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**NATIONAL HUMAN RIGHTS
COMMISSION OF KOREA**

ANNUAL REPORT 2018



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Logo of the National Human Rights Commission of Korea

The logo's simplicity and formative beauty are intended to add to the reliable and authoritative image of the National Human Rights Commission of Korea as the nation's leading institution dedicated to the protection of human rights.

The logomark is rendered in blue, representing "creation," "life," and "spring" in accordance with the five elements theory, to communicate the identity of the Commission as a human rights institution committed to the well-being of people. The symbol also combines Korea's modernity and tradition: a dove and a hand standing for "peace" and "inclusiveness;" and a circle, the most fundamental shape, implying "centeredness and concentration," "diversity and positivity," "sun and brightness," "harmony and inclusiveness," and "justice and fairness."



Annual Report 2018

This annual report is a compilation of the activities, etc., of the National Human Rights Commission of Korea from January 1 to December 31, 2018. It was published to be submitted to the President and the National Assembly of the Republic of Korea pursuant to Article 29 (1) of the National Human Rights Commission of Korea Act.



“

As a national institution dedicated to the protection of human rights, we strive to earn the trust of all members of society by learning from our past and taking innovative steps towards the future.”

The year 2018 marked the 70th anniversary of the Universal Declaration of Human Rights, a milestone document created to offer common standards for all nations and peoples to uphold the public's rights to dignity and respect. Throughout 2018, Korean society witnessed a series of incidents that sparked heated controversies and disputes over valuing human rights and challenging intolerance. The National Human Rights Commission of Korea, under its vision "A World of Dignity for All," was at the forefront of all activities to effect change.

In 2018, we continued to lead progress by exploring some of the most acute human rights issues faced by Korean society, such as the introduction of alternative civilian service for conscientious objectors, the abolition of the death penalty, and remedies to address hatred and discrimination. We formed a joint investigation team regarding the #Me Too movement along with pertinent ministries, a move evaluated to be a prompt and flexible response to a variety of human rights issues. Furthermore, we reinforced our system to better respond to diversifying human rights issues by newly establishing the Economic, Social and Cultural Rights Division, Armed Forces Human Rights Investigation Division, and Gender Discrimination Remedy Division as well as a separate unit committed to addressing hatred and discrimination.

In 2018, we highlighted the risk of fine dust pollution from the perspective of human rights for the first time by emphasizing the need for protective measures

for groups with higher vulnerability to the harmful effects of fine dust pollution. We also officially raised the issue of human rights violations committed in the past at a state-run juvenile reformatory institute known as Seongam Reformatory through our initiative to enact a special law. We were able to clearly affirm Korea's role as a member of the international community for the protection of the human rights of refugees in response to the social conflict that arose over opposition to asylum-seekers who came to Jeju Island.

The year 2018 was significant in that a female human rights activist, rather than a legal expert, was inaugurated as Commission Chairperson for the first time in our history, helping to realize substantive improvements in our relations with human rights and civil society organizations. In particular, we publicly recognized such organizations as equal partners in forming the Human Rights Advocates' Coalition at the Human Rights Advocates' Conference held in December 2018. We successfully established a human rights-upholding network between the Commission and the human rights institutions of local governments through close discussions on how to capitalize on our partnerships. In this context, 2018 can be viewed as a landmark year in our achievement of qualitative progress in the human rights field in terms of solidarity and cooperation.

However, the Annual Report 2018 also serves as a scathing self-reflection for compromising our own independent status as evidenced by the publicized results of investigations on the blacklist of the Commission staff created from 2008 to 2010 and on the death of a disability rights activist in 2010. In this sense, it is an honest compilation of our persistent and bold footsteps taken throughout a year of turbulence.

With the Commission's 20th anniversary in 2021 just around the corner, we will continue to strive to earn the trust of all members of society as a national institution dedicated to protecting human rights and faithfully serve our purpose of "the last bastion of human rights" by learning from our past and taking innovative steps towards the future.

Thank you.

Choi Young-ae

Chairperson

National Human Rights Commission of Korea

Notes



- 1** Civil society groups and organizations are described herein as human rights and civil society organizations.
- 2** Months stated herein fall in the year 2018 unless specified otherwise.
- 3** The "-" symbol used in the tables signifies "none (0)."
- 4** The total in each statistical table is the sum of pertinent data accumulated from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018, unless specified otherwise.
- 5** All statistics in the tables are rounded, and, therefore, the totals mentioned in the text may not exactly match the sums of the corresponding statistics.



Abbreviations

Commission National Human Rights Commission of Korea

Human Rights NAP National Action Plan for the Promotion and Protection of Human Rights

NAP on Business and Human Rights National Action Plan on Business and Human Rights

Mobility Disadvantaged Persons Act Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons

Mental Health Welfare Act Act on the Improvement of Mental Health and Support for Welfare Services for Mental Patients

Disability Discrimination Prohibition Act Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, Etc.

Racial Discrimination Elimination Convention International Convention on the Elimination of All Forms of Racial Discrimination

Civil Rights Covenant International Covenant on Civil and Political Rights

NHRCK Act National Human Rights Commission of Korea Act

Human Rights Promotion Action Plan Human Rights Promotion Action Plan of the National Human Rights Commission of Korea

APF Asia Pacific Forum of National Human Rights Institutions

ASEM Asia-Europe Meeting

CCTV Closed-circuit television

GANHRI Global Alliance of National Human Rights Institutions (formerly ICC)

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

ILO International Labor Organization

OHCHR Office of the United Nations High Commissioner for Human Rights

UPR Universal Periodic Review

*The United Nations' mechanism of periodically examining the human rights performance of all UN Member States every four and a half years, which was initiated in 2008

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National Human Rights Commission of Korea

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01

Introduction

Chapter 1 About the Commission

Chapter 2 Domestic and International Environment

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Achievements of 2018

Chapter 4 Assessment and Challenges

National Human Rights Commission of Korea

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01 Introduction

Chapter 1 About the Commission

1. Establishment

The National Human Rights Commission of Korea (hereinafter referred to as the Commission) is an independent national institution dedicated to human rights issues and established to uphold people's rights to human dignity and respect and contribute to the reinforcement of the foundation of democracy by protecting and promoting individual's inherent, inviolable human rights.

Discussions Abroad

The United Nations laid out its Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles) at a time when newly democratized nations were beginning to establish national human rights institutions in the late 1980s. The Paris Principles were established at the 1st International Workshop on National Institutions for the Promotion and Protection of Human Rights held in Paris in 1991 and were adopted by the United Nations Commission on Human Rights and the United Nations General Assembly in 1992 and 1993, respectively. They are the key international standards defining the authorities and responsibilities, independence and diversity, operating systems, and quasi-judicial authorities of national human rights institutions.

In line with such international efforts, nations began to plan their own effective national

mechanisms for human rights protection and promotion that mirror their human rights conditions.

Discussions at Home

The vision for a national human rights institution in Korea was developed through the combination of the interest of the international community to establish national institutions for human rights, the long-held public desire for democracy and improved human rights conditions, sustained efforts by human rights and civil society organizations, and the will of the Korean government. Discussions to establish a national human rights institution in Korea were first sparked by the participation of a joint committee of private entities at the World Conference on Human Rights in Vienna, Austria, in June 1993. With human rights and civil society organizations continuously voicing the need for a national institution dedicated to human rights issues, these private entities demanded legislation for an independent national human rights institution responsible for the research, study, education, and promotion of human rights protection and improvement pursuant to the United Nations Human Rights Council Resolution 1992/54 and the Paris Principles.

Based on related discussions at home and abroad, presidential candidate Kim Dae-jung included the establishment of a human rights institution in his presidential election pledge in 1997. The National Human Rights Commission of Korea Act (hereinafter referred to as the NHRCK Act) was enacted on May 24, 2001, after the launch of the Kim Dae-jung administration and as a result of three years of persistent struggle by the Joint Task Force of Private Organizations for the Realization of a Right National Human Rights Institution, which was established in April 1999 by 71 human rights and civil society organizations. Six months later on November 25, 2001, the Commission was founded as an independent national institution.

2. Identity

The Commission is a national institution committed to human rights issues that actively advocates people's rights guaranteed under the Constitution of the Republic of Korea (hereinafter referred to as the Constitution) and carries out its duty to protect and promote human rights in accordance with the NHRCK Act.

A National Institution Dedicated to Human Rights

The Commission is a national institution dedicated to protecting and promoting human rights of the socially disadvantaged and minorities as mandated by domestic acts including the Constitution and as recognized by international common law and international human rights conventions joined and ratified by Korea.

An Independent Institution

The Commission is an independent institution that is not affiliated with any of the legislative, judicial, or executive branches of the government. As such, we are guaranteed independence in performing our duties and functions and preserving diversity. This independent status is in line with the Paris Principles, which state that the guarantee of autonomous and independent status is a required condition for a national human rights institution to fulfill its role. However, our organizational structure and budget planning are still deliberated, adjusted, and decided by the Ministry of the Interior and Safety and the Ministry of Economy and Finance. This fact has a high likelihood of constraining our independence and thus must be modified.

A Quasi-Judicial Organization

The Commission is a quasi-judicial organization. Our procedures for investigating and redressing cases of human rights violations and discriminations complement the existing remedial procedures of other judicial agencies.

A Quasi-International Organization

The Commission is a quasi-international organization. We were established and are governed pursuant to domestic law. However, our mission is to implement international human rights standards and to comply with the Paris Principles in terms of our authorities, responsibilities, organizational structure, and operation.

3. Key Functions

As a national institution dedicated to protecting and promoting human rights, our four key functions are policy-making, investigations and remedies, education and promotion, and cooperation at home and abroad.

Human Rights Policy

In view of protecting and promoting human rights, we may make recommendations and present opinions on matters that warrant the study, research, and improvement of human rights-related laws and regulations, systems, policies, and practices as well as on the joining and implementation of international human rights conventions. We may submit our substantive and legal opinions to the justice department of a court and the Constitutional Court regarding any trial deemed to have a significant impact on the protection and promotion of human rights and upon request by the relevant court and express our viewpoints concerning any case investigated and handled by the Commission.

Investigations of and Remedies for Human Rights Violations and Discriminations

We investigate cases of human rights violation and discrimination and seek remedial measures.

First, we investigate and seek remedial measures for violations of human rights, which are guaranteed under Articles 10 through 22 of the Constitution, committed during the task performance (excluding legislation of the National Assembly and trials of courts and the Constitutional Court) of government institutions; local governments; schools established under Article 2 of the Elementary and Secondary Education Act, Article 2 of the Higher Education Act, and other relevant statutes; public service-related organizations under Article 3-2 (1) of the Public Service Ethics Act; and detention and protection facilities.

Second, we investigate and seek remedial measures for violations of the right to equality by corporate bodies, organizations, and private persons without justifiable reasons. The major 19 unjustifiable reasons for discrimination include gender, religion, age, social status, place of origin, country of origin, ethnicity, appearance and physical condition, marital status, pregnancy

or childbirth, family situation, race, skin color, ideology or political opinion, criminal record with effect of punishment extinguished, sexual orientation, academic background, and medical history.

Third, we deal with sexual harassment committed in the workplace by employees of public institutions, employers, or colleagues and are responsible for investigating and remedying cases of sexual discrimination and for rectifying discrimination under the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of Their Rights, Etc. (hereinafter referred to as the Disability Discrimination Prohibition Act) and the Act on the Prohibition of Age Discrimination in Employment and Elderly Employment Promotion.

Human Rights Education and Promotional Activities

We offer human rights education and engage in promotional activities to raise public awareness on human rights. We organize a variety of educational programs for different groups from public officials to facility workers, media professionals, and the general public. We seek to develop, distribute, and standardize educational programs pertaining to human rights in a systematic manner.

We also develop and distribute promotional content such as webtoons, web dramas, videos of the Commission's precedents, magazines and operate the Human Rights Experience Center. Our promotional activities clearly stand apart from those of other institutions in that they are an extension of the Commission's efforts to raise public awareness on human rights, rather than to bring attention to the institution itself.

Domestic and International Exchanges and Cooperation

We cooperate with various human rights and civil society organizations and individuals within Korea, while also engaging in exchanges and cooperation with relevant international organizations and human rights institutions abroad.

In 2018, we declared our plan to closely cooperate with human rights and civil society organizations and form the Human Rights Advocates' Coalition, as their rich experience and information obtained on the ground are essential for the successful implementation of

our initiatives. We cooperate with national human rights institutions of different countries to contribute to the international community's endeavors to improve human rights, while providing training opportunities for staff members of such national human rights institutions who wish to learn from the Commission's expertise.

4. Organization

Chairperson and Commissioners

The Commission comprises 11 commissioners, which includes the Chairperson, three standing commissioners, and seven non-standing commissioners. Four commissioners are elected by the National Assembly, four nominated by the President, and three nominated by the Chief Justice of the Supreme Court and approved by the President among the candidates selected based on their expertise and experience in human rights issues and their ability to carry out the duty of protecting and promoting human rights in a fair and independent manner. Neither gender may account for more than 60% of all 11 commissioner positions.

Through the amendment (February 3, 2016) of the NHRCK Act, the criteria for the eligibility and election and nomination procedures of commissioners were further reinforced, and immunity was granted for statements made in relation to their duties. The government and National Assembly accepted the recommendations of the Global Alliance of National Human Rights Institutions (GANHRI) and made these changes.

The Chairperson is selected from among the commissioners and appointed by the President following a confirmation hearing at the National Assembly. The Chairperson represents the Commission and oversees the Commission's overall operation. The Chairperson can appear and state his/her opinions before the National Assembly if deemed necessary and is obligated to testify and give answers to questions in person if required by the National Assembly with respect to matters concerning the Commission. The Chairperson can speak at a Cabinet meeting on behalf of the Commission and recommend that the Prime Minister submit a bill (including a presidential decree bill) in relation to matters concerning the Commission. The Chairperson is deemed as the head of a central government agency under the National Finance Act when executing budgetary responsibilities.

The term of office for all commissioners, including the Chairperson, is three years, and they can serve a consecutive term just once. When a position becomes vacant, the President must appoint a successor within 30 days from the date of the vacancy. The successor shall begin a new term of three years as a commissioner upon his/her appointment.

A total of four commissioners were newly appointed in 2018. Choi Young-ae was appointed the 8th Chairperson by the President on September 4. Jeong Moon-ja was appointed a standing commissioner and Kim Min-ho a non-standing commissioner by the National Assembly on June 22 and August 27, respectively. Lim Sung-taek was appointed a non-standing commissioner by the Chief Justice of the Supreme Court on August 27.

Proceedings

The Commission makes decisions and takes action through the Plenary Committee consisting of all 11 commissioners, the Standing Committee, and the subcommittees including the Committee on Human Rights Violations I (human rights violations by the prosecution, police, military, intelligence service, legislative branch, and judicial branch); Committee on Human Rights Violations II (human rights violations in other areas, including detention and protection facilities, other than centers for persons with disabilities and mental healthcare centers); Committee on Discrimination Remedy (discrimination-related issues); Committee on the Rights of Persons with Disabilities (discrimination against persons with disabilities and violations in facilities for persons with disabilities and mental healthcare centers); and Committee on Child Rights (human rights violations and discrimination against children under 19 excluding those with disabilities). All of the committees work together to develop policies, conduct research, and handle general management issues through this representative system.

The proceedings of the Commission are, by principle, made public. However, meetings may be held behind closed doors if deemed necessary by the relevant committee. Deliberations on petitions are held privately, but they may be made public when decided by the Commission.

■ Plenary Committee

To discuss and make decisions on matters concerning our operation and key issues, we operate the Plenary Committee, which consists of all 11 commissioners (Chairperson, three

standing commissioners, and seven non-standing commissioners).

The Plenary Committee meetings are presided over by the Chairperson, and decisions are made by a majority vote of the members on the register. However, items concerning the operation and procedures of such meetings are decided by a majority vote of the members in attendance.

The Plenary Committee meets twice a month and may be convened additionally if necessary.

■ Standing Committee

The Standing Committee, which is composed of the Chairperson and three standing commissioners, is chaired by the Chairperson and makes decisions with three or more present and three or more voting in favor. The Standing Committee refers to the Plenary Committee any matters that are deemed to be critical in nature, to have significant possible impacts, and to be appropriate for the Plenary Committee to deliberate and decide.

The Standing Committee meets regularly every week. It is also convened upon request by two or more standing commissioners or if deemed necessary by the Chairperson.

■ Subcommittees

We operate the subcommittees in charge of different areas in order to more efficiently execute our specific functions such as the deliberation on filed petitions. Currently, a total of five subcommittees are in operation.

Each subcommittee may comprise no less than three commissioners and no more than five commissioners. At the moment, each subcommittee consists of one standing commissioner and two non-standing commissioners designated by the Chairperson. Each subcommittee is chaired by a subcommittee chairperson who is a standing commissioner. Decisions are made with three or more votes in favor and with three or more subcommittee members in attendance. The subcommittees refer to the Plenary Committee any matters that are deemed to be critical in nature, to have significant possible impacts, and to be appropriate for the Plenary Committee to deliberate and decide.

[Table 1-1-1] Subcommittees and Their Areas of Responsibility

Sub-committee	Areas of responsibility
Committee on Human Rights Violations I	<i>Ex officio</i> investigations on human rights violations by the prosecution, police, National Intelligence Service, National Assembly, and courts <i>Ex officio</i> investigations for petitions concerning the military Visiting investigations concerning the police and military
Committee on Human Rights Violations II	<i>Ex officio</i> investigations on human rights violations by detention and protection facilities (excluding mental healthcare facilities and those for children and persons with disabilities), other national institutions, local governments, etc. Visiting investigations for detention and protection facilities
Committee on Discrimination Remedy	<i>Ex officio</i> and visiting investigations on acts of discrimination motivated by reasons specified in the National Human Rights Commission of Korea Act (excluding "disability") and by other reasons
Committee on the Rights of Persons with Disabilities	<i>Ex officio</i> and visiting investigations on acts of discrimination based on disabilities and human rights violations at facilities for persons with disabilities and mental healthcare
Committee on Child Rights	<i>Ex officio</i> investigations on human rights infringement against children under 19 (excluding persons with disabilities) <i>Ex officio</i> and visiting investigations for human rights violations committed at protection facilities for children, juvenile reformatories, etc.

■ Conciliation Committees

To facilitate prompt and fair mediation on petitions, the Commission operates Conciliation Committees for human rights violations, acts of discrimination, sexual discrimination, and disability-motivated discrimination. Conciliation Committees members are selected among human rights experts with professional knowledge and experience who have worked in a related national or private institution for at least ten years; those who have served as a judge, prosecutor, military judicial officer, or lawyer for at least ten years; or those who have held the position of assistant professor or higher at a college or a government-certified research institute for at least ten years.

Each Conciliation Committee comprises three members: a committee chairperson who is a commissioner and two mediation members (external members).

Mediation requests may be submitted at any time before the Commission makes its final deliberation and decision, including at the time the petition is submitted or during the ensuing investigation. Mediation seeks to help both parties concerned reach a voluntary agreement and settle their dispute for cases either referred by the consent of both parties concerned or by the authority of the Commission. This system was introduced to expedite resolutions, reduce costs, and enhance the effectiveness of related remedies. An established mediation and any decision that substitutes a mediation¹⁾ are equivalent to a conciliation resolution settled in court.

Secretariat

As of December 2018, the Commission's Secretariat consists of the Secretary General, four public officials in general service, four bureaus, 16 divisions, two teams, and five affiliated institutions. The maximum number of personnel is 220, including 178 in the head office (including four public officials in general service) and 42 in the affiliated institutions.

In 2018, one bureau, two divisions, and one team were newly added to the Commission's organization. The Investigation Bureau was divided into the Civil and Political Rights Bureau and the Discrimination Remedy Bureau, while the Economic, Social and Cultural Rights Division, Armed Forces Human Rights Investigation Division, and Gender Discrimination Remedy Division were also established to reinforce the Commission's functions in those respective fields. In early 2019, the temporary Planning Group for Response to Hatred and Discrimination (January) and Special Investigation Group for Athletes' Human Rights (February) were launched.

1) Article 42 (Mediation by Conciliation Committee) of the National Human Rights Commission of Korea Act

(2) Mediation shall be completed at the time when, after the procedures therefor are initiated, both parties state the compromised matters in mediation documents and sign and seal such documents and when the competent Conciliation Committee, in turn, ascertains no flaws in those documents.

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

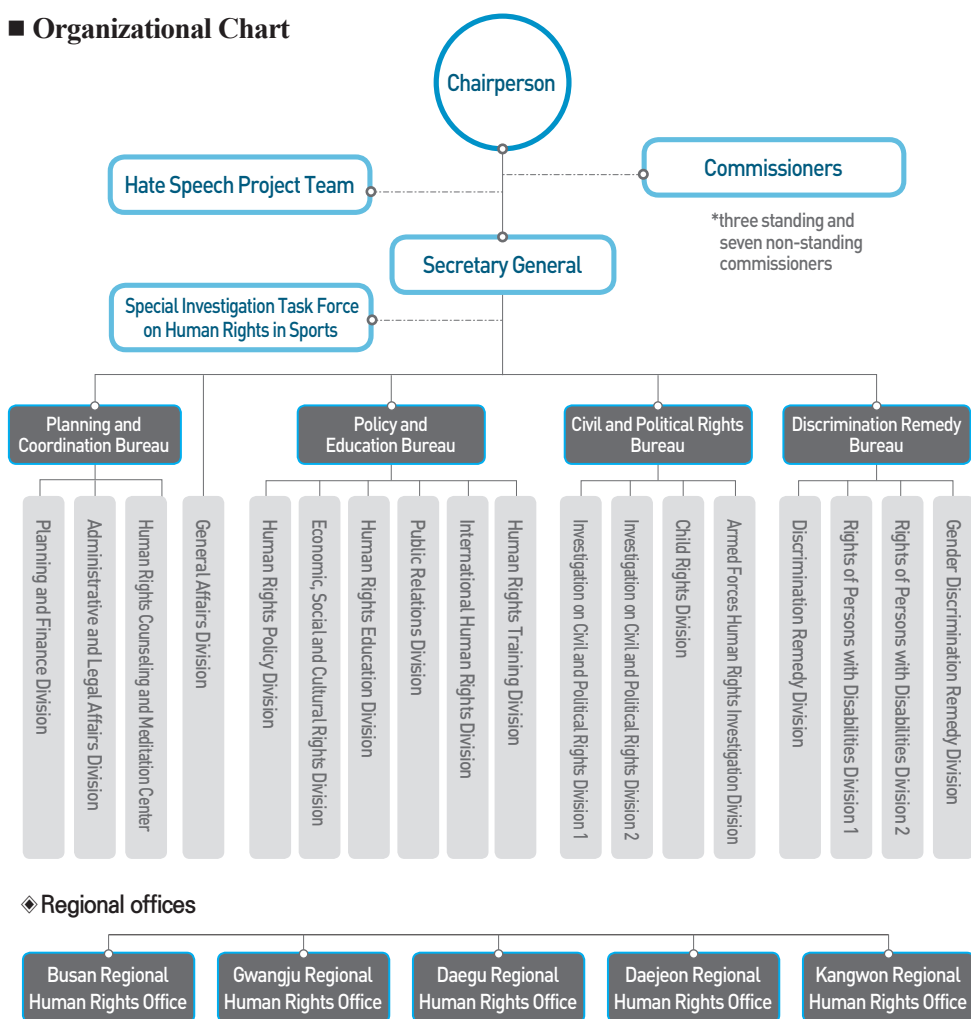
(6) If any concerned party fails to file a complaint within 14 days after he/she has been served with a written decision under Paragraph 5, he/she shall be deemed to have accepted the mediation.

[Table 1-1-2] Maximum Number of Commission Personnel

(As of December 31, 2018)

	Total	Officials in general service	Senior Civil Service Corps	Officials of classes 3 and 4	Officials of class 4	Officials of classes 4 and 5	Officials of class 5	Officials of class 6	Officials of class 7	Officials of class 8	Officials of class 9	Archivists	Inspectors
Total	220	4	5	3	18	15	55	50	40	8	20	1	1
Head office	178	4	5	3	13	15	46	46	26	3	15	1	1
Regional offices	42	0	0	0	5	0	9	4	14	5	5	0	0

■ Organizational Chart





In establishing the 5th phase of our Human Rights Promotion Action Plan (2018-2020) in 2017, we detected early signals of a new crisis such as the polarization of the labor market caused by educational achievement gaps and formation of academic cliques resulting from income gaps and subsequent discrimination. In response, we set the goal of this action plan for 2018 as "to realize a society free of polarization and discrimination that ensures the respect of the human rights of all."

In reality, Korea witnessed a series of human rights issues in 2018, including the hardships faced by the younger generation and the stress of job insecurity of irregular workers under indirect employment arrangements often described as "the outsourcing of danger."

With the spread of the #Me Too movement and the surge of asylum-seekers from Yemen coming to Jeju Island, distorted views on and unjustified hostility towards women and refugees also proliferated. In response, since the inauguration of the new Chairperson, the Commission has focused on resolving such hostility towards and discrimination against women, migrants, refugees, and sexual minorities as well as on eliminating social polarization and reinforcing the social safety net.

On the internal front, 2018 was a landmark year in the 17-year history of the Commission. The Innovation Committee, formed in October 2017, recommended the initiation of the investigation on the blacklist of the Commission staff and the reinforcement of the Commission's transparency and independence as it concluded its activities in late January 2018. We strived to earnestly and faithfully carry out its recommendations throughout the year.

Moreover, the appointment of a female chairperson with a background as a dedicated human rights activist served to spark larger waves of change. Choi Young-ae is the first Chairperson to assume the post from a non-legal field, and her presence contributed to forming the solid foundation for the proposal of the Human Rights Advocates' Coalition and for the reinforcement of partnerships with human rights and civil society organizations in 2018.



Basic Directions and Major Achievements in 2018

1. Basic Directions

We aimed to further enhance our prestige as a human rights institution trusted and supported by the public by promptly and effectively responding to diversifying human rights issues, reinforcing our role as a quasi-international organization, expanding our cooperation with domestic and international partners, and strengthening our capacity to prevent human rights violations and enhance human rights protection through the 5th phase of the Human Rights Promotion Action Plan (2018-2020).

2. Major Achievements

A. Four Strategic Objectives

1) Reinforcing Social Rights and Guaranteeing a Life of Dignity

Protecting Workers at Risk of Human Rights Violations

We strived to promote the human rights of all workers, ensure the substantive safeguarding of the three basic labor rights, and protect at-risk groups such as irregular workers as evidenced by an array of activities. We hosted the forum to publicize the results of the Factual Survey on Workplace Bullying and to seek related solutions; issued the Chairperson's statement to urge the conversion of irregular school personnel to full-time status to ensure quality educational services; expanded the list of substances to be monitored as reproductively toxic substances; proposed ways to provide notification on harmful and hazardous chemicals; made recommendations for the protection of the rights to health of workers exposed to reproductively harmful factors and their children, such as the introduction of the MSDS (material safety data sheet) trade secret review system; issued the Chairperson's statement to welcome the agreement to reinstate all employees of SsangYong Motor; and organized the forum to announce the results of the factual

survey on human rights conditions of workers under indirect employment arrangements and to seek improvement measures.

We also proactively responded to pending labor rights issues. Regarding the sit-in protest atop a high-rise structure staged by the workers of Company A since November 2017, we worked hard to arbitrate between management and labor and facilitate the resolution of the dispute through face-to-face talks and discussions with representatives of management and labor and relevant government agencies.

As for the death of a subcontract worker at Taean Thermal Power Plant on December 11, 2018, we issued the Chairperson's statement on December 16 strongly urging the government and National Assembly to accurately identify the actual conditions of the outsourcing of hazardous jobs and to quickly come up with legal and institutional frameworks to protect subcontract workers. On December 26, the Chairperson visited the mortuary of the deceased, consoled the bereaved family, and closely listened to the opinions of the family and civil society about the government's investigation and the amendment of the Occupational Safety and Health Act. The Chairperson then inspected the accident site (Units 9 and 10) as well as Units 1 through 8 in operation and compiled the various challenges faced by subcontract workers through meeting with them.

Guaranteeing the Right to Education without Discrimination

Our effort to guarantee the right to education of children outside of school continued. We conducted research on the human rights conditions of students at unaccredited alternative schools and recommended the rectification of inappropriate academic guidance targeting children at childcare institutions to help such children apply to the schools of their choice.

In addition, we successfully identified the drawbacks and improvement points of educational policies and systems for students with severe and multiple disabilities through the Factual Survey to Promote the Right to Education of Students with Severe and Multiple Disabilities.

Reinforcing Access to Healthcare Services for the Socially Vulnerable

We recommended institutional improvements for the promotion of the right to health of former coal workers suffering from CWP (coal workers' pneumoconiosis). Based on our

recommendations, computed tomography will be introduced for the diagnosis of CWP; projects to support patients suffering from pneumonia and influenza will be implemented; and the items and periods for supporting the prevention and management of complications, etc., will be expanded.

We also strived to enhance the accessibility of children to healthcare services by monitoring the human rights conditions of children and teenagers regarding national health insurance.

Reinforcing the Right to Adequate Housing for the Poor

We sought institutional improvements by conducting factual surveys on the living conditions of those residing in non-dwellings such as gosiwon (small, cheap single unit in a shared house) and containers. We staged talks and debates in the wake of the visit of the United Nations Special Rapporteur on the Right to Adequate Housing. We also hosted an emergency debate on policy improvements in the wake of a fire at gosiwon that took several lives in November 2018 as an extension of our efforts to apply international standards for the right to adequate housing in Korea and come up with better measures in association with diverse human rights and civil society organizations and experts.

Guaranteeing the Right to Life for Those in Absolute Poverty

We conducted factual surveys on the status of seniors caring for seniors to identify their difficulties. We also strived to come up with effective measures to help poverty-stricken seniors, such as job creation, and released the Comprehensive Report on the Human Rights of Seniors to improve their human rights conditions.

2) Realizing a Substantively Equal Society through Combating Discrimination

Rooting Out Gender Discrimination, Preventing Sexual Harassment and Violence, and Offering Remedies

We actively responded to pending human rights issues by announcing the results of the Factual Survey on the Sexual Harassment of Students by Elementary, Middle, and High School Teachers and holding debates; recommending that schools change their longstanding practice of calling male students first and then female students during a roll call; and recommending to

correct the discriminatory act of constraining the use of educational facilities based on sexual orientation.

We newly established the Gender Discrimination Remedy Division on July 24 with the aim of more effectively addressing cases of sexual harassment and violence, crafting systems to prevent and respond to gender violence, and closing gender gaps such as the glass ceiling for female employees. In order to promote job security for women, we conducted the Factual Survey on Discrimination Based on Pregnancy, Childbirth, and Childcare Leave. To investigate the human rights conditions of the film industry in the wake of the legal action taken by an actress who was reportedly a victim of sexual violence committed during a movie shoot, the Factual Survey on the Human Rights Conditions of Women Working in the Fields of Culture and Arts was carried out. The Factual Survey on Sexual Harassment and Violence and Hostility against Women Online was also conducted to seek ways to counter the growing prevalence of "obscenity using communications media" and "hidden camera crimes," which are acts of sexual harassment and violence using online media, and hostility against women online.

We made policy recommendations to prevent the reproduction of gender stereotypes on broadcast programs and to ensure equal opportunities for women to take part in decision-making processes concerning broadcasting-related policies. We also expressed our opinion on the Act on the Prohibition of and Remedies for Sexual Discrimination and Harassment, Etc., proposed for legislation by the National Assembly to effectively reinforce remedial measures for victims of sexual harassment. Furthermore, we conducted an *ex officio* investigation on sexual harassment and violence within the prosecution and made our recommendation for the improvement of systems to promote an organizational culture that values gender equality. We established the Special Investigation Team for Sexual Harassment and Violence in the Fields of Culture and Arts and proposed improvement measures.

Promoting Deinstitutionalization and Improving Mobility for Persons with Disabilities, etc.

The Commission has set the goal of deinstitutionalization and has reviewed relevant measures to realize this goal of eradicating human rights violations repeatedly committed at residential facilities for persons with disabilities.

We made policy recommendations to give priority to wheelchair users in using call taxis to improve the mobility of persons with disabilities. At our recommendation, personal services for the vision-impaired have been provided at 193 expressway rest stops across the nation since April 2018. We highlighted the need for the expansion of adequate conveniences for tourists with disabilities and the revision of the timeline for its phased application regarding the amendment of the Enforcement Decree of the Disability Discrimination Prohibition Act. We also presented our opinion to the three largest national television networks, etc., to offer sign language interpretation service for the hearing-impaired for the PyeongChang 2018 Olympic and Paralympic Winter Games, local election debates, etc.

Protecting the Human Rights of Migrants and Refugees

In order to improve the human rights of migrants and refugees, we newly established the Migration and Human Rights Team within the Civil and Political Rights Bureau in 2018 and conducted policy reviews in a timely manner and effective on-site investigations.

We submitted our written contribution to the United Nations for the review of Korea's combined 17th, 18th, and 19th national report on the implementation status of the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter referred to as the Racial Discrimination Elimination Convention). We also participated in the session of United Nations Committee on the Elimination of Racial Discrimination in December and assisted the United Nations Committee in formulating concluding observations for the promotion of the human rights of migrants in Korea and the prevention of racial discrimination against them, seeking ways to promote the implementation of international human rights standards in Korea.

We have been able to improve the Commission's credibility in human rights issues of migrants by taking various measures to protect their human rights. First, the Chairperson issued three statements concerning asylum-seekers from Yemen on Jeju Island. The Commission conducted on-site investigations, dispatched standing commissioners to Jeju Island, hosted talks with experts, and monitored government policies and media trends. We also focused on forming close ties with both domestic and international institutions and groups dedicated to migrants' human rights.

Promoting Human Rights and the Right to Equality within the Criminal Justice System

We organized seminars and expert conferences regarding the abolition of the death penalty and the introduction of an alternative punishment and recommended the accession of the Second Optional Protocol to the International Covenant on Civil and Political Rights (hereinafter referred to as the Civil Rights Covenant) for the abolition of the death penalty.

We recommended the inclusion of a deceased member of the International Cooperation Personnel (an alternative civilian service program) as a candidate for the men of national merit examination, the improvement of the installation and operation of an integrated CCTV control center, and the improvement of the identification system based on the Regulations on Security Work.

We delivered our opinion on the legal age of criminal minors to guarantee the human rights of children and teenagers, executed an on-site investigation at the Seoul Juvenile Classification Review Center, and conducted research on deficiencies of the juvenile judicial system.

Reinforcing Preventive Measures for the Protection of the Socially Vulnerable

In celebration of Seniors' Day on October 2, we issued the Chairperson's statement urging all to change their mindset about seniors and work together to ensure retirement with dignity, while also staging a forum to address the hostility against seniors prevalent in our society and to seek ways to achieve intergenerational harmony.

With the aim of reinforcing the protection of children, we expressed our opinion on the partial amendment bill of the Child Welfare Act regarding the protection of children at relevant protection and treatment facilities and on child abuse within children's welfare facilities, staged a forum for the enactment of a special law for the Seongam Reformatory case and the preparation of support measures for the victims, expressed our opinion on the enactment of a special law for the Seongam Reformatory case and remedies for damage suffered by the victims, and issued the Chairperson's statements on the occasion of the 96th Children's Day and World Children's Day.

We strongly advocated better protective measures for the socially vulnerable by holding an international symposium for the inclusion of people with mental disabilities into local communities, recommending the improvement of systems that limit the attainment of

qualifications and licenses by people with mental disabilities, and issuing the Chairperson's statement on the tragedy of Sejong Hospital in Miryang.

We recommended that a petitionee who was found to have taken adverse personnel actions against a testifier in a petitioned incident of human rights violation at a facility for persons with disabilities to stop the act of human rights violation and requested legal aid from Korea Legal Aid Corporation as an emergency remedial measure on behalf of the petitioner.

We conducted *ex officio* investigations on two facilities for persons with disabilities that embezzled benefits and subsidies for their residents and forced them into labor. We also requested the prosecution's investigation of and recommended that local governments take administrative measures against these facilities.

3) Building Sustainable Human Rights Governance

Institutionalizing and Specializing Human Rights Education

We recommended that the Ministry of Education amend the Early Childhood Education Act to mandate that preschool teachers take human rights education training and delivered our opinion to the Ministry of Health and Welfare on the reinforcement of criteria for qualifications of human rights education lecturers and for the designation of human rights education institutions specified in the Enforcement Rules of the Welfare of Older Persons Act. We pushed ahead with the enactment of the Human Rights Education Support Act and the installation of the Human Rights Training Institute in close cooperation with the National Assembly and pertinent ministries.

We identified areas of improvements for elementary, middle, and high school textbooks by analyzing them from the perspective of human rights and monitored the current status of human rights education at national institutions and local governments to define the challenges to be overcome regarding the institutionalization of human rights education for public officials.

We launched the Council for Education on the Human Rights of the Disabled, Human Rights Education and Research-Centered University Council, and Council for Education on the Human Rights of Military Personnel to promote human rights education through collaboration with experts of different fields and provided momentum for the human rights education of media

professionals by crafting the three-year Human Rights Education Plan for Media Professionals. We organized a workshop for those in charge of human rights education and human rights protection officers at local governments and Offices of Education.

On the international front, we concluded an MOU with Canada's EQUITAS and successfully ran the human rights policy development program attended by international trainees from Nepal, Bangladesh, Colombia, etc.

We published teaching aids for online human rights education, including *Prevention of Disability-Based Discrimination*, *Understanding Human Rights*, *The Universal Declaration of Human Rights*, *Understanding the United Nations Convention on the Rights of the Child*, *Media and Human Rights*, and *Human Rights-Conscious Management Practices*, and translated and distributed *Plan of Action: World Programme for Human Rights Education* and *Human Rights Education Indicator Framework*. The publication of *Guidelines on Human Rights Education for Public Officials* and educational materials for labor rights also contributed to our expertise.

Strengthening Cooperation with Human Rights Institutions of Local Governments

We focused on solidifying the foundation for cooperation with the human rights institutions of local governments throughout 2018. Local governments' interest in human rights administration notably rose in parallel with the public's interest in human rights. As a result, notable changes were realized at some local governments in terms of human rights administration. Of particular note, all upper-level local governments are now equipped with human rights ordinances, with Incheon Metropolitan City as the last to join the group.

The Commission's awareness of the importance of cooperation with the human rights institutions of local governments continued to rise, and our scope of collaboration with them grew in proportion. To overcome the limits of cooperation projects mainly led by the Commission's Regional Human Rights Offices, we held meetings with public officials in charge of human rights at local governments and collected their opinions, while also creating a website to exchange ideas and share data with them.

We staged the Human Rights Advocates' Conference attended by local public officials in charge of human rights administration and human rights activists in December 2018. Through this conference, we focused on promoting understanding between the Commission, local human

rights institutions, and human rights and civil society organizations; helping these organizations share their experiences in human rights administration; and seeking solutions for future cooperation measures, thereby laying the foundation for nationwide collaboration.

We frequently monitored the latest developments regarding the enactment and amendment of human rights ordinances to ensure human rights support by all local governments. We judged that the attempt to abolish the Ordinance on the Protection and Promotion of Human Rights of Chungcheongnam-do Residents (hereinafter referred to as the "Chungnam Human Rights Ordinance") was a serious retrogression that counters the gravity of a local government's obligation to protect human rights and thus announced our opposition to its abolition and issued the Chairperson's related statement. We also organized an emergency forum participated in by human rights activists and academic circles to seek ways to sustain local human rights institutions.

Reinforcing Cooperation with Civil Society

Cooperation with human rights and civil society organizations is critical to improve the Commission's standing, performance of functions, and independence. In 2018, we focused on redefining our relations with human rights and civil society organizations.

We held a meeting with such organizations in the first half and second half of 2018 to collect their opinions and suggestions on our project plan for 2019. We also staged meetings on diverse subjects, from women to persons with disabilities, migrants, and children, to discuss next year's projects. We are tasked with building and sustaining a permanent cooperation system for different subjects and projects and enhancing the quality of cooperation.

Cooperating with National Human Rights Institutions of Different Countries and Ensuring a More Stringent Implementation of International Human Rights Standards

We gave presentations on our major activities at the annual meetings of the Global Alliance of National Human Rights Institutions (GANHRI) and Asia Pacific Forum of National Human Rights Institutions (APF) and took the lead in selecting major agenda items concerning human rights with the United Nations, including the Office of the United Nations High Commissioner

for Human Rights (OHCHR). We held the 3rd ASEM Conference on Global Ageing and Human Rights of Older Persons and engaged other ASEM member countries in more proactively addressing the human rights issues of seniors. Through our visits to the European Union Agency for Fundamental Rights (FRA) and the Canadian Human Rights Commission, we secured the support of the international community for our projects of focus. We invited staff members of diverse national human rights institutions for training (seven participants from seven countries) to share the latest developments in human rights and promote understanding between national human rights institutions.

We organized an international conference on the Second Optional Protocol to the Civil Rights Covenant that Korea has yet to join to encourage the discussion on the abolition of the death penalty and recommended that the government join the protocol. We further recommended that Korea join ILO Convention Nos. 87 and 98 concerning the freedom of association. We also actively responded to the review of Korea's 8th national report for the United Nations Committee on the Elimination of Discrimination against Women and the visit of the United Nations Special Rapporteur on the Right to Adequate Housing.

4) Expanding and Diversifying Human Rights Initiatives

Responding to North Korea's Human Rights Issues through Multiple Channels

We issued a statement urging the return of South Korean citizens detained in North Korea and staged the forum to review the implementation status of the North Korean Human Rights Act in celebration of the 2nd anniversary of its enactment. Also, we recommended the reinforcement of human rights education for North Korean refugees to help them proactively exercise their rights and respond to discrimination. As a result, the Ministry of Unification announced the plan to develop human rights education materials for North Korean refugees, strengthen human rights education for them, and establish relevant courses at Hana Centers in 2019.

We conducted the Factual Survey on Progress in the Personal Protection Program for North Korean Refugees in an effort to improve their human rights, expanded cooperation with the international community through the International Symposium on Human Rights Conditions of North Korea, and carried out on-site investigations overseas to uncover human rights violations committed during their escape from North Korea.

Promoting Human Rights-Conscious Management

We increased the diversity of the members of the National Contact Points for the OECD Guidelines for Multinational Enterprises and enhanced their operational transparency through recommendations for their institutional improvement.

On two occasions, we held the Human Rights-Conscious Management Forum targeting heads of public institutions to bring attention to and institutionalize human rights-conscious business practices, while also recommending the application of the Human Rights-Conscious Management Manual and the implementation of human rights-conscious business practices. Driven by our initiative, a number of public institutions are pushing ahead with the institutionalization of human rights in their management, and central ministries and upper-level local governments that have jurisdiction over such public institutions are working to include relevant criteria in their management assessments.

Promoting the Right to the Protection of Personal Data

We recommended the introduction of regulations for the installation and operation of an integrated CCTV control center as well as the improvement of the identification system based on the Regulations on Security Work.

Reinforcing the Rights to Life and Safety, Environment, and Culture

We recommended and identified current conditions for the reinforcement of the rights of workers involved in hazardous and accident-prone industries through such activities as the institutional improvement for the promotion of the rights to health of workers suffering from CWP as well as workers exposed to reproductively harmful factors and their children, the promotion of the human rights of groups vulnerable to the harmful effects of fine dust pollution, and our inspection of the Taean Thermal Power Plant accident site.

We included persons with disabilities in the target groups specified in the fine dust pollution control manual and recommended institutional improvements such as the compulsory installation of air purifying devices and indoor air quality management at all childcare centers. Moreover, we conducted the Factual Survey on the Status of and Improvement Measures for Human Rights Protection of the Socially Vulnerable during Disasters including Large Fires to

seek ways to better protect the human rights of the socially vulnerable during emergencies and recommended the institutional reform for the protection of the human rights of those tasked with the mass and humane culling of infected animals, including the introduction of psychotherapy requirements and creation of a checklist for related psychological and physical symptoms of trauma.

Promoting a Military Culture That Respects Human Rights

We strived to promote a military culture that respects human rights throughout 2018. Based on the amendment of the Decree on the Organization of the National Human Rights Commission of Korea on July 24, the previous Military Personnel's Human Rights Team within Investigation on Civil and Political Rights Division 1 was realigned into the Armed Forces Human Rights Investigation Division. This division began operation with seven staff members and one member dispatched from the Ministry of National Defense. In addition to violations of the human rights of military personnel and for consistency, discrimination cases were also transferred to this division from the Discrimination Investigation Division. The division's investigation scope was expanded to apply to all human rights violations and discrimination committed in the process of performing military duty and systematized to deal with cases concerning conscripted police officers, firefighters, social workers, and public health doctors.

To create public consensus on the alternative civilian service system and ensure their reflection in relevant legislation, we conducted the Factual Survey on Ways to Introduce Alternative Civilian Service for Conscientious Objectors through a service contract, held a seminar over the introduction of the alternative civilian service system, and submitted our opinion on trials of cases in violation of Article 88 (1) of the Military Service Act, etc., to the Supreme Court of Korea.

We delivered our opinion on the need to abolish the military detention system to the National Assembly, etc., and focused on appealing to the public on this matter, while also reviewing the status of the guarantee of patients' rights through visiting investigations of military mental healthcare institutions.

B. Special Program: Actively Responding to the Spread of Hate Speech

Hate speech, which is defined as a statement to incite or promote hatred towards a certain

group or individual, is rapidly spreading both online and offline, and active discussions on the need to regulate hate speech are taking place. In order to better deal with hate speech and consequently intensifying discrimination, as well as hate-motivated crimes, we selected Actively Responding to the Spread of Hate Speech as the special program for the 5th phase of the Human Rights Promotion Action Plan (2018-2020) and conducted a factual survey to provide the basis for the guidelines for responding to hatred and discrimination committed by public institutions (including schools, universities, and central and local governments) and media.

We engaged in identifying the actual situation of groundless rumors and hate speech concerning asylum-seekers from Yemen on Jeju Island and in delivering accurate information. We also strived to change biases regarding social minorities (especially sexual minorities) by setting up a booth at the Seoul Queer Culture Festival and hanging a rainbow banner on the exterior of the Commission's building.

As hate speech targeting women, children, seniors, persons with disabilities, migrants, and sexual minorities has emerged as a social issue, we formed the task force to combat hatred and discrimination led by the head of the Discrimination Remedy Bureau.

C. Feature Program: Reinforcing the Competence of the Commission

Pushing Ahead with the Enactment of the Framework Act on Human Rights

We collected opinions of outside experts and held discussions with human rights and civil society organizations and relevant government agencies for the enactment of the Framework Act on Human Rights that defines the roles of the central and local governments in the protection and promotion of human rights and institutionalization of the human rights protection system. We also sought advice in different areas from the Council of Human Rights Commissions of Upper-Level Local Governments to publicize our efforts for the enactment of the Framework Act on Human Rights and set forth related proposals.

Monitoring the Implementation Status of Recommendations and Improving Our Work Process

We conducted joint investigations with the prosecution and police to review the implementation status of the Commission's recommendations to selectively use handcuffs

and allow suspects to take notes during investigations and to improve the conditions of jail cells. We strived to maximize the effectiveness of our investigation procedures by making our preliminary investigations a part of an official process conducted by a dedicated unit to enhance the efficiency of our main investigation, streamlining our case dismissal and closing procedures through the amendment of the Regulations on Investigations and Remedies of Human Rights Violations and Discrimination, and strengthening the management of the creation of rulings.

We developed government performance assessment criteria and accordingly assessed the implementation status of the Commission's recommendations and human rights improvement efforts at 43 central administrative institutions and 243 local government bodies.

D. Response to Key Human Rights Issues

Special Investigation Team for Sexual Harassment and Violence in the Fields of Culture and Arts

A string of sexual harassment and sexual violence cases in the fields of culture and arts were disclosed and reported via the media in 2018. In response, the Commission and the Ministry of Culture, Sports and Tourism formed and operated a special investigation team for 100 days from March 12 to handle cases disclosed through the #Me Too movement, etc.

This special investigation team looked into a total of 36 cases, including six directly submitted to the team and 30 transferred upon request by the victims, among 175 cases submitted to the Special Report and Counseling Center for Cases in the Fields of Culture and Arts under the Ministry of Gender Equality and Family. We held meetings and seminars with over 40 relevant institutions, organizations, and experts and analyzed the results of the survey of 4,380 respondents (among 64,911 surveyed online), including those from 24 organizations in the fields of culture and arts and students of art colleges.

Based on the survey, seminars, and investigations of reported cases, the team proposed four policy tasks: creating an institution committed to sexual harassment and violence cases in the fields of culture and arts; enacting laws on the protection of the status and rights of artists to eliminate blind spots; revamping laws and institutions to exclude perpetrators in sexual harassment and violence cases from public support; and coming up with a standard contract form specifying preventive measures for sexual harassment, etc., and making the use of this

contract form mandatory when providing subsidies. To root out sexual harassment and violence at colleges related to culture and arts, we proposed measures such as the upgrading of the grievance settlement system and the victim protection system, the creation and distribution of guidelines and manuals for the prevention of sexual harassment and violence, preventive education, and the reinforcement of on-site investigations..

Ensuring the Protection of the Human Rights of Asylum-Seekers

Negative public sentiment rapidly spread throughout the nation when over 500 Yemenis, who had fled from their war-torn country, came to Jeju Island in April and May 2018 and sought refugee status. Some of the groundless, distorted, and exaggerated arguments were reported by the media and taken as fact due to a lack of understanding of refugees and information about the actual conditions in their countries, their culture, and their religion. This led to intensifying public anxiety and the filing of a petition entitled Petitioning for the Abolition of and Necessary Constitutional Amendment for the Refugee Act, Admission without Visa, and Approval for Refugee Status on the Cheong Wa Dae website on June 13.

We issued the Chairperson's statement three times, urging the government to clarify its stance and come up with measures for asylum-seekers in compliance with international human rights standards and the Refugee Act, while also interviewing asylum-seekers several times on-site and calling for fair examinations through meetings with officers in charge of screening refugees. We staged the Talks on the Role of Media on August 30 and created and distributed leaflets and card news to help eliminate related bias.

Conducting a Joint Investigation on Sexual Violence Committed by the Military during the May 18 Democratization Movement

We launched the Joint Investigation Team for Sexual Violence Committed by the Military during the May 18 Democratization Movement on June 8 jointly with the Ministry of National Defense and the Ministry of Gender Equality and Family to investigate accusations of sexual violence committed during the military crackdown on the pro-democracy Gwangju demonstrators. The joint investigation team was co-headed by the Commission Secretariat General and the Vice Minister of Gender Equality and Family and consisted of 12 members (excluding the heads) from the three institutions.

The joint investigation team discovered a series of human rights violations against women (including the sexual molestation and sexual torture of citizens and those taken to and detained at police stations) in addition to the 17 cases of sexual violence committed by the military on-site and announced the investigation results on October 31.

The results of the investigation were transferred to be used as basic data for the investigative activities of the Truth Investigation Commission on the May 18 Democratization Movement to be launched pursuant to the Special Act on the Truth Investigation of the May 18 Democratization Movement (enacted on March 13, 2018, and enforced on September 14, 2018).

Responding to the Attempt to Abolish the Chungnam Human Rights Ordinance

The Chungcheongnam-do Council tabled the proposal to abolish the Chungnam Human Rights Ordinance on January 16. We expressed our opposition on January 25, stating that such an attempt is a retrogression from the call of the times requiring local governments to address human rights issues and fulfill their responsibility to uphold human rights for all, especially social minorities such as women, persons with disabilities, children, seniors, and migrant workers. We issued the first Chairperson's statement on January 31, expressing regret over the council's decision to table the proposal.

Despite our efforts, the council voted to abolish the ordinance on February 2, and the Governor of Chungcheongnam-do submitted it for reconsideration. To prevent this incident from triggering the subsequent abolition of human rights ordinances in other regions, we sought international cooperation by sending the Chairperson's letter dated March 13 to the United Nations Special Rapporteur on Minority Issues requesting an immediate visit and staged an emergency forum on March 29.

However, the Chungcheongnam-do Council again voted in favor of the abolition of the ordinance on April 3, and in response, we issued the second Chairperson's statement on April 5, expressing our deepest regrets over its decision to destroy the system and foundation for the protection of the human rights of local residents.



Chapter 4

Assessment and Challenges

The year 2018 marked the initiation of the 5th phase of the Human Rights Promotion Action Plan and witnessed our continual efforts to push ahead with detailed plans for the realization of a society free of polarization and discrimination and ensuring respect for human rights and to develop new human rights agenda items.

In accordance with the recommendations of the Innovation Committee in operation in 2017, we reinforced our transparency by probing the case of the blacklist of the Commission staff and improving the method of taking minutes, upgrading the Chairperson appointment procedures, and publishing materials to better human rights defenders' understanding of human rights. Such activities are evaluated to have contributed to the reinforcement of the Commission's status as an independent national institution.

With the inauguration of the new Chairperson in September 2018, the four tasks of resolving hatred and discrimination, actively responding to polarization and the social safety net crisis, reinforcing the human rights partnerships with the central and local governments, and improving relations with human rights and civil society organizations were proposed, while the Planning Group for Response to Hatred and Discrimination was also formed.

A string of sexual harassment and violence issues erupted from within the prosecution and the fields of culture and arts in relation to the #Me Too movement, which was one of the hottest topics in 2018. Although our existing organizational structure had its limitations in readily addressing these issues, we instantaneously undertook the *ex officio* investigation targeting the prosecution and launched the Special Investigation Team for Sexual Harassment and Violence in the Fields of Culture and Arts jointly with the Ministry of Culture, Sports and Tourism. We also established the Joint Investigation Team for Sexual Violence Committed by the Military during the May 18 Democratization Movement in cooperation with the Ministry of National Defense and the Ministry of Gender Equality and Family, thus demonstrating our capacity to flexibly deal with diverse human rights issues. In order to stop the spread of negative public sentiment about asylum-seekers from Yemen on Jeju Island, we urged the government to aggressively redress biases and hostility towards them and come up with measures to promote their human

rights. We also visited the sites of a sit-in atop a high-rise structure and a hunger strike, served as the on-site protector of human rights at protests opposing the THAAD deployment, and monitored the status of human rights protection at large-scale demonstrations in urban centers.

We focused our resources on publicizing the need for the introduction of alternative civilian service and the abolition of the death penalty. To build public consensus on alternative civilian service, we expressed our opinion on the proposal for the partial amendment of the Military Service Act for the introduction of alternative civilian service and conducted a factual survey on ways to introduce alternative civilian service for conscientious objectors. We staged an international seminar on the abolition of the death penalty and conducted a factual survey on its abolition and alternative punishments to highlight this issue.

We developed new policy tasks and proposed human rights agenda items to avoid loopholes in human rights protection and promote the human rights of the socially vulnerable by conducting a factual survey on the protection of the lives and right to safety of the socially vulnerable in case of disasters; promoting the right to health of those engaged in the mass culling of infected animals, such as treatment for trauma; and offering measures to protect the socially vulnerable against fine dust pollution, etc. We devised government performance assessment standards in 2018 and based on these standards, assessed compliance with the Commission's recommendations and other efforts to promote human rights at 43 central administrative institutions and 243 local government bodies. The assessment has encouraged government institutions to better put into practice the Commission's recommendations and to develop and fulfill human rights tasks voluntarily.

To establish new human rights promotion and protection mechanisms, we pushed ahead with the enactment of the Framework Act on Human Rights and the launch of the system of the officer for the protection of the human rights of military personnel as well as the enactment of the Human Rights Education Support Act and the installation of the Human Rights Training Institute to institutionalize human rights education. However, as our efforts failed to produce significant results, it seems necessary to more aggressively appeal to the public regarding the need for human rights education and draw up new strategies.

We will be hosting the APF Annual Meeting in 2019, the first in 15 years since 2004, which is expected to serve as momentum for Korea to elevate its standing in the international community. We faithfully fulfilled our role as a quasi-international institution by recommending

that the government join the Second Optional Protocol to the Civil Rights Covenant and ILO Nos. 87 and 98; seeking measures for the United Nations' concluding observations for Korea's 4th national report on the International Covenant on Economic, Social and Cultural Rights; providing support for the APF and GANHRI conferences; and offering invitational training to staff members of national human rights institutions of different countries. On June 26, we opened the ASEM Global Ageing Center in Seoul designed to serve as the platform for discussions on seniors' human rights between Asia and Europe. However, it still needs to draw greater direct participation from state parties, including the sharing of working expenses.

Hate speech and discrimination against social minorities has been spreading rapidly, compromising human dignity and social integration. Social polarization is also intensifying with economically disadvantaged groups such as irregular workers and poverty-stricken youth and seniors growing. This situation calls for our active response to hate speech and further engagement in the resolution of polarization through the improvement of the social safety net for social minorities.

The number of petitions submitted and processed in 2018 decreased compared to 2017. The number of petitions processed seemingly fell due to the surge in submissions in 2017, and thus many of them were left unresolved. Furthermore, investigation staff was dispatched to multiple task forces²⁾ for different human rights issues, and large-scale *ex officio* investigations were conducted, including the one for sexual harassment and violence within the prosecution.

Significant recommendations for the improvement of existing practices and the human rights of social minorities were also delivered. We recommended that the prosecution immediately remove the prohibition or suspension of departure when a suspect is ruled not guilty, and the prosecution announced that it would work to prevent any unduly prolonged prohibitions of departure. We recommended providing resident children at childcare institutions with academic guidance with the highest priority on ensuring their wellness and developing their talent during times of educational transition. An institution that attempted to forcefully hospitalize one of its resident children in a mental hospital was handed down a disciplinary measure.

2) The Special Team for Investigating Sexual Harassment and Sexual Molestation and Institutional Improvement (March 15-July 24, 2018) and the Joint Investigation Team for Sexual Violence Committed by the Military during the May 18 Democratization Movement (June 22-October 31, 2018)

We recommended the provision of around-the-clock activity support services to ensure the safety of people with serious disabilities during the severely hot season, thereby leading the Ministry of Health and Welfare and Seoul Metropolitan Government to announce their plans to take necessary steps and improve their related systems. As for a case of sexual harassment and secondary damage that occurred at a local press organization, we made sure that the petitioner did not suffer from a hostile working environment. Our recommendation to remedy the discriminatory act of denying non-public-official staff members the opportunity to take part in a sports competition of a local government as athletes led to the removal of restrictions only applied to public officials. We recommended that social welfare facilities stop verifying the fingerprints of their employees for calculating overtime pay and come up with alternative methods, while also urging the imposition of severe disciplinary action against a chairperson of the board of a public corporation who coerced corporation staff to run his/her personal errands during on-duty hours and verbally abused them.

We newly established one bureau, two divisions, and one team in July 2018. The previous Investigation Bureau was divided into the Civil and Political Rights Bureau and Discrimination Remedy Bureau to more effectively and adeptly remedy human rights violations and discrimination. We also newly established the Economic, Social and Cultural Rights Division, Armed Forces Human Rights Investigation Division, and Gender Discrimination Remedy Division, thereby further reinforcing our expertise in relevant areas.

The establishment of the Economic, Social and Cultural Rights Division represents our efforts to deal with polarization, the improvement of the social safety net, and seniors' human rights in a preemptive manner. The Armed Forces Human Rights Investigation Division, formerly the Military Personnel's Human Rights Team within Investigation on Civil and Political Rights Division 1, was set up to serve as the single channel for all human rights issues concerning the military. The investigation scope was expanded to apply to all human rights violations and discrimination committed in the process of performing military duty and systematized to deal with cases concerning conscripted police officers, firefighters, social workers, and public health doctors.

We strived to establish the Gender Equality Division in order to more effectively prevent and remedy gender discrimination, sexual harassment, and sexual violence. However, it was decided, after the discussions with the government, that the temporary Gender Discrimination

Remedy Division will be operated over the next three years. The establishment of the Gender Equality Division is still deemed critical for us to fulfill our role of developing Korea into a gender-equal society in the longer term.

To combat hatred and discrimination against social minorities, we formed the Planning Group for Response to Hatred and Discrimination led by the head of the Discrimination Remedy Bureau, which will be charged with conducting a factual survey on hatred and discrimination, publicizing issues arising from hatred and discrimination, and engaging in education and promotional activities to bring positive change to public perception throughout 2019.

National Human Rights Commission of Korea

Annual Report 2018

02

Commission's Major Activities

Chapter 1 Improvement of Human Rights–Related
Statutes, Institutions, Policies, and Practices

Chapter 2 Investigations of and Remedies for Human
Rights Violations and Discriminations

Chapter 3 Human Rights Education and Promotional
Activities for Public Awareness

Chapter 4 Domestic and International Exchanges and
Cooperation

Chapter 5 Regional Human Rights Offices

National Human Rights Commission of Korea

Annual Report 2018

02

Commission's Major Activities



Chapter 1

Improvement of Human Rights-Related Statutes, Institutions, Policies, and Practices

Section 1. Overview

Based on the NHRCK Act, the Commission makes recommendations and presents opinions to improve human rights-related statutes, institutions, policies, and practices; conducts surveys on human rights conditions; and makes recommendations and presents opinions regarding compliance with international human rights conventions.

If deemed necessary, we can establish subcommittees and advisory bodies to perform our duties; consult with national institutions, local governments, and other public and private organizations; organize hearings; and present our opinions to courts and the Constitutional Court regarding trials that have significant implications on the protection and improvement of human rights. We are obligated to prepare an annual report to specify our activities and human rights conditions and improvement measures thereof for the preceding year to submit to the President and the National Assembly.

In 2018, we focused on promoting basic rights and building an institutional foundation for the guarantee of human rights; protecting the human rights of social minorities and socially vulnerable groups; expanding activities to monitor and remedy human rights violations and discrimination; promoting awareness on the importance of respecting human rights; fostering a society committed to improving the reach of human rights; facilitating the implementation of international human rights standards in the country; enhancing cooperation with civil society; and improving the human rights conditions in North Korea.

Section 2. Policy Recommendations and Opinions

1. Status of Recommendations and Opinions

[Table 2-1-1] Status of Recommendations and Opinions on Related Laws and Policies

(Unit: cases)

Classification	Total	Policy recommendations	Opinions expressed	Opinions submitted
Cumulative sum	773	361	385	27
2018	62	26	33	3
2017	64	30	33	1
2016	72	44	26	2
2015	36	12	23	1
2014	46	27	18	1

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

In 2018, the Commission made 26 policy recommendations in total, down by four from the previous year, while the number of opinions presented remained the same at 33. A total of three opinions were submitted, up by two from the previous year. The total number of recommendations and opinions dropped by two from the previous year in 2018.

The total number of policy recommendations made, opinions presented, and opinions submitted in view of the need for the improvement of relevant policies and practices through individual petitions reached 16. We made policy recommendations and presented opinions based on the results of *ex officio* investigations for two cases and made policy recommendations based on the results of visiting investigations of two cases.

We made recommendations and presented opinions calling for the preparation for the abolition of the death penalty and the introduction of alternative punishments, the enactment of the Framework Act on Human Rights, and the introduction of alternative civilian service for conscientious objectors. We actively responded to the latest human rights issues by calling for measures for asylum-seekers from Yemen on Jeju Island and visiting the site of the death of a young subcontract worker at Taean Thermal Power Plant and subsequently issuing a statement exhorting protective devices.

2. Major Policy Recommendations³⁾

A. Improving the National Contact Point for the OECD Guidelines for Multinational Enterprises

On February 8, we recommended that the Minister of Trade, Industry and Energy diagnose and redress the problems of the National Contact Point for the OECD Guidelines for Multinational Enterprises to better prevent and remedy human rights violations committed by multinational companies.

The international community enacted the OECD Guidelines for Multinational Enterprises in 1976 to prevent human rights violations by multinational companies and come up with standards for remedial measures, and Korea has operated an NCP since December 2000.

However, the international community recently pointed out that Korea's NCP required improvement. As such, we looked into the accountability, transparency, visibility, and accessibility of the NCP and proposed improvement measures.

To ensure the NCP's role in effectively preventing and remedying acts of human rights violations by multinational companies, we recommended that it guarantee the operational independence and diversity of NCP members by engaging those from civil society and labor circles, secure the effectiveness of the final statement through checking whether the petitioned case was processed in compliance with the guidelines, install a consultative body consisting of stakeholders, and come up with recordkeeping regulations for accessing digital information and the systematic management of data.

B. Recommending Institutional Arrangements for the Promotion of Human Rights of Female Migrant Workers

On March 22, we decided to recommend that the Minister of Employment and Labor and Minister of Gender Equality and Family make institutional arrangements for the prevention and remedy of sexual harassment and violence and the protection of maternity to promote the

3) Refer to the list of our policy recommendations in Appendices.

human rights of female migrant workers suffering from multiple discriminatory acts as women, migrants, and workers.

In particular, female migrant workers were often found to be unable to respond properly to sexual violence, etc., due to communication difficulties, economic difficulties, low awareness on reporting and remedy procedures, anxiety about their status of stay, and the location of their workplaces (for those working in rural areas).

C. Recommending Institutional Arrangements for Legal Limitations of Persons with Disabilities in Acquiring Certificates and Licenses

On April 12, we recommended that the Prime Minister implement government-wide measures to abolish and ease 27 legal provisions that constrain the attainment of certificates and licenses by persons with mental disabilities and we recommended that the Minister of Health and Welfare abolish the provision in the Social Welfare Services Act that constrains persons with mental disabilities from attaining the social worker certificate.

Six acts, including the Mother and Child Health Act (grounds for qualifications for the installation and operation of postpartum care centers), were found to severely restrict the attainment of certificates and licenses by persons with mental disabilities. As many as 17 acts, including the Public Health Control Act (grounds for qualifications for barbers and beauticians), define mental disability as grounds for disqualification in principle and permit the attainment of a certificate as an exception only when the applicant is recognized to have no difficulty in performing the job based on the diagnosis of medical specialists, etc. The Social Welfare Services Act enforced on April 25, 2018, included mental disability in the grounds for disqualification as social workers in principle.

Such legal provisions presuppose that persons with mental disabilities are potentially dangerous and incompetent. However, we viewed that it is unjustified to exclude all persons with mental disabilities in such a manner, as such a presupposition has no specific grounds, mental disability can be treated in the same manner as other physical disabilities, and job qualifications can be adjusted based on the severity of disability and treatment progress.

We also viewed that the classification of mental patients should be revised in a way that

specifies their objective conditions, such as those with difficulties in performing given jobs due to physical and mental disabilities pursuant to the Act on the Improvement of Mental Health and Support for Welfare Services for Mental Patients (hereinafter referred to as the Mental Health Welfare Act); that relevant evaluation criteria and procedures must be clearly provided as review regulations; and that remedial procedures, such as opportunities for explanations and hearings, must be offered for those found to be disqualified.

D. Recommending Discontinuation of the Practice of Suspending the Departure of Children of Undocumented Migrants, etc., on the Grounds of Unpaid Fines

On April 19, we recommended that the Minister of Justice end the practice of suspending the departure of foreigners such as children of undocumented migrants for the reason of unpaid fines. We also recommended compliance with original fine imposition procedures such as written notification in principle as well as the introduction of applicable provisions and systems to accelerate the process when it is deemed inevitable to impose a fine at ports of entry and departure.

Pursuant to Article 79 of the Immigration Act, when foreigners under the age of 17 fail to apply for permission for the attainment of status of stay or for the extension of the period of stay, their parents or legal guardians are obligated to apply for such permission. Children and their legal guardians in violation are to be imposed with a fine of up to KRW 1 million and suspended from leaving Korea when this fine is not paid.

We viewed that the suspension of departure of foreigners, including the children of migrant families, due to unpaid fines is a restriction of their freedom of departure guaranteed by international human rights conventions and customary international law and that their failure to pay fines, which are imposed for a violation of a public order, does not qualify as reasonable grounds for the suspension of departure in accordance with Article 79 of the Immigration Act. Furthermore, as the children of migrant families are not fine defaulters, we judged that it is unjustifiable to suspend the departure of such children due to unpaid fines and a restriction of their freedom of departure without legal grounds.

E. Recommending Institutional Arrangements to Protect the Right to Health of Workers Exposed to Reproductively Harmful Factors and Their Children

On July 12, we recommended that the Minister of Employment and Labor amend related acts such as the Occupational Safety and Health Act, Labor Standards Act, and Industrial Accident Compensation Insurance Act to better protect the right to health of workers exposed to reproductively harmful factors and their children.

Reproductively harmful factors include working conditions such as night shifts and prolonged standing in addition to reproductively toxic chemical substances. In particular, a total of 44 reproductively toxic substances, which refer to substances adversely affecting the reproductive functions of parents and the gestation and growth of babies and thus leading to infertility, miscarriage, and fetal abnormalities, are being monitored as of 2018.

However, according to the Commission's factual survey in 2016, those who responded as being aware of reproductive toxicity hovered at a mere 20%. Many still considered reproductive health a matter that only concerns women and were ignorant of the fact that subfertility, infertility, miscarriage, and stillbirth can be caused by work.

Pursuant to the Occupational Safety and Health Act, etc., employers are obligated to provide information on chemical substances at workplaces and safety and health education. However, such information and education are not sufficiently provided on-site, and requests for safety and health data are often turned down under the pretext of business confidentiality.

We judged that it is critically necessary to come up with ways to inform workers about harmful substances in an easy-to-understand manner and to guarantee workers the right to access and be offered data on safety and health at workplaces. In addition, we highlighted the need to amend related acts to extensively include jobs dealing with reproductively toxic substances in jobs not applicable to pregnant women, etc., and exclude pregnant women from being targets of night shifts or reinforce the permissible criteria for the targets of night shifts. In particular, we recognized the need for a more aggressive interpretation of damage to the health of children of workers incurred by their job performance as job-related accidents and for the amendment of related legal provisions such as Article 5 of the Industrial Accident Compensation Insurance Act.

F. Recommending Institutional Arrangements to Promote the Human Rights of Those Vulnerable to the Harmful Effects of Fine Dust Pollution

On July 19, we recommended that the Minister of Environment and Minister of Health and Welfare make institutional improvements for the protection and promotion of the health of those vulnerable to fine dust pollution such as persons with disabilities, infants, and seniors.

The government has already been implementing related policies based on the Manual to Respond to High-Concentration Fine Dust to Protect High-Risk Groups released in 2015. However, we recognized the need to include persons with disabilities in the high-risk groups specified in the manual as they are also highly vulnerable to the harmful effects of fine dust pollution like infants and seniors.

Also, the air purifier installation rates at childcare centers varied greatly from one region to another, and home-based childcare centers, cooperative childcare centers, and childcare centers measuring 430m² or less were excluded from the targets of fine dust management. Thus, we viewed it necessary to amend related laws and statutes as infants mostly stay indoors.

Seniors taking part in the government's projects aimed at supporting the employment and social activities of seniors are also highly likely to work outdoors and be exposed to fine dust pollution. As such, we recognized the need to take more preventive steps, such as the inclusion of fine dust measures in the Guidelines for Seniors' Health and Welfare Projects.

G. Recommending That Public Institutions Apply the Human Rights-Conscious Management Manual

On August 9, we recommended that the heads of 988 public institutions practice human rights-conscious management using the Manual for Human Rights-Conscious Management of Public Institutions to support the achievement of human rights-conscious management at public institutions and to reinforce its institutional foundation. We recommended that the heads of 30 central ministries and 17 upper-level local governments provide support to help their institutions practice management in a human rights-conscious manner and add more items of human rights-conscious management to the assessment criteria of public institution management.

The international community, including the United Nations, places importance on the duty of the state not only to prevent human rights violations by governmental authority but also to induce corporations to realize respect for human rights. As such, the Korean government established the 3rd National Action Plan for the Promotion and Protection of Human Rights (2018-2022) in August 2018 with the aim to institutionalize human rights-conscious management and remedy human rights violations.

Due to the lack of specific guidelines, those on the front lines of human rights were faced with difficulties in systematically and strategically practicing human rights-conscious management. Also, while human rights-related items were partially included in the management assessments for public institutions, they were weighted lower and were less specific than other items. Thus, the introduction of human rights-conscious management mostly hinged on the determination of the head of each public institution.

We developed a manual encompassing all stages of human rights-conscious management, from the establishment of the relevant system to the human rights impact assessment, the implementation and publicizing of human rights-conscious management, and the provision of remedial procedures, to encourage the implementation of human rights-conscious management at public institutions. We also recommended the addition of pertinent assessment items to the management assessment indicators for public institutions.

H. Recommending Accession to the Second Optional Protocol to the Civil Rights Covenant

On September 10, we recommended that the Prime Minister, Minister of Foreign Affairs, and Minister of Justice join the Second Optional Protocol to the Civil Rights Covenant for the abolition of the death penalty.

In the Second Optional Protocol to the Civil Rights Covenant adopted at the 44th United Nations General Assembly in December 1989, the abolition of the death penalty is an international promise aimed at improving human dignity and human rights. It specifies the obligation to prohibit the enforcement of the death penalty, the obligation to take necessary steps for the abolition of the death penalty, and the possibility of postponing the execution of the death penalty for military crimes during war. It has been joined and ratified by 85 countries, with 32

of the 36 OECD member states, excluding Korea, the US, Japan, and Israel, acceding to the protocol.

We viewed that the death penalty should be officially abolished on the basis that it is a cruel and inhumane punishment that violates the human dignity and value guaranteed by the Constitution and international human rights conventions as well as the nature of the right to life, that the damage done is irreparable when a case is misjudged, that it is difficult to recognize the death penalty as a crime deterrent, and that no death penalty has been carried out over the past 20 years since the last execution on December 30, 1997.

I. Recommending the Joining of ILO Convention Nos. 87 and 98

On December 10, we recommended that the Minister of Employment and Labor join ILO Convention No. 87 (Freedom of Association and Protection of the Right to Organize) and No. 98 (Right to Organize and Collective Bargaining).

Korea became the 152nd ILO member state in 1991 and has joined only four of the eight fundamental ILO conventions, including the Discrimination Convention and the Minimum Age Convention. With the other four conventions yet to be joined, Korea is witnessing a number of related labor rights issues such as restricting the scope of labor union activity of public officials, pronouncing the Korean Teachers and Education Workers Union as an outsider union, and charging those involved in labor union activities with business obstruction.

All ILO member states are obligated to respect, promote, and realize the eight fundamental ILO conventions in good faith regardless of ratification as specified in Article 2 of the ILO Declaration on Fundamental Principles and Rights at Work. ILO Convention No. 87 has been joined by 155 member states (32 unjoined) and No. 98 by 165 member states (22 unjoined). The international community has continuously demanded that Korea join these two conventions. The United Nations Committee on Economic, Social and Cultural Rights recommended that Korea join these conventions in its concluding observations for the 4th national report of Korea in 2017, while the United Nations Human Rights Council Universal Periodic Review (Third Cycle) also recommended that Korea join the Freedom of Association Convention and Forced Labor Convention.

We viewed that the Korean government needs to join ILO Convention Nos. 87 and 98 to fulfill its promise to the international community to ratify the fundamental ILO conventions and to realize Korea's constitutional values through guaranteeing basic labor rights defined in the Constitution.

J. Recommending That Broadcasting Companies Achieve Gender Equality Policies

On December 14, we recommended that the Korea Communications Commission Chairperson amend related laws and statutes to include provisions about restricting both genders from accounting for more than 60% when appointing members of the Korea Communications Commission and Korea Communications Standards Commission and board members of public broadcasting companies to ensure gender-balanced participation in the decision-making processes in the broadcasting industry.

In order to help broadcasting companies assess their own gender equality status and shortcomings, we recommended adding gender-equality items to broadcaster assessments to assess the gender ratio of each broadcaster's management and giving additional marks for its effort to achieve gender equality.

To prevent the reproduction of gender biases through broadcasting, we recommended that broadcasters expand media diversity survey items by including the genre of talk-shows on current affairs, etc.; introducing qualitative assessment methods such as the gender-specific analysis of roles played by characters; and summarizing the results of media diversity surveys and distributing the summary to broadcasting content producers for reference.

We recommended that the Korea Communications Standards Committee Chairperson establish a special committee on gender equality as a consultative body for monitoring broadcast programs, identifying cases that reproduced gender-based biases, and proposing improvement ideas.

We conducted the Factual Survey on Gender Discrimination Committed by the Media in 2017 to investigate the positions of women as described on television and verified that jobs and roles occupied by male and female characters were still affected by gender biases. In response, we recognized the need to ensure greater participation of women across all areas and eliminate such gender biases.

3. Major Opinions Presented⁴⁾

A. Expressing Opposition to the Abolition of the Chungnam Human Rights Ordinance

We expressed grave concern about the bill to abolish the Chungnam Human Rights Ordinance tabled on January 25 and our opposition to the Governor of Chungcheongnam-do and the Chairperson of the Chungcheongnam-do Council.

We judged that the abolition of the ordinance represents the local government's abandonment of its duty to protect human rights and a retrogression of the human rights promotion system for all people, including social minorities such as women, persons with disabilities, children, seniors, and migrant workers.

We also concluded that the decision to abolish the ordinance based solely on public opinion without consideration for the objectives and values of the ordinance, the grounds for the contention to abolish the ordinance, and the public interest likely to be compromised due to its abolition lacked rationality and legitimacy and that the bill to abolish the ordinance cannot be viewed to have undergone extensive consultation despite its significant impact on the rights and duties of Chungcheongnam-do residents.

The ordinance was enacted in 2012 as the legal grounds for the responsibilities of the governor and the local government's support for the promotion of the human rights of local residents. We judged that no justifiable reason to stop the governor's effort to promote human rights was identified and that it is critical to aggressively push ahead with human rights promotional activities when taking into consideration the province's demographics with the rural population accounting for 14.1% of the total population and the population of seniors aged 65 or older accounting for 16%.

Even after presenting our opinion followed by the release of two statements from the Chairperson and the organization of special seminars, the local government went ahead with the abolition of the ordinance. It was later re-enacted in September 2018 after the local election.

4) Refer to the list of opinions presented in Appendices.

B. Expressing the Opinion to Provide Sign Language Interpretation during the Closing Ceremony of the PyeongChang 2018 Olympic Winter Games

On February 22, we delivered our opinion to the PyeongChang Organizing Committee for the 2018 Olympic and Paralympic Winter Games and the three largest national television networks of KBS, MBC, and SBS to offer sign language interpretation for the closing ceremony of the PyeongChang 2018 Olympic Winter Games and the opening and closing ceremonies of the PyeongChang 2018 Paralympic Winter Games.

For the opening ceremony of the PyeongChang 2018 Olympic Winter Games, KBS only offered sign language interpretation for some parts including the speech by the President of the IOC. MBC and SBS did not offer sign language interpretation at all. Sign language interpretation was not available on the electronic billboard on-site, either.

We requested that the three national television networks provide sign language interpretation services for the hearing-impaired to help all people better enjoy one of the most globally celebrated sporting events taking place in Korea and delivered our opinion to the PyeongChang Organizing Committee for the 2018 Olympic and Paralympic Winter Games to provide sign language interpretation via electronic billboards on-site during the opening and closing ceremonies of the 2018 Winter Paralympics and the closing ceremony of the 2018 Winter Olympics.

We viewed that the provision of sign language interpretation would help communicate the values of Olympism to persons with disabilities and thus make the PyeongChang 2018 Olympic and Paralympic Winter Games a true festivity for all.

C. Expressing the Opinion on Human Rights Violations Committed by Postponing the Decision on the Request for the Appointment of a Public Defender

On June 7, we concluded that the justice department's failure to decide on the appointment of a court-appointed defense counsel prior to the date of the first trial despite the defendant's request was a violation of the defendant's right to receive the assistance of a defense counsel guaranteed

by the Constitution. In response, we delivered our opinion to the Chief Justice of the Supreme Court that it is desirable to decide on the appointment of a court-appointed defense counsel prior to the date of the first trial when requested by the defendant due to economic difficulties and that this opinion, as well as education on related procedures, should be shared with courts of different levels.

According to our investigation, the defendant requested the appointment of a court-appointed defense counsel and submitted evidential documents such as the certificate for the receipt of social welfare benefits. However, the judge in charge did not decide on the appointment of a court-appointed defense counsel until the date of the first trial. The judge was found to have asked the petitioner whether he/she wished to maintain the request on the day of the trial, and the trial proceeded without a court-appointed defense counsel for the petitioner when the petitioner withdrew the request.

We concluded that this act committed by the justice department is a violation of the procedures defined in the Criminal Procedure Act, Regulations on Criminal Procedure, and Established Rules on Court-Appointed Defense Counsels as well as a violation of the right to receive assistance of a defense counsel guaranteed by the Constitution.

D. Expressing the Opinion on the 4th Phase of the World Programme for Human Rights Education

On March 9, the Office of the United Nations High Commissioner for Human Rights requested relevant institutions, such as national human rights institutions, to submit their opinions regarding the establishment of the 4th phase of the World Programme for Human Rights Education based on the Human Rights Council Resolution 36/12 (September 28, 2017).

On June 15, we expressed our support for the Human Rights Council Resolution 36/12 and our opinion on highlighting the 4th phase as the universal guidelines for human rights education across the world based on cooperation with the international community in view of the fact that human rights education can serve as the first important step towards the fulfillment of the Sustainable Development Goals of the United Nations.

We concluded that the entire world must aggressively combat hatred, discrimination, and

human rights violations against minorities through the means of human rights education and submitted our opinion that the human rights of women, sexual minorities, migrants, laborers, and seniors, as well as human rights-conscious corporate management and media environments, must be valued when establishing the 4th phase. We also included our view that the focus should be placed on the main targets, methods, and details of human rights education; systematic training processes for human rights education specialists; assessments of human rights education; diversification of human rights education; and the responsibilities and roles of national human rights institutions.

E. Expressing the Opinion on the Legislative Bills for the Introduction of Alternative Civilian Service

Concerning the four bills on the partial amendment of the Military Service Act and one legislative bill on the assignment to and fulfillment of alternative service submitted to the National Assembly, we expressed our opinion to the Speaker of the National Assembly on September 13 that it is viewed as desirable to add changes to provisions about the qualifications for applying for alternative service, the agency and procedures to screen those to be assigned to alternative service, the details and terms of service, and the categories of service in a manner that complies with international human rights standards.

On June 28, the Constitutional Court of Korea concluded that it is a violation of the freedom of conscience of conscientious objectors not to include alternative service in the categories of military service defined in Article 5 (1) of the Military Service Act and that such as violation is incompatible with the Constitution. The deadline for the amendment of the said provision was set for the end of 2019.

Five legislative bills on the introduction of alternative service were tabled with National Assembly Members Kim Joong-ro (1), Lee Jong-myeong (1), Lee Yong-ju (1), and Kim Hak-yong (2) as chief authors. We expressed our opinions on these five bills based on international human rights standards and our basic principles for alternative service recommendations.

The alternative service bills propose to set up a screening agency affiliated with the Military Manpower Administration or the Ministry of National Defense and to set the service term to be twice as long as that of the army or air force. However, the United Nations Commission on

Human Rights (presently, the United Nations Human Rights Council) Resolution 1993/84 and the United Nations Human Rights Committee (March 2005) emphasize that a private institution, not a government institution, should have authority over the screening of conscientious objectors as an independent and fair decision-making body, and the Commission also made a recommendation to this effect.

As such, we concluded that it was desirable to have an institution independent from drafting and military service take charge of the screening to ensure fairness and independence, to separate the body for screening from the body for re-screening, and to recruit judges with diverse backgrounds instead of those from certain ministries or fields.

A report on conscientious objection to military service adopted by the United Nations Human Rights Council (35th session in 2017) stipulates that, for the term of alternative service to exceed that of military service, the excess period must be decided based on objective and justifiable standards and the term of alternative service for conscientious objectors must not be punitive in nature. However, the proposed bills lack objective and justifiable grounds in proposing the term of alternative service be twice as long as that of the army or air force, and the proposed term is substantively punitive. We concluded that it is desirable for the term of alternative service not to exceed 1.5 times that of military service at the longest based on our comprehensive consideration of the relevant details, levels of difficulty, and categories.

The United Nations Human Rights Committee recommended the development of alternative civilian services that are not related to and supervised by the military, and we also recommended the adoption of obligatory activities contributing to the peace of society, the maintenance of order, and the protection of lives such as relief work, patient transportation, and firefighting activities.

Some bills proposed the removal of landmines and the investigation and extraction of remains of those killed in battle as specific alternative services, and we viewed it as inappropriate to include such tasks affiliated with the military or the Ministry of National Defense in the categories of alternative service pursuant to current law.

4. Major Opinions Submitted

A. Submitting the Opinion to the Supreme Court on the Violation of Article 88 (1) of the Military Service Act and Article 15 (9) of the Reserve Forces Act

For the cases of violations of the Military Service Act (2016-do-10912) and Reserve Forces Act (2018-do-4708) pending at the Supreme Court, we submitted an opinion on July 30 that it is a violation of the freedom of conscience to punish conscientious objectors to military service and drills for reserve forces pursuant to Article 88 (1) of the Military Service Act and Article 15 (9) of the Reserve Forces Act without offering opportunities for alternative service and that conscientious objection to military service and drills for reserve forces should be viewed as justifiable grounds stated in the abovementioned provisions.

Article 88 (1) of the Military Service Act and Article 15 (9) of the Reserve Forces Act stipulate criminal penalties for those who fail to enlist in the military and participate in related drills without any justifiable grounds. The Supreme Court had been finding conscientious objectors guilty, viewing that conscientious objection to military service did not constitute justifiable grounds.

Contrary to the Supreme Court's view, a conscientious objector was found not guilty at the first trial for the first time in 2004. Since then, a total of 86 cases have been acquitted at the first trial. Among these 86 cases, 72 were acquitted in the recent two years. Acquittals were handed down at the appellate trials in October 2016 and February 2018.

We have continually expressed our opinion that alternative service must be adopted as the criminal punishment of conscientious objectors violates the freedom of conscience guaranteed by the Constitution. We decided to submit our opinion to the Supreme Court as the controversies surrounding the cases being tried and the justice department's judgments may have a significant impact on human rights of conscientious objectors.

B. Submitting the Opinion on the Disapproval of Criminal Indemnity for Security and Custody Measures

Regarding the case of the re-appeal for partial approval of criminal indemnity pending at

the Supreme Court, we submitted our opinion to the Supreme Court on December 6 that it is desirable to recognize criminal indemnity for security and custody measures specified in the Social Safety Act (presently, the Act on Probation, Etc.).

The victim in this case was sentenced to five years in prison with labor for violating the National Security Act, etc., in 1975 and was additionally sentenced to security and custody measures pursuant to the Social Safety Act. The victim was found not guilty at a retrial in 2014 after spending over 12 years in prison and subsequently filed for criminal indemnity.

However, in 2016, the Seoul High Court recognized criminal indemnity for five years of imprisonment with labor and disapproved criminal indemnity for security and custody measures on the grounds that the Act on Criminal Compensation and Restoration of Impaired Reputation had no relevant provisions. This case has been pending at the Supreme Court for almost three years.

The security and custody measures specified in the Social Safety Act were used as double punishment for numerous public safety offenders until it was abolished in 1989. As many victims designated as public safety offenders were coerced through torture, harsh treatment, and illegal confinement by investigation agencies, retrials and claims for criminal indemnity are expected to continue.

As such, we submitted our opinion to the Supreme Court judging that its ruling will have a significant impact on the improvement of human rights as well as on the future path of victims of similar cases.

C. Submitting the Opinion to the Supreme Court on the Case of Nurses Who Applied for Medical Care Benefits

On December 24, we decided to submit our opinion to the justice department in charge on the lawsuit for the revocation of the measure to turn down the application for medical care benefits pending at the Supreme Court.

Nurses who became pregnant while working at the respective medical center from 2009 to 2010 had miscarriages or gave birth to babies with congenital heart diseases. They were found to have directly and indirectly dealt with harmful chemicals that adversely affect the health of fetuses. Those nurses who gave birth to babies with congenital heart diseases applied for medical

care benefits with Korea Workers' Compensation & Welfare Service and filed the lawsuit in 2014 after their application was turned down.

We concluded that this case can serve as a milestone in human rights protection and improvement as it significantly affects the lives of both mothers and babies with congenital heart diseases and as it can establish a new benchmark for similar lawsuits in the future.

We concluded that pregnant female workers and their fetuses require special protection from harmful factors at workplaces when taking into consideration the protection of maternity and the special protection of women's labor defined in the Constitution, international human rights standards, and the purpose of the enactment of the Industrial Accident Compensation Insurance Act. Also, in view of the fact that some diseases could only be diagnosed after birth and that fetuses at the time could not be separated from their mothers, we concluded that it is desirable for the protection of fetuses and their rights to recognize related damage to their health to be work-related as ruled at the first trial.

Pregnancy and childbirth can raise the health risks of mothers, and damage to the health of their fetuses adds mental anxiety and financial burden due to increased medical examinations. Aggravation of the conditions of the fetus or mother can lead to a miscarriage. Therefore, we concluded that the exclusion of damage to the health of fetuses from the targets of industrial accident compensation insurance benefits, unlike miscarriages, is an act of shifting responsibility onto female workers who have no liability and can constitute discrimination.

Section 3. Surveys on Human Rights Conditions and Human Rights Advocacy

1. Surveys on Human Rights Conditions and Commissioned Research

A. Conducting the Factual Survey on the Abolition of the Death Penalty and the Introduction of Alternative Punishment

In order to publicize the issue of the abolition of the death penalty and come up with substantive alternatives, we conducted the Factual Survey on the Abolition of the Death Penalty and Alternative Punishments. This survey encompasses documentary research, an awareness survey of 1,000 citizens, an awareness survey of 132 experts, and an examination of alternative punishments.

The results show that many citizens view the death penalty as necessary, but 66.9% agree to the abolition of the death penalty on the premise of appropriate alternative punishments.

We plan to further push ahead with productive discussions and examinations on the abolition of the death penalty and alternative punishments in parallel with the Constitution and international human rights standards and offer substantive measures.

B. Conducting the Factual Survey on Improvement Measures for the Personal Protection System for North Korean Refugees

We conducted the Factual Survey on Improvement Measures for the Personal Protection System for North Korean Refugees to improve the related personal protection system and remedy human rights violations.

This system is designed to protect North Korean refugees based on the North Korean Refugees Protection and Settlement Support Act. Although officers in charge are obligated to protect their privacy during the performance of their duties, controversies over human rights violations continue to arise.

This factual survey was aimed at identifying both positive effects and human rights violation factors of the personal protection system by analyzing each case and seeking policy measures to redress the system's shortcomings.

C. Monitoring of the Human Rights of Children and Teenagers Centered on the National Health Insurance System

We recognized the status and problems of the current system that requires minors to pay national insurance contributions and conducted the Monitoring of the Human Rights of Children and Teenagers Centered on the National Health Insurance System to protect and promote the right to health of minors and explore policy improvements.

According to the monitoring, the obligation to pay national health insurance contributions is imposed on minors of families with valueless land placed under distraint or on minors of low income earned from part-time jobs, adding to their financial distress.

Today, national health insurance is more than just a healthcare instrument as it provides scholarships, student loans, employment opportunities, and housing loans and is utilized as a means of credit and earning capacity assessment. As such, it has a significant impact on minors.

D. Factual Survey on the Human Rights Conditions of Noncombat Military Personnel

We examined the human rights conditions of noncombat military personnel such as soldiers in charge of maintaining officers' residences and managing welfare facilities following media reports on violations of their human rights and conducted the Factual Survey on the Human Rights Conditions of Noncombat Military Personnel to seek policy improvement measures. We also checked the implementation status of the inspection and phased improvement plans conducted by the Ministry of National Defense.

The results show that the respondents are negative about the presence and effects of human rights systems and policies. A multitude of problems were pointed out: no changes have been made despite reports on human rights violations, poor follow-up measures by military units lead to secondary damage such as retaliation against victims, victims are often labeled as misfits, and the military system itself is insufficient for confidentiality. The respondents answered that human rights violations are most frequently committed by noncommissioned officers against soldiers. We plan to review different policy alternatives based on the results of the survey and develop policy recommendations.

E. Conducting the Factual Survey on the Right to Education of Students with Severe or Multiple Disabilities

We conducted a factual survey to propose policy improvement measures to promote the right to education of students with severe or multiple disabilities. The results show that many are concerned about the health conditions of schools, the serious inadequacy of treatment support services, the lack of convenience and educational facilities for students with physical disabilities, the deterioration of facilities, the lack of safety facilities, the heavy dependence on family members due to insufficient commuting support services, and the financial strain due to high-priced assistive devices and programs.

The greatest concern is medical support. This is a matter of life and death for many students with severe disabilities. However, due to the lack of expert personnel, schools and parents are compelled to take on the responsibility of providing medical support in violation of the Medical Service Act.

The lack of ramps and elevators at schools is also a serious problem as it can impede students in wheelchairs from evacuating properly in the event of a disaster. The allocation of assistance providers in a uniform manner without giving consideration to the fact that students with severe or multiple disabilities require one-on-one assistance is also found to add to their difficulties in learning activities, healthcare, and response to possible disasters and accidents.

F. Conducting the Factual Survey on the Residence and Treatment of Persons with Mental Disabilities in Local Communities

We conducted the Factual Survey on the Residence and Treatment of People with Mental Disabilities in Local Communities to develop institutional improvement measures to promote the deinstitutionalization of people with mental disabilities and their integration into local communities.

According to the survey, hospitalization is the only option to address acute-phase symptoms, while discharging from mental hospitals is carried out without any specific follow-up plans. The local mental health centers, which are intended to serve as the pivot of mental healthcare and welfare services in each local community, are not functioning properly. Resources used

at mental rehabilitation service institutions are extremely limited, while cooperation between experts required to ensure the continuity of care is in short supply.

In response, we proposed to create a crisis intervention service system guaranteeing the continuity of care, to reinforce programs to help people with mental disabilities discharged from hospitals live independently in local communities, to guarantee their right to select their residence, to develop measures to elevate the cooperation of experts to new heights, and to reform the healthcare system to facilitate non-medical rehabilitation services in local communities.

G. Conducting the Factual Survey on Sexual Harassment, Sexual Violence, and Hostility against Women Online

On March 12, the United Nations Committee on the Elimination of Discrimination against Women recommended that the Korean government step up measures to prevent sexual violence online; come up with legal provisions that criminalize new types of violence against women, such as the imposition of considerably heavy financial penalties on online platforms and individuals for failing to delete or block offensive or illegal content; and have Korea Communications Commission rapidly implement the state party's plan to delete and block offensive or illegal content upon request by the victims, etc.

We selected four online communities infamous for producing discriminatory and violent remarks and remarks resembling hate speech and analyzed posts on the most active bulletin board of each community. According to our analysis, misogynistic remarks were most frequently found in posts about the murder of a woman near Gangnam Subway Station, the #Me Too movement, and hidden camera incidents. A multitude of contemptuous and insulting remarks about appearances were also identified.

We conducted an online survey of 600 women in their 20s to 40s to grasp the extent of sexual harassment, sexual violence, and misogynistic remarks online. More than half of the respondents answered that gender equality is less respected online than offline, that communication problems exist between men and women, and that women are isolated online. Also, they answered that the digital world appears more authoritative than offline and that women's autonomy is not as respected online as offline. Most of the respondents were found to believe that sexual harassment

and sexual violence against women and misogynistic remarks are more serious online than offline. The results of this survey strongly point to the need for substantive countermeasures.

H. Conducting the Factual Survey on the Human Rights Conditions of Women Working in the Fields of Culture and Arts (Film Industry)

The film industry is labeled as one of the fields of culture and arts with poor human rights conditions, especially for female staff members and extras who are often forced to work long hours without employment contracts and endure sexual harassment and insults committed by male staff members on-site. As such, we conducted a factual survey to improve the human rights conditions of female workers in the filmmaking field.

There were 605 survey respondents (478 female respondents accounting for 79.0% and 127 male respondents accounting for 21.0%). Women earning KRW 1-2 million per month on average accounted for 42.7% of workers, higher than men at 26.0%. Female irregular workers earning less than KRW 1 million accounted for 20.8%, also higher than men at 12.0%.

Of all respondents, 34.9% (15.0% of the total male respondents and 40.2% of the total female respondents) were found to have experienced sexual harassment or sexual violence after beginning to work in the field (percentage of those who fell under at least one of the 13 categories of sexual harassment or sexual violence). Among women, many of the victims were under irregular or indirect employment arrangements, were in lower positions, had less work experience, and were paid the legally specified minimum wage.

A majority of both male and female respondents agreed that women are discriminated against in the film industry in terms of recruitment qualifications, opportunities for promotion, tasks given, decision-making authority, etc. However, the ratio of women who were in agreement is much higher than the ratio of men in agreement. While only 14.2% of the total male respondents agreed to the statement women are given or expected to play the role of assisting men within the film industry, 71.4% of the total female respondents agreed.

2. Human Rights Promotion Programs

A. Remedying Sexual Harassment and Sexual Discrimination and Promoting Women's Rights

Holding a Series of Discussion Sessions on the #Me Too Movement

In early 2018, the #Me Too movement swept across all areas of society, from public institutions such as the prosecution to culture and arts circles, schools, healthcare providers, religious communities, and political circles. Sexual harassment and sexual violence taking advantage of hierarchical power are frequently committed despite continued efforts to root out such practices. It was found that public systems for the prevention and remedy of such acts are either absent or have stopped functioning properly.

In response, we urgently staged a series of discussion sessions on the #Me Too movement to examine its significance and develop improvement ideas for related laws and institutions. The first session on April 5 dealt with gender violence that has penetrated different corners of everyday life and the implications of the #Me Too movement under the theme United under #Me Too! with presentations on how hierarchical culture leads to sexual violence at workplaces and how the media reproduces sexual violence. Insightful opinions about the intersection of misogyny and the #Me Too movement were shared.

On April 12, the second session was held under the theme Do the Legal Systems Exist? to examine sexual violence and harassment cases on the rise at universities and seek ways to prevent them through legislation. It dealt with why remedial systems within organizations and laws and institutions have stopped working and sought measures to activate them again. The problems found in court verdicts on sexual harassment and violence cases were also discussed.

The third session on April 19 delved into the power structure and exploited workers in the film, dance, theater, and literary circles and came up with policy suggestions and ideas about preventive measures under the theme What Are the Causes of Sexual Violence in the Fields of Culture and Arts?

B. Promoting the Rights of Children and Youth

Monitoring Children's Rights

We monitored all aspects of children's rights in accordance with international human rights standards through policy monitoring, on-site monitoring, individual monitoring, and policy research.

First, we formed a children's rights policy forum with relevant experts and assessed the compliance of Korea's policies and systems with international human rights standards based on the United Nations Convention on the Rights of the Child through policy monitoring. The nation's policies and systems were examined across diverse areas from general principles to civil rights and freedom; violence; home environment and alternative childcare; disability, basic health, and welfare; education; and special protection.

Second, we sought institutional improvement measures regarding school violence by conducting on-site monitoring through the monitoring panel of 15 police officers, teachers, and civil society activists and holding discussions on the results.

Third, we selected 141 children from ten regions (Seoul, Gangwon-do, Gyeonggi-do, Gyeongsangbuk-do, Gyeongsangnam-do, Chungcheongbuk-do, Chungcheongnam-do, Jeollabuk-do, Jeollanam-do, and Jeju-do) and monitored them individually under a common theme (My Right to Play) and region-specific themes (Career Path and College for Children, Custody of Children, Students' Rights Ordinances, Youth Right to Work, and Harmful Environments near Schools) to seek ways to raise their awareness on their rights and reinforce the public's interest in the human rights of children and youth.

Fourth, we conducted the Study on Joining the Third Optional Protocol to the United Nations Convention on the Rights of the Child as policy research and dealt with overseas cases of pushing ahead with the joining of the protocol, which allows children to bring complaints directly to the Committee on the Rights of the Child, and the controversies that it may entail.

Staging a Forum on the Enactment of a Special Act on the Seongam Reformatory Case and Support Measures for Victims

Seongam Reformatory was established on Seongamdo Island near Ansan, Gyeonggi-do,

during the Japanese colonial era and was operated as a detention facility for homeless children after national liberation. At least 4,691 children were forcefully confined here by the police and public officials from 1955 until the reformatory shut down in 1982 and suffered from forced labor, violence, and hunger. Many lives were lost due to habitual violence and abuse committed by staff members and other inmates, and survivors continue to suffer from aftereffects such as physical disabilities, trauma, and poverty to this day.

We staged the Forum on the Enactment of a Special Act on the Seongam Reformatory Case and Support Measures for Victims on June 22 and December 17 and sought specific measures to support survivors who are still traumatized by their experience of being confined in the facility and treated inhumanely, including the enactment of a special act.

On October 22, we expressed our opinion urging the Speaker of the National Assembly to enact a special act for the resolution of this grave violation of children's rights or provide the legal grounds for the resolution of this case in the bill for the partial amendment of the Framework Act on the Resolution of Past Events for Truth and Reconciliation as well as urging the Minister of the Interior and Safety and Governor of Gyeonggi-do to implement possible support measures.

Holding the Children's Rights Conference

We held the Children's Rights Conference for three days from November 22 to 24. This conference, consisting of eight sessions, was designed to share the results of the Commission's monitoring on children's rights conditions and seek ways to address pending issues.

On the first day, the opening ceremony and the session to present the results of policy monitoring for the implementation status of the United Nations Convention on the Rights of the Child took place. On the second day, the sessions on the Framework Act on the Rights of Children and Youth and on the protection of children from harmful environments were held simultaneously, followed by the session on school violence that presented the results of on-site monitoring of school violence. The seminar of experts for responding to the review regarding the United Nations Convention on the Rights of the Child scheduled for September 2019 was also held along with the session to present the results of the Study on Joining the Third Optional Protocol to the United Nations Convention on the Rights of the Child. On the last day, the

session on Children's Right to Play was held to present the results of individual monitoring.

The conference was attended by over 100 public officials from central ministries and local governments, human rights experts, etc., and over 600 citizens and provided a platform for sharing the Commission's monitoring results and discussing diverse issues concerning children's rights.

C. Promoting Seniors' Rights

Staging a Seminar on Seniors' Rights

On November 22, we held a seminar to come up with policies aimed at resolving hostility towards seniors and intergenerational conflict in association with the ASEM Global Ageing Center and the Korean Association of Gerontology and Geriatrics. This seminar served to identify the reality and diverse aspects of intergenerational conflict that may lead to hostility towards seniors and to highlight the need for policy and institutional improvements for social integration.

The first part of the seminar dealt with the diagnosis of the intergenerational conflict and gerontophobia of our society, while the second part sought strategic measures to bring different generations together. This seminar is evaluated to have shed light on the need to not only make institutional arrangements but also take social and cultural approaches to successfully prevent and resolve gerontophobia and intergenerational conflict.

We plan to continue to deal with these issues as they affect all generations and all corners of our society.

D. Promoting the Rights of Persons with Disabilities

Monitoring to Prevent Discrimination against Persons with Disabilities

We worked to prevent and remedy discriminatory acts and protect the human rights of persons with disabilities specified in the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, Etc. (hereinafter referred to as the Disability Discrimination Prohibition Act) through monitoring and sought ways to improve

discrimination rooted in everyday life in consultation with pertinent institutions.

We formed a disability-based discrimination monitoring panel of 48 members and, starting in June, checked the operation of convenience facilities rightfully deserved by persons with disabilities and the status of accessibility to facilities for persons with disabilities at 50 expressway rest stops, 17 sports stadiums in Seoul and Incheon, and nine tourist destinations and tourist complexes in Gangwon-do. We delivered the monitoring results to the institutions in charge and demanded improvement plans. The 17 stadiums in Seoul and Incheon and three tourist destinations and tourist complexes in Gangwon-do submitted improvement plans. The public corporation in charge immediately upgraded accessibility for the vision-impaired for its mobile app for rest stop users (hi-Shimmaru). We announced our plan to provide disability awareness education to staff members at over 190 rest stops across the nation and create a standard manual for personal services.

Staging a Series of Seminars in Celebration of the 10th Anniversary of the Enforcement of the Disability Discrimination Prohibition Act

We staged a series of seminars across the nation in celebration of the 10th anniversary of the enforcement of the Disability Discrimination Prohibition Act. We toured six cities starting from Muan on April 11 followed by Daegu on April 13, Wonju on April 16, Seoul on April 17, Daejeon on April 18, and Changwon on April 19.

The Seoul seminar dealt with the rights to cultural activities and tourism of persons with disabilities, the Changwon seminar with the assessment of the implementation status of the Disability Discrimination Prohibition Act and human rights issues facing persons with disabilities, the Muan seminar with local human rights issues such as the human rights conditions of women with disabilities, the Daegu seminar with policy recommendations for the promotion of the human rights of persons with disabilities, the Daejeon seminar with the #Me Too movement of persons with disabilities, and the Wonju seminar with the right to mobility of persons with disabilities.

Holding a Presentation on the Results of the Factual Survey on the Living Conditions of persons with disabilities in Institutions and Seminar

On May 11, we held a presentation on the results of the factual survey on the living conditions of people with severe and mental disabilities in institutions and a seminar on related issues. The survey revealed that over 60% of residents with disabilities had involuntarily entered institutions. They did not sign the agreement themselves or were not offered the opportunity to request services of their choice. Privacy is not guaranteed at such institutions, and many residents have often been exposed to violence, etc.

This seminar provided momentum to elicit greater interest regarding residents at institutions for people with severe and mental disabilities; to identify major policy issues such as the admission and discharge procedures, the right to health of persons with disabilities, and deinstitutionalization; and to collect ideas on institutional improvement.

Staging an International Symposium to Promote the Human Rights of persons with mental disabilities

We staged the International Symposium on Mental Healthcare Systems, Human Rights, and Mental Healthcare Acts on October 26 jointly with the Korean Bar Association and Chairman Lee Myoung-su of the National Assembly of the Republic of Korea Health & Welfare Committee. This symposium was designed to share and learn from the experiences of diverse countries to promote the human rights of persons with mental disabilities and help them better integrate into local communities. It was attended by over 120 experts from Korea, the US, Japan, Italy, Norway, etc., who gave presentations and engaged in discussions to seek ways to realize legal equality and achieve the integration of persons with mental disabilities into local communities.

E. Protecting the Rights of Migrants and Refugees

Drawing Up the Second Guidelines on the Human Rights of Migrants

In 2012, we recommended that the government comply with the Guidelines on the Human Rights of Migrants in the establishment and implementation of migrant-related policies and have monitored the implementation status of the guidelines by central ministries every year. In 2018, we reviewed the outcomes and limitations of the existing guidelines and prepared a draft for the Second Guidelines on the Human Rights of Migrants through factual surveys and consultations

with experts to better respond to the rapidly changing situations in Korea and abroad. We plan to collect opinions and suggestions from relevant ministries and civil society and confirm and recommend the Second Guidelines on the Human Rights of Migrants in 2019.

Developing Indicators to Identify and Protect Victims of Human Trafficking

According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ratified by the National Assembly in 2015, human trafficking⁵⁾ refers to not only the act of buying and selling people like products but also the acts of luring people with job opportunities, constraining their mobility by taking away their identification documents such as passports, and prohibiting them from managing their wages.

We came up with the Indicators to Identify and Protect Victims of Human Trafficking to detect victims of human trafficking in the early stages and protect them and recommended on June 20, 2016, that the Ministry of Justice, Ministry of Employment and Labor, Ministry of Gender Equality and Family, Korean National Police Agency, and upper-level local governments draw up measures to prevent human trafficking and protect victims based on the indicators. However, awareness on the indicators among those on the front lines of investigations was found to still be low. In view of this, the Guide for the Use of Indicators to Identify and Protect Victims of Human Trafficking was produced in both Korean and English.

Monitoring the Treatment of Those Recognized as Refugees

Among 40,470 asylum-seekers in Korea, 839 had been recognized as refugees as of the end of May 2018, but their present situations are unknown. We conducted in-depth monitoring jointly with Korea Research Society of Refugees' Rights on 11 refugee-status holders to examine how

5) (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used. (Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children)

those recognized as refugees are being treated and presented the results on September 19. We plan to develop specific improvement measures based on the results.

Producing and Distributing Materials to Improve Awareness on Refugees

We realized the need to deliver accurate information and counter the spread of groundless fear and rumors about asylum-seekers after the controversy over asylum-seekers from Yemen on Jeju Island led to the request posted on the website of Cheong Wa Dae to abolish the Refugee Act. In this context, we produced and distributed materials to improve awareness on refugees.

F. Protecting Human Rights of Military Personnel

Ensuring the Connection of Public Phones in the Military with the Commission's Counseling Service Number (1331)

We improved soldiers' right to receive human rights counseling and to file a petition by ensuring the connection of public phones in the military with the Commission's counseling service number (1331).

After receiving a petition that public phones in the military did not connect to the Commission's counseling service number of 1331 without a telephone exchange number, we randomly selected over ten military camps and found that the intercept message your call cannot be completed was heard when 1331 was dialed at some military camps. We checked with each public phone service provider and discovered that disconnection was caused by a technical problem with the Internet Protocol. At our request, the Ministry of National Defense resolved the disconnection problem for all public phones in the military.

Introducing the Commission's Petitioning Procedures in Korea Army Training Center's Guidebook on New Recruit Training and Publishing the Commission's Military-Related Precedents Serially in The Kook Bang Ilbo

On July 24, with the launch of the Armed Forces Human Rights Investigation Division, the chairperson (standing commissioner Choi Hye-ri) of the Committee on Human Rights Violations I visited Korea Army Training Center to encourage trainees. During this visit, the

chairperson discussed ways to institutionalize human rights education with the head of Korea Army Training Center and included the Commission's petitioning procedures in the center's Guidebook on New Recruit Training. Also, as an extension of promotional activities for the newly established Armed Forces Human Rights Investigation Division, we serially published the Commission's military-related precedents in eight installments in *The Kook Bang Ilbo* with a daily circulation of 150,000 to provide information to both soldiers and officials.

G. Protecting Laborers' Rights

Staging a Seminar to Identify the Reality of Workplace Bullying and Seek Improvement Measures

On February 13, we staged a seminar to present the results of a factual survey on workplace bullying and seek institutional improvement measures jointly with multiple National Assembly members. According to the results of the survey, about 70% of the 1,500 respondents were found to have suffered from workplace bullying. During the seminar, the need to legislate against workplace bullying and make institutional improvements for effective remedies was discussed.

H. Expanding and Promoting Human Rights Compliance in Management

Organizing the 2018 Forum on Business and Human Rights

On June 22, we organized the 2018 Forum on Business and Human Rights to reinforce compliance with human rights in the management of public institutions and bring the public's attention to this matter. This forum was attended by over 400 National Assembly members, government officials, members of economic organizations, and staff members of corporations and public institutions. Following the keynote presentation of Standing Commissioner Jeong Sang-hwan, the National Pension Service, Korea Gas Corporation, Busan Port Authority, and Jeonnam Development Corporation presented the results of the pilot application of the Manual for Human Rights Management for Public Institutions. Through this forum, we successfully highlighted the importance of management centered on human rights and the establishment of specific implementation systems.

I. Promoting Human Rights in the Information Society

Holding a Meeting with Civil Society Organizations Dealing with Human Rights in the Information Society

On October 25, we held a meeting with human rights and civil society organizations dealing with human rights in the information society. The Commission's performance in the protection of human rights in the information society and basic orientation for 2019 were introduced, followed by discussions on major human rights issues concerning Internet governance that need to be resolved by the Commission. The human rights and civil society organizations emphasized that various information systems designed to assist criminal investigations, such as Korea Information System of Criminal Justice Services (KICS) managed by the police, need to be improved and that the Commission must look into the overall improvement of the government's Internet review system (taking temporary measures, blocking Internet access, etc.)

Participation in the United Nations Internet Governance Forum 2018

We participated in the Internet Governance Forum 2018 held in Paris, France, from November 11-15. The IGF is a global multi-stakeholder platform of the United Nations with participants from national institutions, civil society, academia, and international organizations. It facilitates discussions on future directions for Internet governance and the protection and promotion of human rights in the information society. It is a recognized platform for dialogue on the topic of human rights in the information society.

Attended by 500 or so experts from diverse countries, the forum was held under the theme Reliable Internet. Participants discussed the possible impacts of AI and automated algorithms, the resolution of discrimination in the use of Big Data and AI, society's concerted efforts to respond to extremism and hate speech, and ways to protect and promote human rights in the information society.

J. Implementing International Human Rights Conventions in Korea

Publishing the Source Book of the Concluding Observations of the United Nations Committee on Economic, Social and Cultural Rights for the Fourth National Report of Korea

As a follow-up to the announcement of the concluding observations of the United Nations Committee on Economic, Social and Cultural Rights for the fourth national report of Korea on October 9, 2017, we published and distributed the source book containing the United Nations' concluding observations, the Commission's written opinions on the list of issues and written contribution, the Korean government's national report, and NGOs' reports.

Publishing the Source Book of the Final Outcome Report of the United Nations Human Rights Council Universal Periodic Review (3rd Cycle) of Korea

As a follow-up to the adoption of the final outcome report of the United Nations Human Rights Council Universal Periodic Review (3rd Cycle) of Korea during the 37th session of the United Nations Human Rights Council, we published the source book containing the original final outcome report and its Korean-language version, the Commission's written contribution, the Human Rights Council's oral statement, the Korean government's national report, and the joint report of human rights and civil society organizations.

Submitting Written Opinions on the List of Issues Concerning the Review of the 5th and 6th National Reports of Korea by the Committee on the Rights of the Child

In November 2018, we submitted written opinions on the list of issues concerning the review of the 5th and 6th national reports of Korea by the United Nations Committee on the Rights of the Child. These written opinions dealt with a total of 62 issues, including those related to individual rights specified in the Convention on the Rights of the Child as well as the enactment of discrimination prohibition acts; the spread of child-free zones; safe abortions for single teenage mothers; the legally specified age with access to children's rights; child suicides; baby boxes for abandoned babies; child protection related to fine dust pollution, asbestos, daycare center buses, and air humidifier sanitizers; overdependence on smartphone and gambling;

birth registration; child abuse; the #Me Too movement in schools; adoption and dissolution of adoption; the right to education; leisure and play; refugee children; poverty-stricken children; working children; sexual exploitation; and the lowering of the age of criminal responsibility.

Submitting Opinions to and Attending the 97th United Nations Committee on the Elimination of Racial Discrimination

The schedule for the review of Korea's combined 17th, 18th, and 19th national report for the Racial Discrimination Elimination Convention was set during the 97th session of the United Nations Committee on the Elimination of Racial Discrimination (CERD) from November 26 to December 14, 2018. We submitted a written contribution containing information about the convention's implementation status in Korea and our opinions on October 22. This written contribution dealt with 20 issues (31 detailed issues) and presented the Commission's opinions on and recent cases concerning the continued recommendations of CERD, such as applying the definition of racial discrimination provided in the Racial Discrimination Elimination Convention to domestic laws, developing penalties for acts of racial discrimination, and enacting a comprehensive discrimination prohibition act.

In addition, we participated in the official session of CERD from December 3-4 as a national human rights institution, helping to draw up CERD's concluding observations for the promotion of the human rights of migrants and the prevention of racial discrimination in Korea and seeking to accelerate the implementation of international human rights standards. Gay McDougall, Committee Member and Country Rapporteur for Korea, said in her final statement, It has been six years since the review in 2012, but Korea's implementation status shows no visible progress. She also added, Although migrants in Korean society contribute to the creation of the nation's wealth by providing labor, they are not receiving fair compensation. Those who are benefiting from the nation's wealth and those who are not are clearly divided by race, skin color, ethnicity, and social class. She sharply pointed out that the government should be alerted by such criticism.

Section 4. Special Program: Actively Responding to the Spread of Hate Speech

A. Overview

1) Background

Hostility against foreigners and migrant workers began to surface in 2010 mainly led by anti-multiculturalism online communities, and the term hate speech came to be known in earnest in 2012 when cruel and derogatory remarks exchanged in online communities aroused concern. As hate speech intensified over the murder of a woman near Gangnam Subway Station in 2016 and over asylum-seekers from Yemen on Jeju Island in 2018, hatred emerged as a major social issue.

According to recent studies, seven to eight out of every ten citizens in Korea were found to have experienced expressions of hatred. These expressions of hatred mostly target minorities such as women, persons with disabilities, migrants and refugees, and sexual minorities based on biases and prejudice, and they continue to penetrate deeper into everyday life across all corners of society. Hate speech functions as an instrument that reproduces greater discrimination against social minorities.

According to experts, a combination of factors triggers the spread of hatred, from the sociocultural context of biases against social minorities to the economic context of inequality, mass media that circulates hatred, and the political context. They also warn that such hatred is likely to boil over and explode in the form of violence or crime. Violence and hate crimes motivated by biases against certain groups are on the increase around the world and point to the need to actively redress hatred.

No social consensus has yet been reached and no standards have yet been set up regarding the notion of hate speech. As such, the definitions of hate speech and hate crimes vary from one country to another along with their related regulatory methods.

In 2016, we conducted the Factual Survey on Hate Speech and Regulatory Measures in order to identify the actual state of hate speech and the public's awareness of it. Based on the results of this survey, we finalized Actively Responding to the Spread of Hate Speech as the special program in November 2017 during the process of crafting the 5th phase of the Human Rights Promotion Action Plan.

2) Purpose

We concluded that the issue of hatred originates from structural discrimination that has permeated deep into our society and that solutions must be sought as hatred violates the dignity of social minorities, threatens the fundamentals of democracy, and hinders social integration. To more actively respond to hatred and discrimination, we have pushed ahead with this program.

This program mainly involves the remedy of hatred and discrimination through recommendations based on surveys and research on laws, institutions, policies, and practices concerning hate speech made based on gender, disability, country of origin, race, sexual orientation, etc.; the improvement of the public's awareness on and prevention of hate speech through education and promotional activities; and the proposal of guidelines on the categorization, standards of judgment, and preventive measures regarding hate speech.

B. Major Activities

Conducting a Factual Survey to Develop Guidelines for the Prevention of and Response to Hate Speech

Hate speech has emerged as an important social issue in Korea since 2013, and a more aggressive response is required as intensifying hate speech continues to take its toll on society. However, no guidelines have been proposed on the governmental level, and no social consensus has been reached on the definition and extent of hate speech.

As such, we conducted the Factual Survey on Guidelines for the Prevention of and Response to Hate Speech aimed at crafting guidelines relating to hate speech that can be referred to by elementary and secondary educational institutions, higher education providers, public institutions, and press organizations to prevent hate speech and hate speech-induced discrimination.

Issuing a Statement in Response to Cheong Wa Dae's Reply to the Public Petition regarding the Refugee Act

For about five months from January 2018, groups of Yemeni nationals came to Jeju Island without visas and applied for refugee status. This incident gave rise to the spread of groundless

rumors about these asylum-seekers, prejudice against Muslims, and hate speech targeting migrants and refugees. On June 13, a petition requesting the abolition of the Refugee Act, no-visa entry, and the refugee-status application system as well as a Constitutional amendment was posted on Cheong Wa Dae's petition website.

To the abovementioned petition, the government replied on August 1 that it was impossible to withdraw from the Convention Relating to the Status of Refugees and abolish the Refugee Act considering Korea's international standing and interests. The government also announced the refugee system improvement plan that focuses on the resolution of the public's anxiety, the prevention of the abuse of refugee status, the creation of a fair and rapid refugee screening system, and the regular re-examination of the qualifications of refugee-status holders.

On August 7, we issued a statement welcoming the government's stance and urging a more aggressive response to the spread of prejudice and hatred against refugees.

Participating in the 2018 Seoul Queer Culture Festival to Resolve Prejudice against Sexual Minorities

In 2017, we operated a promotional booth at a queer culture festival, a first for a national institution, to bring attention to the need to eliminate prejudice against sexual minorities. For the 2018 Seoul Queer Culture Festival, we set up a promotional booth and hung a rainbow banner on the exterior of the Commission's head office building from July 12-14 to demonstrate our support for the human rights and civil society organizations engaged in the promotion of the human rights of sexual minorities and the resolution of hate speech. At the booth, we installed a bulletin board entitled Things I Wish the Commission Would Do to listen to the voices of the participants and provided photo services and temporary tattooing in designs related to human rights.

Holding a Meeting and Seminar and Conducting Monitoring Activities concerning Hatred and Discrimination

As an extension of our efforts to identify the current situation of human rights and civil society organizations engaged in countering hate speech and hate speech-induced discrimination and seek cooperation to resolve discrimination, we staged talks with experts from the People's

Coalition for the Enactment of the Discrimination Prohibition Act on February 23 to seek effective measures to respond to hatred and discrimination. We also monitored the latest developments in legislation, media reports, and outside discussions on a continued basis.

On August 17, we examined cases of hate speech that occurred during the 7th local elections and staged a seminar to seek ways to address hate speech in elections. On November 22, we held another seminar to examine intergenerational conflict that may lead to greater issues such as hostility against seniors and to discuss policies and systems required to resolve such intergenerational conflict from the perspective of human rights.

Creating the Planning Group for Response to Hatred and Discrimination

In order to maximize the efficiency of our performance and ensure prompt responses regarding hatred and discrimination, we formed the Planning Group for Response to Hate-Motivated Discrimination in January 2019, which is responsible for all hatred and discrimination tasks across-the-board. This planning group is charged with conducting factual surveys and research on hatred and discrimination, publicizing related issues, engaging in education and promotional activities to improve the public's awareness, developing relevant standards for different areas of society and eliciting compliance, and collaborating with human rights agencies and organizations in Korea and beyond.

Section 5. Assessment

In 2018, we actively presented opinions on major social issues concerning human rights, while also delivering recommendations and opinions regarding the development and expansion of human rights policy tasks and the improvement of laws, policies, systems, and practices related to human rights.

We monitored human rights policies and systems to define the responsibilities of the central and local governments for promoting and protecting human rights and to institutionalize protective instruments for human rights, while also collecting opinions by consulting experts, human rights and civil society organizations, and relevant government agencies.

To reinforce our competence for human rights policies and research, we focused on identifying the human rights conditions in Korea by conducting 23 factual surveys, including those to come up with guidelines to prevent and address hate speech, to abolish the death penalty and offer alternative punishments, and to improve the personal protection system for North Korean refugees.

We recommended improving the human rights conditions of female migrant workers to substantively promote the human rights of the socially vulnerable, and as a result, the inspection of workplaces hiring migrant workers, the reinforcement of counseling expertise, and the development of educational materials for sexual harassment prevention will all be carried out. We also recommended changing the existing practice of suspending the departure of unregistered migrant children when their parents or guardians failed to pay related fines. Such migrant children will be allowed to leave Korea even when their parents or guardians have not paid such fines. Driven by our recommendation to promote the human rights of those vulnerable to fine dust pollution, persons with disabilities will be included in the fine dust response manual, and legal requirements for the quality of indoor air at childcare centers will be reinforced.

We recommended improvements for the promotion of the right to health of workers suffering from pneumoconiosis, and the period of preventive management will be extended and the scope of supported items will be expanded. Based on our recommendation to promote the right to health of workers exposed to reproductively harmful factors, workers' right to know will be further ensured.

As for the introduction of alternative service, we expressed our opinions on the bills for the partial amendment of the Military Service Act and the legislative bill on the assignment to and fulfillment of alternative service. We also presented our opinion on the bill for the partial amendment of the Immigration Act as well as our recommendations and opinions for the improvement of criminal retrial procedures. We developed a bill to enact the Framework Act on Human Rights to more clearly define the nation's responsibilities for protecting and promoting human rights and lay a solid institutional foundation for human rights and continue to discuss its enactment with relevant government agencies.



Section 1. Overview

We carry out investigations on cases of human rights violations and discrimination and seek remedial measures in accordance the NHRCK Act.

Subjects of Investigation

Subject to the Commission's investigations are national institutions, local governments, schools⁶⁾, public service-related organizations⁷⁾, and detention and protection facilities that violate the human rights guaranteed under Articles 10-22 of the Constitution or commit discrimination⁸⁾ in relation to their operation⁹⁾ and corporate bodies, organizations, and private persons that commit discrimination.

Petitions

Investigations are typically initiated upon receiving petitions, which can be filed by victims or third parties aware of the commission of violations or discrimination. To guarantee the right to

6) Schools established in accordance with Article 2 of the Elementary and Secondary Education Act, Article 2 of the Higher Education Act, and other relevant laws and statutes

7) Public service-related organizations under Article 3-2 (1) of the Public Service Ethics Act

8) Discriminatory acts that violate the right to equality pursuant to Subparagraph 3 of Article 2 of the National Human Rights Commission of Korea Act encompass acts of giving preference to, excluding, discriminating against, treating unfavorably, and sexually harassing a certain person regarding employment, the supply and use of goods and services, etc., without justifiable reasons on account of gender, religion, disability, age, social status, place of origin (referring to the place of birth, place of registration, principal place of residence until reaching the age of majority, etc.), country of origin, ethnic origin, physical condition such as appearance, marital status (married, single, separated, divorced, widowed, remarried, married de facto, etc.), pregnancy or childbirth, family type or situation, race, skin color, ideology or political opinion, criminal record with its punishment effect extinguished, sexual orientation, academic background, medical history, etc.

9) Excluding the legislation of the National Assembly and trials in courts and the Constitutional Court

petition of those confined in a detention or protection facility with limited access to a phone, we visit such facilities for the face-to-face submission of petitions¹⁰⁾.

Upon receiving a petition, we enter into an investigation. If the case is recognized as a human rights violation or discrimination, the petitionee or his/her supervisory agency is recommended to take action to prevent any recurrence and ensure restoration. If the petition does not fall under the Commission's subjects of investigation as defined in the NHRCK Act, the petition is rejected. If it does not constitute a human rights violation or discrimination, the case is dismissed.

The number of petitions submitted in 2018 reached 9,280, a 24.7% (3,049 cases) decrease from 12,329 cases in 2017. Of these, 7,070 (76.2%) were related to human rights violations, 2,185 (23.5%) were related to discrimination, and 25 (0.3%) concerned other matters.

Emergency Remedies

Emergency remedial measures may be taken pursuant to the NHRCK Act when a petition is recognized to be a subject of investigation and when it is deemed highly probable for the act of human rights violation or discrimination to be ongoing and thereby incur irreparable damage if left unresolved.

In January 2018, a petitioner requested an emergency remedy, stating that the petitioner was treated unfavorably in personnel reshuffling by the petitionee for making a statement to the Commission as a testifier. We recommended that the petitionee, the head of a social welfare facility, redress the situation and requested legal aid for the petitioner to the chairperson of the Korean Bar Association Legal Aid Foundation.

In February, an ethnic Korean from China who had to look after her sick mother and sister filed for an emergency remedy, arguing that it was unfair for immigration authorities to dismiss her application for citizenship and order forced deportation for using a passport under a false name in the past. We recommended that Korea Immigration Service extend the period of temporary release from detention, and this recommendation was accepted.

10) Pursuant to Article 31 (2) and (4) of the National Human Rights Commission of Korea Act, the Commission shall have a commissioner or a staff member visit a confinement or care facility to receive an oral or written petition from an internee who wishes to file a petition in person in front of the Commission's commissioner or staff member.

In August, a person with severe disabilities who needed a caretaker 24 hours a day requested an emergency remedy for 24-hour activity assistance. We recommended that the Ministry of Health and Welfare and the local government with jurisdiction provide emergency activity assistance for the petitioner for 24 hours, and this recommendation was accepted.

***Ex Officio* Investigations**

Article 30 (3) of the NHRCK Act provides that even if a petition has not been submitted, the Commission may initiate an *ex officio* investigation when it is deemed reasonable for a human rights violation or discrimination to have been committed and when such an act is recognized to be critical.

In 2018, eight cases of *ex officio* investigations were initiated, and 11 were processed. Among the 11 processed cases, we presented recommendations for eight, requested a criminal investigation for one, made a recommendation for disciplinary action for one, and presented an opinion for one.

Visiting Investigations

Article 24 (1) of the NHRCK Act states that the Commission may, if deemed necessary, visit detention or protection facilities to conduct an investigation by its resolution.

It was decided to conduct visiting investigations for eight cases, and three cases were processed. Recommendations were presented for two, and the investigation was terminated for one.

Human Rights Counseling

We provide guidance on remedial measures through telephone counseling and face-to-face counseling. We also operate counseling windows staffed by counselors specializing in human rights and tour regions deemed more vulnerable to human rights violations to offer counseling for social minorities. In 2018, this tour counseling, which originally targeted many and unspecified people, was slightly modified to deal with specific issues in a timely manner, such as the controversies over asylum-seekers from Yemen on Jeju Island and the deaths of an inmate at the Seoul Detention Center.

[Table 2-2-1] Petitions, Counseling Requests, and Complaints and Inquiries Submitted and Processed in the Last Five Years

Classification	Petitions, counseling requests, and complaints and inquiries submitted	Total petitions		Human rights violation petitions		Discrimination petitions		Other petitions	
		Submitted	Processed	Submitted	Processed	Submitted	Processed	Submitted	Processed
Cumulative sum	972,598	132,185	129,093	101,147	99,365	28,748	27,442	2,290	2,286
2018	87,526	9,280	10,177	7,070	7,717	2,185	2,437	25	23
2017	91,638	12,329	11,007	9,144	8,580	3,152	2,375	33	52
2016	80,283	10,647	10,868	8,161	8,424	2,432	2,410	54	34
2015	80,686	10,695	10,894	8,499	8,795	2,188	2,016	8	83
2014	82,093	10,923	10,331	8,708	8,093	2,197	2,223	18	15

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

Section 2. Investigations and Remedies: Human Rights Violations

1. Status of Petitions

A. Petitions Submitted

In 2018, a total of 7,070 petitions related to human rights violations were submitted, a decrease by 2,074 cases (22.7%) from the previous year. This is because petitions concerning the police (down by 326 cases), detention facilities (down by 446 cases), and group care facilities (down by 591 cases), which had dramatically surged following the President's announcement to reinforce the Commission's standing in May 2017, recorded a sharp downturn in 2018. The number of group care facilities has decreased steadily since 2015, and this can be attributed to the Mental Health Welfare Act, which was amended to shorten hospitalization periods at mental healthcare institutions, etc. Meanwhile, the number of petitions related to schools, which had been on a continued rise prior to 2018, decreased. However, the decreased figure was close to the average over the three years prior to 2017 (547 cases).

[Table 2-2-2] Human Rights Petitions Submitted in the Last Five Years by Institution

Year	Sub-total	Prosecution	Police	Detention facilities	National Intelligence Service	Military	Other national institutions	Protection facilities	Judicial institutions	Legislature	Local governments	Immigration-related institutions	Schools	Public service-related organizations	Others
Cumulative sum	101,147	3,008	19,833	29,686	258	2,280	7,503	24,841	1,207	76	4,734	397	4,143	1,441	1,740
2018	7,070	129	1,236	1,811	11	256	304	2,017	56	1	290	56	518	196	189
2017	9,144	199	1,562	2,257	10	280	486	2,608	97	11	470	83	668	291	122
2016	8,161	142	1,484	1,651	9	199	315	3,036	77	2	307	59	594	222	64
2015	8,499	144	1,363	1,715	4	153	259	3,473	61	6	445	81	551	190	55
2014	8,708	190	1,539	1,631	11	182	392	3,464	83	3	387	18	497	230	81

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

The cumulative number of human rights violation petitions from the launch of the Commission through the end of 2018 stands at 101,147. Petitions related to detention facilities rank first at 29,686 (29.3%), followed by petitions concerning group care facilities at 24,841 (24.6%), petitions concerning the police at 19,833 (19.8%), and petitions concerning other national institutions at 7,503 (7.4%). Overall, the number of petitions in 2018 recorded a downturn, with petitions related to detention and group care facilities and the police accounting for the majority. Petitions related to schools and public service-related organizations, which became subject to investigations in 2012 with the amendment of the NHRCK Act, had been on a continued rise but decreased in 2018.

B. Petitions Processed

More than 8,000 human rights violation petitions per year were processed over the past several years. However, the number of human rights violation petitions processed in 2018 stands at 7,717, a decrease by 863 from the previous year. This is deemed to be the result of dispatching investigation staff to task forces related to pending issues such as the Special Team for the Sexual Harassment and Molestation Investigation and Institutional Improvement and conducting large-scale *ex officio* investigations of sexual harassment and sexual violence within the prosecution and of the en masse defection of North Korean workers from a restaurant in China.

The number of remedied cases of human rights violation petitions in 2018 reached 670, a decrease by 206 (23.5%) compared to the previous year. This is attributable to the decline in the cases resolved during investigation (down by 261 cases). The downturn was clearly manifested in protection facilities for accommodating multiple people (down by 162 cases) and detention facilities (down by 45 cases). The number of cases for which recommendations were made was similar to that of 2017, but the number of cases for which criminal investigations were requested dropped compared to 2017. For these reasons, the rate of remedied human rights violations¹¹⁾ fell from 10.2% in 2017 to 8.7% in 2018.

11) Rate of remedied human rights violations: Number of remedied cases / Number of petitions processed (%)

[Table 2-2-3] Human Rights Violation Petitions Processed in the Last Five Years

Year	Sub- mitted	Processed	Remedied							Rejected	Trans- ferred	Dis- missed	Invest- igation sus- pended
			Subtotal	Criminal investigation requested	Recom- mendations, etc.	Legal aid re- quested	Medi- ation	Closed by settl- ement	Re- solved during invest- igation				
Cumulative sum	101,147	99,365	11,892	145	2,564	19	15	1,795	7,354	56,761	1,386	28,786	540
2018	7,070	7,717	670	3	209	-	-	124	334	4,704	76	2,251	16
2017	9,144	8,580	876	8	210	-	4	59	595	5,421	96	2,164	23
2016	8,161	8,424	903	19	179	1	9	122	573	4,956	82	2,452	31
2015	8,499	8,795	858	8	133	-	-	277	440	5,101	79	2,705	52
2014	8,708	8,093	728	21	78	1	-	229	399	4,890	48	2,387	40

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

*Recommendations, etc.: Sum of recommendations made for settlements, remedial action, disciplinary action, and emergency remedies, to which recommended institutions are obligated to confirm whether they accept such recommendations under the National Human Rights Commission of Korea Act

*Resolved during investigation: Cases resolved smoothly or without the need to take remedial measures thanks to the efforts of or mediation by investigators among the cases rejected or dismissed

*Rejected and dismissed: Cases closed by rejection or dismissal excluding those resolved during investigation

By institution type, the number of processed petitions related to group care facilities stood at 2,047, followed by detention facilities at 1,871, the police at 1,546, schools at 576, and local governments at 342. We remedied 153 human rights violations related to the police, 134 to group care facilities, 117 to schools, 97 to detention facilities, and 54 to the military.

2. *Ex Officio* and Visiting Investigations

A. *Ex Officio* Investigations

We conducted an *ex officio* investigation of a childcare institution that attempted to hospitalize one of the resident children under its care in a mental hospital for undergoing double-eyelid surgery without permission. The investigation revealed that the institution had hospitalized or attempted to hospitalize many children in mental hospitals under the pretext that they caused

trouble. It also had transferred or attempted to transfer children to other institutions without their consent. We recommended that the chairperson of the board of the social welfare foundation in charge of the institution dismiss the head of the institution, resolve the psychological and emotional anxiety of the children residing at the institution, and take steps to restore the relationships between children and staff members. We also recommended that the head of the local government with jurisdiction over the institution reinforce supervision of all institutions in its jurisdiction. The recommendations were all accepted.

On July 26, we decided to conduct an *ex officio* investigation of the controversial en masse defection of North Korean workers from a restaurant in China. We conducted an *ex officio* investigation of the death of a migrant worker who died of injury caused while trying to evade a crackdown at a construction site to find whether the crackdown proceeded in a legitimate manner and whether proper measures were taken to save the worker's life after the accident took place. *Ex officio* investigations were also conducted for the assault on a student with a disability at a special education school and the death of a soldier with a gunshot wound at a military guard post.

B. Visiting Investigations

We conducted visiting investigations at four mental healthcare institutions of the military and checked the legitimacy of their hospitalization and discharge procedures and the relevance of claims of isolation and coercion. We visited ten correctional institutions to investigate issues regarding the procedures of investigation and punishment and, based on the investigation results, recommended that the Minister of Justice refrain from the practice of separately accommodating investigation targets, offer human rights education for the Correctional Rapid Patrol Team (CPRT), and minimize the use of protective gear. We visited three public shelters for foreigners to investigate the living conditions for long-term stay and healthcare services. Based on the results of the investigation, we recommended that the Minister of Justice change the shelters' overly restrictive systems, realize the selective examination of infectious diseases for those newly entering the shelters, and offer mental healthcare programs for foreigners under long-term protection. We visited seven rehabilitation institutions for the first time since 2009 to conduct investigations of their living conditions and operations. The investigation results will be reviewed to develop related policy tasks.

We visited 12 senior welfare facilities following 2017 to conduct investigations on whether freedom of action is restrained, whether admission and discharge procedures are legitimate, and whether freedom of religion is ensured at sanatoriums for seniors. Based on the investigation results, we recommended that the Minister of Health and Welfare develop guidelines and manuals for the admission and discharge procedures and living conditions of healthcare and welfare institutions for seniors and identify the reality of and offer guidelines for CCTVs being operated at such institutions. We presented our opinion to the Speaker of the National Assembly that the bill for the partial amendment of the Welfare of Older Persons Act (bill no. 7898) should be modified to ensure proper legal grounds for any restraint of seniors' freedom of action. We also conducted visiting investigations at seven juvenile classification review centers.

3. Examples of Major Petitions

A. Prosecution, Police, and Courts

Discarding a Seized Article Prior to the Final Ruling

Regarding a case in which the seizure of an article (mobile phone) was ordered in the first trial and the prosecution discarded the seized article prior to the final ruling, we recommended on September 18 that the chief prosecutor of the respective district prosecutors' office and the head of its branch office issue a written warning to the prosecutor and investigator.

We concluded that the seized mobile phone did not fall under the category of articles that may cause danger and thus are difficult to be kept until the final ruling is handed down as prescribed in Article 130 (2) of the Criminal Procedure Act. We viewed that it is restrictively allowed to discard a seized article before the case is closed only when it is deemed likely to cause danger while being stored such as an explosive or toxic substance.

Furthermore, as the petitioner filed an appeal of dissatisfaction regarding the seizure of his/her mobile phone after the first trial and argued in the second trial that the discarding of his/her mobile phone seriously infringed on his/her right to defense, we concluded that the discarding of the petitioner's mobile phone prior to the final ruling was an arbitrary decision to exercise the authority of the prosecutor and investigator and thus a violation of the principle to observe due process of law.

As such, we concluded that a seized article is closely related to a petitioner's right to defense and right to property, and therefore, its properties, conditions, and form at the time of seizure should be kept intact until the final ruling is reached.

Neglecting the Act of Obstructing Assemblies by Management

We concluded that it was a violation of freedom of assembly and demonstration for the police to neglect the management's act of obstructing the petitioner's assembly in front of the company's main entrance by preoccupying the space and recommended on March 28 that the chief of the police station in charge come up with measures to protect the freedom of assembly and provide human rights education to the police station's personnel.

The management was found to have preoccupied the space in front of the company's main entrance by giving notification for the holding of an assembly every day all year round since 2000, but it turned out that the management actually only held assemblies for a limited number of days. The management was repeatedly giving notification for holding an assembly of 100 for 24 hours every day on the entire blocks to the right and left of the company's main entrance around the time when the petitioner submitted the petition. However, in actuality, only five or six employees on the side of the management and subcontract workers wearing sashes marked with slogans were hovering around the area and drove away those trying to hold an assembly, saying that the space was already reserved by the management. After June 2016, when the court issued a temporary dispositional order to the management not to obstruct assemblies, the management hindered assemblies by blocking access to assembly locations. The police, even when it was reported, did not take proper steps to rectify the situation.

The management filed a suit against the petitioner for obstructing its assemblies for which notification was given in advance. In January 2018, the court ruled that the management's assemblies held around-the-clock by stationing its employees and subcontract workers, though notified of in advance, appear to be closer to an act of standing guard and thus cannot be deemed worthy of being protected at the expense of constraining the freedom to select the assembly location, which is guaranteed in the Constitution, of the petitioner who intends to select the same location for its connection with the assembly.

As such, we concluded that the respective police station violated the freedom of assembly

guaranteed in the Constitution by failing to observe its duty to protect peaceful assemblies and demonstrations as specified in the Assembly and Demonstration Act.

Obstructing the Revision of the Written Record of Statement

We concluded that the act of interrupting the petitioner from adding more details to the already written record of statement was a violation of human rights and recommended on August 9 to provide on-the-job education to the said police officer on his duty to accept the request of the person making the statement to add or delete certain information.

As a result of our investigation, it was found that the respective police officer took away the last page of the statement, to which the petitioner was adding testimony viewed to be favorable to himself/herself, and interrupted the petitioner from writing down additional testimony.

We viewed that such an act by the respective police officer could pressure the petitioner and constrain the petitioner's free expression and exercise of the right to state opinions. Pursuant to the Criminal Procedure Act and Criminal Investigation Regulations, fair investigations must be ensured and the right to freely state opinions that are favorable to those making statements, including suspects, must be protected by allowing them to read through the already written record of statement and to add testimony when they raise objections or make requests.

Although the respective police officer argued that he informed the petitioner to write down additional statements on the investigation process confirmation document, this document, which is designed to provide the time and progress of the investigation, is deemed inappropriate as a record for additional testimony. In addition, the police officer failed to give the petitioner the opportunity to write down additional testimony. The police officer's assertion that the petitioner applied for a challenge against the investigator the following day and that the petitioner suddenly gave up on the opportunity to add testimony without special reason was also viewed to be unconvincing.

As such, we concluded that it was a violation of the right to be treated equally throughout the criminal procedures as guaranteed in the Constitution for the respective police officer to obstruct the petitioner from adding favorable testimony to the written record of statement while reading through it.

Obstructing the Reading of the Seizure Warrant

We concluded that it was a violation of the freedom of action and the principle of observing due process of law guaranteed in the Constitution for the police to collect the seizure warrant while the petitioner was reading the warrant and thus recommended on November 29 that the head of the respective Provincial Police Agency provide on-the-job education to the agency's personnel on the execution of seizure warrants.

In accordance with our investigation, the respective police officer handed out a seizure warrant of 28 pages to each of the two petitioners and collected one after about one minute and 40 seconds from the first petitioner who had progressed to page 10 and the other after about one minute from the second petitioner who had progressed to page 2.

Article 118 of the Criminal Procedure Act specifies that a search and seizure warrant shall be presented to the person who is the subject of the warrant, and Article 114 (1) of the Criminal Procedure Act and Article 58 of the Regulations on Criminal Procedure mandate the inclusion in the warrant of the name and offense of the defendant; the articles to be seized; the place to be searched; the date of the issuance of the warrant; the expiration date of the warrant; and the reasons for search and seizure.

Although the respective police officer argued that he/she had explained the charges to them in detail, we viewed that the petitioners must have been unable to obtain sufficient information about the warrant because the reasons for seizure, targets of seizure, and restrictions on the method of seizure are described on page 25 and page 28 of the two warrants and the two petitioners only progressed to page 10 and page 2, respectively.

The police officer continued to assert that he/she orally explained the details of the warrants to prevent the delay in their execution as they contained information about the crimes of multiple suspects other than the petitioners, but it cannot be viewed as a legitimate presentation considering the purpose of the warrant presentation system.

As such, we concluded that it was a violation of the freedom of action and the principle of observing due process of law guaranteed in the Constitution for the police officer to allow the petitioners to read only part of the warrants and collect them back.

B. The Military

Lack of Convenience Facilities for Female Military Personnel

We concluded that it was a violation of the victim's personal rights guaranteed in Article 10 of the Constitution for the battalion commander and command sergeant major to fail to provide convenience facilities such as restrooms for one female soldier serving in the unit and to take vindictive measures against her when she filed a complaint to them. On January 24, we recommended that the Minister of National Defense, etc., come up with improvement measures after identifying difficulties encountered by female soldiers, such as those relating to their physiological needs and accommodation arrangements during field training exercises, to ensure that all gender equality centers in the military function normally and to issue a warning to the petitionees.

The petitioner submitted the petition on the grounds that the victim suffered from the lack of a female restroom due to the military unit's failure to repair them, had to ask male soldiers for the key to the female restroom each time, and sometimes had no choice but to use a container as a latrine. Also, the command sergeant major, etc., deliberately excluded the victim from group events, forced the victim to use the restroom of another military unit located 1.6 kilometers away during ranger training after turning the on-site female restroom into a male restroom, and threatened and took retaliatory acts when the victim filed a complaint to them.

Notification of Disciplinary Action Taken to a Third Person against Soldiers' Will

On November 9, we recommended that the commander of the respective Division provide on-the-job education to the petitionee for notifying the petitioners' parents against the petitioners' will that they were put into a military guardhouse.

The petitioners were submitted to disciplinary action of confinement in a guardhouse for violating their duty to maintain dignity as soldiers. However, although they expressed their will against the notification of the execution of the disciplinary action through their legal representatives, the petitionee notified this fact to their parents. As such, they submitted a petition for the violation of privacy and freedom.

The proviso of Article 59-2 (6) of the Military Personnel Management Act and Article 8 of

the Directive on the Execution of Confinement in a Guardhouse and Standards for Treatment of Those Confined clearly stipulate that the disposition of confinement in a guardhouse shall not be notified to a third party when demanded as such by the subject of the disposition, and the disclosure of the details of disciplinary action is to be controlled and determined by the subject of such disciplinary action. Nonetheless, the charges against the petitioners' that led to their transfer and the details of the disposition were notified to their families against their will, and we concluded that this was a violation of the petitioners' privacy guaranteed in Article 17 of the Constitution.

However, as it can be flexibly viewed as an effort to serve as a responsible unit leader to notify the petitioners' parents of their transfer considering the common practices of Korea, we concluded that it was reasonable to seek the improvement of such practices through on-the-job education rather than holding the petitionee liable.

C. Detention Facilities

Illegitimate Censoring of Letters and Punishment

On August 29, we recommended that the Minister of Justice prevent the recurrence of censoring the letters of and punishing inmates on the grounds that they file petitions or their letters are addressed to press organizations and to cancel the decision of the facility to punish the petitioner concerning this specific case.

This petition was filed after an inmate attempted to send a letter to a press organization about a case witnessed at the detention facility and the detention facility censored this letter, disapproved its dispatch on the grounds that it presented false information, and punished the inmate.

We viewed that letters of inmates should be censored only when they are deemed to pose a justifiable threat and it should be strictly reviewed whether a case requires censoring as an exception.

Based on these criteria, we concluded that it was illegitimate to censor the letter simply because it was addressed to a press organization and that it was a violation of the petitioner's right of action and communication guaranteed in Articles 10 and 17 of the Constitution for the petitionee to disapprove the dispatch of the letter and punish the petitioner as the letter arguing

the facility's illegality cannot be viewed to contain explicitly false information or information that is against criminal laws.

Violation of the Freedom of Religion of Detained Suspects on Trial

On October 24, we recommended that the head of the respective Detention Center seek ways to expand the participation of detained suspects on trial in religious events while taking care not to curtail such opportunities given to convicted inmates. We also recommended that the Minister of Justice develop and distribute to correctional institutions guidelines for organizing religious events and setting the criteria for participation in such religious events.

The petitioner was a detained suspect on trial and filed the petition against the petitionee for allowing convicted inmates to participate in church services on a weekly basis but allowing detained suspects on trial to participate only once a month, arguing that it was a violation of the freedom of religion.

As detained suspects on trial are more prone to becoming psychologically unstable, feeling intimidated, and falling into ill health and more likely to be constrained in exercising their right to defense, which should be guaranteed throughout the criminal procedures, and to suffer human rights violations (Constitutional Court; July 19, 2001; 2000-heonma-546), detained suspects on trial and convicted inmates should be accommodated separately and treated differently. However, due to the shortage of detention facilities, detained suspects on trial and convicted inmates are often accommodated together. Participation in religious events can provide comfort, improve their mental health, and help with reformation and edification, thereby contributing to preventing incidents such as suicide. As detained suspects on trial can easily fall into a psychologically unstable state due to the sudden environmental change incurred by confinement and anxiety about their trial result and as religious events can help them find comfort, it cannot be viewed that participation in religious events is more critically needed for convicted inmates than for detained suspects on trial.

Furthermore, even when considering the differences in the sizes of facilities and the number of inmates accommodated, religious events at detention facilities are being held without any standards. We also concluded that it was a violation of the principle of proportionality and freedom of religion under Article 20 of the Constitution to restrict the participation of detained

suspects on trial in religious events arbitrarily without resorting to options such as holding separate events for criminals and their accomplices and utilizing unused space to accommodate both convicted inmates and detained suspects on trial.

Overcrowding at Detention Facilities

On November 5, we conducted an *ex officio* investigation of human rights violations incurred by overcrowding at detention facilities and recommended that the Minister of Justice implement measures of the highest priority such as the expansion of living space for female inmates, develop measures to build and expand detention facilities, and seek ways to increase the number of those released on parole such as easing the criteria for the selection of those qualified for parole. We recommended that the Prosecutor-General of the Supreme Prosecutors' Office reduce pre-trial detention by observing the presumption of innocence and conducting investigations without physical restraint.

We recommended that the Prime Minister form a council of relevant ministries, such as the Ministry of Justice, Ministry of the Interior and Safety, and Ministry of Economy and Finance, and promptly resolve the issue of overcrowding at detention facilities. We also recommended that the Chief Justice of the Supreme Court reduce pre-trial detention by realizing the principle of trials without physical restraint.

We have made recommendations to improve the overcrowding at detention facilities and consequent human rights violations more than ten times since the inception of the Commission. However, the accommodation rate (ratio of the actual number of inmates accommodated to the total capacity of facilities) has been on the rise since 2013 and reached 115.4% as of the end of 2017. In particular, the accommodation rate of detention facilities near large cities stood at 124.3%, which is 8.9% higher than the national average. The situation regarding female inmates is worse. The accommodation rate of the Busan Detention Center, the nation's only correctional facility dedicated to women, stands at 185.6% and requires urgent improvement.

Overcrowding poses an even more serious problem during the hot summer months and cold winter months. Inmates are often caught up in quarrels, refuse to stay in cells with others, and thereby suffer punishment. We concluded that the overcrowding at detention facilities represents a failure to meet the minimum standards for facilities accommodating people and a violation

of human rights beyond the nation's right to punish, which damages the human dignity of over 60,000 inmates.

This *ex officio* investigation highlighted the need for the effort of the courts and prosecution to realize the principle of trials and investigations without physical restraint to advance the resolution of the overcrowding issue. The number of detainees over the past five years rose by 26%, and detained suspects on trial accounted for 35.4% of the total detainees in 2017. Meanwhile, the total capacity increased by a mere 4%.

As such, we concluded that the substantive resolution of the overcrowding at detention facilities required the concerted effort of all government agencies, the realization of trials and investigations without physical restraint by the courts and prosecution, and the change of civil society's perception towards correctional facilities.

D. Group Care Facilities

Inappropriate Academic Guidance for Children Residing at Childcare Institutions, Etc.

A student in the third grade of middle school who resided at a childcare institution expressed his will to go on to a high school famous for its students' performance to the head of the institution, and the head of the institution forced the student to give up on attending the high school on the grounds that it was too far from the institution and thus it was difficult for the institution to look after the student.

The head of the institution argued that it caused too much trouble as the high school was located too far away, that the student could improve his performance by taking classes at private educational institutes, and that there was no precedent of sending the institution's children to the high school.

However, we concluded that the head of the institution failed to provide appropriate academic counseling to the student and to guarantee the right to freely manifest personality under Article 10 of the Constitution. As such, we recommended on February 28 that the head of the institution respect the will of students for their academic career planning and offer guidance focused on their welfare.

Human Rights Violation against Children Residing at Childcare Institutions

We conducted an *ex officio* investigation of a childcare institution that attempted to forcefully hospitalize a child under its protection in a mental hospital and recommended on May 9 that the institution's foundation dismiss the head of the institution and take steps to restore trust between the institution's children and staff. We also recommended that the head of the respective local government reinforce the supervision of all childcare institutions in its jurisdiction.

It was found that the institution hospitalized or attempted to hospitalize those children supposedly causing trouble in a mental hospital and transferred or attempted to transfer such children to another childcare institution without their consent. When one of the children who often came into conflict with the institution received double-eyelid surgery, the institution arbitrarily attempted to hospitalize this child in a mental hospital. This attempt foundered because the hospital refused to admit the child. Also, the institution specified a temporary return to the family that had sent the child to the institution as disciplinary action in its regulations and subjected those children who skipped school or disobeyed instructions to this punishment without their consent.

We viewed that the attempt to hospitalize children in a mental hospital was used as a means of control and the act of forcefully returning children to families that had sent them to the institution in the first place for a temporary stay as disciplinary action was an inappropriate response to the child. Both of these run counter to the best interests of the child as prescribed in the United Nations Convention on the Rights of the Child and to the purpose of the Child Welfare Act.

Illegitimate Labor, Etc., at Mental Hospitals

On November 12, we recommended that the head of the respective hospital refrain from forcing patients to engage in tasks that should be performed by the staff members of the hospital, such as food distribution and cleaning, and provide human rights education to hospital staff to prevent its recurrence. We concluded that it was a violation of patients' rights to receive treatment in a pleasant and safe environment and the freedom of action guaranteed in Articles 10 and 12 of the Constitution as the act of forcing patients to engage in tasks, which are irrelevant to their treatment programs, at locations other than vocational rehabilitation facilities ensuring safety and sanitation in the absence of hospital personnel and the failure to comply with legal requirements such as

the regular assessment of patients' performance concerning the said tasks go beyond the extent of vocational rehabilitation for hospitalized patients, etc., defined in Article 76 of the Mental Health Welfare Act and Article 52 of the Enforcement Rules of the Act and fall under labor for purposes other than medical treatment and rehabilitation prohibited in Article 69 (3) of the Act.

E. National Institutions, Local Governments, and Public Service-Related Organizations

Including Medical History in the Physical Checkup Results Issued by Community Health Centers

The petitioner applied for the issuance of a physical checkup result at the local community health center and found that the document specified his past treatment for syphilis as cured from syphilis.

The specification of an individual's history of being cured from syphilis by the physician in charge is not aimed at restricting the individual's employment but at distinguishing those already cured from those currently infected as the former can still test positive due to the traits of this disease.

We concluded that the classification of those already cured from those currently infected could be easily achieved by managing each individual's medical record without specifying each individual's history of being cured in the physical checkup result.

As such, we recommended on July 26 that the Minister of Health and Welfare improve provisions related to an individual's medical history in the physical checkup results in the Regulations on the Diagnosis of Sexually Transmitted Diseases and AIDS to ensure the protection of privacy and freedom.

Violation of Privacy during Baggage Inspection

The first petitioner (male) argued that a customs officer humiliated him in front of others including female customs officers by taking out innerwear and condoms from his baggage during an inspection for entry into Korea through Gimpo International Airport from China

in December 2016. The second petitioner (female) stated that a customs officer inspected her personal belongings, such as innerwear and feminine products, with two men and one woman watching in the waiting line at Gimpo International Airport in December 2017 and did not take any measures to protect her privacy.

According to our investigation, although customs at Gimpo International Airport installed a glass partition behind each inspection table and marked a line indicating the waiting area, the inspection process was still in view of a third party standing behind the line, and it was likely to cause humiliation to those subject to baggage inspection. We concluded that it was a violation of personal rights and privacy guaranteed in Articles 10 and 17 of the Constitution as it appeared possible based on the size of the inspection area, etc., to install additional partitions on inspection tables or to readjust the distance between the inspection tables and the line indicating the waiting area to conduct necessary inspections and prevent the process from being exposed to a third party. We viewed that it was negligence of the duty to minimize the damage to human rights in the process of attempting to achieve goals to cause such humiliation for subjects of inspection despite the availability of human rights-friendly measures that can easily be adopted.

As such, we recommended on November 14 that the head of the petitionee institution develop and distribute measures to customs to protect the privacy of individual travelers during inspection, such as installing partitions and readjusting the distance between the baggage inspection tables and the waiting line.

F. Schools

Inappropriate Investigation of School Violence Cases by Teachers

A petition was filed concerning a first-grade homeroom teacher at an elementary school who interviewed a victim of school violence with over 20 classmates present on-site. The victim was too intimidated to state the actions committed by the assailants.

We viewed that it was necessary to keep the process of counseling and investigation regarding school violence confidential to prevent any secondary damage to the victim and to give greater consideration to young students, especially students of lower grades, as they can be psychologically unstable and find it hard to describe events. As such, we recommended on

January 31 that the principal of the respective school provide on-the-job education to the teacher to more effectively deal with school violence cases.

Insufficient Protection for Victims of School Violence

A petition was filed concerning a teacher for failing to protect a victim of school violence in middle school. When the victim requested help from the teacher of Wee Class (school counseling system) for being bullied by some of his/her classmates, the teacher urged the assailants to apologize to the victim saying that the victim's father is in a high-ranking position in the military. The teacher also made the victim sit in a separate counseling room and had the eight assailants go into the room one by one to have a conversation with and apologize to the victim. In this process, the victim was forced to make apologies to the assailants.

First, we viewed that the teacher's method of attempting to make the assailants apologize by highlighting the status of the victim's father is questionable as it clearly aims to pressure them and that this method was likely to create hostility among the assailants and damage the relationships between the victim and assailants to an irreparable extent.

Second, we concluded that the teacher failed to protect the victim's personal rights guaranteed in Article 10 of the Constitution by making the victim engage in dialogue with the assailants in an isolated space in the absence of the teacher without fully identifying whether the assailants had the intention of apologizing and whether they were aware of their wrongdoing. As such, we recommended on April 3 that the principal of the respective school provide on-the-job education to the teacher about school violence counseling and children's rights.

Forcefully Mobilizing Students for Plays for Children

A petition was filed for the respective university for forcing all students in the Childcare Department to prepare for a play for children for four hours a day from March to May every year and make preparations even on weekends and holidays as the opening date draws near.

Although the university could seek optional measures such as providing incentives to those student who voluntarily participate in the play and designating the preparation for the play as a compulsory course, the university violated the principle of proportionality to minimize the damage by forcing the students to take part in the play against their will; restricted their everyday

lives; and incurred difficulties in preparing for lectures, projects, and mid-term examinations. We concluded that it was a violation of the principle of comparability as the university excessively constrained the students' fundamental and inviolable human rights even when considering the benefits expected from the play for children.

On May 29, we recommended that the President of the university change the existing practices and allow the students in the Childcare Department to freely decide their involvement in plays for children.

Section 3. Investigations and Remedies: Discriminatory Acts

1. Status of Petitions

A. Petitions Submitted by Area

The total number of petitions for discriminatory acts submitted up through December 2018 since the Commission's inception stands at 28,748, of which the largest proportion is related to discrimination concerning the supply and use of goods and services at 11,307 (39.3%), followed by discrimination concerning employment, dismissal, and wages at 8,334 (29.0%) and discrimination at educational facilities and vocational training institutions at 1,676 (5.8%).

In 2018, 2,185 petitions were received in relation to discrimination, which was a substantial decrease from 2017. However, the number of submitted petitions surged markedly in 2017 following the President's announcement to further reinforce the Commission's standing, and thus it should be viewed to have returned to the usual level. By area, petitions related to discrimination concerning employment stood at 598 (27.4%), the supply and use of goods and services at 1,008 (46.1%), and educational facilities, etc., at 92 (4.2%).

More specifically, petitions related to discrimination concerning recruitment ranked first at 185 (30.9%), followed by wage and non-wage payment at 112 (18.7%); education, placement, and promotion at 103 (17.2%); and retirement age, retirement, and dismissal at 62 (10.4%). Among petitions related to discrimination concerning the supply and use of goods and services, those concerning services stood at 480 (47.6%), goods at 371 (36.8%), and transportation and commercial facilities at 143 (14.2%). Petitions concerning educational facilities reached 80 (87.0%) and vocational training institutions 12 (13.0%).

[Table 2-2-4] Discrimination Petitions Submitted in the Last Five Years by Area

(in number of cases)

Classification		Discrimination concerning employment														Discrimination concerning the supply and use of goods and services								Discrimination concerning the use of educational facilities			Others
		Total	Subtotal	Recruitment	Hiring	Education	Placement	Promotion	Wage	Non-wage payment	Loan	Retirement age	Retirement	Dismissal	Others	Subtotal	Goods	Services	Transportation	Commercial facilities	Land	Residential facilities	Subtotal	Educational facilities	Vocational training institutes		
Cumulative sum		28,748	8,334	1,367	1,740	466	148	318	1,130	315	6	242	247	778	1,577	11,307	4,360	4,764	1,051	816	283	33	1,676	1,578	98	7,431	
2018		2,185	598	75	110	49	23	31	88	24	-	6	10	46	136	1,008	480	371	66	77	13	1	92	80	12	487	
2017		3,152	787	76	181	38	21	39	136	34	-	3	36	71	152	1,228	593	282	211	110	28	4	129	122	7	1,008	
2016		2,432	490	65	93	26	15	13	92	26	-	6	14	44	96	863	326	350	88	55	40	4	256	249	7	823	
2015		2,188	594	58	123	34	13	16	141	27	-	9	19	50	104	951	299	489	104	41	16	2	93	90	3	550	
2014		2,197	575	65	123	47	14	27	72	41	1	14	15	70	86	890	401	287	101	81	18	2	109	106	3	623	

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

B. Petitions Submitted by Reason

In classifying the discrimination-related petitions totaling 28,748 received by the Commission from its establishment through December 2018 by reason, 13,524 (47.0%) were related to disabilities. This was followed by sexual harassment amounting to 2,737 (9.5%); social status-based discrimination to 2,317 (8.1%); age-based discrimination to 1,719 (6.0%); and discrimination motivated by gender, pregnancy, and childbirth to 1,276 (4.4%).

Among discrimination-related petitions submitted in 2018, those concerning disabilities stood at 1,103 (50.5%), followed by sexual harassment at 251 (11.5%), social status at 181 (8.3%), age at 106 (4.9%), and gender at 98 (4.5%). The petitions concerning reasons other than the 19 reasons specified in the NHRCK Act reached 207 (9.5%), pointing to diversifying reasons for discrimination-related petitions.

[Table 2-2-5] Discrimination Petitions Submitted in the Last Five Years by Reason

(in number of cases)

Year	Total	Gender	Religion	Disability	Age	Social status	Place of origin	Country of origin	Ethnicity	Appearance	Marital status	Pregnancy and childbirth	Family situation	Race	Skin color	Ideology	Criminal record	Sexual orientation	Medical history	Academic background	Sexual harassment	Others
Cumulative sum	28,748	972	209	13,524	1,719	2,317	171	429	18	356	141	304	223	118	17	57	227	352	455	649	2,737	3,753
2018	2,185	98	22	1,103	106	181	16	29	1	18	10	41	22	6	1	4	12	10	28	19	251	207
2017	3,152	135	25	1,428	109	230	20	25	2	34	19	38	32	5	-	9	16	259	33	45	296	392
2016	2,432	96	15	1,511	101	89	8	28	-	20	16	8	19	8	1	8	10	5	32	23	205	229
2015	2,188	65	6	1,147	98	117	8	23	-	23	10	21	12	10	4	2	10	11	17	23	203	378
2014	2,197	64	15	1,139	103	158	19	48	3	21	6	14	15	18	2	-	13	11	28	36	235	249

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

C. Types of Processed Petitions

From its date of establishment through December 2018, the Commission has received a total of 28,748 discrimination-related petitions, of which 27,442 (95.5%) have been closed.

Of those closed, 7,655 (27.9%) were substantively remedied, with 1,732 (6.3%) resulting in a recommendation for institutional improvement, remedial measures, and disciplinary action. A total of 737 petitions (2.7%) were closed through an amicable settlement between the parties via the Commission, while 5,112 (18.6%) were resolved during investigation because the petitioners took remedial action, etc., based on the efforts or mediation of the investigator.

A total of 56 cases were settled through the Commission's mediation process, while the Commission reported or requested criminal investigation for 18 cases because the act of the petitionee, etc., constituted a crime or was suspected to constitute a crime with justifiable reasons.

The number of petitions dismissed for lacking objective evidence, for failing to constitute a discriminatory act, or for requiring no remedial measure stands at 5,801 (21.1%). Those rejected because they were not qualified to be subject to investigation, they were being processed or closed by other institutions, or they were withdrawn by the petitioner total 13,689 (49.9%).

The number of recommendations made in 2018 reached 338, a notable increase from 2017. This is seemingly because multiple petitions filed regarding the military's attempt to search and conduct illegitimate investigations of sexual minorities among soldiers were handled at once through recommendations.

[Table 2-2-6] Discrimination Petitions Processed in the Last Five Years

(in number of cases)

Classification	Submitted	Processed	Remedied						Rejected	Transferred	Dismissed	Investigation suspended
			Subtotal	Criminal investigation requested	Recommendations, etc.	Mediation	Closed by settlement	Resolved during investigation				
Cumulative sum	28,748	27,442	7,655	18	1,732	56	737	5,112	13,689	137	5,801	160
2018	2,185	2,437	944	3	338	7	17	579	1,018	2	473	-
2017	3,152	2,375	725	1	147	15	29	533	1,100	6	542	2
2016	2,432	2,410	559	2	70	9	36	442	1,416	12	423	-
2015	2,188	2,016	428	-	40	1	36	351	1,134	7	438	9
2014	2,197	2,223	483	2	64	1	95	321	1,115	7	591	27

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

*Recommendations, etc.: Sum of recommendations made for settlements, remedial action, disciplinary action, and emergency remedies, to which recommended institutions are obligated to confirm whether they accept such recommendations under the National Human Rights Commission of Korea Act

*Resolved during investigation: Cases resolved smoothly or without the need to take remedial measures thanks to the efforts of or mediation by investigators among the cases rejected or dismissed

*Rejected and dismissed: Cases closed by rejection or dismissal excluding those resolved during investigation

Among discrimination-related petitions processed in 2018, those concerning disabilities stood at 1,316 (54.0%), followed by sexual harassment at 220 (9.0%), sexual orientation at 251 (10.3%), other reasons at 154 (6.3%), and social status at 124 (5.1%). The cases remedied include 554 petitions concerning disabilities, 247 petitions concerning sexual orientation, 38 petitions concerning sexual harassment, 23 petitions concerning age, 15 petitions concerning social status, and 13 petitions concerning other reasons.

2. *Ex Officio* and Visiting Investigations

A. *Ex Officio* Investigations

In 2018, we conducted an *ex officio* investigation of a sexual harassment case within the prosecution, which practically ignited the #Me Too movement in Korea. We viewed that the prosecution's internal system required an overhaul as its male-oriented culture was often pointed out as an obstacle to the resolution of sexual violence cases within the prosecution. Based on the results of the investigation, we delivered our opinion urging the Minister of Justice to achieve gender equality within the organization such as the improvement of its sexual molestation grievance procedures and the installation of a gender equality policy officer.

We also conducted a preliminary investigation and discovered a mental hospital that transported patients in ambulances without any medical staff. An *ex officio* investigation was then conducted, and recommendations were made both to the hospital to make operational improvements and provide on-the-job education for its staff and to the head of the respective local government to conduct a special inspection on the hospital and step up its administrative measures. Our recommendations were all accepted.

We conducted an *ex officio* investigation of a mental hospital reportedly forcing patients into labor related to the operation of mental hospitals and abusing voluntary and consensual hospitalization with an aim to evade the inspection of continued hospitalization. As a result, the hospital was recommended to stop forcing patients into labor, improve occupational therapy, and redress illegitimate hospitalization practices. We recommended that the head of the respective local government conduct a special inspection and impose an administrative measure against the hospital as well. We also conducted an *ex officio* investigation of violence committed against disabled students at a special education school.

B. Visiting Investigations

With the hospitalization legitimacy review of non-voluntary hospitalization implemented in full scale from May 30, 2018, we conducted visiting investigations at national mental healthcare institutions in five regions and six private mental healthcare institutions (with 200 beds or more) based on the results of the pilot hospitalization legitimacy review and relevant preliminary

investigations (i.e. analysis of petitions concerning the hospitalization legitimacy review) to prevent human rights violation and promote policy improvement.

Cases of human rights violations within residential facilities for persons with disabilities are increasingly being reported by the media each year and occur in diverse forms on a continued basis from the time of joining such facilities up until the time of leaving them. As such, we conducted visiting investigations at 15 residential facilities for those with intellectual and developmental disabilities and checked their overall conditions, human rights violation reporting systems and remedial measures, the operation of the human rights protection group, healthcare systems, property management, etc.

3. Examples of Major Petitions

A. Gender Discrimination

Listing Male Students First and Then Female Students in the Roll Book

Korean elementary schools have a longstanding practice of grouping students in homerooms and listing them in roll books with individual student numbers. Up until now, male students have been listed first in the roll book followed by female students, and the roll call was made in this order. The parents of a female student at one elementary school in Seoul filed a petition that this practice reflects gender discrimination.

We viewed that this practice is an act of gender discrimination that can mislead young students to think that men take priority over women and such a misleading practice cannot be justified even if it was decided by majority. On July 3, we recommended that the principal of the elementary school change this practice that encourages gender discrimination.

Excluding Women from the Selection of Scholarship Students to Succeed an Intangible Cultural Property

On December 28, we issued a recommendation that the petitionee, the city mayor, select scholarship recipients to be trained as a successor of *hallyangchum* (a genre of traditional Korean dance) based on skills and artistic ability instead of gender.

The petitionee argued that *hallyangchum* of this region is a male dance and a female initiate may damage or transform its standard form and thereby erode its cultural value.

Based on our investigation, the Act on the Safeguarding and Promotion of Intangible Cultural Heritage specifies the basic principle of the preservation and promotion of intangible cultural properties as keeping the archetype intact, which is a set of intrinsic values, while recognizing collateral changes and succession-induced variability, and we concluded that the petitionee's argument runs counter to this principle and lacks reasonable grounds. We also concluded that it cannot be deemed reasonable to exclude women from the selection of scholarship students solely based on gender without even consulting relevant experts about whether it can affect the preservation and succession of the archetype.

B. Discrimination Based on Appearance and Physical Condition

Restricting Those with Color Vision Deficiencies (except for Mild Forms) from the Police Official Recruitment Examination

We recommended on April 13 that the Commissioner General of the Korean National Police Agency improve the provisions that uniformly restrict those with color vision deficiencies of certain degrees regardless of task type from applying for the police official recruitment examination in the Enforcement Rules of the Decree on the Appointment of Police Officials.

The physical examination qualifications for the current police official recruitment examination exclude those with all forms of color vision deficiencies except for mild forms. The Korean National Police Agency argued that the ability to differentiate between colors is crucial for the use of a firearm when arresting criminals and that police officials cannot be selectively appointed to tasks other than those that involve arresting criminals.

We confirmed that even those diagnosed to have color vision deficiencies of moderate or more severe forms on the clinical test executed and produced as evidence by the petitionee manifest symptoms varying by case, not uniform symptoms, and that some even demonstrated results identical to those without color vision deficiencies. We had already concluded in our previous decision that it is discriminatory to uniformly restrict those with color vision deficiencies from applying for the police official recruitment examination regardless of task type and viewed that this case has no grounds or evidence to be decided otherwise.

C. Sexual Harassment

Sexual Harassment of Part-Time Workers at Convenience Stores

We recommended on September 27 that the petitionee receive special human rights education and pay KRW 3 million as compensation to the petitioner.

According to our investigation, the petitionee often placed orders and received goods ordered on weekends on behalf of his mother who owned the convenience store, although he did not receive wages. As such, we viewed that he was in a position to affect the employment security and working environment of the petitioner who worked part-time at the convenience store, and thus he was included in the category of employers pursuant to the NHRCK Act. We concluded that the petitionee psychologically traumatized the petitioner who was 21 years old at the time to a serious extent by showing footage of a quasi-sexual act recorded on a CCTV.

Sexual Harassment by a Superior, Etc., at a Local Broadcasting Company

The petitioner filed for sexual harassment and employment disadvantages committed by his/her superiors while working as an apprentice at a local broadcasting company.

According to our investigation, the first petitionee presented a negative assessment of the petitioner after the petitioner complained about the first petitionee's acts as sexual harassment. When the petitioner requested the redressing of unfair dismissal after her full-time employment was turned down, the second petitionee sent out a message to all staff members saying that it was not retaliatory dismissal. This led to insulting remarks sent to the petitioner via text message and other types of psychological abuse.

The operating committee, which was the substantive decision-making body for the headquarters of the broadcasting company, was sympathetic with the first petitionee and criticized the petitioner for compromising the organization's honor and solidarity.

We concluded that the petitioner should be transferred to a location other than the headquarters after being reinstated and thus recommended on November 21 that the president of the broadcasting company station the petitioner at a location other than the headquarters after being reinstated to prevent her from being exposed to a hostile working environment, which may interrupt her career against her will; take specific, effective measures to prevent the recurrence

of sexual harassment and secondary damage at the headquarters and all local branches; and offer sexual harassment and secondary damage prevention education in a manner suited for different positions and genders.

D. Disability-Based Discrimination

Requesting the Criminal Investigation of School Principals Who Refuse to Accept Children with Disabilities

On March 13, we requested a criminal investigation of a school principal who urged a child with a communication disorder to give up on entering the school.

The school argued that it requested the child to reconsider entering the school as it lacked a special education class and teacher and that the child may become ostracized due to his/her difficulties in communication. However, the child's parents stated that they explicitly delivered their will to enroll their child at this school despite its lack of special education programs and teachers but the school unilaterally emphasized the difficulties and pain the child would encounter instead of the related measures that could be taken.

We concluded that such an act of the school principal constituted a refusal of accepting the child based on disability and a discriminatory act in violation of the Disability Discrimination Prohibition Act and the Act on Special Education for Persons with Disabilities, Etc.

Recommending Around-the-Clock Assistance for Activities of Daily Living for People with Severe Disabilities

On August 9, we recommended that the Minister of Health and Welfare, Mayor of Seoul, and head of the respective gu (district) office provide around-the-clock assistance for activities of daily living for the victim who was in grave danger due to the lack of assistance during the hot summer months and take appropriate measures for other people with severe disabilities in a similar state.

The victim was a person of Grade 2 disability with brain lesions who could not communicate well and was unable to move all four limbs. The help of an assistant for activities of daily living was critical for the victim. The assistant stayed with the victim 24 hours a day on Mondays,

Tuesdays, Fridays, and Saturdays, but the victim was left alone at night on Wednesdays, Thursdays, and Sundays. In order for the victim to receive around-the-clock assistance funded by the central government and Seoul Metropolitan Government, the service hours must be expanded to 720 hours per month from the current 598 hours.

The victim suffered from a high fever and pressure on his/her chest on the day of the incident and received treatment at a nearby hospital with the help of an activity assistant who was urgently summoned. When the victim was taken to the hospital, his/her body temperature was 38.6 degrees Celsius. The physician in charge administered an IV solution and antibiotics and recommended transferring to a larger hospital for hospitalization and providing 24-hour nursing until his/her condition stabilized.

In this context, we decided to take the remedial measures of offering around-the-clock activity assistance for people with severe disabilities living alone during the hot summer months pursuant to Article 48 of the NHRCK Act.

E. Age Discrimination

Restricting Participation in Contract Works Due to Age

On January 18, we recommended that the head of the respective gu office in a metropolitan city develop measures to prevent age discrimination concerning the recruitment of contract workers.

In its recruitment announcement for contract workers for the maintenance and repair of the Integrated CCTV Control Center in 2018, this gu office restricted the qualifications to males under 50. The gu office claimed that the qualifications were set by taking into consideration the physical strength and fitness required to perform the maintenance and repair of CCTVs located across an expansive area.

We concluded that, while it was understandable to require physical strength for the job, the age limit of under 50 still lacked objective grounds and that it constituted discrimination without justifiable grounds to limit the age when it did not necessarily guarantee the physical strength required for the job.

Dismissal from the Position of Department Head Due to Age

On December 28, we recommended that the CEO of an insurance company implement policies that do not base personnel management, such as the dismissal from the position of department head, on age and that are not adversely affected by age.

The petitioner was unexpectedly audited while serving as a department head at the company and then dismissed from the position. He/she filed a petition arguing that it was an act of age discrimination aimed at weeding out those aged around 50 from the position.

According to our investigation, over 80% of the company's department heads who were dismissed from the position from 2015 to 2017 were in the age group of 48 to 52. Also, about 70% of those holding the position of department head are aged 46 to 49, while only 10-20% are 50 or older. The highest age recorded for a department head at the time of dismissal over the past six years was 53. Based on these findings, we concluded that the tendency or practice of dismissal from the position of department head based on age clearly existed and this constituted age discrimination without justifiable reasons.

F. Discrimination Based on Social Status

Restricting Non-Public-Official Personnel of Local Governments from Participating in Sports Competitions as Players

On June 14, we recommended that the governor of the respective province not disqualify non-public-official personnel from taking part in the Governor's Banner Friendly Sports Competition for Public Officials.

This provincial government limited the athlete qualification to public officials and security guards of local government bodies, National Assembly members, and local council members to take part in the Governor's Banner Friendly Sports Competition for Public Officials in 2017. The provincial government claimed that this was done because the competition was oriented towards reinforcing solidarity and cooperation between public officials of the city and county levels and those of the provincial level.

We concluded that the provincial government's act of excluding non-public-official personnel lacked justifiable grounds as various categories of staff members besides public officials are

working at local government bodies within the province and that the values of cooperation and solidarity should be promoted among all members of local government bodies, not just public officials.

Discrimination Concerning the Welfare of On-Site Subcontractors

On November 1, we recommended that the CEO of a private company work on narrowing the gap of wages and welfare benefits between on-site subcontractors and the company's employees and not discriminate against on-site subcontractors concerning the parking of individually owned vehicles and the provision of office equipment based on the Guidelines on Protecting Working Conditions of Subcontractors On-Site proposed by the Ministry of Employment and Labor.

Over 50% of the total workers on-site at this company are subcontractors, and the petitioner asserted that these on-site subcontractors were discriminated against compared to the company's employees in terms of welfare benefits, access to parking space, and office equipment. The petitionee claimed that the situation was not related to the welfare of on-site subcontractors and that the company restricted their access to parking space inevitably due to the shortage of parking spots.

We viewed that, although the petitionee was not the employer of on-site subcontractors, it still exerted a significant impact on them by consulting its contractors for their tasks and treatment. The average wage of on-site subcontractors was only 60% of that of the company's employees, and a substantial gap existed between the two sides in terms of support for healthcare expenses and children's educational expenses. We also concluded that the restriction on access of their individually owned vehicles to the parking space and the allocation of decrepit lockers with security vulnerabilities constituted unjustifiable discrimination.

G. Discrimination Based on Religion

Recruiting University Personnel Based on Religion

On November 12, we recommended that the President of the respective university ensure the prevention of discrimination based on religion for the recruitment of university personnel except

for the recruitment of personnel aimed at fulfilling purposes unique to a religious school and to amend the university's personnel policy accordingly.

The university demanded the submission of evidence that the applicant was a Christian for the recruitment of new personnel in 2017 and claimed that this action should be recognized as the university's freedom of religion and autonomy and as an effort to preclude the possibility of recruiting non-Christians who are likely to fall short of realizing the university's mission of fostering talented professionals dedicated to Christianity.

We concluded that this action constitutes discrimination as it is deemed unreasonable to insist that employees be Christians when the university personnel's tasks are irrelevant to religion, as the freedom of religious education and the autonomy of the university can only be guaranteed as long as the ideals of education and purposes of the Constitution and pertinent laws of the Republic of Korea are respected, and as it is unjustifiable to deprive non-Christians of the opportunity to apply for the recruitment in the first place even when considering the need to fulfill the mission of the university as a religious school.

H. Discrimination Based on Medical History

Disqualifying NROTC Students from Joining the Navy Due to Medical History

On June 14, we recommended that the Navy Chief of Staff amend the Navy Healthcare Regulations to exclude past records of surgery and disease from the disqualification grounds for screening NROTC students if those with such records are diagnosed to be capable of performing in the navy during the physical examination.

The petitioner was selected as an NROTC student but was disqualified during the physical examination just prior to joining the navy because of surgery for cruciate ligament injuries in September 2013.

We found through the investigation that, although past records of surgery may lead to healthcare problems, those who received surgery are also likely to demonstrate normal physical capacity; that the prognosis for individuals with the same injury can vary case by case; and that many professional athletes who received the same reconstructive operation due

to cruciate ligament injuries successfully returned to normal thanks to the advancement of surgical techniques. As such, we concluded that it was discrimination and a violation of the right to equality based on medical history for the navy to fail to take into consideration the wide spectrum of military positions available and the actual physical conditions and ability of the petitioner and to disqualify him/her from joining the navy by blindly applying the criteria of the Navy Healthcare Regulations.

Discriminatory Treatment of HIV-Infected Patients by a University Hospital

On September 27, we recommended that the President of the respective university hospital stop the acts of distinguishing HIV-infected patients by providing a differently colored food tray, using individual medical devices, and marking the message handle blood with care while sharing related information with medical staff in charge only when the need arises.

According to our investigation, this hospital provided food in a differently colored tray, used individual medical devices, and marked the message handle blood with care on the bed and IV solution pack concerning a patient diagnosed with HIV and hospitalized in a four-person room after treatment.

We concluded that it was unjustifiable discrimination motivated by groundless bias against HIV-infected patients, not a legitimate response to infection risk, to use separate food trays and medical devices for HIV-infected patients as doing such was not required unless complications had developed.

I. Discrimination Based on Pregnancy and Childbirth

Discrimination Concerning Employment Based on Pregnancy and Maternity/Paternity Leave

We concluded that a performance assessment of a temporary teacher without giving consideration to her pregnancy and maternity leave was an act of discrimination and recommended on November 21 that the respective superintendent of education and the principal of the school remedy the situation.

The petitioner filed the petition for a temporary teacher who was notified of her dismissal

while on maternity leave, and the principal of the school claimed that the school terminated the contract with the temporary teacher due to her poor performance.

We concluded that the school created an unfavorable situation for the temporary teacher by failing to give consideration for the temporary teacher's substantial period of maternity leave and likelihood of recording low scores on the performance assessment due to the period of no work and for how she was compelled to refrain from overtime work during pregnancy to safeguard her fetus and was unable to perform as she did prior to her pregnancy.

J. Discrimination Based on Sexual Orientation

Searching for and Conducting Illegitimate Investigations of Sexual Minorities in the Military Based on the Military Criminal Act

On April 13, we recommended that the Army Chief of Staff ensure the prevention of the act of humiliating the victim and violating his/her privacy and freedom by asking questions unrelated to the facts under suspicion during an indecent assault investigation based on the Military Criminal Act.

The petitioners asserted that the Cyber Investigation Team of the Army Central Investigation Division conducted a comprehensive, arbitrary investigation to search for sexual minorities within the military under the direct order of the Army Chief of Staff and thereby violated the human rights of and discriminated against sexual minorities.

We could not find sufficient evidence to conclude that the Army Chief of Staff ordered the search for sexual minorities and the army executed this order in a premeditated, organized manner. However, we concluded that it could not be deemed necessary to ask private questions such as the time of the manifestation of homosexual orientation, preferred sexual positions, etc., under the pretext of investigation and that such investigation practices must be redressed as they cause humiliation and fear.

Restricting the Use of Educational Facilities Based on Sexual Orientation

On November 12, we recommended that the President of the respective university stop disapproving the rental, etc., of university facilities based on sexual orientation as it is an act of discrimination and a violation of the right to equality based on sexual orientation to block the

use of educational facilities on the university campus for events for sexual minorities.

According to our investigation, this university did not accept an application to rent a lecture room to screen films about sexual minorities on the grounds that such an event runs counter to the university's philosophy. We recognized the university's independence in education, autonomy, and freedom of religion guaranteed by the Constitution. Notwithstanding, we concluded that the acts of withholding the opportunity to use the university's facilities and prohibiting the event are unjustifiable and a violation of right to equality based on sexual orientation.

K. Discrimination Based on Academic Background

Discrimination against Those Who Attained a Bachelor's Degree through the Credit Bank System

On January 18, we recommended that the Minister of Education amend regulations so that credits earned through the credit bank system can be included in the calculation of academic career to be converted into professional career for public educational officials.

The petitioners obtained bachelor's degrees through the credit bank system after dropping out of a four-year university and graduating from a two-year college, respectively; both transferred to a university to obtain an additional degree; and are both working as teachers. When deciding the salary class of a schoolteacher who holds two degrees, 80% of the years spent to earn the second degree is recognized as professional career experience. However, the Ministry of Education refused to recognize a bachelor's degree attained through the credit bank system as equivalent to one attained at a higher education provider under the Higher Education Act and to include it in professional career experience.

We concluded that the petitionee's refusal runs counter to the purpose of the credit bank system under the Act on Recognition of Credits, Etc.; that it is not deemed reasonable to entirely exclude the degrees on the grounds that they were not attained through a conventional university; and that, even if it is difficult to work out the degrees attained through the credit bank system regarding the number of years of experience, the petitionee was responsible for developing proper criteria instead of refusing to recognize the degrees.

Section 4. Human Rights Counseling and Petitions

Petitions, counseling requests, and complaints and inquiries submitted to the Human Rights Counseling and Mediation Center surged dramatically in May 2017 following the President's instruction to reinforce the Commission's standing and then returned to normal in 2018. In order to focus our resources on critical issues, we enhanced promotional activities concerning our tasks and clarified the subjects of investigation in the submission stage.

In 2018, petitions submitted stood at 9,280, counseling requests at 32,278, and complaints and inquiries (about the subjects of investigation, submission procedures, other institutions, etc.) at 45,968. Complaints and inquiries rose by 3,029 (7.1%) from the previous year, while petitions decreased by 3,049 (24.7%), and counseling requests by 4,092 (11.3%).

[Table 2-2-7] Petitions, Counseling Requests, and Complaints and Inquiries in the Last Five Years

Year	Petitions	Counseling requests	Complaints and inquiries	Total
Cumulative sum	132,185	368,924	471,489	972,598
2018	9,280	32,278	45,968	87,526
2017	12,329	36,370	42,939	91,638
2016	10,647	31,616	38,020	80,283
2015	10,695	32,030	37,961	80,686
2014	10,923	34,547	36,623	82,093

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

*Counseling requests include face-to-face petitions closed by counseling.

1. Human Rights Counseling

From the time of its establishment in 2001 through the end of December 2018, the Commission has processed roughly 370,000 counseling requests in total. In 2018 alone, the number stood at 32,278, a considerable decrease of 11.3% from the previous year. By type, 40.2% of requests were related to human rights violations, 8.6% to discrimination, 3.6% to face-to-face petitions closed by counseling, and 47.6% to cases of other issues closed by counseling.

Compared to 2017, the percentages of counseling requests related to human rights violations and discrimination among the total counseling requests each decreased by 3%. Other issues include property rights, violations between private persons, legislation by the National Assembly, and court proceedings.

[Table 2-2-8] Counseling Requests in the Last Five Years by Type

(Unit: cases, %)

Classification Year	Total	Human rights violation		Discrimination		Others		Face-to-face petitions closed by counseling	
Cumulative sum	368,924	143,304	38.8	32,026	8.7	166,768	45.2	26,826	7.3
2018	32,278	12,970	40.2	2,772	8.6	15,365	47.6	1,171	3.6
2017	36,370	14,738	40.5	3,235	8.9	17,095	47.0	1,302	3.6
2016	31,616	14,421	45.6	2,530	8.0	13,661	43.2	1,004	3.2
2015	32,030	14,083	44.0	2,660	8.3	14,130	44.1	1,157	3.6
2014	34,547	13,859	40.1	2,974	8.6	16,531	47.9	1,183	3.4

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

2. Face-to-Face Petitions

From November 2001 to December 2018, we closed 56,627 out of the 56,811 face-to-face petitions submitted from detention and protection facilities were closed. Of the 2,654 face-to-face petitions closed in 2018, 570 (21.5%) were submitted as petitions, 1,171 (44.1%) were closed by counseling, and 913 (34.4%) were withdrawn by the petitioners. Face-to-face petitions closed by counseling, which account for the largest share of the total face-to-face petitions processed, decreased slightly in proportion with the number of face-to-face petitions submitted. Those closed by counseling were mostly inquiries about petitions already submitted or investigations and lawsuits in which the Commission could not engage pursuant to the NHRCK Act.

Thanks to the promotion of petition filing by post from 2010 onwards, an increasing number of inmates at detention and protection facilities began to submit petitions by post rather than through face-to-face meetings, thus resulting in the continued drop in face-to-face petitions

submitted and improving the efficiency of the face-to-face channel. We are currently discussing ways to enhance the face-to-face petition filing system through the partial introduction of video counseling at detention facilities.

[Table 2-2-9] Face-to-Face Petitions Submitted and Processed in the Last Five Years

(Unit: cases, %)

Classification Year	Submitted	Petitions processed						
		Subtotal	Petitions submitted		Petitions closed by counseling		Petitions withdrawn	
Cumulative sum	56,811	56,627	14,651	25.9	26,826	47.4	15,150	26.8
2018	2,648	2,654	570	21.5	1,171	44.1	913	34.4
2017	2,765	2,859	673	23.5	1,302	45.5	884	30.9
2016	2,619	2,479	495	20.0	1,004	40.5	980	39.5
2015	2,658	2,727	654	24.0	1,157	42.4	916	33.6
2014	2,874	2,836	687	24.2	1,183	41.7	966	34.1

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

3. Civil Complaints and Inquiries

As a national institution dedicated to the protection and promotion of human rights, the Commission receives and handles various civil complaints and inquiries in addition to petitions and investigations. We also strive to resolve those cases that cannot be handled as petitions under the NHRCK Act by introducing other remedial measures specified by law, other institutions and organizations, and legal advice.

The number of civil complaints and inquiries submitted has continued to increase, with the number of civil complaints and inquiries processed in 2018 standing at 29,953. By submission channel, complaints and inquiries submitted via e-People (online portal) ranks first at 15,054 (50.3%), followed by other online channels (the Commission website, email, etc.) at 9,900 (33.1%), and post and fax at 4,785 (16.0%). Overall, 83.3% of all civil complaints and inquiries are being submitted via online channels including e-People.

[Table 2-2-10] Civil Complaints and Inquiries Processed in the Last Five Years by Channel

(Unit: cases, %)

Classification Year	Total	Postal mail / Fax		Internet		Presidential Secretariat		e-People		Others	
Cumulative sum	203,784	50,723	24.9	101,822	50.0	700	0.3	49,729	24.4	810	0.4
2018	29,953	4,785	16.0	9,900	33.1	18	0.1	15,054	50.3	196	0.7
2017	25,640	5,399	21.1	7,612	29.7	24	0.1	12,486	48.7	119	0.5
2016	19,416	5,035	25.9	7,935	40.9	44	0.2	6,286	32.4	116	0.6
2015	14,677	4,748	32.3	7,237	49.3	30	0.2	2,552	17.4	110	0.7
2014	14,293	4,940	34.6	7,277	50.9	14	0.1	2,037	14.3	25	0.2

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

For 2018, the number of cases closed without reply (repeatedly submitted complaints, complaints with no description, complaints sent from no-reply addresses, etc.) stood at 1,260 (4.2%). Excluding 11,530 complaints immediately transferred to other institutions among those submitted via e-People, 6,220 (20.8%) involved guidance on the subjects of investigation, 3,811 (12.7%) replies to complaints, 3,513 (11.7%) guidance on whether the case constitutes a petition, and 2,077 (6.9%) guidance on how to submit a petition.

Section 5. Preliminary Investigations and Mediation

In February 2018, the task force team to improve the procedures for the submission and processing of petitions highlighted the need to resolve the problem of major cases being neglected for an extended period of time due to the shortage of investigators and to conduct preliminary investigations using diverse instruments (rejection, mediation, settlement, etc.) in the initial stage of submission to bolster the Commission's mediation function. As such, we changed the previous Human Rights Counseling Center into the Human Rights Counseling and Mediation Center through the amendment of the Organization of the National Human Rights Commission of Korea and Its Affiliated Institutions on July 24, 2018, and established the Preliminary Investigation and Mediation Team dedicated to the preliminary investigation and mediation of petitioned cases.

1. Preliminary Investigations

For the five months from August through December 2018 after the Preliminary Investigation and Mediation Team was established, 553 (17.2%) of the total 3,219 petitions submitted were assigned to the team, and 526 were closed through preliminary investigations, equivalent to 12.8% of the total 4,120 cases closed. The average period spent by the team for dismissal was 9.9 days (the average period spent for dismissal was 63 days in 2017 and 88 days in 2018). Although the dismissed cases were relatively easier to handle, the team is evaluated to have contributed to improving efficiency.

[Table 2-2-11] Number of Petitions Assigned to and Closed by Preliminary Investigation

Period	Petitions assigned		Petitions closed	
	Total cases assigned	Assigned to the Preliminary Investigation and Mediation Team	Total cases closed	Closed by the Preliminary Investigation and Mediation Team
August-December 2018	3,219	553 (17.2%)	4,120	526 (12.8%)

2. Mediation

In 2018, 22 mediation cases were submitted, down by 14 cases from the previous year. Seven cases were closed by mediation in 2018, down by 12 from a year ago.

Overall, the ratio of mediation cases submitted to petitions submitted remains low at 0.2% in 2018 (22 for mediation and 9,280 for petitions), largely unchanged from 0.3% in 2017 (36 and 12,329) and 0.4% in 2016 (38 and 10,647).

As it is crucial to make institutional arrangements, such as the streamlining of mediation procedures, to promote mediation, we plan to review the adoption of the one-person mediation system through the amendment of the NHRCK Act; the streamlining of the procedures for referral to the Conciliation Committees, etc., through the amendment of the Regulations of the Conciliation Committees of the National Human Rights Commission of Korea; and the inclusion of the option to apply for mediation on the petition form through the amendment of the Regulations on Investigations and Remedies for Human Rights Violations and Discrimination.

[Table 2-2-12] Mediation Cases Submitted and Processed in the Last Five Years

Classification	Submitted	Case closed					
		Subtotal (①+②+③)	Mediated ①	Unmediated ②	Decision in lieu of mediation		Rejected ③
					Completed	Objection raised	
Cumulative sum	155	155	71	28	(10)	(6)	56
2018	22	26	7	3	(4)	-	16
2017	36	43	19	4	(1)	-	20
2016	38	30	18	4	(2)	(1)	8
2015	3	2	1	-	-	-	1
2014	1	1	1	-	-	-	-

*The figures in parentheses under "Decision in lieu of mediation" are included in cases mediated or unmediated.

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

Section 6. Assessment

In 2018, the number of human rights violation and discrimination cases submitted and processed and cases remedied decreased compared to 2017. This can be interpreted as a return to normal from the sudden surge in petitions following the Moon Jae-in administration's announcement to reinforce the Commission's standing in the first half of 2017, rather than a decline in social demand for the Commission's remedial measures.

We delivered recommendations across diverse areas. First, we recommended that the Commissioner General of the Korean National Police Agency share with frontline institutions the cases of search and seizure conducted without the suspect's consent or without a warrant at a location different from where the suspect was arrested, and the Commissioner General shared the cases with police stations, etc. Also, we recommended that the Korean National Police Agency develop criteria for the use of police equipment within jail cells in compliance with the Administration and Treatment of Correctional Institution Inmates Act, and these recommendations were accepted.

We recommended that the prosecution improve the system to enable the immediate removal of a departure ban and suspension upon being found not guilty of an infraction. The prosecution promised to strive to change the relevant computer systems and prevent any unduly prolonged departure prohibition measures. We also recommended issuing a warning to those who discard seized articles after the first trial prior to the final ruling and providing on-the-job education on this matter, and the respective district prosecutors' offices accepted our recommendations.

Regarding the courts, we exercised our authority as an independent human rights institution to keep the judicial branch, often outside the ambit of the Commission's scrutiny, in check. We submitted our opinions on cases that are usually rejected by the Commission, including a petition about a delay in decision by the court over a request for a court-appointed lawyer, retrial procedures for criminal cases and the court's refusal to recognize criminal indemnity for the state's security and custody measures.

Regarding correctional facilities, we conducted *ex officio* and visiting investigations on some of the most controversial issues including the right to health of inmates, overcrowding, and punishment. We recommended penitentiaries redress the practices of censoring letters addressed to press organizations and recording inmate visitations in an overly detailed manner. We made

meaningful recommendations concerning the violation of personal rights by exposing an inmate wearing restraints and the violation of freedom of religion of detained suspects on trial.

Regarding children and youth, we ensured the freedom of children at a childcare facility to move on to the school of their choice by recommending that the head of the facility provide academic guidance that best suits their needs. We also recommended imposing severe disciplinary action against and developing measures for a childcare institution that attempted to forcefully hospitalize its children at mental hospitals, which led to the imposition of disciplinary action against the institution head, human rights education for staff members, and the inspection of the institution.

Regarding the military, the Armed Forces Human Rights Investigation Division was established in July 2018 to perform a wider spectrum of tasks across diverse areas such as military service-related policies and systems in addition to the resolution of military-related cases. As for petitions, we recommended improving working conditions (i.e. restrooms) that lack consideration for female soldiers' wellness and changing the practice of the arbitrary control of soldiers' leave. We made significant recommendations concerning the cases of notification of the petitioners' confinement in a guardhouse against their will, harsh treatment and negligence of the management of soldiers, and forcefully discharging a married military chaplain.

We recommended that the head of the respective police station allow one-person demonstrations in front of the US Embassy & Consulate in 2017, but the head of the respective police station replied in 2018 that the recommendation cannot be accepted. We also recommended that the Commissioner General of the Korean National Police Agency develop provisions guaranteeing a suspect's right to rest in the Criminal Investigation Rules and that the head of the respective police station issue a warning to a petitionee who pushed ahead with an oppressive investigation of a petitioner suffering from cerebral infarction, which were both accepted by the target institutions in 2018.

Regarding the prosecution, we recommended that the head of the respective district prosecutors' office issue a disciplinary warning to a prosecutor for forcefully transferring a petitioner, who was imprisoned in a detention facility in the metropolitan area, to a remote detention facility for his investigation convenience and that the Prosecutor General inspect the situation in 2017. Our recommendation was accepted by the head of the respective district

prosecutors' office in 2018. The Prosecutor General also distributed to relevant institutions precautions about the transfer of inmates.

The reasons most frequently specified in petitions for discriminatory acts include disability, sexual harassment, social status, age, and gender. Disability-based discrimination accounts for about half of the total petitions for discriminatory acts, pointing to the prevalence of biases against people with disabilities in Korean society. We strived to bring positive change to society regarding this matter by recommending aggressive remedies and the improvement of laws and systems. We expressed opinions on the lack of sign language interpretation service for the hearing-impaired for the PyeongChang 2018 Olympic and Paralympic Winter Games. As a result, sign language interpretation service, which was not offered for the opening ceremony of the 2018 Winter Olympics, was offered for the closing ceremony of the 2018 Winter Olympics and the opening and closing ceremonies of the 2018 Winter Paralympics. Our recommendation for an emergency remedy of around-the-clock activity assistance to people with severe disabilities during the hot summer months was also accepted by the Ministry of Health and Welfare and Seoul Metropolitan Government. Also, we recommended redressing disability-based discrimination related to employment, such as the refusal of conversion into a non-fixed-term employment contract arrangement on the grounds of disability, and the constraint of wheelchair users for boarding buses and elevators, to which the petitioners agreed.

Petitions for sexual harassment and gender discrimination were in line with the #Me Too movement that was one of the most controversial issues in 2018. Perpetrators of sexual harassment cases often deny or try to justify their acts on the grounds that victims did not explicitly express their rejection. However, we have held fast to our stance that the victim's perspective should be sufficiently reflected as sexual harassment occurs unexpectedly against the victim's will and as unequal power relations often exist between the perpetrator and victim. We also strived to come up with measures to prevent the recurrence of sexual harassment and secondary damage originating from gender-discriminatory practices and biases. As a result of our recommendation for redressing sexual harassment and secondary damage that took place at a local press organization, the petitioner was transferred to another workplace away from the hostile working environment of the headquarters. We also recommended redressing the practices of excluding women from the list of scholarship recipients to succeed an intangible cultural property and of discriminating against women when nominating candidates for representatives

of a cooperative, and the petitionees agreed to accept our recommendations.

As for petitions concerning social status, those related to diversifying forms of employment account for the largest share. In particular, controversies arose over irregular workers who perform identical or similar tasks at the same workplace as regular workers but are discriminated against in terms of wages, welfare benefits, recognition of length of career, and other types of treatment. We strived to highlight that, even when considering the inevitability of diversifying forms of employment, it does not justify unreasonable discrimination and that the recruitment of irregular workers should not be used as a way to reduce costs and strengthen the discriminatory structure. Following our recommendation, a local government redressed the practice of excluding non-public-official personnel from participating as athletes in a sports competition. We also recommended that a private corporation stop discriminating against on-site subcontractors in terms of benefits and access to on-site facilities, and the corporation promised to work on taking necessary remedial measures.

As for age discrimination, we saw an increase in petitions filed regarding the refusal to employ or dismissal of seniors, pointing to another important issue to be resolved in Korea with its ageing population. We have consistently reaffirmed that the acts of excluding or putting individuals at a disadvantage related to employment and other social activities based on arbitrarily set age criteria without giving consideration to their abilities and skills fall under discrimination. We recommended redressing the act of refusing to receive an employment application on the grounds that an applicant was too old and the act of restricting participation in a contract work and design contest based on age, to which the petitionees agreed.

As for petitions for discrimination based on physical condition, religion, medical history, and other reasons, we recommended redressing discrimination or expressed opinions on taking relevant measures. We recommended redressing discrimination against an HIV-infected patient and a job seeker with hepatitis B based on groundless fear and biases, and the petitionees all accepted our recommendations. We also expressed our opinion on the degrading health of workers due to a prolonged dispute at a company based in Chungcheongnam-do, and this served as momentum to bring together relevant government institutions such as Chungcheongnam-do and the Regional Employment and Labor Administration with civil society to resolve this matter.

However, we were unable to process many petitions in a prompt manner and fell short of the public's expectations due to the Commission's organizational structure and workforce shortage. Furthermore, indirect discrimination and institutional and structural discrimination, which are on a steady rise, are more difficult to investigate and prove compared to direct and explicit discrimination, and thus it takes more time to handle such cases. While the improvement of the Commission's investigation conditions is required, it is deemed necessary to establish more organized, accurate criteria for discerning discrimination and to reinforce the investigative capacity of our organization and staff.

In 2018, we actively conducted *ex officio* investigations on socially controversial issues while also focusing on handling the petitions that surged in number in 2017. In the first half of 2018, we completed the investigation into a case of violence committed against a resident at a university hospital initiated in the second half of 2017 and the investigation into a case of sexual harassment by an executive at a public corporation and made recommendations and requested a criminal investigation based on the results. We conducted a total of eight *ex officio* investigations in 2018, including the investigation into sexual harassment and violence within the prosecution that ignited the #Me Too movement in Korea in February. We expressed our opinion to the Minister of Justice on this matter based on the results of the investigation.

We conducted *ex officio* investigations on the Ministry of Unification, National Intelligence Service Korea, and Korea Defense Intelligence Command concerning the media reports that the defection of North Korean waitresses from China might have been forced. In addition, we made recommendations for emergency remedies regarding three human rights violation and discrimination cases deemed to require our emergency intervention pursuant to Article 48 of the NHRCK Act.

The number of counseling requests that dramatically surged in 2017 returned to normal in 2018. The Human Rights Counseling Center was realigned into the Human Rights Counseling and Mediation Center to supplement the details of petitions through preliminary investigations, to promote mediation, and to close cases through dismissal as quickly as possible from August 2018 onwards. With this realignment, the period spent on the processing of dismissal was drastically reduced and work efficiency is evaluated to have been enhanced. However, the number of mediation cases submitted is still low, which highlights the need for institutional improvements such as the streamlining of the mediation procedures.



Section 1. Overview

In view of raising public awareness on human rights, the Commission carries out human rights education and promotional activities pursuant to Subparagraph 5 of Article 19 and Article 26 of the NHRCK Act. Human rights are universal values to be upheld by all in society at all times, and relevant education and promotional activities are critical in highlighting the importance of human rights.

With the spread of the #Me Too movement, human rights emerged as a central issue in Korea in 2018. We strived to further foster our human rights education policy function and develop, distribute, and utilize human rights-related content, while also operating a series of human rights education programs with an aim to respond more effectively to the latest human rights issues. We also focused on raising public awareness on human rights through our promotional activities.

Human Rights Education and Training

We recommended the Minister of Education to amend the Early Childhood Education Act to mandate human rights education for preschool teachers and expressed our opinion to the Minister of Health and Welfare to reinforce the criteria for human rights education in the Enforcement Rules of the Welfare of Older Persons Act. We identified improvement points in elementary, middle, and high school textbooks by analyzing them from the perspective of human rights and monitored the current status of human rights education at national institutions and local governments to define challenges to be overcome regarding the institutionalization of human rights education for public officials.

We strived to enact the Human Rights Education Support Act and establish a human rights training institute in close cooperation with the National Assembly and pertinent ministries, but it did not come to fruition to our regret. We plan to continue to persuade the public and

government institutions based on our effort to create the environment for legislation and conduct in-depth studies about the institute site, programs, and operation.

We launched the Council for Education on the Human Rights of the Disabled, Human Rights Education and Research-Centered University Council, and Council for Education on the Human Rights of Military Personnel, while newly establishing the Council for Education on Human Rights for Corporations. We provided momentum for the human rights education of media professionals by crafting the three-year Human Rights Education Plan for Media Professionals. We organized two workshops for officials in charge of human rights education and human rights protection officers at local governments.

On the international front, we concluded an MOU with Canada's EQUITAS and offered human rights policy development courses that received high evaluations from the participants from Nepal, Bangladesh, Colombia, etc. We are also tasked with developing EQUITAS and human rights policy development courses into a platform for international human rights education.

We published teaching aids for human rights education, including *Prevention of Disability-Based Discrimination*, *Understanding Human Rights*, *The Universal Declaration of Human Rights*, *Understanding the United Nations Convention on the Rights of the Child*, *Media and Human Rights*, and *Human Rights-Conscious Management Practices*, while also producing and distributing the Korean-language versions of *Plan of Action: World Programme for Human Rights Education* and *Human Rights Education Indicator Framework*. The publication of *Guidelines on Human Rights Education for Public Officials* and *Labor Rights Education* also contributed to our expertise.

Promotional Activities

In parallel with our human rights education efforts, we actively engaged in promotional activities to raise public awareness. We also sought and implemented measures to better the understanding of human rights and increase human rights sensitivity via new media.

We sent out *Human Letter*, an online newsletter, twice a month to shed light on our activities in combination with our press releases. We posted over 600 promotional articles with Byeolbyeol Reporters, a group of 20 online supporters, on our blog entitled Byeolbyeol Stories

and also shared them via Facebook and KakaoStory.

We issued a total of 235 press releases on our policy recommendations, investigation results, and programs and activities and posted them on our website to keep the public updated about our decisions and projects. We contributed to improving the human rights sensitivity of the press by staging the 7th Human Rights Reporting Awards and workshops for journalists.

In celebration of the 70th anniversary of the Universal Declaration of Human Rights, we designated the period from November 25 (the date of the establishment of the Commission) to December 10 (the date of the proclamation of the Universal Declaration of Human Rights) as Human Rights Week. During this period, we conducted radio campaigns, hosted a photo exhibition, and staged events to commemorate the anniversary of the Universal Declaration of Human Rights. We focused on promoting the Commission's diverse activities using various media from websites to print materials and videos.

Section 2. Major Achievements

1. Institutionalizing and Solidifying the Foundation for Human Rights Education

A. Institutionalizing Human Rights Education in Schools, the Public Sector, and Civil Society

In order to provide human rights education on a continued, stable basis, human resources and material resources must be secured as well as the legal and institutional foundation for such activities. We consulted closely with the National Assembly and gave presentations on legislative bills to enact the Human Rights Education Support Act designed to mandate human rights education at national institutions and provide legal grounds for the implementation of human rights systems such as the Human Rights Education Committee, Human Rights Training Institute, and Regional Human Rights Education Center.

Powered by our efforts, the bill for the Human Rights Education Support Act signed by 20 National Assembly members was tabled on August 24, 2018. However, some organizations aggressively staged a campaign to withdraw this bill, claiming that this act encouraged homosexuality, and the bill was withdrawn on October 1. We plan to enhance our efforts to collect more opinions from the public, objectively communicate the purpose and effects of the act, and lay the foundation for its enactment.

With the enactment of the Human Rights Education Support Act at a standstill, we continued to work on advancing the opening of the Human Rights Training Institute by emphasizing its importance to the Ministry of the Interior and Safety and other pertinent ministries based on objective data and striving to secure land in collaboration with Gwangju Metropolitan City and Jeju Special Self-Governing Province.

The Child Care Act was amended to mandate human rights education for the staff members of childcare centers in the wake of the case of child abuse at a childcare center in Incheon in 2015. However, there were no legal grounds to mandate human rights education for preschool teachers who perform similar jobs. As such, we recommended that the Ministry of Education add the legal grounds for mandatory human rights education to the Early Childhood Education Act and other upper-level laws.

Regarding the decree for the partial amendment of the Enforcement Rules of the Welfare of Older Persons Act by the Ministry of Health and Welfare, we expressed our opinion on the need to reinforce the criteria for human rights education providers from those equipped with at least one human rights instructor to those equipped with expertise and experience in human rights education as well as a specialized workforce and facilities and the criteria for specialized workforce from those who have completed at least 16 hours of human rights education over the past three years to those who have completed at least 60 hours of human rights education, thus ensuring the legal and institutional foundation for the implementation of seniors' human rights education.

We crafted the three-year Human Rights Education Plan for Media Professionals to bring positive change to the media as false and distorted reports continue to increase, blind spots of human rights are occurring due to the emergence of social media, and the media environment is undergoing drastic changes (i.e. the rising influence of portal sites).

The three goals of the three-year Human Rights Education Plan for Media Professionals are honest media with no false or distorted reports, media aiming to achieve a society of equality beyond convention and biases, and media contributing to the improvement of public awareness on human rights and the spread of respect for human rights. The implementation strategies are creating the foundation for sustainable human rights education for journalists, reinforcing the cooperative network with the media and the implementation of human rights education, and promoting a human rights-friendly culture through monitoring and systematic assessment.

The United Nations has emphasized the importance of human rights education at elementary and middle schools since the implementation of the 1st phase of the World Programme for Human Rights Education in 2005. Schools convey the key values of society to students, and it is highly significant to deal with human rights on the frontier of education. In 2018, we monitored the revised government-published and government-approved textbooks and analyzed and shared human rights-friendly content and cases of human rights violations and discrimination, thus contributing to institutionalizing and advancing human rights education at elementary and middle schools.

We also commissioned an outside organization to conduct research on human rights education monitoring targeting 64 educational and training institutes of central and upper-level local

governments and schoolteacher training institutions, 16 upper-level local governments that enacted human rights ordinances, and 87 lower-level local governments. The results will be used as data for identifying the conditions and challenges of human rights education for national institutions and local governments and examining policies to improve the quality of human rights education.

B. Fostering and Appointing Human Rights Instructors

Since our inception, we have operated training programs to foster human rights instructors in view of laying the foundation for spreading human rights education throughout the society.

Human rights instructors are the key to the quality of human rights education, and thus it is important to continually upgrade the competence of existing instructors in addition to cultivating new instructors. In 2018, the period of the new human rights instructor cultivation courses was expanded from nine days to 12 days. The basic course was divided into Basic Course 1 (four days) and Basic Course 2 (two days) to better ensure the capabilities of human rights instructors along with the Specialist Course (four days) and the Intensive Course (two days).

Basic Courses 1 and 2 deal with the history, concept, and value of human rights; the right to freedom, social rights, and right to equality; and the understanding of the United Nations' human rights systems and national human rights institutions. The Specialist Course is designed to offer more professional knowledge through the introduction to human rights, human rights in different fields and the right to freedom, human rights in different fields and the right to equality, and human rights in different fields and social rights. The Intensive Course is designed to foster capabilities to offer human rights education through demonstrations and evaluations and learn the principles and methods of human rights education.

In 2018, we mainly focused on fostering human rights instructors for seniors' human rights in response to the mandatory education for the human rights of seniors, while conducting the cultivation courses for instructors for the human rights of people with severe disabilities in Gangwon-do and newly appointing a total of 26 instructors in the fields of seniors and people with disabilities.

We are also tasked with further upgrading the competence of existing instructors. To this end, we staged workshops for instructors across the nation, providing them the opportunity to

enhance their capabilities and expanding their knowledge base through the two-day mandatory group training courses. We made it compulsory to take two cyber human rights courses, three competence-building workshops, and three human rights lectures and reflected the results in the reappointment process.

2. Establishing Domestic and International Networks of Cooperation

A. Building a Domestic Network of Cooperation

On May 2, we held a seminar on the current status and potential areas of improvements in human rights education for social welfare areas attended by over 200 participants including the members of the Council for Education on the Human Rights of the Disabled, Council for Education on the Human Rights of Seniors, and Council for Education on the Human Rights of the Homeless. At this seminar, discussions were held on the need to increase the human rights education in refresher education for social welfare workers from two hours to at least four hours and the need to rapidly reestablish the delivery and operation system of human rights education through the enactment of the Human Rights Education Support Act and the opening of the Human Rights Training Institute.

On May 9, the Council for Education on the Human Rights of the Disabled was convened with 13 central government ministries, local governments, and disability organizations present. Some of the participants presented the opinion that instructors with disabilities should be recruited to more effectively improve public awareness on the human rights of persons with disabilities. Some also highlighted the need to ensure shared access to pertinent educational content developed by different institutions and to develop a wider range of educational equipment. They agreed that public awareness education programs should be offered in small groups instead of larger groups for maximum effectiveness. We also arrived at a consensus that web accessibility for the vision-impaired should be considered when developing educational content and that on-site education needs to be further reinforced than cyber education.

On June 26, we convened the Human Rights Education and Research-Centered University Council to improve human rights education at universities. A total of nine universities, including Ewha Womans University, Hanyang University, and Chonnam National University, attended

and shared the results of their human rights education and research. We gave a presentation on petitions related to universities and proposed standards for human rights education regulations for universities. We also shared and discussed the status, resolutions, and cases of the #Me Too movement on campuses. The participants requested that the Commission provide human rights education for staff members of university human rights centers, share our human rights content with them, and jointly develop human rights content in the future.

In 2018, we organized the meeting of the Council for Education on the Human Rights of Military Personnel twice, in June and December, jointly with the Ministry of National Defense, Army, Navy, Air Force, and Marine Corps to share the status of human rights education and seek cooperation. We requested feedback from the Ministry of National Defense and the military branches on the Understanding Military Personnel's Human Rights program being developed by the Commission and agreed to share the program with them.

In 2017, the Human Rights Education Council of local governments requested that the Commission operate a competence-building course for their officials in charge of human rights education. In response, we staged the workshop for officials in charge of human rights education and workshop for human rights advocates in May and October, respectively, in 2018. These workshops were designed to improve the officials' understanding of human rights, strengthen their sense of responsibility for human rights administration, and cultivate the skills and abilities required for human rights-related tasks. The workshops consisted of programs teaching techniques applicable to the front lines of governance such as techniques to assess human rights education planning and operation, to analyze cases of human rights violations, and to write investigation reports. These workshops provided a forum for human rights education specialists and human rights advocates to share difficulties and problems they face on the ground and seek solutions together.

On November 21, 2018, we organized the meeting of the Special Committee on Human Rights Education to discuss our plans for the enactment of the Human Rights Education Support Act and the establishment of the Human Rights Training Institute. It was pointed out that the enactment of the act should be recognized as a mid-to-long-term task; that its need and effects should be publicized in cooperation with civil society, the press, and academia; and that a platform to regularly discuss agenda items with human rights and civil society organizations must be formed. It was also pointed out that, for the Human Rights Training Institute, the

organizational system must be set up prior to the construction of the facility and that education in the public sector should be carried out first, followed by education for ordinary citizens in the mid-to-long term. The Special Committee on Human Rights Education is tasked with fulfilling its role and reinforcing its competence as a think tank that identifies pertinent agenda items and provides solutions for human rights education issues.

With the power of corporations to affect society growing stronger, human rights violations concerning the business activities of corporations have emerged as an important issue in Korea and beyond. The United Nations adopted the Protect, Respect and Remedy Framework and Guiding Principles (Guiding Principles on Business and Human Rights) in 2011, and the Organisation for Economic Cooperation and Development (OECD) and European Union (EU) are also striving to promote management practices respecting human rights as defined in the Guiding Principles on Business and Human Rights. As society is placing greater importance on management practices respecting human rights, corporations requested that the Commission support them for the development and distribution of pertinent manuals and teaching materials and for promotional activities. We created the Council for Education on Human Rights for Corporations to help corporations reap the desired effects of human rights education and to discuss ways to spread responsible business practices in terms of human rights with relevant institutions. We plan to extract and share best practices and jointly hold workshops to improve the awareness of the business community through this council.

We also concluded an MOU to promote human rights with Seoul National University and expanded our two institutions' partnership to take human rights education and research to new heights and promote human rights in universities and local communities. We will support Seoul National University in its work to promote human rights education and research as a human rights-conscious university and taking the initiative in human rights promotion in local communities. We agreed to jointly develop human rights education programs to be launched by the university and cooperate for the opening of relevant courses.

B. Building an International Network of Cooperation

We concluded an MOU for the promotion of human rights with Canada's EQUITAS to take human rights education and research to a higher level and expand cooperation between Canada

and Korea in terms of human rights. Canada's EQUITAS was established by a group of scholars and social activists including John P. Humphrey, a co-author of the first draft of the Universal Declaration of Human Rights, based on the belief that human rights education can advance social justice. Through this MOU, our two institutions agreed to share our knowledge and experience in human rights education and jointly utilize and develop human rights education content both online and offline. We agreed to jointly hold local human rights education conferences, seek opportunities to stage training programs and publish teaching materials, and thereby highlight the importance of human rights education. We also arrived at a consensus to promote exchanges between our institutions' members when launching human rights projects.

We operated a human rights policy development training course targeting 14 participants from the seven countries of Bangladesh, Uganda, Colombia, Vietnam, Nepal, Kiribati, and Sri Lanka for three weeks from August 23 to September 13. Through the course, we shared the current conditions and policies of different countries to define the context of human rights policies, presented cases on the institutionalization of human rights protection by central and local governments, and had each participant draw up an action plan to identify the human rights policy agenda items of his/her country. This training program has contributed to the spread of human rights institutionalization, the improvement of the human rights conditions of participating countries through building international networks, and the reinforcement of cooperation with these countries. The participants stated that they were highly satisfied with the program and supported its continuance.

We took part in the 9th International Conference on Human Rights Education held at Western Sydney University in Australia from November 26-30 to remain informed on the latest developments and issues of global human rights education and to establish partnerships with international human rights education providers. This conference of citizens coming from diverse backgrounds (international organizations, educational institutions, national human rights institutions, civil society organizations, employers' federations and trade unions, faith communities, and the media) aims to unleash the potential of civil society by reinforcing human rights education for all people everywhere, and this year's event brought together over 350 participants from more than 70 countries including Australia. The Sydney Declaration on International Human Rights Education was adopted at the conference, which is expected to serve as a guide for future human rights education.

We participated in a series of human rights and human rights education sessions overseas to identify the human rights conditions of different countries, learn about their implications, and secure data for future reference, while also laying the foundation for human rights education cooperation with Australia and Nepal.

3. Implementation Status of Human Rights Education

Demand for human rights education has continued to grow since the Commission's inception. We have made multifaceted efforts to meet such demand, such as the establishment of a cyber human rights education center offering diverse services, the operation of a human rights education center at each Regional Human Rights Office, and the cultivation of human rights instructors through the renovated system.

In view of the fact that corporations exert a far-reaching impact on labor rights and the basic rights of laborers, especially youth, we focused on operating the labor rights instructor training courses and human rights sensitivity courses designed for businesses.

We conducted a total of 4,160 sessions of human rights education for 299,936 participants in the form of offline courses, visiting programs, cyber courses, and special lectures. Compared to 2017, the number of sessions increased by 6.5% and the number of participants by 35.6%. In particular, the number of cyber human rights education participants surged because of those trying to complete mandatory education online and corporations requesting that we share our content for their in-house human rights education. At the same time, the overall number of educational courses decreased because the courses on disability awareness improvement were classified as special lectures. We are tasked with investing in and reinforcing the management of cyber human rights education as demand is expected to grow further due to the expansion of mandatory education.

[Table 2-3-1] Implementation Status of Human Rights Education in the Last Five Years

Classification	Total		Educational course		Visiting education		Cyber education		Special lecture	
	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant
Cumulative sum	24,644	1,760,352	3,481	164,966	2,677	62,010	4,053	508,900	14,433	1,024,476
2018	4,160	299,936	427	19,957	484	8,542	1,133	165,248	2,116	106,189
2017	3,910	221,171	494	28,916	533	10,974	915	79,799	1,968	101,482
2016	3,702	207,619	734	33,953	380	5,930	828	71,434	1,760	96,302
2015	2,509	145,322	438	18,468	239	9,194	353	34,635	1,479	83,025
2014	2,334	164,075	334	14,325	206	4,926	288	34,744	1,506	110,080

*The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2018.

4. Development and Distribution of Educational and Promotional Content

A. Educational Content

Having recognized the importance of human rights education content since our inception, we have continually strived to produce and distribute such materials. Our human rights education content plays an instrumental role in spreading and sharing positive values with the public. The production of a variety of quality content leads to the improvement of the effects of human rights education.

In 2018, we released a series of learning materials for cyber human rights education, including *Prevention of Disability-Based Discrimination*, *Understanding Human Rights*, *The Universal Declaration of Human Rights*, and *Understanding the United Nations Convention on the Rights of the Child*. We also developed the cyber human rights education materials of *Media and Human Rights* and *Human Rights-Conscious Management Practices*.

We published source books for the serial discussion sessions held under the theme of #Me Too: *United under #Me Too*; *Do the Legal Systems Exist?*; *What Are the Causes of Sexual Violence in the Fields of Culture and Arts?*; and *Report on Monitoring of Textbooks of Elementary and Middle Schools*.

We also produced and distributed the Korean-language versions of *Plan of Action: World Programme for Human Rights Education* and *Human Rights Education Indicator Framework* published by the United Nations and Amnesty International. *Plan of Action: World Programme for Human Rights Education* provides the context and definition, general principles, objectives, actors, target groups, implementation programs, mid-term assessments, structures for coordination and implementation, and implementation strategies of the three-phased World Programme for Human Rights Education (2005 to 2019) and thus can be used as a guidebook for human rights education.

The *Human Rights Education Indicator Framework* is a suggested framework of indicators, or measurements, to examine the presence and quality of human rights education policies and practices. It is a tool to support civil society organizations, national human rights institutions and government bodies, and United Nations mechanisms in monitoring and assessing the implementation of human rights education. It can be utilized to monitor how faithfully the government is implementing human rights education and training, one of the key responsibilities required by international standards.

We published *Guidelines on Human Rights Education for Public Officials* to help public officials plan and execute human rights education. This book deals with human rights education planning, the composition of educational programs, course operation, assessment, and improvement measures as well as case studies and examples.

We conducted research for the publication of *Learning about Labor Rights* aimed at offering a textbook on labor rights to promote workers' rights and reinforce the social safety net as well as social rights and the right to equality. This textbook provides a glimpse into Korea's labor environment and human rights status and sheds light on why labor rights education is needed. It introduces the systems and cases of other countries, defines the concept and significance of labor, and reflects on the milestones of the labor movement.

B. Promotional Content

1) Web Dramas

We produced and distributed human rights films up until 2017 but turned to web dramas

in 2018 as they are easier to disseminate. The first production entitled *Calm Down* portrayed the endeavors of the Commission's investigators to resolve human rights violations and discrimination found in different corners of everyday life in a witty manner. It provided the opportunity both to learn about the Commission's role and contemplate the significance of human rights.

The drama follows passionate rookie investigator Min Tae-yong (played by Lee Ju-seung) of the Discrimination Remedy Division and his senior investigator Yu Na-gyeong (played by Go Won-hi) as they investigate petitioned cases and strive to build a society that respects human rights. The distress and predicaments experienced by frontline investigators are realistically portrayed through the cases of sharp conflicts between a mother and a store owner regarding kids-free zones and a part-time worker who was fired due to her obesity and a store owner who complains of lower sales due to the part-time worker's appearance.

2) Human Rights-Themed Contests (Papers, Advertisements, and Essays)

The Commission organizes diverse human rights-themed contests every year to highlight the value of human rights that must be upheld in every facet of life.

In 2018, a total of 537 entries were received, including 402 essays (for the categories of children/youth and adults) and 135 media works (posters, infographics, and photo stories). Through the preliminary and main screening, 34 entries were selected and awarded the Commission Chairperson's commendation. The awarded essays were compiled and published as *2018 Human Rights Essay Collection* and distributed to libraries, the Regional Human Rights Offices, and citizens. The awarded media works (posters and infographics) were exhibited at the Seoul Education Gallery at the Seoul Metropolitan Office of Education during Human Rights Week. They were also released via new media channels such as the Commission's Facebook page, KakaoStory, and blog and used as educational and promotional materials for human rights.

5. Operation of the Human Rights Library

The Commission's Human Rights Library is the nation's only library dedicated to human rights. It was established in 2002 as an affiliated human rights reference center based on Article

27 of the NHRCK Act. During the restructuring of the Commission in 2009, the reference center became affiliated with the Administrative and Legal Affairs Office. In 2012, it was renamed the Human Rights Library. Since 2016, the Human Rights Education Division has been in charge of its operation.

The library facilitates the research, collection, compilation, analysis, and preservation of human rights-related information and materials; offers reading and loan services; registers, manages, and preserves the Commission's publications; engages in exchanges and cooperation with other libraries in Korea and beyond; and provides a wide spectrum of human rights information via its website.

[Table 2-3-2] Use of the Human Rights Library

Classification	Cumulative sum	2018	2017	2016	2015	2014
Lent to staff members	18,514 persons 49,171 books	632 persons 1,912 books	1,157 persons 2,785 books	1,188 persons 2,950 books	1,124 persons 3,129 books	1,188 persons 3,492 books
Lent to visitors (individuals and organizations)	4,671 persons 13,942 books	360 persons 1,170 books	428 persons 1,352 books	286 persons 953 books	294 persons 847 books	266 persons 775 books
Library users	122,222 persons	33,213 persons	45,694 persons	12,454 persons	3,526 persons	4,159 persons

In cooperation with the Regional Human Rights Offices, the Commission operates branch libraries (the Busan, Gwangju, Daegu, and Daejeon branches opened in 2015 and the Gangwon branch opened in 2017) to offer greater access to human rights information and convenience to the public.

6. Promotional Activities to Raise Public Awareness

A. Promotion through Conventional Media Coverage

In 2018, we distributed 235 press releases to press organizations and posted them on our website. The press releases helped raise the public's understanding of human rights issues

and create social consensus by publicizing various human rights issues dealt with in the Commission's policies, investigations, and remedies via newspaper articles, broadcast programs, and online portal services.

Press releases serve as official data from identified, trustworthy sources and thus have a far-reaching impact. In this sense, the Commission's media communication activities were significant both quantitatively and qualitatively. Through active media communication using press releases, we played an instrumental role in enhancing public awareness and establishing human rights as an integral part of citizens' daily lives. Press releases mostly contained factual survey results, policy recommendations and opinions presented, results of investigations on human rights violations and discrimination, statements and commentaries on major current issues, and other activities at home and abroad.

We actively provided support for press requests for coverage and interviews at all times. In particular, our activities concerning some of the most controversial issues such as the #Me Too movement, the abolition of the death penalty, and seniors' rights were widely publicized as feature stories through our cooperation with the press. We also communicate closely with reporters assigned to the Commission via email and mobile communication networks to share the Commission's activities and pending issues.

In 2018, we staged three press briefings regarding the decision to conduct *ex officio* investigations on sexual harassment and violence within the prosecution, the operation of a special investigation team for sexual harassment and violence in culture and arts fields, and the presentation of the results of the investigation following the Innovation Committee's recommendation and a formal apology to the public. This contributed to drawing the attention and improving the understanding of the press and to conveying our stance and plans in a prompt manner. We also staged six press conferences and took the lead in promoting human rights-conscious reporting regulations and supporting the human rights sensitivity improvement courses for journalists.

At the same time, we focused on reinforcing our publicity competence by offering photography lectures and media public relations training for the Commission's staff.

B. Promotion through Other Forms of Media

While engaging in public relations activities using our blog and *Human Letter*, we sought ways to use new media to better the public's understanding of human rights and increase human rights sensitivity.

We sent *Human Letter*, our online newsletter, to over 40,000 subscribers to the Commission's policy news twice a month to keep them informed on our major activities. We posted over 600 promotional articles on our blog Byeolbyeol Stories in association with Byeolbyeol Reporters, a group of 20 online supporters, and shared them via Facebook and KakaoStory.

The Commission's recommendations, human rights issues, and other social issues were processed into card news, webtoons, and videos and posted. We also staged an array of events online in celebration of the 70th anniversary of the Universal Declaration of Human Rights, including the slogan contest for Human Rights Day and a crossword puzzle competition. We introduced major precedents using the electronic display located in front of the Commission's head office building and promoted the Korea Human Rights Awards and our mediation system.

We strived to publicize how to protect human rights in every facet of life using diverse forms of media and techniques and highlight the standing, roles, policies, and achievements of the Commission. We established a detailed and comprehensive promotion plan by identifying the tasks and requests of each division and pushed ahead with well-organized promotional activities. Lastly, our radio campaign for the prevention of hatred, discrimination, and hate speech was aired 31 times to commemorate the 70th anniversary of the Universal Declaration of Human Rights.

C. Celebrations for the Universal Declaration of Human Rights and Human Rights Week

At 10:00am on December 10, the 2018 Human Rights Day ceremony was held in celebration of the 70th anniversary of the Universal Declaration of Human Rights at Seoul Cathedral Anglican Church of Korea with over 400 dignitaries present, including President Moon Jae-in, diplomatic representatives, human rights and civil society organizations, and religious community leaders. This cathedral is Tangible Cultural Property of Seoul No. 35 and the starting

place of the June Democratic Uprising of 1987 that served as a watershed in the history of human rights in Korea. As such, it was selected as the venue for the event held to reflect on the significance of the Universal Declaration of Human Rights.

The event was emceed by actor Kwon Hae-hyo and featured a pre-ceremony performance by the Seoul Metropolitan Junior Chorus followed by the ritual of striking a bell 70 times to commemorate the 70th anniversary of the Universal Declaration of Human Rights, the screening of related videos, the recitation of the 30 provisions of the declaration, a commemorative speech by the Commission Chairperson, a congratulatory speech by the President, the awarding of the Korea Human Rights Awards, and a performance by soprano Lim Seon-hye.

President Moon said in his congratulatory speech that the National Human Rights Commission of Korea will be guaranteed full independence in all its activities, and stressed that we must work to improve human rights sensitivity and the understanding of human rights in Korea.

At the ceremony, late lawmaker Roh Hoe-chan was posthumously awarded the Mugunghwa Medal for his contributions to enhancing human rights. Roh first joined the labor movement as a welder in 1982 and had remained dedicated to promoting the human rights of minorities such as women and people with severe disabilities as a politician and National Assembly member.

The recitation of the 30 provisions of the declaration was carried out by a variety of prominent figures of different areas. Article 1 (All human beings are born free and equal in dignity and rights) was recited by singer Lee Eun-mi, Article 2 (Everyone is entitled to all the rights and freedom set forth in this declaration without distinction of any kind, such as race, color, sex, language, religion, etc.) by model Han Hyeon-min, and Article 7 (All are equal before the law and are entitled without any discrimination to equal protection of the law) by Han Jong-seon, a survivor of the Hyeongje Welfare Center incident. Swedish Ambassador to Korea Jakob Hallgren, a conscientious objector who took part in alternative civilian service; Cha Myeong-suk, a torture survivor of the May 18 Democratization Movement; Kim Seung-ha, a former KTX attendant; and Park Chang-jin, the former Korean Air chief steward, also took part in the recitation.

D. Publication of Human Rights

Human Rights was first published in August 2003 as a monthly magazine, later changing to a bimonthly publication in 2007. The 119th issue was published in December 2018. Its circulation stands at 3,600 printed copies preferentially distributed to welfare facilities and small libraries. The publication is also made available online in a webzine format.

In 2018, the latest human rights issues, from hatred and discrimination to power abuse, refugees, environment-related human rights, and the #Me Too movement were dealt with as feature stories with an aim of appealing to a wider base of readers.

Human Rights strives to position itself as a magazine specialized in human rights issues that also offers insight into other social issues and current events and is aesthetically pleasing in terms of design.

E. Human Rights Reporting Awards

On September 23, 2011, we established the Human Rights Reporting Standards jointly with the Journalists Association of Korea to elevate the standards of human rights coverage by the media and promote best practices. In 2012, our two organizations launched the Human Rights Reporting Awards to help the standards take firm root. Based on positive internal and external feedback, it was decided to stage the awards every year. In 2018, the winners of the 7th Human Rights Reporting Awards were selected and awarded.

The jury comprised seven members including five external members (from academia, the press, and civil society) and two internal members (Director-General of the Policy and Education Bureau and Director of the Public Relations Division). Professor Min Yeong of Korea University was appointed to head the jury.

A total of 39 entries were received, including 14 articles from daily newspapers, 15 television reports, 2 reports by news agencies, seven reports by online press organizations, and one magazine article. Following two rounds of screening, six winners were selected.

F. Production and Distribution of Videos about Precedents

Since 2014, we have produced a series of videos about the Commission's precedents in the form of dramas played by actors to better the public's understanding of the Commission's roles and more effectively raise public awareness on human rights. In 2018, precedents in the four areas of migrant women, refugees, employment discrimination, and children's rights were selected and produced into dramas. We distributed CDs containing the videos of all precedent dramas produced from 2014 to 2018 and released them online via YouTube, etc., to facilitate their use for education.

Section 3. Assessment

We recommended the amendment of the Early Childhood Education Act to mandate preschool teachers receive human rights education and expressed our opinion urging the reinforcement of the criteria for human rights education providers by adding pertinent provisions to the Enforcement Rules of the Welfare of Older Persons Act. Unfortunately, no significant progress was made concerning the enactment of the Human Rights Education Support Act and the establishment of the Human Rights Training Institute. We plan to continually strive to come up with measures to overcome the opposition to the enactment of the act and to secure the site for the institute.

As the Council for Education on Human Rights for Corporations was newly formed and several meetings to prepare the establishment of the Council for Education on Human Rights for Media Professionals were held in 2018, we believe the Council for Education on Human Rights for Media Professionals will be established in 2019. Also, it is evaluated to be a significant step forward to have held two workshops for the reinforcement of human rights awareness targeting officials in charge of human rights education and human rights officers at local governments.

We concluded an MOU with Canada's EQUITAS and successfully staged the human rights policy development courses. We published online human rights education materials and commissioned research for human rights education for public officials and the development of labor rights teaching materials.

We actively remained informed on the continued expansion of legally mandated human rights education. Human rights education for staff members of senior welfare facilities was made mandatory pursuant to the Welfare of Older Persons Act in April 2018, and we laid the foundation to meet the demand for the education by fostering human rights instructors specializing in this area. In a bid to maximize the effectiveness of education to cultivate human rights instructors, we amended the Commission's Regulations on the Operation of Human Rights Education to expand the group sessions to 84 hours for Basic Courses 1 and 2, Specialist Course, and Intensive Course, while also offering the system to enable trainees to take cyber courses in advance.

We launched and operated human rights sensitivity improvement courses for public officials in association with local governments such as Gyeonggi-do as well as with the Ministry of

National Defense and the Korean Police Education and Training Institute.

To protect the labor rights of children and youth, we conducted education for both students and school personnel. As the demand for human rights education for corporations drastically rose following the recommendation of the Commission for management practices respecting human rights in August 2018, the shortage of Commission-appointed instructors has emerged as a problem. In response, it is necessary to cultivate new instructors.

For cyber education, we were able to provide optimized service to users and through the operation of a stable system. However, as the infrastructure was inadequate to handle as many as 165,248 learners in 2018, further investment of material and human resources is critically needed.

The General Affairs Division became responsible for all matters pertaining to education to reinforce the human rights competence of staff members, which used to be managed by multiple divisions in the past, and its operation system was realigned to serve different target groups and duties.

We designed and executed target-specific courses including the course to reinforce the competence of newcomers and the course to reinforce the competence of leadership, while also launching the leadership course to move hearts and facilitate communication for female staff members to help them develop a sense of community and seek ways to improve the Commission's organizational culture.

Duty-specific courses, designed to strengthen expertise in relation to duties performed, were provided through human rights schools, such as the investigators' school and human rights policy school, as well as individual divisions, to promote on-the-job learning.

We distributed press releases in a timely manner and publicized various human rights issues dealt with in the Commission's policies, investigations, and remedies via newspaper articles, broadcast programs, and online portal services, thus helping raise the public's understanding of human rights issues and create social consensus.

Press releases serve as official data from identified, trustworthy sources and thus have a far-reaching impact. In this sense, the Commission's media communication activities were significant both quantitatively and qualitatively.

In 2018, we staged three press briefings regarding the decision to conduct *ex officio* investigations on sexual harassment and violence within the prosecution, the operation of a special investigation team for sexual harassment and violence in culture and arts fields, and the presentation of the results of the investigation following the Innovation Committee's recommendation and a formal apology to the public. This contributed to promoting human rights issues by drawing attention and improving the understanding of the press. At the same time, it is necessary to develop more attention-drawing promotions and in-depth reports concerning human rights issues.

The year 2018 will be remembered as a landmark year for the promotion of human rights as a wide range of conventional and new media were used to disseminate our content created to communicate major issues in an easy-to-understand manner. We aired *Calm Down*, a web drama portraying a Commission investigator's activities, on TV and also released it via YouTube to reach out to more viewers.

In 2018, Human Rights dealt with the latest human rights issues from hatred and discrimination to power abuse, refugees, environment-related human rights, and the #Me Too movement as feature stories with the aim of appealing to a wider base of readers as an insightful yet easy-to-read magazine. We also formed the internal magazine planning committee to improve the quality of each issue and ensure the diversity and expertise of its articles. Human Rights strives to position itself as a magazine specialized in human rights issues that also offers insight into other social issues and current events and is aesthetically pleasing in terms of design.

The President's attendance at the Human Rights Day celebration on December 10 and its live coverage by the press significantly improved the Commission's standing. Various events for the Human Rights Week, jointly organized by the Regional Human Rights Offices, from the film festival to seminars and the photo exhibition, served to raise awareness on human rights in local communities.



Chapter 4

Domestic and International Exchanges and Cooperation

Section 1. Overview

Pursuant to the Principles relating to the Status of National Institutions and Subparagraphs 8 and 9 of Article 19 of the NHRCK Act, the Commission is striving to safeguard and promote human rights through exchanges and cooperation with human rights and civil society organizations and human rights-related international organizations and national human rights institutions.

Exchanges and Cooperation with Domestic Human Rights and Civil Society Organizations

In 2018, we continued our efforts to communicate and cooperate with human rights and civil society organizations. We conducted two conferences, one in the first half and one in the second half, to collect their opinions and reflect them in our operational plan for 2019.

We engaged in cooperative projects with human rights organizations across diverse areas and themes to support these organizations dedicated to protecting the human rights of social minorities on the front lines and widen the horizons of human rights activities.

We visited the site of hunger strikes by asylum-seekers and Taean Thermal Power Plant, where the tragic death of a young irregular worker occurred, and listened to the voices of workers on the frontier.

We also staged a human rights advocates' convention for two nights and three days following the establishment of a network with human rights institutions and related officials of local governments.

Exchanges and Cooperation with International Organizations and National Human Rights Institutions

We are actively involved in exchanges and cooperation with national human rights institutions through the Global Alliance of National Human Rights Institutions (GANHRI) and the Asia Pacific Forum of National Human Rights Institutions (APF).

In March, we participated in the GANHRI Annual Meeting held in Geneva, Switzerland, and highlighted diverse human rights issues at the meeting. In particular, we were reappointed Chair of the GANHRI Working Group on Ageing to lead the global network's initiatives for seniors' human rights. In September, we took part in the 23rd APF Annual Meeting held in Hong Kong to discuss the latest human rights problems in the Asia Pacific region. We were selected as the host of the 24th APF Annual Meeting, further reinforcing our status within this international human rights institution.

We also continued our invitational training program for national human rights institutions abroad. In 2018, we invited staff members of national human rights institutions from seven countries.

Section 2. Major Achievements

1. Exchanges and Cooperation with Domestic Human Rights Organizations

A. Regular Cooperation

In 2018, we continued our efforts to regularly communicate with human rights and civil society organizations. We organized two conferences, one in the first half and one in the second half, to collect their opinions and reflect them in our operational plan for 2019. These conferences, attended by activists of human rights and civil society organizations, served as forums to discuss the direction of the Commission for the next year and reinforced cooperation between the Commission and civil society.

In July, we took part in the Seoul Queer Culture Festival, held at Seoul Plaza for the second consecutive year, after participating for the first time in 2017, and widely publicized our will to protect the human rights of sexual minorities

B. Joint Cooperation Projects

We have engaged in joint cooperation projects with human rights organizations every year since 2003 to boost the human rights campaigns of the civil society community and uncover and support various human rights initiatives. Project candidates are reviewed for whether they are tackling new areas to further promote human rights, whether they enable prompt responses to the latest human rights issues, and whether they can create a positive ripple effect, and government subsidies are provided to the screened organizations.

In 2018, a total of 14 projects were selected, including the monitoring of online reports of sexual violence cases, the survey of the labor conditions of migrant workers, the campaign and tour seminars for the human rights of domestic workers, and the survey of the human rights conditions of medical university students. In particular, the projects to improve mental disability awareness within local communities, to offer psychological treatment to automobile manufacturer employees and their families who suffered state violence, and to survey the labor conditions of migrant workers and conduct relevant campaigns were selected with the aim

of enhancing our efforts to protect the human rights of persons with disabilities and migrant workers and increase the human rights sensitivity of the public. This helped monitor key human rights issues in various domains and identify new challenges.

Also, we selected the seven best initiatives to widely promote the outcomes of these exemplary projects.

C. Exchanges Including Visits to the Sites of Human Rights Issues

We visit the sites of ongoing human rights issues to listen to the voices of those on the front lines, identify policy tasks, gather the opinions of concerned parties, and discuss current human rights issues.

In 2018, the Commission Chairperson and standing commissioners made ten visits to such sites, including the protest site in front of the National Assembly building for young people's political participation; the Gwangju Trauma Center; the Daegu and Gyeongbuk Branch of the Korean Alliance to Defeat AIDS; Korea Army Training Center in Nonsan; the site of hunger strikes by asylum-seekers; and Taean Thermal Power Plant, where the tragic death of a young irregular worker occurred, to listen to and learn about the difficulties encountered by human rights violation victims in their own words and reflect the findings in our policies and projects.

We set up and operated our promotional booth at the Seoul Queer Culture Festival for the second consecutive year after our initial participation in 2017. The event was attended by over 100 institutions, including human rights and civil society organizations and embassies in Korea. In 2018, we drew much attention and were covered by the media for hanging a rainbow banner, which signifies our support for sexual minorities, on the exterior of our head office building for the first time as a national institution. On July 14, at our booth at Seoul Plaza, we introduced the Commission and petition submission procedures, showed videos on human rights, and provided photo services. We also installed a bulletin board entitled Things I Wish the Commission Would Do to listen to the voices of the participants and collect opinions on the Commission and the enactment of the Discrimination Prohibition Act.

Through the festival, we were able to raise the public's interest in and understanding of the rights of sexual minorities; improve our standing; and increase our outreach to sexual minorities, organizations supporting sexual minorities, and human rights and civil society organizations.

D. Building a Network of Cooperation with Local Governments

It is critical for us to cooperate with local governments for the protection and promotion of human rights to achieve human rights-based governance.

In 2018, we established an online human rights network (www.humanrightstogether.com) to facilitate communication and data sharing between the Commission and human rights institutions of local governments. We also sought ways for more effective cooperation through discussions with officials in charge of human rights at local governments.

One of the most notable outcomes of our cooperation with local governments was the 2018 Human Rights Advocates' Conference. It lasted for three days and brought together over 140 officials of upper-level and lower-level local governments and activists from human rights organizations. It provided the opportunity to share human rights administration experiences, seek measures to promote human rights-based governance at each local government level, expand the roles of the Commission and the human rights institutions of local governments, support human rights administrative institutions, and highlight the need for the Framework Act on Human Rights.

2. Exchanges and Cooperation with International Human Rights Organizations

A. GANHRI and APF

1) GANHRI

The Global Alliance of National Human Rights Institutions (GANHRI) was established to promote compliance with, develop, and reinforce the resolution adopted by the United Nations Human Rights Council on March 3, 1992, and the Principles relating to the Status of National Institutions (the Paris Principles) adopted by United Nations General Assembly Resolution in 1993. Previously known as the ICC (International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights), it was renamed GANHRI at its annual meeting in March 2016.

We participate in the GANHRI Annual Meeting and Bureau Meeting each year to strengthen

multilateral exchanges and cooperation with national human rights institutions. The agenda of the 31st Annual Meeting in March included discussions on proposed statute amendments, the human rights of persons with disabilities, the human rights of seniors, the protection of the displaced, and the 13th NHRI Conference.

As Chair of the GANHRI Working Group on Ageing, we presented a briefing on the activities of the Working Group at the United Nations General Assembly, highlighting the importance of seniors' rights and reinforcing our leadership in the international community.

2) APF

As the Asia Pacific regional network of national human rights institutions, the Asia Pacific Forum of National Human Rights Institutions (APF) aims to promote exchanges and cooperation among the region's national human rights institutions, support the establishment and operation of the institutions, and strengthen cooperation with international human rights organizations and governments.

We participated in the 23rd APF Annual Meeting held in Hong Kong September. At the Annual Meeting, discussions were held on the election of the APF Governance Committee, the election of the Vice Chairperson of GANHRI, international activities such as engagement in the GANHRI Working Group on Ageing, major human rights agenda items and human rights activities within the countries of the member institutions, the APF performance report, the APF annual report, and the audited accounts. At the meeting, we succeeded in being selected as the host of the 24th Annual Meeting and the biennial conference scheduled to be held in 2019, further solidifying our standing within the APF.

B. Cooperation with United Nations Mechanisms and Other Human Rights Organizations

Representatives of international human rights organizations, including Jan Figel, Special Envoy for the Promotion of Freedom of Religion or Belief outside the EU; Ivan Simonovic, a member of the International Commission against the Death Penalty; Leilani Farha, United Nations Special Rapporteur on the Right to Adequate Housing; Andrew Gilmour, United Nations Assistant Secretary-General for Human Rights; Jane Connors, Victims' Rights Advocate

for the United Nations; and Kenneth Roth, Executive Director of Human Rights Watch, as well as dignitaries, such as Jane Prentice, Assistant Minister for Social Services and Disability Services of Australia; Pascale Baeriswyl, State Secretary of the Federal Department of Foreign Affairs of Switzerland; the delegation of high-ranking government officials of Kazakhstan; the Ambassador of the UK to Korea; the Ambassador of Switzerland to Korea; the Ambassador of Sweden to Korea; and the Ambassador of the EU to Korea, visited the Commission and discussed the latest human rights issues faced by the international community.

1) Visit to the European Union Agency for Fundamental Rights (FRA)

On February 19, we met Michael O'Flaherty, Director the European Union Agency for Fundamental Rights (FRA), in Vienna, Austria, and discussed major human rights issues such as the implementation mechanism of fundamental rights guaranteed in the Charter of Fundamental Rights of the European Union, the abolition of the death penalty, the right to conscientious objection to military service, and the right to equality.

FRA guarantees the protection of the fundamental rights and human rights of residents in the region and actively partners with national human rights institutions in addition to member states of the EU. During the visit, the Commission and FRA agreed to share the results of future studies and participate in international events organized by the two institutions.

2) Visits to Canadian Human Rights Organizations

We visited major human rights organizations in Canada from November 26-27, including the Canadian Human Rights Commission, Ottawa Human Rights Research and Education Center, Ontario Human Rights Commission, ADR Institute of Ontario, and Egale Canada (an LGBT human rights organization).

This series of visits was aimed at studying Canada's advanced human rights systems and reinforcing cooperation with these institutions regarding the implementation of our four major tasks: combating hatred, discrimination, and exclusion; countering social polarization and the crisis of the social safety net; expanding cooperation with central and local governments for human rights protection; and strengthening our partnerships with human rights and civil society organizations.

C. Invitational Training for Staff Members of National Human Rights Institutions

In celebration of the 70th anniversary of the Universal Declaration of Human Rights and the 25th anniversary of the Paris Principles, we organized the 2018 Partnership Program for Human Rights Defenders, an invitational training program, from June 25 to 29, bringing together the national human rights institutions of the seven countries of Afghanistan, Bangladesh, Indonesia, Jordan, Kazakhstan, the Maldives, and Mongolia.

This annual program invites staff members from the national human rights institutions of the APF to discuss major human rights issues, share best practices, and expand the framework for cooperation and information sharing with the aim of helping them jointly address regional and international human rights issues and enhancing our international standing.

This year's participants gave presentations on overviews of their respective institutions, activities, and challenges; engaged in workshops; discussed the current status of their countries, the international human rights system, and the role of their respective institutions concerning the Second Optional Protocol to the Civil Rights Covenant for the abolition of the death penalty; and visited diverse institutions such as the National Assembly and cultural sites to explore Korea's human rights system and culture.

This invitational program aimed at reinforcing the competence of national human rights institutions has benefited 73 participants from 22 countries from 2006 through 2018 and received overwhelmingly positive reviews. We plan to continue to share Korea's experience in the pro-democracy movement and human rights work and support international efforts to promote human rights through this program.

3. International Conferences

We staged the 3rd ASEM Conference on Global Ageing and the Human Rights of Older Persons and the special meeting of the GANHRI Working Group on Ageing from September 5-7. This conference was attended by 501 participants from 51 countries, providing a forum for discussions on the promotion of seniors' rights in the international community, including ASEM member states.

Prime Minister Lee Nak-yeon, Commission Chairperson Choi Young-ae, Ambassador Martin Garcia Moritan chairing the United Nations Open-ended Working Group on Ageing, nine ministers and vice ministers of ASEM member states, and 29 government delegates were present on site. Of particular note was the presence of high-ranking government officials from overpopulated countries, including the Minister of Social Justice and Empowerment of India and the Vice President of the China National Committee on Ageing (Vice Minister level).

At the conference, outcomes from the 2nd conference were shared, along with progress reports on seniors' rights among the member states. The participants sought ways to promote long-term care and palliative treatment, eliminate age discrimination against seniors, and support the international community's endeavors to protect the human rights of seniors.

Prime Minister Lee Nak-yeon elaborated on the Korean government's unyielding efforts to protect seniors' rights through his congratulatory remarks, while the ministers, vice ministers, and government officials of ASEM member states exchanged ideas about how to improve policies for the promotion of seniors' rights in their respective countries.

The participants also expressed their expectations for the newly established ASEM Global Ageing Center to serve as the international community's platform for promoting seniors' rights and highlighted the need to continue discussions on the protection and promotion of seniors' rights throughout the future.

Section 3. Assessment

We strived to promote human rights sensitivity and awareness through diverse activities and help the public become familiar with human rights issues and gain accurate information by using new media.

In 2018, we staged the Human Rights Advocates' Conference that received positive evaluations for bringing together local governments and human rights and civil society organizations. However, it also left us with the task of coming up with a platform for regular discussions and establishing a permanent system for cooperation between the Commission, local governments, and human rights and civil society organizations.

To accelerate the implementation of international human rights standards in Korea, we expanded exchanges with diverse international human rights organizations and national human rights institutions. We were reappointed Chair of the GANHRI Working Group on Ageing at the 31st GANHRI Annual Meeting and presented a briefing about the working group's activities at the United Nations General Assembly, thus reinforcing our international leadership. We took part in the 23rd APF Annual Meeting and strengthened our network with the national human rights institutions of the Asia Pacific region, while also being selected as the host of the 24th APF Annual Meeting and biennial conference, further solidifying our standing within the APF.

We staged the 3rd ASEM Conference on Global Ageing and the Human Rights of Older Persons and the special meeting of the GANHRI Working Group on Ageing to share the latest developments in seniors' human rights conditions among member states and seek ways to promote seniors' rights on a global level. Through the invitational training program, we brought together staff members of the national human rights institutions of seven countries, provided the forum for discussing the international human rights system and the role of their respective institutions concerning the Second Optional Protocol to the Civil Rights Covenant for the abolition of the death penalty, and established a network of information-sharing.

Dignitaries including the United Nations Special Rapporteur on the Right to Adequate Housing, the Victims' Rights Advocate for the United Nations, the Ambassador of the UK to Korea, the Ambassador of Switzerland to Korea, the Ambassador of Sweden to Korea, and the Ambassador of the EU to Korea visited the Commission; discussed the latest human rights issues faced by the international community; and reinforced their partnerships with the Commission.

We visited FRA and discussed the abolition of the death penalty, the guarantee of the right to conscientious objection to military service, and the realization of the right to equality. We also visited a series of Canada-based human rights organizations and tried to incorporate what we learned from Canada's advanced systems in the implementation of our four major tasks. We are well aware of the need to ensure the more stringent application of international human rights standards in Korea through exchanges with diverse institutions in Europe and Asia, such as ASEM member states, in addition to major international institutions, such as the United Nations, GANHRI, and APF.

On-site training conducted every year by the Commission is designed to improve the human rights sensitivity on global issues and the competence of our personnel by providing opportunities to visit overseas sites of human rights issues, carry out exchanges with human rights organizations, and conduct overseas case studies. International training, organized by the Ministry of Personnel Management, provides momentum to elevate the competence of our personnel to new heights by selecting not only pending issues but also issues projected to occur in Korea and beyond as assignments and reflecting the results in our policies and investigations.

Chapter 5 Regional Human Rights Offices

Section 1. Overview

The Commission operates five Regional Human Rights Offices in Busan, Gwangju, Daegu, Daejeon, and Gangwon-do to enhance and protect the human rights of local residents and ensure prompt remedies. Starting with the launch of the Busan and Gwangju Regional Human Rights Offices in October 2005, the Daegu Regional Human Rights Office opened in July 2007, followed by the Daejeon Regional Human Rights Office in October 2014 and the Gangwon Regional Human Rights Office in June 2017.

[Table 2-5-1] Location and Jurisdiction of Regional Human Rights Offices

Name	Location	Jurisdiction
Busan Regional Human Rights Office	Busan	Busan Metropolitan City, Ulsan Metropolitan City, and Gyeongsangnam-do
Gwangju Regional Human Rights Office	Gwangju	Gwangju Metropolitan City, Jeollanam-do, Jeollabuk-do, and Jeju Special Self-governing Province
Daegu Regional Human Rights Office	Daegu	Daegu Metropolitan City and Gyeongsangbuk-do
Daejeon Regional Human Rights Office	Daejeon	Daejeon Metropolitan City, Sejong Special Self-Governing City, Chungcheongnam-do, and Chungcheongbuk-do
Gangwon Regional Human Rights Office	Wonju in Gangwon-do	Gangwon-do

Each Regional Human Rights Office is responsible for human rights counseling; investigations of and remedies for human rights violations and discrimination against persons with disabilities committed in relation to the police, national institutions (excluding the National Assembly, courts, Constitutional Court, prosecution, and military), local governments, public service-related organizations, schools, detention facilities, welfare facilities for persons with disabilities, and mental healthcare facilities; human rights education and training; exchanges and cooperation with human rights institutions and organizations; promotional activities; and the operation of the Human Rights Experience Center to cater to local needs.

Section 2. Major Activities

1. Petitions, Counseling Requests, and Complaints and Inquiries Submitted

In 2018, 2,125 petitions, 9,173 counseling requests, and 5,959 complaints and inquiries were received by the Regional Human Rights Offices. Compared to the previous year, petitions decreased by 222 (9.5%) and counseling requests by 405 (4.2%). The number of petitions decreased across all of the Regional Human Rights Offices except for Daejeon, while the number of counseling requests decreased at all of the Regional Human Rights Offices except for Daejeon and Gangwon-do.

[Table 2-5-2] Number of Petitions, Counseling Requests, and Complaints and Inquiries Submitted by Regional Human Rights Offices in the Last Two Years

Regional Human Rights Office	Year	Petitions	Counseling requests	Complaints and inquiries	Total
Total	2018	2,125	9,173	5,959	17,257
	2017	2,347	9,578	6,238	18,163
Busan	2018	516	2,060	1,437	4,013
	2017	529	2,425	1,343	4,297
Gwangju	2018	400	2,570	1,804	4,774
	2017	625	2,787	2,024	5,436
Daegu	2018	391	1,972	802	3,165
	2017	498	2,125	1,367	3,990
Daejeon	2018	682	2,178	1,005	3,865
	2017	518	2,146	1,497	4,161
Gangwon	2018	136	393	911	1,440
	2017*	177	95	7	279

* The 2017 figures for the Gangwon Regional Human Rights Office are the totals from June 1, 2017 (the date of its opening), to December 31, 2017.

2. Face-to-face Petitions Submitted and Processed

In 2018, 1,864 face-to-face petitions were submitted to the Regional Human Rights Offices and 1,870 were closed. Among those closed, 359 (19.2%) were submitted as petitions, 855

(45.7%) were closed by counseling, and 656 (35.1%) were withdrawn by the petitioners.

Compared to 2017, the number of face-to-face petitions submitted decreased by 117 (5.9%) and the number of those closed by 169 (8.3%). The number of face-to-face petitions submitted and closed went down at most of the Regional Human Rights Offices.

[Table 2-5-3] Face-to-Face Petitions Submitted and Processed by Regional Human Rights Offices in the Last Two Years

(Unit: cases, %)

Regional Human Rights Office	Year	Submitted	Petitions processed						
			Subtotal	Petitions submitted		Petitions closed by counseling		Petitions withdrawn	
Total	2018	1,864	1,870	359	19.2	855	45.7	656	35.1
	2017	1,981	2,039	449	22.0	1,000	49.0	590	28.9
Busan	2018	574	604	116	19.2	280	46.4	208	34.4
	2017	676	676	146	21.6	325	48.1	205	30.3
Gwangju	2018	445	432	88	20.4	184	42.6	160	37.0
	2017	427	450	112	24.9	187	41.6	151	33.6
Daegu	2018	490	483	67	13.9	238	49.3	178	36.9
	2017	571	599	102	17.0	348	58.1	149	24.9
Daejeon	2018	257	258	59	22.9	119	46.1	80	31.0
	2017	270	278	74	26.6	129	46.4	75	27.0
Gangwon	2018	98	93	29	31.2	34	36.6	30	32.3
	2017*	37	36	15	41.7	11	30.6	10	27.8

*The 2017 figures for the Gangwon Regional Human Rights Office are the totals from June 1, 2017 (the date of its opening), to December 31, 2017.

3. Petitions Processed

In 2018, 3,023 petitions were assigned to the Regional Human Rights Offices, and 3,178 were processed. A total of 332 cases were remedied, with four submitted to criminal investigations; 97 resulting in recommendations, etc.; 19 closed by agreement; and 212 resolved during investigation.

Compared to 2017, the number of petitions assigned decreased by 1,015 (25.1%) and the number of petitions processed by 638 (16.7%). The number of petitions assigned and processed went down at most of the Regional Human Rights Offices.

[Table 2-5-4] Number of Petitions Processed at Regional Human Rights Offices in the Last Two Years

Regional Human Rights Office	Classification	Assigned	Processed	Remedied						Rejected	Transferred	Dismissed	Investigation suspended
				Sub-total	Criminal investigation requested	Recommendations, etc.	Mediation	Closed by settlement	Resolved during investigation				
Total	2018	3,023	3,178	332	4	97	-	19	212	1,936	18	882	10
	2017	4,038	3,816	420	1	116	1	20	282	2,243	55	1,098	-
Busan	2018	697	695	77	-	19	-	5	53	421	7	190	-
	2017	889	876	86	-	25	-	2	59	527	13	250	-
Gwangju	2018	656	680	80	2	17	-	3	58	377	-	213	10
	2017	953	908	101	-	35	-	8	58	514	13	280	-
Daegu	2018	776	747	96	2	21	-	7	66	450	5	196	-
	2017	949	940	141	1	31	1	6	102	481	11	307	-
Daejeon	2018	682	744	67	-	35	-	1	31	439	4	234	-
	2017	987	983	85	-	21	-	4	60	647	18	233	-
Gangwon	2018	212	312	12	-	5	-	3	4	249	2	49	-
	2017*	260	109	7	-	4	-	-	3	74	-	28	-

*Recommendations, etc.: Sum of recommendations made for settlements, remedial action, disciplinary action, and emergency remedies, to which recommended institutions are obligated to confirm whether they accept such recommendations under the National Human Rights Commission of Korea Act

*Resolved during investigation: Cases resolved smoothly or without the need to take remedial measures thanks to the efforts of or mediation by investigators among the cases rejected or dismissed

*The 2017 figures for the Gangwon Regional Human Rights Office are the totals from June 1, 2017 (the date of its opening), to December 31, 2017.

4. Human Rights Education and Training

Through the Human Rights Education Center, the Regional Human Rights Offices offered human rights instructor training courses, human rights sensitivity courses, mandatory human rights education and training for staff members of mental healthcare centers and homeless facilities, and special human rights lectures.

In 2018, the Regional Human Rights Offices organized 2,200 human rights education sessions (85,018 participants) in total. Among them, 54 sessions (926 participants) were for human rights instructor cultivation courses, 39 (831 participants) for human rights sensitivity courses, 121 (7,119 participants) for mandatory human rights education, 481 (8,497 participants) for on-site education, and 1,505 (67,645 participants) for special lectures.

[Table 2-5-5] Human Rights Education Conducted by Human Rights Offices in 2018

(in number of sessions and persons)

Human Rights Office	Total		Instructor cultivation		Sensitivity improvement		Mandatory education		Visiting education		Special lecture	
	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant
Total	2,200	85,018	54	926	39	831	121	7,119	8,497	8,497	1,505	67,645
Busan	652	26,519	9	147	14	368	37	2,821	86	1,730	506	21,453
Gwangju	359	12,120	9	224	13	121	24	1,082	96	1,655	217	9,038
Daegu	527	17,257	13	223	8	242	32	2,074	138	2,064	336	12,654
Daejeon	542	22,271	8	190	4	100	21	743	151	2,850	358	18,388
Gangwon	120	6,851	15	142	-	-	7	399	10	198	88	6,112

At the Busan Regional Human Rights Office, the number of those enrolled in human rights courses for the police increased 1.7 times in 2018 compared to 2017 (from 24 sessions for 3,514 participants in 2017 to 77 sessions for 6,243 people in 2018), continuing the location's dramatic surge in participation witnessed over the past two years. The Busan Regional Human Rights Office formed a working-level consultative body with the Busan Metropolitan Police Agency in September 2018 and held monthly meetings to further upgrade the quality of its human rights education for the police.

Section 3. Assessment

The Busan Regional Human Rights Office expanded its face-to-face investigations and on-site investigations and stepped up its on-site monitoring activities to cover more scenes of human rights issues such as the demonstration for the installation of the statues of victims of forced labor during the Japanese colonial era and the protest against the amendment of the human rights ordinance to effectively respond to the latest issues.

In 2018, the Busan Regional Human Rights Office joined hands with the Busan, Gyeongsangnam-do, and Ulsan Offices of Education to expand human rights education in schools, while also jointly developing and operating educational programs with Pusan National University's Human Rights Center and the Multicultural Family Support Center. It also promoted human rights education for the police, public officials of local government bodies, and staff members of public corporations. It plans to work harder to cultivate professional instructors for lectures on specialized areas such as Business and Human Rights and Criminal Procedures and Human Rights Protection.

Local governments vary in their progress in terms of human rights systems such as the implementation of human rights ordinances and the installation of local human rights agencies. The areas under the jurisdiction of the Busan Regional Human Rights Office (Busan, Ulsan, and Gyeongsangnam-do) are still in their fledgling stage in terms of human rights. As such, it has reinforced its partnerships with the local governments of these areas to improve their awareness on human rights administration and develop joint projects through regular exchanges after the local elections in 2018. It plans to continue to support the local governments under its jurisdiction with their human rights policies and education throughout 2019.

The Gwangju Regional Human Rights Office is operating the system of specialized investigators for different fields to reinforce the competence of its investigators and conducted the seminar featuring investigators of major cases. It also engaged in continued monitoring of the controversies over the asylum-seekers from Yemen on Jeju Island, which is under its jurisdiction, and opened a channel of communication with local human rights institutions to more effectively investigate and resolve human rights cases.

It improved its standing as a national institution by conducting a special session for public officials' networking and a photo exhibition on persons with disabilities at the 2018 World

Human Rights Cities Forum. It also worked to communicate and cooperate with local press organizations concerning human rights issues through press conferences, etc. It staged commemorative events to celebrate the 70th anniversary of the Universal Declaration of Human Rights in association with Gwangju Metropolitan City, Gwangju Metropolitan Office of Education, Gwangju Trauma Center, and Gwangju Human Rights Council and strived to highlight the value of human rights in the region by designating Human Rights Week. The Gwangju Regional Human Rights Office conducted education to improve human rights sensitivity across diverse fields including children and youth, persons with disabilities, and migrants, while also operating various human rights education courses (for fostering seniors' human rights instructors, fostering instructors on the human rights of those with developmental disabilities, and improving the human rights sensitivity of social welfare workers) in collaboration with external institutions and organizations, thus contributing to enhancing public awareness and advancing human rights education.

The Daegu Regional Human Rights Office has focused on providing prompt investigations and remedies for human rights violations and instances of disability discrimination, offering human rights education, engaging in promotional activities, and joining hands with local institutions with the aim of protecting human rights in neighborhoods and achieving human rights on a local level.

To process petitions regarding local governments, schools, and disability discrimination in a prompt manner, it held investigator seminars and reinforced cooperation with related organizations. It also increased the effects of remedies using the basic human rights inspection structure table and strived to reduce the processing time for each petition.

Furthermore, it established a cooperative network to work with local human rights institutions to realize a human rights-based approach and reinforced its collaboration with local human rights and civil society organizations across different fields and at diverse locations.

It joined forces with diverse local press organizations to highlight the significance of human rights and the role of the Commission, staged events to celebrate the 70th anniversary of the Universal Declaration of Human Rights in 2018 in association with Daegu Metropolitan City and Daegu Metropolitan Police Agency, offered a series of special lectures on human rights that engaged local residents, and conducted seminars jointly with local discrimination prevention

organizations.

The Daegu Regional Human Rights Office offers human rights education through the Human Rights Experience Center opened in 2013 and the Daegu Human Rights Education Center opened in 2015. In particular, in 2018, it expanded human rights education targeting staff members of public corporations, members of local assemblies, and staff members of university human rights centers. It also worked hard to realize the principle of education through human rights through all educational courses it offers.

In 2018, the Daejeon Regional Human Rights Office conducted on-site monitoring regarding the abolition, enactment, and amendment of human rights ordinances by local governments under its jurisdiction, while monitoring the human rights activities of human rights organizations (such as sending a questionnaire to a candidate from an anti-homosexuality group) in association with local governments during the local elections. It also focused on operating a wide range of programs for the increasing number of institutions and users re-visiting the Human Rights Experience Center. However, in order to ensure the long-term operation and promotion of the Human Rights Experience Center, it is necessary to seek ways to help resident facilities settle and develop more programs and support materials.

The Gangwon Regional Human Rights Office brought local residents together in commemorative events to celebrate its first anniversary and the 70th anniversary of the Universal Declaration of Human Rights, while also reinforcing cooperation with other institutions and human rights and civil society organizations to ensure the successful operation of the Communication Cooperation Committee and Gangwon Human Rights Forum. In addition, a special lecture on human rights was given to city council members for the first time since the Gangwon Regional Human Rights Office's inception; the human rights courses were established at public official education and training institutes; and an MOU concerning human rights-conscious management was signed with the National Health Insurance Service. However, it does not have sufficient resources to provide human rights services across the expansive Gangwon-do region. This is an issue that should be addressed going forward.



Appendices

- 1 List of Commissioners and Senior Executive Officers
- 2 2018 Business Roadmap

National Human Rights Commission of Korea

Annual Report 2018

1. Commissioners and Senior Executive Officers

(as of December 31, 2018)

Commissioners



Name	Profile	Remarks
 <p>Chairperson Choi Young-ae</p>	<ul style="list-style-type: none"> • President, Korea Sexual Violence Relief Center • Chairperson, Special Committee on the Enactment of the Special Act on Sexual Violence • Co-Representative, Joint Task Force for Sexual Harassment Committed against the Teaching Assistant of Seoul National University • Secretary-General, NHRCK • Standing Commissioner, NHRCK • Board President, People Who Support the Human Rights of Women • Chair, Human Rights Committee, Seoul Metropolitan City 	<p>Nominated by the President (September 4, 2018 - September 3, 2021)</p>
 <p>Standing Commissioner Jeong Sang-hwan</p>	<ul style="list-style-type: none"> • Passed the 29th Judicial Examination • Legal Attache, Embassy of the Republic of Korea in the US • Chief Prosecutor, Criminal Investigation Division 7, Supreme Prosecutors' Office • Deputy Chief Prosecutor, Cheongju District Prosecutors' Office • 1st Deputy Chief Prosecutor, Suwon District Prosecutors' Office • Head, Bucheon Branch of Incheon District Prosecutors' Office • Research Commissioner, Institute of Justice • Lawyer, Jeong Sanghwan Law Firm 	<p>Elected by the National Assembly (March 22, 2016 - March 21, 2019)</p>
 <p>Standing Commissioner Choi He-ri</p>	<ul style="list-style-type: none"> • Judge, Seoul District Court • Judge, Seoul Family Court • Lawyer, Barun Law LLC • Lawyer, Korea Government Legal Service • Commissioner, Committee on Prosecution Reform • Commissioner, Committee on Policy for Regional Public Enterprises • Commissioner, Personal Information Protection Commission • Standing Commissioner, Seoul Court Coordinating Center 	<p>Nominated by the President (November 28, 2016 - November 27, 2019)</p>
 <p>Standing Commissioner Jeong Moon-ja</p>	<ul style="list-style-type: none"> • Member, Women's Development Committee, Incheon Metropolitan City • President, Korean Women Workers Association • Co-Chair, Korean Women's Association United • Member, Committee on Civil Society Development, Office of the Prime Minister • Chairperson, Subcommittee on Policy, Human Rights Committee, Seoul Metropolitan City • Member, Fact-Finding Committee on Human Rights Violation, National Police Agency • Board Director, Korean Women's Association United 	<p>Elected by the National Assembly (June 22, 2018 - June 21, 2021)</p>

Name	Profile	Remarks
 <p>Commissioner Jang Ae-soon</p>	<ul style="list-style-type: none"> • Dean, College and Graduate School of Buddhist Studies, Dongguk University • Director, Central Library, Dongguk University • Chairperson, Korean Bhikkhuni Association • Professor, College of Buddhist Studies, Dongguk University • Chief, Wonkyosa Temple of the Jogye Order of Korean Buddhism • Board Member, International Association for Buddhist Thought and Culture • Board Member, The Korean Association for Buddhist Studies • Member of the Japanese Association of Indian and Buddhist Studies • Member, Central Council of the Jogye Order of Korean Buddhism 	<p>Nominated by the President (June 16, 2016 -June 15, 2019)</p>
 <p>Commissioner Kim Ki-jung</p>	<ul style="list-style-type: none"> • Commissioner, Korea Internet Self-Governance Organization • Commissioner, Internet Election News Deliberation Commission • Commissioner, Commission on Media Development, National Assembly • Director, Opennet • Lawyer, Law Firm Dongsuh Yangjae 	<p>Elected by the National Assembly (September 23, 2016 -September 22, 2019)</p>
 <p>Commissioner Han Su-woong</p>	<ul style="list-style-type: none"> • Lawyer, Ministry of Justice, Baden-Wuerttemberg, Germany • Research Officer, Constitutional Court of Korea • Associate Professor, Hongik University Law School • Professor, Chung-Ang University Law School 	<p>Nominated by the Chief Justice of the Supreme Court (February 1, 2017 -January 31, 2020)</p>
 <p>Commissioner Cho Hyun-wook</p>	<ul style="list-style-type: none"> • Senior Judge, Incheon District Court • Chair, Work-Family Balance Committee, Korean Bar Association • Chair, Special Committee on Support for Victims of Child Abuse, Korean Women Lawyers Association • Commissioner, Press Arbitration Commission • Commissioner, Central Administrative Appeals Commission • Senior Vice President, Korean Women Lawyers Association 	<p>Nominated by the Chief Justice of the Supreme Court (June 21, 2017 -June 20, 2020)</p>

Name	Profile	Remarks
 <p>Commissioner Bae Bok-ju</p>	<ul style="list-style-type: none"> • Co-President, National Council of Counselling Centers for Sexual Violence • Member, Committee on the Welfare of People with Disabilities, Seoul Metropolitan City • Member, Committee on Gender Equality, Seoul Metropolitan City • Member, Policy Advisory Committee, Ministry of Gender Equality and Family • Chair, Anti-Sexual Violence Committee, Solidarity Against Disability Discrimination • President, Women with Disabilities Empathy 	<p>Nominated by the President (December 15, 2017 -December 14, 2020)</p>
 <p>Commissioner Lim Sung-taek</p>	<ul style="list-style-type: none"> • Special Investigator, Special Investigation on the Cloth Lobby Case • Commissioner for Legal Advice, Empowerment of People with Different Abilities Institute • President, Research Council for Legislation on Disabilities • Auditor, Korea Post Foundation • Member, Policy Committee, Ministry of Justice • Member, Commission on Legislation Interpretation, Ministry of Government Legislation • Lawyer, Jipyong LLC 	<p>Nominated by the Chief Justice of the Supreme Court (August 27, 2018 -August 26, 2021)</p>
 <p>Commissioner Kim Min-ho</p>	<ul style="list-style-type: none"> • Member, Personal Information Dispute Mediation Committee • Member, Truth and Reconciliation Committee • Member, Central Administrative Appeals Commission • Member, Committee on Resident Registration Number Alteration • President, Personal Information Protection Law Association • Professor, Sungkyunkwang University Law School 	<p>Elected by the National Assembly (August 27, 2018 -August 26, 2021)</p>

Former Chairpersons

Name	Profile	Term
 <p>1st Chairperson Kim Chang-guk</p>	<ul style="list-style-type: none"> • Chief Prosecutor, Jeonju and Gwangju District Prosecutors' Office • 82nd President, Seoul Bar Association • 40th President, Korean Bar Association • Co-Representative, People's Solidarity for Participatory Democracy • Chair, Committee for the Inspection of Property of Pro-Japanese Collaborators 	<p>November 25, 2001 -December 23, 2004</p>
 <p>2nd Chairperson Choi Young-do</p>	<ul style="list-style-type: none"> • Judge, Seoul District Criminal Court • Human Rights Director and Commissioner, Korean Bar Association • President, Lawyers for Democratic Society • Standing Co-Representative, Korea Human Rights Network • Co-Representative, People's Solidarity for Participatory Democracy 	<p>December 24, 2004 -March 22, 2005</p>
 <p>3rd Chairperson Cho Young-hwang</p>	<ul style="list-style-type: none"> • Standing Director, Seoul Bar Association • Lawyer in Charge of Maintaining Public Prosecution against Sexual Torture That Occurred at Bucheon Police Station • Director, Anti-Corruption Committee, Citizens' Coalition for Economic Justice • Judge, Goheunggun Court, Suncheon Branch of Gwangju District Court • Chairperson, Ombudsman of Korea 	<p>April 4, 2005 -October 1, 2006</p>
 <p>4th Chairperson Ahn Kyong-whan</p>	<ul style="list-style-type: none"> • Professor and Dean, Seoul National University College of Law • Visiting Professor, University of Illinois College of Law • 8th President, Korean Constitutional Law Association • Vice-Chairman, Asia-Pacific Forum of National Human Rights Institutions (APF) • Vice-Chairman, International Coordinating Commission (ICC) 	<p>October 30, 2006 -July 5, 2009</p>

Name	Profile	Term
 <p>5th and 6th Chairperson Hyun Byung-chul</p>	<ul style="list-style-type: none"> • Dean, Hanyang University College of Law • Director, Hanyang University Administration Department • Secretary General and Vice-President, Korea Law Professors Association • President, Korea Association of Comparative Private Law • Director, Hanyang University Graduate School of Public Administration • Dean, Hanyang Cyber University 	<p>July 17, 2009 -August 12, 2015 *Served a second term from August 13, 2012</p>
 <p>7th Chairperson Lee Sung-ho</p>	<ul style="list-style-type: none"> • Passed the 22nd Judicial Examination • Judicial Researcher, Supreme Court • Director, Cheonan Branch of Daejeon District Court • Chief Judge, Suwon, Seoul, Seoul Eastern District Court • Chief Judge and Senior Chief Judge, Patent Court • Chief Judge and Senior Chief Judge, Seoul High Court • President, Seoul Southern and Central District Court • Chairperson, Seoul Metropolitan Election Commission • Chairperson, GANHRI Working Group on Ageing (from 2016) 	<p>August 13, 2015 -September 3, 2018</p>

■ Secretary General and Senior Executive Officers

Name	Profile	Name	Profile
 <p>Secretary General Cho Young-sun</p>	<ul style="list-style-type: none"> • 31st Class, Judicial Research and Training Institute • Senior Staff Attorney, Law Firm Donghwa • Human Rights Commissioner, Korean Bar Association • Secretary General, Lawyers for a Democratic Society • Chair, Subcommittee for Cultural Blacklist Fact-Finding and Institutional Improvements 	 <p>Director-General of Planning and Coordination Bureau Lee Suk-jun</p>	<ul style="list-style-type: none"> • Chief, Migration and Human Rights Team, NHRCK • Chief Secretary, NHRCK • Director, Human Rights Policy Division, NHRCK • Director, Rights of Persons with Disabilities Division 1, NHRCK
 <p>Director-General of Policy and Education Bureau Shim Sang-don</p>	<ul style="list-style-type: none"> • Ministry of Public Administration and Security • Director, General Affairs Division, NHRCK • Director, Policy Coordination Team, NHRCK • Director, Personnel and Innovation Team, NHRCK • Director, Investigation on Civil and Political Rights Division 1, NHRCK • Director-General, Investigation Bureau, NHRCK 	 <p>Director-General of Civil and Political Rights Bureau Choi Jae-gyeong</p>	<ul style="list-style-type: none"> • Operation Support Officer, NHRCK • Head, Human Rights Counseling Center, NHRCK • Director, Rights of Persons with Disabilities Division 1, NHRCK • Director, Investigation on Civil and Political Rights Division 1, NHRCK
 <p>Director-General of Discrimination Remedy Bureau Gang Mun Min-seo</p>	<ul style="list-style-type: none"> • Human Rights Manager, Gwangju-Jeonnam Coalition • Secretary General, Gwangju Human Rights Movement Center • Member, NHRCK preparation team • Vice Director, Gwangju Trauma Center 		

2. 2018 Business Roadmap

Vision	A World of Dignity for All
Mission	To realize a society free of polarization discrimination that ensures the respect of the human rights of all

Four strategic objectives	Goals
I. Reinforcing social rights and guaranteeing a decent life	<ol style="list-style-type: none"> 1. Protecting workers at risk of labor rights violations 2. Guaranteeing the right to education without discrimination 3. Enhancing the effectiveness of the healthcare system for public health and the right to access healthcare services of vulnerable groups 4. Ensuring the right to adequate housing of the underprivileged 5. Guaranteeing the right to life of those living in absolute poverty
II. Realizing an equal society through resolving discrimination	<ol style="list-style-type: none"> 1. Resolving gender discrimination and preventing and remedying sexual harassment and sexual violence 2. Facilitating the deinstitutionalization of persons with disabilities (return to local communities) and improving their access to information 3. Protecting the human rights of migrants and refugees 4. Protecting human rights and the right to equality in the criminal justice system 5. Reinforcing preventive protection for social minorities
III. Building sustainable human rights-based governance	<ol style="list-style-type: none"> 1. Institutionalizing and improving the quality of human rights education 2. Reinforcing cooperation with the human rights institutions of local governments 3. Strengthening cooperation with civil society 4. Expanding cooperation with international human rights organizations and ensuring the strict implementation of international human rights standards in Korea
IV. Expanding and diversifying human rights activities	<ol style="list-style-type: none"> 1. Dealing with North Korean human rights issues via multiple channels 2. Promoting human rights-conscious management 3. Protecting human rights in the rapidly changing information era 4. Ensuring the rights to life, safety, environment, and culture 5. Promoting a human rights-conscious military culture
Special program	Actively responding to the spread of hate speech
Feature program	Reinforcing the competence of the Commission

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