5	186	13	885	—	—	99	9,520
2004	89	7,161	6	180	23	1,224	—	—	60	5,757
2005	155	16,864	11	372	21	1,072	1	142	122	15,278
2006	226	15,356	20	1,197	34	991	12	973	160	12,195
2007	516	52,501	30	2,171	46	1,673	37	9,435	403	39,222
2008	827	63,258	45	2,643	66	1,972	31	12,394	685	46,249
2009	732	54,716	131	7,056	109	3,043	60	13,573	432	31,044
2010	1,069	90,079	287	22,451	88	1,726	65	10,538	629	55,364
2011	1,167	114,097	166	7,064	153	3,019	71	14,681	777	89,333
2012	1,300	124,937	214	10,456	119	2,204	109	21,550	858	90,727
Total	6,230	553,502	919	53,898	672	17,809	386	83,286	4,253	398,509

In 2012, the Commission in particular focused on expanding human rights courses in the military in order to form a human rights-friendly military culture, and launched an education course on information and communications technologies and human rights in an attempt to ensure a human rights-friendly information management system for protecting privacy given the recent surge in personal information leaks. To improve the human rights of homeless people who are economically and socially vulnerable, the Commission assumed exclusive responsibility for the human rights education of employees in facilities for homeless people which has become obligatory under the law. In addition, the Commission ran human rights education courses for child care teachers and kindergarten teachers, directors and vice-directors so that a human rights education system that matched the developmental stages of children could be established.



B. Diverse Human Rights Education Courses

For the sake of properly responding to the rapidly growing demand for human rights education and to spread a culture of respect for human rights by providing human rights education, the NHRCK offered human rights instructor courses, human rights sensitivity enhancement courses and workshops to a total of 10,456 persons in 2012. Those who participate in such courses include children and the youth; public officials of administrative organizations and protective facilities; employees of group care facilities; employees in the military (commissioned officers, non-commissioned officers, and servicepersons); professional groups (journalists); business people; and the socially vulnerable groups (migrants, North Korean defectors, and senior citizens).

An analysis of the operation of the educational courses showed that a total of 10 sessions were provided, including intensive human rights instructor courses for instructors in the fields of mental health and multicultural, as well as basic courses for fostering new instructors in the military sector and the area of information and communications technologies and human rights.

Human rights sensitivity enhancement courses were conducted in a total of 184 sessions including, i) 132 mandatory sessions for employees in mental health facilities, ii) 18 sessions for employees in homeless people's facilities, and iii) for employees in ten fields who are public officials; servicepersons; university and graduate school students; employees in multicultural fields; operators of the facilities for people with disabilities; employees in the facilities for the elderly; officials in charge of information and communication technologies and human rights; school managers and school commissioners; and directors and vice-directors of kindergartens. The sessions also covered special human rights education about complaints related to sexual harassment. The total number of sessions was a 31% increase over the 140 sessions given in 2011.

Special human rights education is conducted in accordance with Article 44 Clause 1 Subparagraph 1 of the National Human Rights Commission Act and Article 26 of the Rules on Investigation and Remedy of Human Rights Violation and Discrimination. This

special human rights education is a part of the effort to implement complaint resolution in the manner requested by the investigatory bureaus, and its purpose is to avoid and prevent the reoccurrence of human rights violations and discriminatory actions by the same party against which a complaint had been previously filed. Special human rights education has been offered for 90 complaints and 182 persons since 2003, including 17 complaints and 19 persons in 2012.

C. Visit Programs by the Commission

The NHRCK has provided onsite educational opportunities on a continuous basis to make people more familiar with human rights education by making people understand the Commission's work and human rights. This onsite education provides experiential human rights education which enhances human rights sensitivity. The recipients varied from elementary, secondary and university students to police officers and the general public. In 2012, 2,204 persons visited the Commission (head office and regional Human Rights Offices) on 119 occasions.

A variety of activities with different themes were prepared depending on the audience, including lower graders and higher graders at elementary schools, students at secondary schools and universities, people residing in social welfare facilities, and adults, in order to create opportunities for them to become more sensitive to human rights issues and practice human rights of their own accord, resulting in the protection of human rights and respect for the human rights of other people. The Commission's major policies and recommendations as well as current issues were presented in Q&A sessions and discussions, which consequently improved the efficacy of the onsite experience.

D. Constant Learning System with Expanded Online Education

The Commission has provided online human rights education since 2007. The purpose of the online education is to improve the access to human rights education, enhance



sensitivity to human rights, develop capability through online self-learning, and provide general and professional knowledge about human rights.

In 2012, 109 online sessions were taken by 24,929 persons, of which 86.4% or 21,550 persons completed their course.

Also, the administrative organizations at different levels have operated “the Online Human Rights Education Center for Public Officials” (operated by the Central Officials Training Institute) since 2008 in which the online human rights education content developed by the NHRCK is jointly utilized for education. The joint use of content has constantly increased every year. Accordingly, 24 organizations ran 156 sessions for 8 courses in 2012, and a total of 15,930 persons (80.2%) completed the courses in 2012. The participants in the online courses coming from these organizations account for approximately 42% of the total number of persons who completed online human rights courses (37,480 persons).

E. Support for Special Lectures on Human Rights

The NHRCK, in order to improve the human rights sensitivity of public officials who have a great influence on the improvement of human rights in society, has been offering human rights courses at various education institutions (including workplace training) and supported special lectures about human rights for organizations and groups which request it. In 2012, a total of 858 sessions were provided to 90,727 persons. Analysis of the lecture audiences revealed that the number of special lectures for police officers (whose requests for it were concentrated in the first half of the year) decreased, while the requests for mandatory education in elementary and secondary schools increased.

In addition, as the necessity for human rights education has been highlighted as a vital piece of the transition to a multicultural society, the Commission has constantly provided “Onsite Special Lectures on Multiculture and Human Rights” in which the Commission plans the programs, investigates the demand for the lectures at organizations, and visits the respective organizations. In 2012, a total of 248 sessions were provided for 37,657 persons

including Korean citizens (employees in the fields related to children and youth) and migrants residing in Korea.

4. Educational and Promotional Content on Human Rights

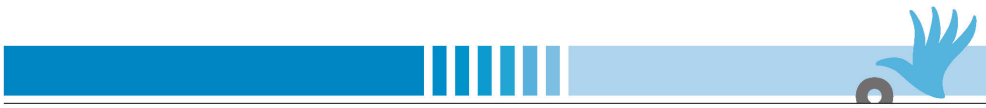
A. Developing and Distributing Educational Content on Human Rights

The NHRCK has continuously developed and distributed human rights educational content for the purpose of spreading the awareness about human rights in society and facilitating human rights education.

In 2012, the Commission endeavored to standardize human rights education through the development of human rights educational content for each field. It, therefore, established a system for content development by, for example, setting up a standard for manuscript fees and a manual for human rights educational content development. Also, the Commission developed a total of 4 educational materials, including customized human rights educational material (targeting homeless people) and a standardized syllabus of human rights education (targeting ICTs and human rights, human rights in the military and human rights of the elderly), and 2 types of online human rights educational content that are related to discrimination and the military.

The first version of basic educational materials for employees working in the facilities for homeless people was developed in order to respond to the new demand that arose after their human rights education became legally mandatory as well as to requests coming from such facilities and employees in the education field.

A most notable feature of the online content is that it presents various cases that showcase the content and meaning of human rights alongside the prevention of discrimination in the military so that learners can easily understand it. The content also uses animation that uses a story-telling method to induce learners' understanding and attract their attention. Also, devices that aim to secure the accessibility to online content for



people with visual and/or hearing impairment have been installed.

Human rights educational content is available on the official website of the Commission's Human Rights Education Center (<http://edu.humanrights.go.kr>) and its mobile web service (m.edu.nhrc.go.kr), which consequently improves the accessibility to human rights education so that all people can benefit from human rights education, which is a right that should be enjoyed by all.

B. Developing and Distributing Promotional Content on Human Rights

1) Human Rights Films

The Commission has produced and distributed films on human rights since 2002 in order to raise people's consciousness of human rights. The film produced in 2012 was the 10th project of the Commission and was titled "If You Were Me 6."

"If You Were Me 6" consists of three chapters in an omnibus edition and touches upon diverse human rights issues, such as youth with speech disorders, the life of a low income senior citizen and conscientious objection to the military service.

"Juvenile Offender," the 9th project of the Commission, was produced in 2011 and was shown in 56 theaters across the nation in 2012. The film is still available for community viewing. "Juvenile Offender" was the very first film to tackle the issue of discrimination resulting from having a criminal record, and was invited to the Toronto International Film Festival and the Tokyo International Film Festival in turn. The film in particular was recognized for its cinematic quality at the Tokyo International Film Festival and the Cinemanila International Film Festival, where it received the best leading actor award and the special jury prize.

Also, the book entitled "Byeol-byeol-cha-byeol" (meaning "Various Kinds of Discrimination") was published to mark the 10th anniversary of the production of human rights films and helped the educational materials to branch out from films into a form that we can not only watch but can also read.

2) Award Programs for Human Rights Content (Essays, UCC, Videos, Photography)

The Commission has hosted various awards programs on diverse human rights issues affecting our daily lives to facilitate research into the protection and promotion of human rights, expand the base for a pro-human rights culture and consolidate the knowledge base on human rights in Korea.

In the 2012 Human Rights Content Contest, the Commission received a total of 678 works consisting of 34 theses, 264 essays, 231 photos, 87 pieces of UCC (User Created Content), and 62 video clips. A total of 63 works passed the evaluation stage and received a citation from the chairperson. The awarded works were made available to the public through exhibitions and screening as well as the official website for the contest “www.humangongmo.kr” to serve as human rights educational material.

3) Using Animation Film for Protecting the Human Rights of Female Entertainers

Last year, the NHRCK produced an animation film entitled “My Dream Is” whose purpose was promoting the improvement of the human rights of female celebrities. The animation film was divided into four categories to talk about violations of: i) the right to self-determination regarding our bodies (coercion to have plastic surgery), ii) the right to self-determination regarding sexual issues (sexual harassment and coercion to provide sexual service), iii) the right to work (unfair contracts), and iv) the right to privacy in face of the general public.

This year, the animation film was used as educational material for students majoring in entertainment management and broadcasting. Entertainment management companies and the Korea Entertainment Management Association also used the animation film to educate their entertainers, would-be entertainers, and employees. In addition, organizations for youths targeted young teenagers who passionately desire to become entertainers to use the animation film as educational material. The animation film was viewed in various open forums at women-related organizations to enhance publicity about the human rights issues of female entertainers.



Furthermore, “My Dream Is” was submitted to the 14th International Women's Film Festival in Seoul in April 2012 and received favorable reviews. It was registered in the Archive Bora, which means that the film will be shown during public screening sessions at the International Women’s Film Festival in Seoul in the future for the purpose of providing education.

5. Public Relations to Raise Public Awareness of Human Rights

A. Promotional Activities through the Media

In 2012, the NHRCK issued 157 press releases, which were distributed to the media and posted on its official website. The press releases contributed to putting diverse human rights issues and challenges on the social agenda, and also informed the public of the Commission’s major projects and examples of its success. The releases consisted of the Commission’s recommendations regarding human rights, the results of investigations into human rights violations and discriminatory practices, and other activities.

In addition, the Commission held a total of 6 media briefings and seminars in order to deliver more accurate information on its decisions and projects. In the same context, it actively responded to daily interview requests from the media, which amounted to as many as 420 cases in 2012 alone. The occasions became opportunities for the Commission to promote its projects and position in an effective manner.

B. Promotional Activities through Diverse Communication Channels

The NHRCK publicized its stature, role, major policies and their outcomes by utilizing various techniques involving communication channels, and particularly strengthened the strategic promotional activities by using diverse sources such as printouts, broadcasting, the Internet and video clips.

Celebrating its 10th anniversary, the Commission published an English edition of “In

the Name of Human Rights – 100 Most Important Decisions of the Decade by the National Human Rights Commission of Korea” under the title of “For the Sake of Human Rights.” It introduced therein 100 cases of major decisions made based on its policy recommendations and investigatory results.

To respond to the new media environment including the unrolling of the Internet, the Commission carried out various online promotional activities. Importantly, however, the Commission continued to utilize its traditional communication channels of its official blog and its online newsletter “Human Letter.” The “Human Letter” was sent to approximately 38,000 policy customers every month to provide updates on the Commission’s press releases and activities. The official blog “Byeol-byeol-i-ya-gi” featured easy and interesting stories that we encounter in daily lives that were written from the human rights perspective. A total of 229 pieces of promotional content were released including contributions from the citizen press corps, and such an effort resulted in the record of an average daily number of 413 visitors. The Commission’s official Facebook page “In-ji-sang-jon (meaning “Universal Respect for Human Rights”)” posted recommendations and articles on pending issues and was run in a stable manner. It already has nearly 3,000 fans.

The NHRCK took further steps to facilitate online promotional activities. The Commission produced a quantity of online content including 2 video clips with edited images and animation, 2 webtoons about human rights, 2 infographics about the current human rights conditions in Korea and the 64th anniversary of the Universal Declaration of Human Rights. Also, it designated 7 power bloggers and delivered human rights-related content. Considering the average accumulated number of visitors per week, the number of accumulated hits reached 1.5 million. The Commission made a proposal to the Ministry of Culture, Sports and Tourism and used 33 electronic displays across the country for promotion purposes.

C. Promotion Activities through the Bi-Monthly Magazine “Human Rights”



The NHRCK launched its magazine “Human Rights” as a monthly magazine in August 2003, but changed to bi-monthly publication format in 2007. To December 2012, a total of 77 issues were released, including 6 issues in 2012.

Every edition was published with a circulation of 24,000 copies and distributed to everyone interested in human rights issues including government organizations, local government groups, the National Assembly, the prosecution, the police, the Offices of Education, other government agencies, institutional group care facilities, libraries, medical centers, human rights organizations, schools, and human rights activists.

It was also made available for public access on the Commission’s official website in the form of the “Human Rights Webzine.”

D. Human Rights Report Contest

The NHRCK established human rights reporting standards with the Journalists Association of Korea on September 23, 2011 in order to spread and practice the notion of human rights reporting by the media. For the sake of promoting the use of standards, the Commission and the Association created “the Human Rights Reporting Contest” in 2012, and selected 4 prize-winning pieces. Also, the Commission and the Association established detailed standards for sexual offense reporting.

E. Briefing Sessions on the Expansion of Subjects to be Investigated According to the Revision of the National Human Rights Commission Act

The revision of the National Human Rights Commission Act was proclaimed and enacted on March 21, 2012. Accordingly, human rights violations taking place in public service-related organizations including public corporations and in private schools now come under the scope of their investigations. The Commission held briefing sessions in Seoul, Busan, Daegu and Gwangju in order to notify related organizations and civic groups about the revision and to explain about remedial actions against violations and

investigatory processes by field.

In addition to the briefing sessions, the Commission displayed posters advertising its complaint and counseling service, organized a dedicated department, and used a T/F team to promote and investigate issues.



Chapter 4

Exchange and Cooperation with Human Rights Organizations

Section 1. Overview

The NHRCK, in accordance with Article 19 Subparagraph 8 and 9 of the National Human Rights Commission Act, is committed to protecting and improving human rights conditions through exchange and cooperation with individuals, human rights-related domestic and foreign groups, international human rights organizations, and national human rights institutions.

First off, the Commission has been continuously involved in collaborative projects with other human rights organizations in order to identify the actual areas in need of human rights protection in Korea. In spite of limited resources, the Commission selected 15 projects and provided total financial support of KRW 115 million, helping promote activities related to human rights and install a culture of respecting human rights in the private sector.

Also, the chairperson of the Commission visited human rights organizations and agencies to listen to the voices of those involved with human rights issues, and put energy into reflecting their opinions into the NHRCK activities.

The Commission has been engaged in vigorous exchange and cooperation with international human rights organizations and national human rights institutions. The Commission attended regular meetings of the International Coordinating Committee of National Institutions for the Protection and Promotion of Human Rights (ICC) and the Asia Pacific Forum of National Human Rights Institutions (APF), and participated in major decisions. The Commission communicated the human rights conditions in Korea and its activities at those meetings, while at the same time gaining an understanding of global

trends in human rights issues.

The NHRCK attended the 11th International Conference of National Human Rights Institutions. Also, the Commission was appointed as an Asia-Pacific representative to the ICC Council, the ICC Working Group on Ageing, and the ICC Working Group on Business and Human Rights. These activities contributed to enhancing the stature and influence of the Commission in international society.

In 2012, the Commission attended the 56th session of the United Nations Commission on the Status of Women (CSW), the Expert Group Meeting on the Human Rights of Older Persons, the Committee on the Elimination of Racial Discrimination (UNCERD), the 8th Committee on the Rights of Persons with Disabilities, the 5th Forum on Minority Issues, the Forum on Business and Human Rights, strengthening cooperation with United Nations bodies. The Commission exercised the right to speak at the United Nations Human Rights Council (UNHRC) meeting for the first time.

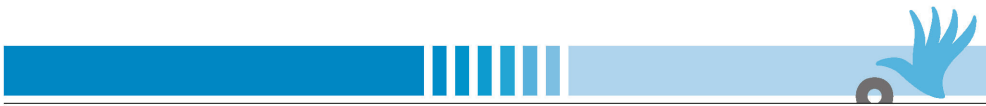
The NHRCK held the 12th Informal ASEM Seminar on Human Rights in June, and the International Conference for the Protection and Promotion of Rights of Refugees in August. Other efforts to strengthen the network of international cooperation include the invitation of 14 public officials from 7 countries, who manage human rights issues, in the international training program as an ODA project.

Section 2. Major Activities

1. Exchange and Cooperation with Domestic Human Rights Organizations

A. Cooperation with Human Rights Organizations

The executives, including the chairperson, and staff members of the NHRCK visited



human rights organizations and the actual locations where human rights issues have occurred. They have been making a sincere effort to reflect opinions gathered at the meetings and onsite monitoring in the activities of the Commission.

In addition, the Commission actively reviewed and responded to some 40 requests from human rights organizations by, for example, attending the events of human rights-related civic groups and providing assistance in the ways of offering financial support, allowing the use of the Commission's name or giving a congratulatory remark in their events.

Moreover, the Commission supported human rights organizations by allowing them to use the Bae-um-teo (meaning "Learning Center") to hold seminars, forums and training courses under the theme of human rights. In 2012, a total of 115 events took place at the Bae-um-teo.

B. Partnership Projects with Human Rights Organizations

The NHRCK remains committed to partnership projects with human rights organizations, as have been carried out since 2003 which when the Commission was established. The goal of such projects is to identify and embark on various new projects that facilitate human rights movements and improve human rights conditions in the civil sector. The Commission provides subsidies to selected projects after soliciting applications from civil organizations. Subsidies are awarded depending on the criteria of whether it involves an approach to a new area in which human rights are to be protected, as well as an evaluation of the social influence and relevance to pending issues that the item has.

The Commission selected projects in consideration of the goal of the partnership projects program, which is to promote human rights-related activities outside of the capital city (Seoul) and support those advocating for new human rights issues. To this end, the selected projects in 2012 can be geographically broken down into 8 projects based in Seoul and 7 in areas outside of Seoul. Also, the selected items make for a balanced portfolio of human rights issues, including people with disabilities, multicultural, children and youth, North Korea, women, social rights and discrimination on the grounds of personal medical history.

C. Field Visits and Networking

The goal of making visits to the actual locations where human rights issues have taken place is to take stock of the human rights conditions that involve minorities in society, listen to their voices in person and incorporate them into human rights policies as well as to raise sensitivity about human rights and identify new tasks by experiencing and understanding their sorrows.

In 2012, the chairperson and standing commissioners of the NHRCK made 14 visits to 19 sites which had human rights implications. They visited facilities and sites for the elderly living alone, foreign laborers, people with disabilities, children and youths without dependents, and other vulnerable groups. Efforts were made to listen to the voices of social workers and human rights activists who are working there, to share their advice with other competent departments, and incorporate the findings and requests into the policies and projects of the Commission. The policy recommendations that the visits resulted in were largely directed not only at improving the labor human rights of caregivers, but also at coming up with integrated policy recommendations about creating a pro-human rights culture in the schools.

2. Cooperation with International Human Rights Organizations

A. ICC and APF

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

The NHRCK began serving its three-year-term as the representative for the Asia-Pacific region at the ICC Bureau in 2012. The Commission has been attending the ICC Annual Meeting every year, and strengthening multilateral exchange and cooperation amongst national human rights institutions. In 2012, it served as a member of the ICC Working Group on Business and Human rights, and was appointed as an Asia-Pacific representative



to the ICC Working Group on Aging.

The NHRCK attended the 25th ICC Annual Conference and ICC Council in March 2012 and participated in diverse discussions and decision-making processes. The Commission also took part in the 11th International Conference for National Human Rights Institutions held in Jordan in November 2012 under the theme of Human Rights of Women and Girls, where it shared the best practices for protecting the human rights of women and discussed the challenges and practical ways to bring the efforts of national human rights institutions to bear.

2) The Asia Pacific Forum of National Human Rights Institutions (APF)

Since joining the APF in 2002, the NHRCK served as its chair in 2004 and 2007 and attended its annual conferences in order to contribute to strengthening exchange and cooperation with national human rights institutions in the Asia-Pacific region.

The Commission attended the 17th APF Annual Conference held in Amman, Jordan, in November to discuss and approve the financial reports coming from the APF Secretariat and the Annual Plan (2012-2013). Also, the Commission took part in the Senior Executive Officers Network roundtable held in Sydney in May, and discussed major issues such as the National Action Plan for the Promotion and Protection of Human Rights (NAP); the roles of national human rights institutions in conflicts, crises, emergencies and periods of national transition; the accreditation process of national human rights institutions; the participation of national human rights institutions in the international human rights system and their capacity assessment program.

B. Exchange and Cooperation with National and International Human Rights Institutions

1) National Human Rights Institutions in the Asia-Pacific Region: Nepal

The NHRCK attended the International Conference on the Cooperation of NHRIs for

the Protection and Promotion of the Rights of Migrants Workers which was held in Kathmandu, by invitation of the National Human Rights Commission of Nepal.

The Conference acted as a venue where participating states (India, Maldives, Bangladesh, Afghanistan and Korea) could share the best practices about protecting and promoting the rights of migrant workers in the Asia-Pacific region, studied challenges, and discussed the roles of national human rights institutions and future directions to tackle those challenges.

The Commission also visited the National Human Rights Commission of Nepal, and they agreed to strengthen their mutual cooperation focused on protecting and promoting the rights of migrant workers.

2) International Human Rights Institutions: Geneva

The NHRCK visited the International Committee of the Red Cross (ICRC), the United Nations Refugee Agency (UNHCR), and the Association for the Prevention of Torture (APT), expanding exchange and cooperation with international human rights agencies.

In a meeting with the ICRC, the Commission discussed ways to promote bilateral cooperation mainly geared at addressing the human rights issues related to North Korea, including abductees and families separated by the border after the Korean War. During the visit to the UNHCR, the two organizations agreed on mutual cooperation to protect the human rights of North Korean defectors in China and other countries. The Commission also visited the APT to share opinions about the Chinese torture of human rights activist Kim Young-hwan and discussed ways to prevent the recurrence of such an incident.

C. Cooperation with United Nations Bodies and Other Human Rights Institutions

1) Cooperation with United Nations Bodies

The UNHRC allowed national human rights institutions to take part in the wide range of work of the Council as prescribed in the United Nations General Assembly Resolution



60/251, which instructs the UNHRC to ensure the most effective contribution of national human rights institutions. As such, the NHRCK, an A-status national human rights institution guaranteed by the ICC Council, is able to speak on any items during HRC sessions, submit a written document, and participate in unofficial discussions and working group meetings before and during HRC sessions. It is also noteworthy that an A-status national human rights institution has the right to speak immediately after the remarks of their government during UPR working group review meetings at the HRC; therefore, the Commission will be able to speak right after the Korean government in the meeting for the final adoption of the UPR in March 2013.

Furthermore, the Commission strengthened cooperation with United Nations bodies by attending the 19th Regular Session of the UNHRC, the Expert Group Meeting on the Human Rights of Older Persons, the Committee on the Rights of Persons with Disabilities, the Forum on Minority Issues, and the Forum on Business and Human Rights.

2) Participation in and Cooperation with the Committee on the Elimination of Racial Discrimination (UNCERD)

The UNCERD had asked the NHRCK to submit written information about the 15th and 16th periodic reports of Korea which was reviewed at its 81st session held on August 21 and 22, 2012. In response, the Commission prepared written information that mainly focused on how the opinions from the Committee review of the government's draft periodic reports were reflected in the final reports, and submitted this information to the Committee. Also, the NHRCK's standing commissioner and other staff members attended the Committee's 81st session to present its opinions, helping the Committee and the Korean government to exchange in constructive dialogue.

3) Cooperation with the United Nations Commission on the Status of Women (CSW)

The NHRCK attended the 56th session of CSW held in New York in February 2012,

increasing its understanding of global trends in women's rights and allowing it to respond to emerging issues. Also, the Commission joined the effort to expand national human rights institutions' involvement in the CSW by securing their right to speak and to represent themselves independently. The relevant discussions at the ICC and the APF resulted in strengthening cooperation and relationships amongst national human rights institutions.

4) Others Opportunities to Expand the Presence of the Commission

The NHRCK has exerted leadership in international circles by serving as the chair of the APF in 2004 and 2007; the vice chair of the APF in 2006 and 2008; the vice chair of the ICC from 2007 to 2009; the Asia-Pacific representative on the ICC Sub-Committee on Accreditation from 2006 to 2011; and as the Asia-Pacific representative at the ICC Council for the period of 2012 to 2014. Furthermore, the Commission was elected the Asia-Pacific representative for the ICC Working Group on Business and Human rights and the Expert Group Meeting for Human Rights of the Elderly which are permanent advisory bodies within the ICC, contributing professionally as a dedicated human rights organization to the global effort to promote key human rights issues.

As its status has been increasingly recognized at home and abroad, an increasing number of international figures have visited the NHRCK to pursue exchange and obtain detailed information on the institutional founding process, roles, work, and activities of the Commission. In 2012, a delegation from Colombia led by Vice-President H.E. Angelino Garzón, Robert King, Special Envoy for North Korean Human Rights Issues of Robert King, the ASEF Executive Director Michel Filhol, and the delegates of the Thai Ministry of Justice, and other human rights-related figures visited the Commission on 18 different occasions. The visitors were informed of the development process of Korea's human rights and the role of the Commission, and discussed measures of future cooperation.

D. Invitation Program for National Human Rights Institutions of Developing Countries



The NHRCK held the 2012 Annual Partnership Program for Human Rights Officers of NIs from October 15 to 19, 2012. This program was organized for the purpose of supporting national human rights institutions in emerging countries to enhance their capabilities by sharing the Commission's best practices and experiences, and of preparing a concerted response to regional and global human rights issues by building a network for continued cooperation and information sharing amongst national human rights institutions.

The program was attended by 7 middle managers or working-level officers from the national human rights institutions of Thailand, the Philippines, Indonesia, Qatar and Mexico, who shared the best practices of each country and the challenges they face in protecting and promoting human rights. During the training sessions, participants studied the major activities of the Commission and their methods of investigating human rights-related complaints, delivered presentations on respective institutions' best practices on specific subjects, reviewed case studies on the provision of facilities to people with disabilities, and finally shared the best practices regarding human rights education. Such a wide range of discussions allowed the participants to lay the groundwork for a greater network of national human rights institutions.

E. International Human Rights Education: 2012 Human Rights Policy Development Program

The Commission, jointly with the Korea International Cooperation Agency (KOICA), held the Human Rights Policy Development Program from March 6 to 20, 2012. The program invited 14 public officers from 7 countries, including Nepal, Bangladesh, Cambodia, Pakistan, Nigeria, Uzbekistan and Kyrgyzstan, who are in charge of the establishment of national human rights institutions and national human rights policies. The participants studied theories and reviewed case studies, including the introduction to national human rights institutions, the international human rights system, and human rights policies and education, mainly focusing on the experiences learned during the establishing and operating of the Commission. The program inviting public officials from foreign

countries shows the ongoing commitment of the Commission to promoting human rights globally by sharing Korea's experience of democratization and improved human rights.

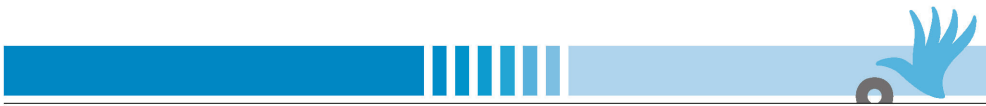
Today, China, Japan and other countries without a national human rights institution are working hard to establish their own national institution. The United Nations Office of the High Commissioner for Human Rights (UNOHCHR) requested the Commission, as an exemplary national human rights institution in the Asian region, to provide technical support for the establishment of national human rights institutions in the region.

3. Hosting International Conferences

A. The 12th Informal ASEM Seminar on Human Rights

The NHRCK hosted the 12th Informal ASEM Seminar on Human Rights: Human Rights and Information and Communication Technology from June 27 to 29, 2012. The seminar was hosted by the NHRCK; sponsored by the Ministry of Foreign Affairs and Trade of Korea; co-organized by the Asia-Europe Foundation, the Ministry of Foreign and European Affairs of France, the Raoul Wallenberg Institute (delegated by the Swedish government), and the Department of Foreign Affairs of the Philippines. The seminar addressed the main topics of Human Rights and Information and Communication Technology, but there were also discussions divided into the four sub-topic areas of The Right to Privacy, Freedom of Expression, The 'Digital Divide' and The Right to Cultural Enjoyment on the Internet. The seminar adopted Key Messages including 15 declarative and practical recommendations for the ASEM member states. These Key Messages were mentioned in the statement of the chairperson to the ASEM Summit held in Laos later in 2012.

The Commission is aware that the benefits of information and communication technologies are considered a major area of human rights that everyone deserves to enjoy



without discrimination. The seminar is evaluated to have contributed to raising awareness about ITCs and human rights both inside and outside Korea and to allow the Commission to take the initiative in the field of global human rights.

B. International Conference for the Protection and Promotion of Rights of Refugees

The NHRCK held the International Conference for the Protection and Promotion of Rights of Refugees on August 21, 2012 under the theme of “Cooperation between Governments and Civil Society to Protect and Promote Refugee Rights.” The conference was aimed at strengthening international solidarity to promote refugee rights and studying the recognition processes and the treatment of refugees in foreign countries.

The conference was attended in by approximately 300 participants, including individuals from the Asia-Pacific Refugee Rights Network (APRRN), various embassies to Korea, the UNHCR, the Human Asia, the Korea Refugee Aid Network, and other human rights organizations and activists. The conference consisted of three sessions, including: i) the refugee conventions and the implementation of those conventions in individual countries, ii) the roles and mechanisms for the government and civil society to cooperate to help protect refugee rights, and iii) supportive measures that makes the stay of refugees more secure.

The conference allowed the Commission to draw the public’s attention to social rights and the better treatment of refugees and refugee applicants and to share information about refugee recognition processes and refugee treatments in different countries, which will contribute to improving domestic rules and laws concerning refugees. International solidarity to improve refugee rights was also strengthened.



Chapter 5

Activities of Regional Human Rights Offices

Section 1. The Busan Human Rights Office

The Busan Human Rights Office, which marked its 7th anniversary in 2012, has promoted activities as a guardian of human rights in the cities of Busan and Ulsan as well as in South Gyeongsang Province in order to prevent human rights violations, protect human rights, create a human rights-friendly environment and increase people's awareness of human rights. The Busan Office actively responds to the complaints and counseling requests that have been increasing every year and investigates the alleged human rights violations at correctional facilities and mental health facilities. They also provide prompt remedies to these facilities.

Over the past 7 years, the Busan Human Rights Office processed approximately 33,000 human rights counseling cases (including complaints, inquiries and civil applications). On a yearly basis, its counseling service handles over 4,000 cases. This large number of annual cases shows that the Busan Human Rights Office is effectively fulfilling its designated role of being the human rights guardian for the region. The area within the jurisdiction of the Busan Human Rights Office is home to over 8 million residents and a number of organizations which are subject to having their human rights violations and discriminative practices investigated. As such, the region produces numerous civil applications. In detail, the number of in-person complaints has increased by 23% year-on-year to 977, a trend which is likely to continue in 2013. Despite such an increase, the overall handling period for an in-person complaint remained approximately 12 days, because investigators work hard to provide accessibility to people being held in custody in facilities in a prompt manner and to enhance the degree of satisfaction. Furthermore, the Busan Human Rights Office cooperates with the organizations that are subject to being investigated to improve the human rights sensitivity of people at the organizations themselves. The Office also conducts thorough

investigations of the guardhouses and the police holding cells throughout its jurisdiction so that it can examine the complaint boxes and protect the human rights of those being held in custody.

[Table 2-5-1] Complaints, Counseling Cases, Inquiries and Civil Applications Accepted by the Busan Human Rights Office by Year

(Unit: number of cases)

Year	Complaints	Counseling Cases	Civil Applications/ Inquires	Total
Cumulative Total*	3,596	18,355	10,664	32,615
2012	786	3,651	548	4,985
2011	533	2,549	1,705	4,786
2010	550	2,397	1,462	4,410

* October 11, 2005 ~ December 31, 2012

[Table 2-5-2] Complaints Resolved by the Busan Human Rights Office

(Unit: number of cases)

Category	Received	Closed**	Approved						Denied				
			Total	Recommendation/ Recommendation for Settlement	Recommendation for disciplinary Actions	Referred for investigation or criminal charge	Legal Aid Request	Settlement	Total	Dismissed	Rejected	Transferred	Suspended
Cumulative Total*	2,657	2,554	161	98	1	3	—	59	2,393	1,020	1,343	25	5
2012	723	733	51	18	—	—	—	33	682	284	397	—	1
2011	469	430	28	17	—	3	—	8	402	181	220	1	—
2010	501	490	36	27	1	—	—	8	454	179	270	1	4

*October 12, 2005 ~ December 31, 2012.

**Sum of the number of closed cases received in a year and the number of closed cases transferred from the previous year

Human rights education plays a key role in creating a wider culture of respect for human rights and improving the sensitivity of residents thereto. As is true of the



aforementioned demand for counseling services, the demand for this human rights education is also increasing every year. In 2012, the Busan Human Rights Office made efforts to improve the efficiency of such human rights education programs e.g. for the employees in the mental health field of which the number of required hours of education is set by the law and for the public officials that take place on a regular basis. The Busan Office also actively responds to requests for human rights education that come from the Busan Association of Social Workers, local governments and schools.

The Busan Office has promoted the efficient operation of the Human Rights Exhibition which marked its 3rd anniversary, thereby reinforcing its role as the regional hub for promoting human rights and providing the local community with a space in which to nurture the culture of human rights. An evaluation concluded that in 2012, the Busan Human Rights Office took a step closer to the citizens of Busan, Ulsan and South Gyeongsang Province as an organization protecting their human rights.

Section 2. The Gwangju Human Rights Office

The Gwangju Human Rights Office marked its 7th anniversary in October 2012. Since its establishment in October 2005, the Gwangju Office, has seen a rapid increase in its workload every year throughout the many areas of education, cooperation and promotion in addition to counseling, fielding inquiries and handling complaints that have been filed.

This increase in the workload demonstrates that the Gwangju Human Rights Office has positioned itself as one of the strongest human rights offices of local communities over the seven years since it was first launched. Despite a quantitative increase in the work, the handling of cases did not slow down, thanks to the introduction of an efficient work system that has been customized to the region e.g. with the formation of a committee for specialist counselors and a human rights instructor group, and also because the staff improved their task-handling ability.

The counseling and investigative areas have been growing every year. In detail, as

pertains to investigations, in particular, the number of cases increased by 40% from 536 in 2011 to 750 in 2012, to the extent that the Gwangju Office is seen as having established itself as the strongest human rights office in the local area. However, despite this marked increase in the number of complaints, the handling period has not become longer. Accordingly, it may be concluded that a prompt investigation and remedy system that is suitable to the purpose of local human rights offices has been put in place.

[Table 2-5-3] Complaints, Counseling Cases, Inquiries and Civil Applications Accepted by the Gwangju Human Rights Office by Year

(Unit: number of cases)

Year	Complaints	Counseling Cases	Civil Applications/ Inquires	Total
Cumulative Total*	3,474	14,294	16,863	34,631
2012	731	2,513	4,157	7,401
2011	684	2,506	3,437	6,627
2010	573	2,111	1,815	4,499

*October 11, 2005 ~ December 31, 2012

[Table 2-5-4] Complaints Resolved by the Gwangju Human Rights Office

(Unit: number of cases)

Category	Received	Closed**	Approved						Denied				
			Total	Recommendation/ Recommendation for Settlement	Recommendation for disciplinary Actions	Referred for investigation or criminal charge	Legal Aid Request	Settlement	Total	Dismissed	Rejected	Transferred	Suspended
Cumulative Total*	2,725	2,587	147	68	3	2	1	65	2,439	1,104	1,298	35	2
2012	750	719	48	28	—	—	—	20	671	276	393	2	—
2011	563	531	37	15	2	—	1	19	494	262	231	1	—
2010	517	495	27	18	—	1	—	8	468	215	243	8	2

*October 12, 2005 ~ December 31, 2012

**Sum of the number of closed cases received in a year and the number of closed cases transferred from the previous year



The field of human rights education has also increased in size. This is shown, for example, by the steady increase in the number of human rights instructors from 12,167 in 2011 to 12,544 in 2012. Evaluations have concluded that its human rights education programs, such as its operating a group for human rights instructors, have successfully taken root.

In terms of cooperation, it is difficult to quantify the cooperative relationship existing between the Gwangju Office and civil society organizations; however, alongside the trend to expand human rights ordinances across the country after the NHRCK proposed its recommendations on human rights ordinances, the Gwangju Human Rights Office has held yearly workshops on human rights ordinances to provide a new venue for discussing a large number of issues that may arise during the enactment or execution of human rights ordinances. Also, the Office hosts “the Human Rights Policy Roundtable” and “the Human Rights Policy Joint Meeting” every month. The Gwangju Metropolitan City, the Gwangju Metropolitan Office of Education and civil society organizations participate in these sessions, which are a reliable venue for holding prior discussions about and furthering joint cooperation for projects related to human rights that are being run by important local organizations.

In terms of promotion activities, a PR officer has been appearing on a weekly MBC radio program since July 2012 to summarize and convey a variety of information on human rights. As part of the campaign seeking to prevent discrimination against social minorities, a one-minute recording of the voices of social minorities, such as people with disabilities and job seekers, went on the air. Also, promotional materials that express a diversity of people’s opinions about human rights appeared in the popular local monthly magazine of Jeonlado.com on three occasions. Likewise, promotional activities utilizing various media outlets have contributed to improving the awareness of both the Commission and the Office.

The Gwangju Human Rights Office has been involved in other projects, for example: (1) offering onsite counseling in which investigators visit areas susceptible to human rights violations once every two months and provide counseling, (2) investigating the complaint boxes at institutional group care facilities where no or only a few complaints have been filed, and (3) holding a cultural event to mark the 64th anniversary of the Universal Declaration of Human Rights.

Section 3. The Daegu Human Rights Office

The city of Daegu and North Gyeongsang Province are under the jurisdiction of the Daegu Human Rights Office, which is an area that includes 10 correctional facilities and 378 institutional group care facilities. The populations of Daegu and North Gyeongsang Province are 2.54 million and 2.74 million people, respectively. The Daegu Human Rights Office, in its fifth year, has continuously carried out its roles of providing human rights counseling, running investigations, providing remedies and human rights education, and running promotional and cooperative activities.

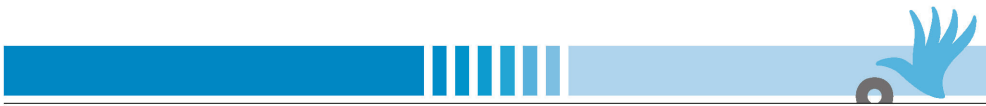
An investigation into the human rights violations and remedies provided at correctional facilities and mental health facilities has shown a significant increase in the number of complaint-related recommendations. The reasons for this increase in the number of recommendations are investigators' continuous efforts to strengthen their work output, and their holding weekly and monthly meetings for reviewing remedies on human rights violations. The acceptance rate for recommendations was 100%, and the organizations that received the recommendations promptly responded to them.

[Table 2-5-5] Complaints, Counseling Cases, Inquiries and Civil Applications Accepted by the Daegu Human Rights Office by Year

(Unit: number of cases)

Year	Complaints	Counseling Cases	Civil Applications/ Inquires	Total
Cumulative Total*	2,323	11,988	5,581	19,892
2012	533	2,520	457	3,510
2011	366	2,430	435	3,231
2010	415	2,344	1,566	4,325

* July 1, 2007 ~ December 31, 2012



[Table 2-5-6] Complaints Resolved by the Daegu Human Rights Office

(Unit: number of cases)

Category	Received	Closed**	Approved						Denied				
			Total	Recommendation/ Recommendation for Settlement	Recommendation for disciplinary Actions	Referral for investigation or criminal charge	Legal Aid Request	Settlement	Total	Dismissed	Rejected	Transferred	Suspended
Cumulative Total*	2,394	2,334	78	44	—	—	—	34	2,256	831	1,322	76	27
2012	494	508	32	24	—	—	—	8	476	159	312	3	2
2011	440	492	32	12	—	—	—	20	460	144	305	10	1
2010	620	703	9	7	—	—	—	2	694	278	370	25	21

*July 1, 2007 ~ December 31, 2012.

**Sum of the number of closed cases received in a year and the number of closed cases transferred from the previous year

The Office distributed a map of the human rights counseling services in Daegu and launched an online website (www.humandg.kr) to make the services easier to use. Onsite counseling offers accessibility to the counseling service for residents living in remote areas in North Gyeongsang Province (Gyeongsan, Sangju, Gimcheon, Bonghwa-eup, Chunyang-myun). The Office also investigated the complaint boxes at facilities and cooperated with local governments to enhance efficiency.

At the same time, the Daegu Office faithfully carried out its responsibility to meet the area's growing demand for human rights education. The Office actively took part in promotional activities, such as Cinema Talk (a human rights movie discussion forum), a human rights press corps, and the production of promotional materials. As a result of both online (via blogs and Twitter) and offline promotion, the Daegu Office was able to meet and communicate with 170,000 citizens. The Living Library (a human rights photography contest), a monthly movie screening, the official blog, and sessions in human rights education are amongst the activities by which the Daegu Office leaves its doors wide open to the public. In addition, a number of human rights advocacy groups, such as the human rights press corps, the Guardian of Human Rights for the Elderly, the Monitoring Unit for

the Disability Anti-Discrimination Act, human rights education instructor groups, and the Monitoring Unit for Textbooks, are positively engaged in their respective activities.

The Daegu Office has facilitated the widespread exchange and cooperation with 72 human rights civic groups across many different areas of human rights, including the human rights of the elderly (1), of students (5), of people with disabilities (10), of migrants (20), of workers (4), the human rights society of law schools (2), and civic group solidarity organizations (30). The Daegu Office also developed cooperative projects and participated in human rights instructor groups and in the joint operation of education programs for citizens.

Major projects in the different areas of human rights were successfully implemented by forging organic connections with the overall work process of the Commission.

Pertaining to the enforcement of human rights for people with disabilities, the Monitoring Unit for the Disability Anti-Discrimination Act monitored 123 facilities, ranking it the highest in terms of activity amongst the 6 regions across the country. Also, the Daegu Office, as the organization responsible for providing human rights education in the mental health field, carried out a total of 23 sessions (17 regular sessions and 6 onsite sessions) attended by 1,383 people who account for two-thirds of all the workers required to complete the mandatory human rights education.

As pertains to the human rights of senior citizens, the Guardian of Human Rights for the Elderly has been at the center of the effort to organize a human rights body for senior citizens (registered as a non-profit organization in Daegu) and to fight for their human rights. They conducted age bracket-based monitoring which resulted in filing of complaints and recommendations.

After continuous discussions with the Daegu Metropolitan Office of Education, which is the organization working on behalf of the human rights of students, the Daegu Office launched an education program to educate about the human labor rights of the youth and agreed to sign an MOU on improving human rights education.

Finally, for the sake of migrants and cultural diversity, the Daegu Office contributed to changing people's awareness by holding a special lecture on cultural diversity and human rights. The Daegu Office also produced and aired a public service campaign video clip in cooperation with a regional broadcaster, TBC.

Appendix

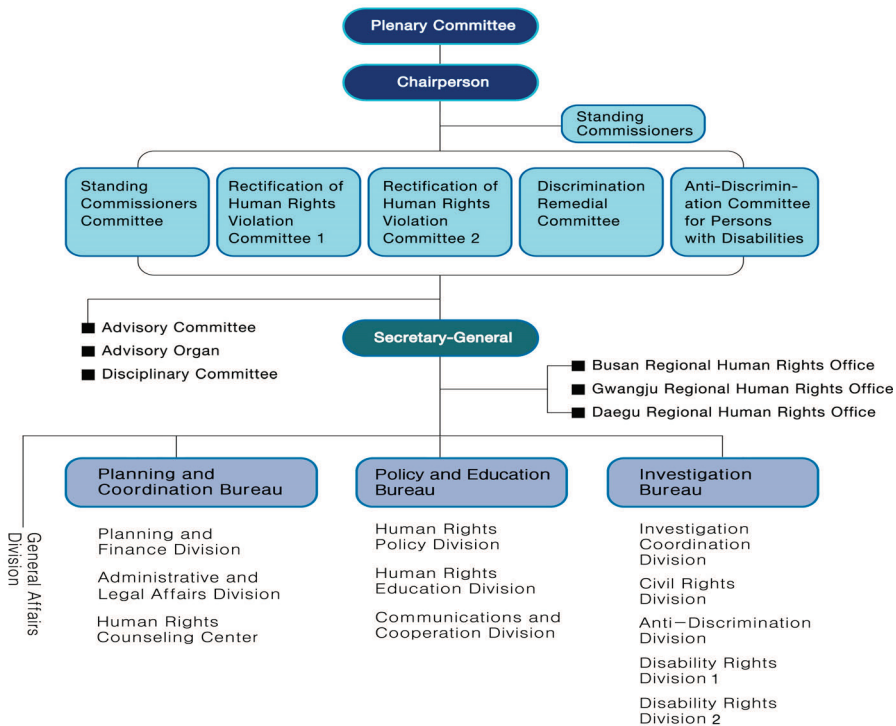
- 1. Organization and Budget**
- 2. Commissioners, Senior Executive Officers and Former Commissioners**
- 3. The Three-Year Plan for the Promotion of Human rights(2012-2014)**

1. Organization and Budget

A. Organization

- Commission: 11 Commissioners (1 Chairperson, 3 Standing Commissioners, and 7 Non-Standing Commissioners)
 - 4 nominated by the President, 4 elected by the National Assembly, and 3 nominated by the Chief Justice of the Supreme Court and nominated by the President
 - Three-year term (no more than 2 consecutive terms)
- Secretariat: 1 Secretary-General, 1 Director General, 2 Bureaus, 12 Divisions (Directors), and 3 Regional Offices
 - Total workforce: 187 (as of December 31, 2012)

<Organizational Chart>



B. Budget for FY 2012

(Unit: KRW millions)

Item		FY 2011	FY 2012	Change (%)
Total		22,079	23,055	976 (4.4)
Payroll Expenses		10,316	10,770	454 (4.4)
Overhead		6,948	7,222	274 (3.9)
Project Expenses		4,815	5,063	248 (5.2)
Details	Promotion of Human Rights Sensitivity	1,234	1,149	△85 (△6.9)
	① Raising awareness	399	403	4 (1.0)
	② Preventing discrimination and creating a human rights culture	298	268	△30 (△10.1)
	③ Facilitating human rights education	537	478	△59 (△11.0)
	Protecting the rights of socially vulnerable groups and minorities	1,527	1,519	△8 (△0.5)
	④ Operating specialized human rights counselors	240	485	245 (102.1)
	⑤ Advancing human rights in vulnerable areas	694	592	△101 (△14.7)
	⑥ Promoting human rights of persons with disabilities	593	442	△151 (△25.5)
	Advancing laws, systems and practices regarding human rights	754	863	109 (14.5)
	⑦ Developing human rights systems	554	584	30 (5.4)
	⑧ Researching the human rights of North Korean defectors and conditions in North Korea	200	279	79 (39.5)
	Enhancing internal and external cooperation	558	723	165 (29.6)
	⑨ Pursuing international exchange and cooperation	312	492	180 (57.7)
	⑩ Supporting the activities of APF and ICC	100	100	-
	⑪ Conducting collaborative projects with human rights institutes	146	131	△15(△10.3)
	Establishing IT systems	742	809	67 (9.0)
	⑫ Setting up and operating human rights information system	742	809	67 (9.0)

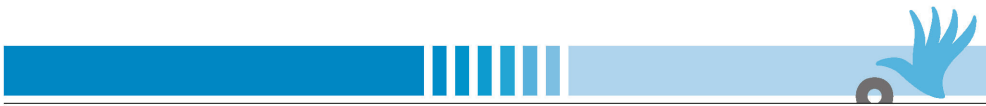


2. Commissioners, Senior Executive Officers and Former Commissioners

A. Commissioners

Position/Name	Profile	Remarks
 <p>Chairperson Hyun, Byung Chul</p>	<ul style="list-style-type: none"> • Dean, College of Law, Hanyang University • Secretary General, Secretariat, Hanyang University • Vice President, The Korea Law Professors Association • President, The Korea Association of Comparative Private Law • Dean, Graduate School of Public Administration, Hanyang University • Dean, Hanyang Cyber University 	<p>Nominated by the President (July 17, 2009~ Aug. 12, 2015)</p> <p>* Consecutive nomination: Aug. 13, 2012</p>
 <p>Standing Commissioner Kim, Young Hye</p>	<ul style="list-style-type: none"> • Senior Judge, Incheon District Court, Seoul Central District Court • Vice President, International Association of Women Judges • 18th Guest Editorial Writer, DongA Ilbo Newspaper • Co-representative, the Lawyers for Citizens • Member, Presidential Council for Future & Vision • Managing Partner, C&B, Lee Law Firm 	<p>Nominated by the President (Nov. 15, 2010~ Nov. 14, 2013)</p>
 <p>Standing Commissioner Hong, Jin Pyo</p>	<ul style="list-style-type: none"> • Political Director, Citizens United for Better Society • Secretary General, Liberty Union • Director and Editor, quarterly <Zeitgeist> • Member, National Election Broadcasting Debate Commission 	<p>Elected by the National Assembly (Feb. 21, 2011~ Feb. 20, 2014)</p>
 <p>Standing Commissioner Jang, Myung Sook</p>	<ul style="list-style-type: none"> • Head, Counseling Center on Sexual Violence Against Women, Korean Differently Abled Women United • Standing Chair, Korean Differently Abled Women United • Standing Co-Chair, Disability Discrimination Act of Solidarity in Korea • Director, Korea Disabled People's Development Institute • Director, Korea Employment Agency for the Disabled • Member, Employment Promotion Commission for Disabled Persons, Ministry of Employment and Labor • Member, Vulnerable Women Policy Council, Ministry of Gender Equality and Family • Member, Policy Coordinating Committee for Disabled Persons, Prime Minister's Office 	<p>Elected by the National Assembly (Mar. 8, 2012~ Mar. 7, 2015)</p>

Position/Name	Profile	Remarks
 <p>Commissioner Han, Tae Sik</p>	<ul style="list-style-type: none"> · Dean, Buddhism School, Dongguk University · President, International Electronic Buddhist Text Society · President, Jungto Academy · Professor, Department of Zen Buddhism, Dongguk University · Member, 14th Central Council of Jogye Order of Korean Buddhism · Chief Priest, Chunggae Mountain Buddhist Jungto Temple 	<p>Nominated by the President (Feb. 8, 2010 ~ Apr. 17, 2016)</p>
 <p>Commissioner Yoon, Nam Geun</p>	<ul style="list-style-type: none"> · Judge, Daejeon District Court, Seoul High Court · Senior Judge, Seoul Eastern District Court · Vice President, Korea Dosan Jurisprudence Society · Director, Clinical Legal Education Center, Korea University · Vice President, School of Law, Korea University · Professor, School of Law, Korea University 	<p>Nominated by the Chief Justice of the Supreme Court (Jan. 19, 2011 ~ Jan. 18, 2014)</p>
 <p>Commissioner Yang, Hyun Ah</p>	<ul style="list-style-type: none"> · Member, Special Committee on the Revision of Family Act, Ministry of Justice · Member, Policy Committee, Ministry of Justice · Researcher, War & Women's Human Rights Center, Korean Council for the Women Drafted for Military Sexual Slavery by Japan · President, Korea Association of Gender & Law · Professor, Seoul National University Center for Public Interest & Human Rights · Associate Professor, Seoul National University, School of Law 	<p>Nominated by the Chief Justice of the Supreme Court (Jan. 19, 2011 ~ Jan. 18, 2014)</p>
 <p>Commissioner Kim, Sung Young</p>	<ul style="list-style-type: none"> · President, Sungkyul University · Director, Korean Council for University Education · Chairman, Korea Council for College of Theology · Advisory Member, National Unification Advisory Council · Co-Chair, Korea Future Forum · Chair Professor, Baekseok University 	<p>Nominated by the President (Sept. 28, 2011 ~ Sept. 27, 2014)</p>



Position/Name	Profile	Remarks
 <p>Commissioner Kwak, Ran-joo</p>	<ul style="list-style-type: none"> Prosecutor, Incheon (Bucheon) and Daejeon (Cheonan) District Public Special Prosecutor, Suspicious Oilfield Exploitation of the Korean Railway Spokesperson, Korean Bar Association Lawyer, Sanji Law Firm Member, Traffic Broadcasting Holding Power (present) Member, Online Advertising Mediation Committee (present) Public Interest Commissioner (Adjudication), Seoul National Labor Relations Commission (present) Lawyer, Min Law Firm (present) 	<p>Elected by the National Assembly (Jan. 3, 2012~ Jan. 2, 2015)</p>
 <p>Commissioner Han, Wee Soo</p>	<ul style="list-style-type: none"> Judge, Seoul District Criminal Court, Seoul District Civil Court, Masan District Court Judge, Seoul and Busan High Court Professor, Judicial Research & Training Institute; Research Director, Constitutional Court of Korea Senior Judge, Seoul and Daegu High Court 5th President, Korean Society for Media Law, Ethics and Policy Research Member, Central Environment Mediation Committee (present) Member, Human Rights Committee, Korean Bar Association (present) Lawyer, Bae, Kim & Lee Law Firm (present) 	<p>Nominated by the Chief Justice of the Supreme Court (Aug. 10, 2012~ Aug. 9, 2015)</p>
 <p>Commissioner Kang, Myeong Deok</p>	<ul style="list-style-type: none"> Director, Human Rights Violation Investigation Division 1; Director General, Human Rights Violation Investigation Bureau; Director General, Human Rights Policy Bureau; Acting Secretary-General; NHRCK Director General, Immigration Control Bureau, Ministry of Justice Lawyer, Kang Myeong Deuk Law Office (present) 	<p>Elected by the National Assembly (Aug. 13, 2012~ Aug. 12, 2015)</p>

B. Secretary-General and Senior Executive Officers

Name	Profile	Name	Profile
 <p>Secretary-General Shon, Sim Kil</p>	<ul style="list-style-type: none"> · Director-General, Violation Remedies, NHRCK · Anti-Monopoly Bureau, Fair Trade Commission · Economic Planning Bureau, Economic Planning Board 	 <p>Director-General Planning & Coordination Ahn, Jung Chul</p>	<ul style="list-style-type: none"> · Director-General, Administration and Planning · Director-General, Discrimination Investigation, NHRCK · Special Researcher in Research of May 18 Movement, Gwangju Metropolitan City Government · Executive Member, Committee on Deliberation of Reputation Recovery and Compensation for Democratization Movement Activists · Researcher, Research Center for Contemporary Korean Historical (May 18 Movement Research Center)
 <p>Director-General Policy and Education Bureau Ahn, Suk Mo</p>	<ul style="list-style-type: none"> · Director, General Affairs, NHRCK · Director, Violation investigation, NHRCK · Office of Inspector General, Ministry of Defense 	 <p>Director-General Investigation Bureau Shim, Sang Don</p>	<ul style="list-style-type: none"> · Director, Investigation Coordination, NHRCK · Director, Policy Coordination, NHRCK · Personnel Bureau, Ministry of Public Administration and Security

C. Former Commissioners

Name	Profile	Term
1st Chairperson Kim, Chang Guk	· 40th President, Korean Bar Association	Nov. 25, 2001 ~ Dec. 23, 2004
2nd Chairperson Choi, Young Do	· Chairperson, Human Rights Commission, Korean Bar Association	Dec. 24, 2004 ~ Mar. 22, 2005
3rd Chairperson Cho, Young Hwang	· Chairperson, Ombudsman of Korea	Apr. 4, 2005 ~ Oct. 1, 2006
4th Chairperson Ahn, Kyong Whan	· Dean, College of Law, Seoul National University	Oct. 30, 2006 ~ July 5, 2009



Position	Name	Profile	Term
Standing Commissioner	Park, Kyung Seo	· First Human Rights Ambassador of Korea	Nov. 25, 2001 ~ Dec. 23, 2004
Standing Commissioner	Yoo, Hyun	· Presiding Judge, Seoul High Court	Nov. 25, 2001 ~ July 20, 2004
Standing Commissioner	Rhyu, See Chun	· Standing Director, Council of National Literature Writers	Nov. 25, 2001 ~ Mar. 12, 2004
Commissioner	Kwak, No Hyun	· Professor of Law, Korea National Open University	Nov. 25, 2001 ~ Feb. 23, 2003
Commissioner	Kim, Duk Hyun	· Judge, Seoul District Civil Court	Nov. 25, 2001 ~ Mar. 14, 2005
Commissioner	Kim, O Sup	· Senior Judge, Seoul High Court	Nov. 25, 2001 ~ Dec. 23, 2004
Commissioner	Shin, Dong Woon	· Professor of Law, Seoul National University	Nov. 25, 2001 ~ Dec. 23, 2004
Commissioner	Lee, Jing Kang	· Chairman, Korean Bar Association	Nov. 25, 2001 ~ Nov. 29, 2002
Commissioner	Cho, Mi Kyung	· Professor of Law, Aju University	Nov. 25, 2001 ~ Dec. 23, 2004
Commissioner	Jung, Kang Ja	· Co-Chair, Korea Women Link	Nov. 25, 2001 ~ Dec. 23, 2004
Commissioner	Ryu, Guk Hyun	· Chief Prosecutor, Gangneung Office, Chuncheon Regional Prosecutor's Office	Dec. 12, 2002 ~ Feb. 23, 2003
Commissioner	Lee, Heung Rok	· Lawyer and Chairman of Human Rights Policy Research Association	May 1, 2003 ~ Apr. 18, 2005
Commissioner	Kim, Man Heum	· Professor, Asia-Pacific Research Center, Catholic University	Aug. 1, 2003 ~ Oct. 24, 2006
Standing Commissioner	Choi, Young Ae	· Director, Korea Counseling Center on Sexual Violence	July 23, 2004 ~ Sept. 20, 2007
Standing Commissioner	Kim, Ho Joon	· Chief Editor and Commentator, Seoul Daily	Dec. 24, 2004 ~ Feb. 3, 2008
Standing Commissioner	Jung, Kang Ja	· Co-Chair, Korea Women Link	Dec. 24, 2004 ~ Dec. 23, 2007
Commissioner	Ra, Cheon Soo	· Senior Judge, Seoul Central District Court	Dec. 24, 2004 ~ June 28, 2006
Commissioner	Lee, Hae Hak	· Co-Chair, National Association of Democratic Reform	Dec. 24, 2004 ~ Dec. 31, 2006
Commissioner	Chung, In Seop	· Professor of Law, Seoul National University	Dec. 24, 2004 ~ Dec. 23, 2007
Commissioner	Choi, Keum Sook	· Professor of Law, Ewha Womans University	Dec. 24, 2004 ~ Dec. 23, 2007
Commissioner	Shim, Hei Soo	· Professor of Social Welfare, Hanil Presbyterian Theological Seminary	Mar. 15, 2005 ~ Mar. 19, 2008
Commissioner	Won, Hyung Eun	· Chairman, Christianity Association in Busan	June 1, 2005 ~ Sept. 9, 2008
Commissioner	Yoon, Ki Won	· Managing Partner, The One Law Firm	Oct. 25, 2006 ~ Dec. 28, 2009
Commissioner	Chung, Jae Geun	· Head Monk, Mt. Bukhan Geumseonsa Temple of Jogye Order	Feb. 8, 2007 ~ Feb. 7, 2010
Standing Commissioner	Choi, Kyung Suk	· Co-Chair, Korea Differently Abled Women United	Sept. 21, 2007 ~ Oct. 10, 2010
Standing Commissioner	Yoo, Nam Young	· Vice President, Lawyers for a Democratic Society	Dec. 24, 2007 ~ Nov. 4, 2010
Commissioner	Cho, Kuk	· Professor of Law, Seoul National University	Dec. 24, 2007 ~ Nov. 15, 2010
Commissioner	Hwang, Deok Nam	· Public Interest Commissioner on Adjudication, National Labor Relations Commission	Dec. 24, 2007 ~ Jan. 18, 2011
Standing Commissioner	Moon, Kyung Ran	· Editorial Writer, JoongAng Daily	Feb. 4, 2008 ~ Nov. 4, 2010
Commissioner	Kim, Yang Won	· President, ELIEL Welfare Foundation	Sept. 10, 2008 ~ Sept. 27, 2011
Commissioner	Choi, Uni	· Dean, College of Law, Konkuk University; President, Konkuk University Law School	Sept. 4, 2008 ~ Jan. 2, 2012
Commissioner	Chang, Chu Young	· Managing Partner, Sangrok Law Firm	Dec. 29, 2009 ~ June 27, 2012
Standing Commissioner	Jang, Hyang Suk	· Member of Executive Committee, International Paralympics Committee	Oct. 11, 2010 ~ Jan. 12, 2012
Commissioner	Kim, Tae Hoon	· Lawyer, Yoon & Yang Law Firm	Aug. 10, 2006 ~ Aug. 9, 2012

3. The Three-Year Plan for the Promotion of Human Rights (2012~2014)

Vision

A World of Dignity for All

Mission

To create a society in which human rights are respected and the dignity and value of humanity are realized in all spheres of activity

Five Strategic Targets

I. To provide institutional protection for and reinforce basic human rights

II. To improve human rights protection for the underprivileged and underrepresented

III. To enhance the efficacy of investigations and remedial actions

IV. To foster public understanding of human rights by enhancing educational programs

V. To strengthen remedies for discrimination

<Special Tasks>

<Featured Projects>

The Process for Achieving the Goals
(Strengthening the capacity of the NHRCK)

Goals

1. Protect and reinforce the right to freedom
2. Expand and improve social rights
3. Implement international human rights standards
4. Improve the human rights of soldiers and the conscription system
5. Lay a foundation for human rights through the enactment and amendment of related laws
6. Develop "the Human Rights Index"

1. Improve the human rights of migrants in a multicultural society
2. Enhance the human rights of the elderly
3. Improve the human rights of children and youth
4. Guarantee the human rights of people residing in social facilities

1. Expand investigation planning
2. Strengthen efficacy of investigations and remedies
3. Increase the degree of satisfaction with human rights counseling services
4. Improve accessibility to human rights for local residents

1. Establish an institutional foundation for human rights education
2. Strengthen and expand human rights education
3. Form a human rights-friendly culture by developing human rights related content

1. Reinforce remedies for discrimination against people with disabilities
2. Strengthen gender discrimination remedies
3. Get rid of discrimination based on age and educational background
4. Strengthen activities for preventing sexual harassment
5. Get rid of discrimination caused by religion

1. Improve North Korean human rights

1. Spread a culture of human rights in company management
2. Improve information-related human rights

1. Strengthen independence of the Commission
2. Promote domestic and international cooperation
3. Enhance the expertise of the staff

**National Human Rights Commission
of the Republic of Korea
Annual Report 2012**

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