

**NATIONAL HUMAN RIGHTS
COMMISSION OF KOREA**

ANNUAL REPORT 2019



National Human Rights Commission of Korea



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 2019

This annual report is a compilation of the activities, etc., of the National Human Rights Commission of Korea from January 1 to December 31, 2019. 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.

● Foreword by the Chairperson

“ Emerging from the shadows of hatred and discrimination against vulnerable groups, and of polarization, Striving towards a society where everyone is equally respected”



The fight for human rights is an endless process to achieve respect for human dignity and values. The process deals with newly emerging challenges, but it also involves overcoming old systems and perceptions. Human rights are an issue that affects everyone, but it can be particularly pressing and desperate for disadvantaged and vulnerable groups, as well as minorities. As a national human rights institution, the National Human Rights Commission of Korea was faced with some tough challenges in 2019, and this was a year where our human rights response stood out more than ever.

In January, news of violence and sexual violence against sports athletes stirred a public outrage. Through a survey ten years ago, the Commission had revealed that the unique structural conditions embedded in competitive sports were conducive to violence and sexual violence in sports. Despite its recommendation of the Guidelines for Human Rights in Sports, the situation has not changed much since. This time around, the Commission established the Special Investigation Team for Human Rights in Sports and conducted surveys of training camps and of all athletes in elementary schools, junior high schools, high schools, and colleges. Extensive surveys to understand and resolve structural problems in sports helped lay a milestone in furthering human rights in this domain.

The rapid spread of hate speech and discrimination against women, children, older persons, persons with disabilities, foreigners, and sexual minorities raised fundamental questions about the existence of our communities. The Commission launched the Task Force on Combating Hatred and Discrimination, leading a public debate and a government-wide approach to the issue. In an effort to foster a society where everyone lives with dignity, it published the Hate Speech Report on the concept

and criteria of hatred and discrimination, established self-imposed norms, and expressed an opinion regarding hate speech in politics.

The Commission conducted living condition surveys of older persons, youths, people living in non-dwelling facilities, and other groups exposed to poverty, to come up with an institutional improvement proposal to mitigate polarization through improved social safety nets. It also reviewed policy tasks and actively responded to current issues, including social insurance programs and the minimum wage, the three labor rights of indirectly employed workers, and suspension of living assistance services for persons with disabilities aged 65 years or older.

On the international front, the Commission hosted the 24th Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions (APF) in Seoul for the first time in 15 years. At the meeting, the Commission was elected as the Asia Pacific representative on the GANHRI Bureau. The Commission was also re-elected as the chair of the GANHRI Working Group on Ageing, raising its status and role in the international community.

The Commission remained committed to safeguarding the human rights of all members of the society. It investigated approximately 10,000 petitions on human rights violations and discrimination, and strived to preserve human rights through on-site investigations, *ex officio* investigations, and emergency relief. In November, it established the Jeju Regional Human Rights Office to ensure prompt remedial actions. To ensure organizational and budgetary independence, and strengthen its functions and status, the Commission gathered input from civil societies and other sectors of society for a proposal to amend the National Human Rights Commission of Korea Act.

The Commission is well aware that it has been able to reach where we are today thanks to strong support and encouragement, and sometimes harsh but affectionate words from human rights and civil society groups, at every moment and on every issue. We will continue to go together.

The year 2021 marks the 20th anniversary of the Commission. It will be a turning point that will enable us to take a leap forward. Looking ahead, we will continue to counter deep-rooted hate speech against socially vulnerable groups and minorities, and address social polarization. New human rights issues have emerged amid social changes brought in by COVID-19. As the national institution responsible for dealing with human rights issues, the Commission will do its utmost to address newly emerging challenges, remain actively engaged in countering old systems that threaten human dignity and value, and foster a society where everyone is treated with the same level of respect.

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, 2019, 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

Act on Elderly Employment Promotion Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion

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

Covenant on Social Rights International Covenant on Economic, Social and Cultural Rights

APF Asia Pacific Forum of National Human Rights Institutions

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 National Human Rights Commission of Korea

Chapter 2 Domestic and International Environment

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Chapter 4 Assessment and Challenges

01

Introduction



Chapter 1

About the National Human Rights Commission of Korea

1. Establishment and Key Functions

An independent national institution dedicated to human rights issues, the National Human Rights Commission of Korea (hereinafter referred to as the Commission) was established on November 25, 2001 in accordance with the National Human Rights Commission of Korea Act (hereinafter referred to as the “NHRCK Act”) to uphold the right to and respect for human dignity, and contribute to reinforcing the foundation of democracy by safeguarding and promoting inherent, inviolable human rights.

The Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles) were laid out at a time when newly democratized nations were beginning to establish national human rights institutions in the late 1980s. The Paris Principles were adopted by the United Nations Human Rights Council Resolution (1992/54) in 1992 and the United Nations General Assembly in 1993.

Discussions to establish a national human rights institution in Korea were first sparked when a joint committee of private entities took part in 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 called for enabling laws of an independent national human rights institution responsible for 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. In April 1999, the Joint Task Force of Private Organizations for the Realization of a National Human Rights Institution was established by 71 human rights and civil society organizations. After three years of hard work by the task force, on May 24, 2001 and during the Kim Dae-jung Administration, the NHRCK Act was enacted. Six months later on November 25, 2001, the Commission was established as an independent national institution.

The Commission is a national institution dedicated to protecting and promoting the rights of the socially disadvantaged and the minorities as mandated by the Constitution and other laws, and as recognized by international common laws and human rights conventions joined and ratified by Korea. It is an independent institution that is not affiliated with any of the legislative, judicial, or executive branches of the government. The Commission is a quasi-judicial organization whose procedures for investigating and redressing cases of human rights violations and discriminations complement the existing remedial procedures of other judicial agencies. It is also a quasi-international organization in the sense that it implements international human rights standards in the nation and supports the authorities, responsibilities, organizational structure, and operation specified in the Paris Principles.

With a view to protecting and promoting human rights for all, the Commission assumes four key functions, which are policy, investigations and remedies, education and promotion, and cooperation at home and abroad. In the realm of policy, the Commission makes recommendations and presents opinions on matters that warrant study, research, and improvement of human rights-related laws and regulations, institutions, policies, and practices. It also submits opinions regarding proceedings that have significant implications on human rights.

The Commission's investigations and remedies target human rights violations and discrimination in national institutions, local governments, schools, public service-related organizations, and detention and protection facilities, as well as discrimination by corporate bodies, organizations, and private persons without justifiable reasons. The human rights education and promotion function is aimed at raising public awareness on human rights, and the exchanges and cooperation function is

to cooperate with various human rights and civil society organizations and individuals in Korea, as well as relevant international organizations and human rights institutions abroad.

2. Organization

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. Neither gender may account for more than 60% of all 11 commissioner positions.

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. If necessary, the Chairperson appears and states his/her opinions before the National Assembly and, if required by the National Assembly, is obligated to testify and give answers to questions on matters concerning the Commission. The Chairperson can speak at a Cabinet meeting on behalf of the Commission and recommend the Prime Minister to submit a bill (including a presidential decree bill) in relation to matters concerning the Commission. The term of office for all commissioners, including the Chairperson, is three years, and they can serve a consecutive term just once.

The Commission makes decisions and takes actions through the Plenary Committee with all 11 commissioners, as well as the Standing Committee and the subcommittees. The subcommittees include the Committee on Human Rights Violations I (the prosecution, police, military, intelligence service, legislative branch, and judicial branch); Committee on Human Rights Violations II (other areas, including national institutions, local governments, public service-related organizations, and detention and protection facilities); Committee on Discrimination Remedy (discrimination remedy 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 (children and youths under 19, child care homes, and youth detention centers).

As of December 31, 2019, the Commission's Secretariat consists of the Secretary General, four bureaus, 16 divisions, two teams, five offices, one branch office, and two temporary organizations.

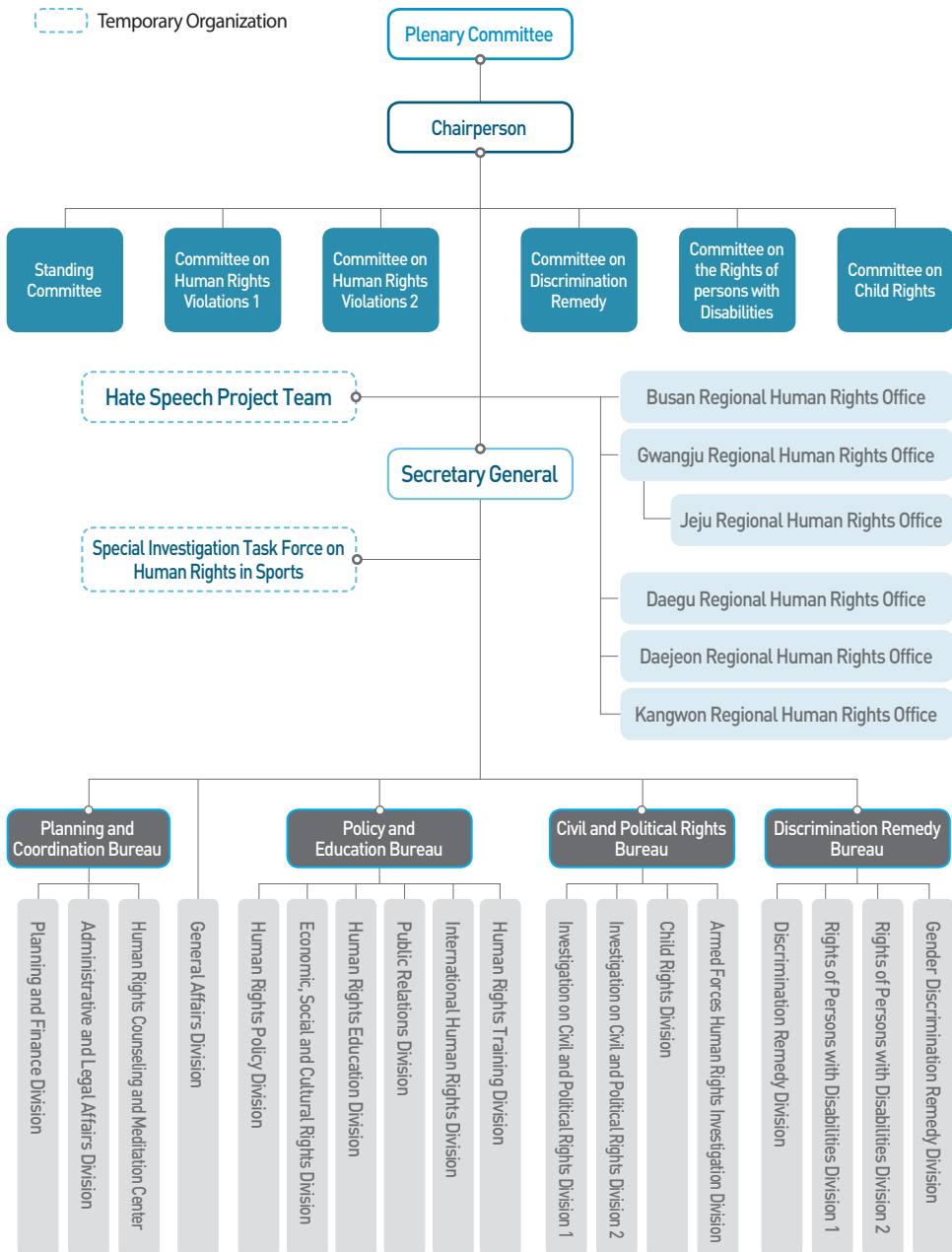
The total number of personnel is 225, including 181 in the headquarters (including four public officials in general service) and 44 in the affiliated institutions.

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

(As of December 31, 2019)

	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	Inspector
Total	224	4	5	3	18	15	61	58	30	9	19	1	1
Head office	180	4	5	3	13	14	52	53	16	3	15	1	1
Regional offices	44	-	-	-	5	1	9	5	14	6	4	-	-

■ Organizational Chart



Chapter 2 | Domestic and International Environment

In 2019, discrimination and hate speech (against social minority groups), poverty, and social polarization continued to be key human rights issues faced by the society. Conflicts caused by discrimination and hate incidents spread across online platforms, politics, education, and the broadcast media, while there were continuous organized hatred and discrimination against sexual minorities and other minority groups. Cases like the family of four found dead in Seongbuk-gu district of Seoul and the death of a destitute North Korean defector and her child highlight the gap that exists in the social safety net. Polarization deepened in terms of education, income, housing, medical service, healthcare, among others.

Under these conditions, the Commission focused its efforts on preventing and addressing hate and discrimination by launching Hate Speech Project Team. It also worked to mitigate polarization issues through improvements in the social safety for youths, seniors, people living in non-dwelling facilities, and other groups that are exposed to poverty, and reviewed ways to improve the three fundamental labor rights to promote the rights of vulnerable labor groups. In partnership with local governments, human rights organizations and civil society organizations in the region, the Commission worked to bolster the human rights protection system across the nation. The opening of a regional human rights office in Jeju helped facilitate prompt remedies and build partnership with the local communities. Also, in response to incidents of violence and sexual violence in the field of sports, which triggered a social outrage in early 2019, the Commission organized a special investigation team to analyze and resolve structural problems that lead to human rights violations in the sporting world.

Meanwhile, the Commission saw an urgent need to have the NHRCK Act amended in order to strengthen its independence. To this end, it organized and managed an advisory committee, and met with human rights organizations and civil society organizations to hear their views.

Chapter 3 | Basic Directions and Major Achievements in 2019

1. Basic Directions

To ensure a successful execution of the Human Rights Promotion Action Plan (2018-2020) in its second year, the Commission continued to advance the four strategic objectives, managed special programs and feature programs, and actively responded to key human rights issues in 2019. In line with its standing as a human rights institution trusted and supported by the public, it responded to various human rights issues in a timely and effective manner, worked as a quasi-international organization, expanded cooperation with domestic and international partners, and played a more important role in safeguarding and promoting human rights.

2. Major Achievements by Program

A. Four Strategic Objectives

1) Reinforcing Social Rights and Guaranteeing Life of Dignity

Protecting workers at risk of human rights violations

The Chairperson visited the Taean Power Plant where an irregular worker was found dead, and issued a statement. Following an investigation of the labor conditions facing workers in the coal-fired power generation sector, the Commission organized forums for discussions on ways to improve the conditions. The result was an institutional improvement proposal to eradicate outsourcing of risks, so that the rights of indirect labor can be protected. Efforts were made to improve the basic labor rights, to ensure that the life and safety of subcontracted workers who are exposed to poor work conditions can be protected. The Commission also worked to improve the right to health of people working in large-scale stores in the distribution sector, expressed opinion that more employment insurance be made available for workers in special employment types, and called for a safety net for platform workers and other new categories of vulnerable labor groups.

It appointed more experts to the Social Rights Committee to bolster its labor function and sought active responses to labor rights issues through meetings with the National Assembly and civil society organizations.

Guaranteeing the right to education without discrimination

To safeguard the right to discrimination-free education, the Commission investigated human rights violations that occur in schools in relation to violence. It also examined how schools handle cases of violence and developed an institutional improvement plan to protect the rights of students.

Reinforcing access to healthcare services for the socially vulnerable

The Commission recommended some institutional changes to prevent suicide among the elderly. A chairperson statement was issued with regards to a devoted husband killing his wife he had cared for for ten years. The statement called for more social support and a change in how the problem of care of the elderly by the elderly is perceived. The Commission investigated the human rights conditions faced by the aging leprosy population and proposed institutional improvements to counter discrimination and offer policy support.

Reinforcing the right to adequate housing for the housing poor

Through a policy forum on the implementation of recommendations made by the UN Special Rapporteur on the right to adequate housing, the Commission examined international standards and trends related to the right to adequate housing. It also expressed the opinion that the bill to amend the Special Act on Public Housing risks infringing upon the right of those who live in public rental housing, and recommended institutional improvements to the right of people living in non-dwelling facilities. Through these efforts, the Commission tried to advocate housing issues as matter of right and engaged with various human rights organizations, civil society organizations, and experts to develop policy changes.

Guaranteeing the right to life for those in absolute poverty

The Commission surveyed the condition of youths who live in poverty and promoted their rights. It translated the United Nations declaration on the rights of peasants and took part in forums and discussions to identify new human rights issues in this area.

2) Realizing Social Equality by Countering Discrimination

Combating gender discrimination, preventing sexual harassment and violence, and offering remedies

With respect to an appeal that the anti-abortion law is unconstitutional, the Commission submitted to the Constitutional Court the opinion that criminal punishment of women who undergo abortion is an infringement upon their basic rights.

The Commission recommended the Ministry of Culture, Sports, and Tourism to come up with measures to prevent sexual harassment and violence in culture and arts, and to enable victims to carry on artistic activities in a sustainable manner.

It surveyed the effectiveness of remedies against sexual harassment and made proposals on how victims can be helped to continue to work. Through a survey of sexual harassment and violence in colleges, it examined the effectiveness of remedies taken how related policies and institutional arrangements can be improved.

Promoting deinstitutionalization and improving mobility for persons with disabilities

The Commission recommended the Prime Minister to launch a deinstitutionalization task force involving the government and the private sector. The task force would develop a roadmap for deinstitutionalization of persons with disabilities, to include the directions and objectives of deinstitutionalization policies, way ahead and budget, provisions on deinstitutionalization procedures and on the right to independent living in the relevant laws and regulations, and establishment of a dedicated organization and department.

As part of the same effort, from September to November, the Commission toured seven regions across the nation to hold policy discussions with related human rights organizations and start a public debate on the matter. The personal stories shared by people with disabilities highlighted the significance of independent living within local communities, and fed discussions on the current environment and public perception.

The Commission also recommended major domestic online shopping platforms to improve their websites, as they fail to provide information for the visually impaired. These efforts contributed to increased information access for people with disabilities.

Protecting the rights of migrants and refugees

In celebration of the International Day for the Elimination of Racial Discrimination, the Commission made multi-fronted efforts to eradicate hatred and racial discrimination against migrants and refugees in the society, including a chairperson statement, meetings with relevant government ministries on how to implement the final opinions of the UN Committee on Elimination of Racial Discrimination, and a commissioned research on the current state of racial discrimination and legislation.

Amid deepening hatred and discrimination, and the emergence of migrants' human rights issues in all domains of living and social security, the Commission recommended the relevant organizations to develop the 2nd Guidelines on the Human Rights of Migrants based on the principle that establishment and implementation of state policies must be aligned with the UN Global Compact.

While closely monitoring government policies and media reporting, the Commission cooperated and established a network with related organizations and groups in Korea and abroad, raising its status in the field of migrant rights. Efforts include organization of a national migrant rights convention involving migrant rights organizations, experts, and migrants, a meeting of the United Nations Office of High Commissioner for Human Rights, and a session to brief the results of monitoring how humanitarian status holders are being treated.

Promoting human rights and the right to equality in the criminal justice system

Regarding the proposed abolition of the death penalty and establishment of alternative punishments, the Commission organized a review hearing with the International Commission against the Death Penalty (ICDP) and a meeting with the European Union Delegation to Korea to hear from experts, civil society groups, and international community on this issue.

Reinforcing preventive measures to protect the socially vulnerable

Efforts continued to promote the rights of the elderly, including recommending institutional improvements for the elderly in rural areas, recommending improvements to the national health insurance system to promote the right to health for the elderly and other vulnerable groups, issuing a chairperson statement on the need to change the way the problem of care of the elderly by the elderly is perceived, and participating in the Central Committee for Determination of Elder Abuse on preventing elder abuse and supporting victims.

As part of efforts to promote the medical treatment and the right to health of those who live in shelters for aliens and see how support can be extended to those without protection, the Commission conducted on-site visits to examine the implementation status of recommendations and improvements made on the ground. It also visited and inspected facilities that assist children aged 18 or more to live an independent life upon termination of institutionalized support. The Commission inspected the facilities and the environment, the human rights conditions and the support program they offer. Key takeaways will be used for making policy recommendations.

Meanwhile, the Commission made on-site inspections of nursing homes for persons with disabilities persons with disabilities and nursing homes for infants with disabilities. It monitored the operation of the human rights protection system and the human rights gatekeeper system in these facilities, to identify problems and make improvement recommendations.

3) Building Sustainable Human Rights Governance

Institutionalizing specialized human rights education

Recognizing the need for a national human rights education system that makes human rights education and training mandatory for the central and local governments in order to enhance awareness across the society, the Commission submitted additional comments on the fourth phase of the World Programme for Human Rights Education.

The Commission worked closely with municipal and local governments, the military, and school authorities to boost the functions of their respective human rights education councils. It also established the Council for Human Rights Education of the Press and the University Human Rights Center Council.

The Commission made improvement proposals based on key takeaways identified during monitoring of elementary, junior, and high school textbooks, and monitoring of human rights education conducted at each level of education. It also produced various human rights educational materials, books, and reference materials to enhance the professional quality of education.

Strengthening cooperation with local human rights institutions

The Commission carried out an increased number of activities to build an efficient and systematic network of cooperation with regional human rights organizations. It organized a meeting with the human rights committees of metropolitan city governments, a meeting with the human rights officials of the Seoul, Gyeonggi, and Incheon governments, and a workshop for human rights committee members from the local governments of the greater Seoul metropolitan area.

The Commission also organized the 2019 Human Rights Advocacy Conference involving representatives of local organizations, administration personnel, and activists who are engaged in promoting human rights in their region. Discussions were held on effective ways to address hate and discrimination and other key human rights issues, and experiences were shared regarding the role of human rights administration, human rights education for local government public officials, and key petitions.

Reinforcing cooperation with civil society groups

Partnership with human rights and civil society groups is essential for the Commission to enhance its standing, perform its mission, and ensure its independence. The Commission held semi-annual meetings with activists and experts from these organizations to hear and collect their views regarding the Commission's business and budgetary planning for the subsequent year. It also held separate meetings by areas of interest (women, persons with disabilities, migrants, and children) for more in-depth discussions on programs.

Cooperating with international human rights institutions and ensuring implementation of international human rights standards

At the annual meetings of the Global Alliance of National Human Rights Institutions (GANHRI)

and the Asia Pacific Forum of National Human Rights Institutions (APF), the Commission briefed its activities and led key human rights agenda.

The Commission hosted the 24th annual meeting and biennial conference of the Asia Pacific Forum. Fifteen years had passed since the Commission hosted the last meeting. The meetings helped build solidarity among members and raise the Commission's status within the APF. The Commission used this opportunity to have meetings with ambassadors and UN representatives in Korea on the issue of hate and discrimination, strengthen cooperation with international organizations and raise awareness both at home and abroad.

With a view to promoting international human rights standards in Korea, the Commission held a symposium with courts to discuss how international standards can be integrated in domestic trial norms. It also hosted a meeting with subject matter experts to discuss the International Convention for the Protection of All Persons from Enforced Disappearances and urge the state to become a party to the convention.

Meanwhile, the Commission chairs the GANHRI Working Group on Ageing meeting twice every year to brief the activities of the working group and those undertaken by human rights organizations in other countries. At the second meeting in the latter half of 2019, the Commission was re-selected to chair the group. In this capacity, it will remain dedicated to advancing the human rights agenda for the elderly in cooperation with international organizations, civil society groups, and national human rights organizations.

The Commission remained actively engaged in ensuring that international human rights standards are integrated and effectively implemented in Korea. It submitted an opinion regarding the response to the List of Issues Prior to Reporting (LoIPR) for the United Nations Human Rights Committee's consideration of the ROK government's fifth periodic report. It also submitted an opinion regarding the follow-up measures to the three topics (business and human rights, the Anti-Discrimination Law, and the right to form labor unions) identified in the concluding observations of the UN Committee on Economic, Social and Cultural Rights on the fourth periodic report of the Republic of Korea.

While actively responding to the consideration of the UN Committee on the Rights of the Child on Korea's fifth and sixth periodic report, the Commission also monitored the implementation of international norms in Korea. In this regard, a study was made for a policy proposal to support children become independent upon termination of institutional support.

4) Expanding and Diversifying Human Rights Initiatives

Responding to North Korea's human rights issues through multiple channels

The Commission issued a chairperson statement on the need for enhanced social safety net for North Korean defectors, expressed opinion regarding the proposed amendment to the Act on the Use and Provision of Social Security Benefits and Search for Eligible Beneficiaries, and conducted a study for policy to help defectors get past traumatic human rights experiences. It quickly responded to North Korean human rights issues by organizing meetings on North Korean women defectors, and with women and peace activists in the areas of North Korean human rights. In an effort to promote the rights of North Korean defectors, the working conditions of women defectors were monitored through a workplace survey, identifying what kind of discrimination and bullying women go through when looking for a job, working on the job, quitting or getting fired.

The Commission strengthened cooperation with the international community. It hosted the International Symposium on North Korean Human Rights twice and participated in the third Universal Periodic Review of the DPRK. It also conducted a survey of human rights infringements inflicted upon North Koreans who defected to a third country to find ways to protect them.

Promoting human rights in business management

The Commission hosted the Forum on Business and Human Rights with CEOs of public corporations to promote understanding of why human rights matter to business and institutionalize human rights in business management. Separate forums were organized for state and regional public corporations, respectively, to tailor the sessions to their specific needs for greater efficiency. The forums helped promote an understanding of why integrating human rights practices in business operation matters. The subsequent regional working-level meetings ensured that the corporations go beyond just a declaration and assess the human rights impacts on business and come up with specific remedial plans.

Protecting personal information rights in a changing era

The Commission worked promptly to protect and promote the right to information amid a fast changing IT environment. It expressed opinion on the proposed amendments to the Personal Information Protection Act and to the Protection of Communications Secrets Act, communicated

opinion on the Data Protection, etc., and issued a chairperson statement regarding the amendment of the three data laws.

It commissioned a study for an update to the Right to Information Report to reflect emerging issues and protect information rights in the era of the Fourth Industrial Revolution. It also strengthened cooperation with civil society organizations through regular meetings with major information-related organizations.

Reinforcing the rights to life and safety, environment, and culture

The Commission translated the “General comment no. 21: Right of everyone to take part in cultural life” and examined possible institutional changes to protect the rights of those exposed to disaster risks. As part of efforts to identify new policy agenda amid changing environments, it also hosted meetings with subject matter experts on issues emerging as a result of advances in biotechnology, including genetic modification and human embryo research.

Promoting respect of human rights in the military

The Commission organized the Forum on Military and Human Rights to strengthen its policy function with respect to the military. It recommended military authorities to improve the way guardhouses are operated, given that the practice of arrest without warrant has frequently violated the freedom of action. It also issued statements and opinions regarding the proposed alternative service system, which carries sensitive human rights implications. In order to protect the rights of women, the Commission organized meetings with subject matter experts, monitored women’s training facilities, and notified the results to the relevant institutions.

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

The Commission chose “Actively Responding to the Spread of Hate Speech” as the special program of the 5th phase of the Human Rights Promotion Action Plan (2018-2020). The Task Force to Combat Hatred and Discrimination was launched in January, headed by the director of the Discrimination Remedy Bureau. To take a more systematic approach, it also organized the Special Committee to Respond to Hatred and Discrimination, which comprises 25 members from human rights organizations, civil society groups, religion, academia, and the legal profession for appropriate representation of expertise and experience.

The Commission analyzed current problems and phenomena using a survey of individuals’ experience with hate crime, discrimination, and use of hate speech. Using the results of the survey, it developed three key strategies, which are 1) starting a public dialogue and raising awareness about hate speech, 2) promoting a response at all levels of government, and 3) establishing and promoting implementation of self-regulatory standards.

The Commission published a Hate Speech Report to clarify the concept of hate speech, ensure better understanding of how hate and discrimination relate to each other, and present possible countermeasures and other key issues. It encouraged a public dialogue through campaigns, discussions, and meetings, as well as distribution of various educational, promotional contents. Efforts were also made to facilitate actions in the media and education, develop guidelines, and express opinion to prevent and respond to hate speech in politics and other public domain.

C. Feature Program: Capacity-Building

Monitoring recommendation implementation and improving petition processing

To ensure effectiveness of recommendations, the Commission monitors how recommendations are being implemented on a semiannual basis. For recommendations that are not accepted, it announces in the media space why certain recommendations were made and why they were not accepted by the petitioned institutions. In 2019, ten cases were announced in the media, including the recommendation made to the Ministry of Health and Welfare regarding the use of bio sensors to manage overtime pay, and the one made to the Ministry of Justice for disciplinary actions to be taken on those responsible for the death of a migrant worker during crackdown.

Meanwhile, the Commission made online upgrades to make it easier for petitioners to check the status of their petition, reorganized the classification of existing cases for improved user access, and developed an e-petition system for faster and more efficient processing of petitions.

Efforts were made to help investigators better perform their job, including an update to the Human Rights Violations Inspection Manual, which now includes all referenced cases, and laws and regulations that were reviewed during investigations.

Revision of the NHRCK Act for greater independence of the Commission

The Commission established an advisory committee to reinforce its independence in terms of organization, personnel, and budget, to ensure independent and transparent appointment of commissioners, and to give it more authority in terms of working with the private sector and civil society groups. The committee reviewed a revision of the NHRCK Act on four separate occasions.

Preliminary study of discrimination criteria

To ensure a more efficient response to discrimination cases, which continue to grow in both variety and complexity, the Commission commissioned a study of discrimination criteria using precedents over ten years from 2009 to 2018.

The study reviewed not only those cases that resulted in a recommendation or opinion, but also 3,500 cases that were dismissed because they did not fall into the Commission's scope of business or were not deemed to be unjustifiable discrimination. The study analyzed the Commission's rationale or criteria in determining what constitutes discrimination. Using the results of this study and following a review and analysis of antidiscrimination legislation and examples of other countries, the Commission will establish criteria for assessing discrimination.

Human rights competence-building programs for the staff

The Commission upgraded its staff education and training program to be more systematic and constructive. Staff education and training, which had been managed at each department level, were integrated and reorganized by target audience and job.

To strengthen the Commission's expertise in key human rights domains, specific topics were

identified and developed, including international human rights mechanism, labor rights, and gender. The capacity-building program for new employees and the leadership development program were tailored to the specific needs of participants.

The Commission offered classes to enhance the human rights sensitivity of the staff and offer a chance to discuss its organizational culture. The organizational structure was improved to allow work and education to go together. These efforts include specialized schools like the investigator school and human rights policy school, which help develop professionalism and expertise, as well as specialized training for each function.

D. Response to Key Human Rights Issues

Launching of a Special Investigation Team to promote human rights in sports

In early 2019, the general public was greatly shocked to learn about the violence and sexual violence inflicted upon sports athletes, and this led to increased public interest in the protection of human rights in sports. Through an emergency chairperson statement issued on January 22, the Commission called for a special investigation to eradicate all forms of violence in sports. On February 25, a special task force was launched comprising Commission staff and personnel dispatched from the Ministry of Education, Ministry of Ministry of Culture, Sports, and Tourism, and Ministry of Gender Equality & Family. The task force is charged with consulting victims, investigating petitions, monitoring actual conditions on the field, and offering support to victims.

The Commission closely investigated the individual cases and those who are involved in the cases. It examined athlete training camps, which have reportedly been blind spots in human rights, and surveyed every student athletes in elementary, middle, high schools and colleges. Monitoring activities during key national sporting events—the national sports festival, national sports festival for people with disabilities, and national junior sports festival—had preventative effects. The Sports Human Rights Declaration campaign (www.savethesports.org) helped garner public support for the protection and promotion of human rights in sports, and induce voluntary efforts by the sports community.

Actively addressing human rights issues in labor

To hear the voice of workers who are in marginal situations and find ways to improve their rights, the Commission visited a former Samsung worker who has been striking atop a steel tower in Gangnam station and helped file an emergency relief request on site. With a view to strengthening the social safety net for workers in vulnerable employment conditions, it recommended policy improvements to promote the right to health of those working in large-scale distribution stores, expressed an opinion that calls for employment insurance tailored to the needs of workers in special employment types, and investigated the human rights conditions facing platform laborers. It appointed more experts to the Social Rights Committee to bolster its labor function and sought active responses to labor rights issues through meetings with the National Assembly and civil society organizations.

Recommending stronger measures to prevent suicide among the elderly

The suicide of an older person with dementia, one of an older person with a chronic ailment, and the suicide of a mother and her three daughters in Seongbuk-gu District highlighted the fact that suicide among the elderly is not just a personal problem, but a social problem attributable to a gap in the social security system. Thus, the Commission recommended institutional improvements to promote the mental health of the elderly and increase prevention of suicide among older persons.

Ex officio investigation on death of a girl who had reported her stepfather for sexual violence

Following an *ex officio* investigation into the death of a girl who had reported her stepfather to the police for raping her, the Commission recommended the chief of the National Police Agency to modify its operational procedures to ensure a more effective victim protection mechanism.

It also recommended the Minister of Health and Welfare to ensure better information sharing between child protection centers and the police on cases of child abuse, as a lack of proper information sharing may lead to serious gaps in the protection of abused children. It recommended the Minister of Justice to revise the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes, as child abuse offenders who are not a child's guardian risk abusing the child again, in ways similar to those seen among guardians, so the same level of provisional actions against guardians should also apply to these offenders.

Protecting the rights of married immigrant women

The Commission welcomed a Supreme Court ruling that allows a migrant woman who was at risk of forcible removal after she got a divorce due to the other side's fault to remain in Korea.

Videos of the immigrant woman from Vietnam being domestically beaten by her Korean husband spread through Facebook and other SNS sites. Several media reports quoted a survey that the Commission had in 2017 to help married immigrant women stay in Korea. The survey included questions on married immigrant women's experiences of domestic violence.

Married immigrant women have entered into Korea to maintain their marriage and family life. They become highly dependent upon their Korean husband for help and support. In this regard, the Commission established 13 key tasks in the 2nd Guidelines on the Human Rights of Migrants to guarantee the rights of married immigrant women through stable sojourn and to ensure that the government's migrant policy are reflective of gender perspectives.

Opinions expressed regarding legislative proposals that risk limiting the rights of the mentally handicapped

Amid rising negative perception of mentally handicapped persons following the death of a psychiatrist in early 2019, a series of legislative bills including the proposed revisions to the Mental Health and Welfare Act and to the Security Services Industry Act were introduced to the National Assembly. The bills propose limitations to the rights of mentally handicapped persons for the sake of social security. In an effort to prevent the spread of prejudice and discriminatory attitudes towards the mentally handicapped and seek a more fundamental solution to the problem, the Commission on four separate occasions expressed its opinion on why and how these proposals can be problematic.

Chapter 4 | Assessment and Challenges

In response to a rapid spread of hatred and discrimination in the society, the Commission launched a planning group to start a public dialogue on this issue, organize promotional and educational activities for awareness, and establish self-imposed control criteria. This effort is aimed at fostering a society where every person is equally respected.

The newly formed Special Investigation Team for Human Rights in Sports investigated several petitions, conducted the first-ever survey of all student athletes in elementary schools, junior high schools, high schools, and colleges to identify structural issues that have contributed to human rights violations in sports, and investigated school training camps. The findings were used to develop an institutional improvement proposal. Based on the positive outcome, the team will continue to operate for another year until February 2021.

The establishment of the Jeju Regional Human Rights Office helped the Commission reach out to residents of Jeju for prompt remedial assistance.

The Commission looked into possible institutional changes to resolve polarization and labor issues. New policy tasks and agenda were identified from blind spots of human rights coverage, including the right to adequate housing for those living in poverty. It also engaged in various activities with local human rights organizations and civil society groups to put in place a nationwide system for human rights guarantee.

The Commission helped build social consensus for human rights in business management, starting with public organizations. Based on the outcome, the effort will be extended to private businesses. Also, in line with the environmental changes brought by the Fourth Industrial Revolution, the Commission examined how the right to information can be protected. Given the rapid pace of technological changes, it will take a more aggressive and systematic approach.

In 2019, the Commission was elected as the Asia Pacific representative on the GANHRI Bureau. In the new position, the Commission will have an opportunity to build its competence in the international human rights community. Re-elected as the chair of the GANHRI Working Group on Ageing in the second half of 2019, the Commission will continue to lead the agenda on human rights for older persons.

The Commission organized symposiums and other meetings to facilitate the domestic application of international human rights standards and urged the government to join international human rights conventions to which it is not yet a party and to withdraw reservations

In 2019, the Commission made 27 policy recommendations in relation to the political freedom of public officials and teachers, the labor rights of indirectly hired workers and those working in large-scale stores, the human rights of children of prisoners, the right to childcare for migrant children, and prevention of sexual harassment and sexual violence in culture and the arts. This number is similar to that of the previous year (28 policy recommendations).

The Commission issued 74 opinions, up 42 (131%) from the previous year. The increase can be attributed to an active response undertaken on a number of pending human rights cases related to proposed amendments to the Military Service Act, Act on the Performance of Duties by Police Officers, Immigration Act, Protection of Communications Secrets Act, Personal Information Protection Act, and the Mental Health and Welfare Act, as well as those related to labor, migrants, refugees, children, persons with disabilities, and older persons.

The Commission submitted two opinions, one to the Supreme Court in relation to the damage claim filed by the state against the labor union of Ssangyong Motor, and the other to the Constitutional Court regarding a constitutional appeal on illegal abortion. This is one case less compared to the previous year, indicating a need for more active engagement with the courts and the Constitutional Court on issues that have significant impacts on the safeguard and promotion of human rights.

In 2019, more petitions were filed with the Commission compared to the previous year (9,737 filed in 2019), but there were less petitions processed (9,136) and remedied (1,044). However, there were 30 more policy recommendations and opinions expressed in response to petitions filed. The operation of a team dedicated to preliminary investigation, which was established in August 2018 within the Human Rights Counseling and Mediation Center, helped reduce the workload on individual investigators, allowing them to concentrate more on investigating and identifying human rights agenda.

In addition to investigating petitions, the Commission also relied on *ex officio* investigations and emergency reliefs for pending issues. Based on the results of investigations, it made some meaningful recommendations to improve practices not in line with the safeguard of human rights,

and to protect and promote the rights of social minorities.

In the area of criminal justice, the Commission expressed an opinion regarding the forcible enforcement of the ruling that victims of the Committee for the Rebuilding of the People's Revolutionary Party incident should return a portion of state compensation money. Concluding that the state imposing economic pain on victims of state violence is not indicative of a state that regrets its past wrongdoings, the Commission expressed an opinion to the President that effective remedies should be examined. Regarding the court-appointed counsel program that the Ministry of Justice is trying to introduce, the Commission expressed the opinion that, in order to guarantee defendants the universal right to defense, it would be desirable to apply the program to all arrested defendants, and to all minors and social minorities, regardless of whether they are arrested or not.

In the area of migrant rights, the Commission conducted an *ex officio* investigation into the death of a migrant worker during crackdown, an incident that occurred at the end of 2018. It recommended the Ministry of Justice to issue disciplinary actions against those who are held accountable for the incident and to develop a plan to prevent a recurrence of similar incidents in the future.

In the area of children's rights, the Commission examined the methods and procedures with which schools are handling school violence to understand human rights violations that occur in that process and institutional improvements that are necessary to prevent them, and to promote the right to education without discrimination.

As a preventative measure, the Commission also conducted on-site inspections of institutional care facilities where children over the age of 18 move out to live on their own. It also expressed opinion, monitored, and actively responded to the consideration by the United Nations Committee on the Rights of the Child of the fifth and sixth periodic report of the Republic of Korea.

The Commission also had in-depth discussions and reviews of various other issues such as human rights violations in correctional facilities, personal information rights, and bullying in the workplace, contributing to protecting the rights of social minorities and victims.

As the overarching organization charged with redressing discrimination, the Commission took several remedial decisions on discrimination cases. With forms of employment becoming more diverse, it addressed discrimination in wages and other treatments based on different employment status and types of occupation. It also confirmed that denying a person access to goods or services

on the grounds of age, religion, medical history, or race, or unfavorably treating those taking maternity or paternity leave constitute an act of discrimination.

Regarding discrimination against persons with disabilities, the Commission made some meaningful recommendations and expressed opinions on key human rights issues by types of disabilities, including recommendations for provision of emergency relief for persons with disabilities who have reached the age of 65 to continue to receive living assistance services. It also expressed and submitted opinions regarding the proposed amendments to the laws related to mental disability, to prevent a further spread of social prejudice and discrimination against persons with mental disabilities.

Regarding gender discrimination, the Commission focused on discriminatory practices that have persisted due to fixed ideas about gender roles. It made it clear that sexual harassment not only gives sexual humiliation to victims, but also have serious consequences in work and unemployment. Based on a review of illegal abortion from a human rights perspective, the Commission submitted an opinion to the Constitutional Court and contributed to the ruling that finds the abortion ban unconstitutional.

Meanwhile, with an increasing number of decisions issued by the Commission regarding discrimination cases, it became necessary to establish an assessment criteria for discrimination to improve accuracy and consistency of decisions. The Commission carried out a study to analyze existing discrimination-related precedents. It will take the next step based on the results of the study.

Regarding discrimination against persons with disabilities, the Commission found that sustained individual remedial efforts have not done much to change public perception about persons with disabilities, so this area needs continuous improvement efforts.

The Commission has operated the Gender Discrimination Correction Team from July 2018, but the provisional team has limited capacity to swiftly handle an increasing number cases of gender discrimination, sexual harassment, and gender issues. Thus, there is a need to provide the team with greater authority and resources to reinforce its function of countering gender discrimination.



02 | Key Activities

Chapter 1 Improvement of Human Rights-related Statutes, Institutions, Policies, and Practices

Chapter 2 Investigations and Remedies of Human Rights Violations and Discrimination

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

02

Key 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 situations and efforts to enhance rights protections 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 domestic implementation of international

human rights standards ; 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	877	390	458	29
2018	103	27	74	2
2017	63	28	32	3
2016	64	30	33	1
2015	72	44	26	2
2014	36	12	23	1

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

In 2019, the number of policy recommendations made by the Commission remained at levels similar to the previous year. However, the number of opinions expressed more than doubled to total 74, an indication that the Commission was actively involved in finding institutional solutions to various human rights issues.

The increase by 40 or more in opinions expressed over the previous year is reflective of the efforts made by the Commission to identify areas for improvement in policies and practices. It also made policy recommendations and expressed opinions following *ex officio* investigations and on-site investigations.

2. Key Policy Recommendations

A. Recommendation to Improve the Joint and Several Liability of Health Insurance Payment Imposed on Minors

On February 14, the Commission recommended the Minister of Health and Welfare to revisit the health insurance system and exclude minors covered by community insurance from the joint and several liability of payment of insurance.

All local subscribers who are part of a household have joint and several liability of payment of insurance, and this obligation also applies to minors. The recommendation was triggered by multiple petitions being filed with the Commission regarding the liability minors face, including the case in which the National Health Insurance Service sent a reminder to an eight-year old child who lives in a child welfare facility to pay for the parents' health insurance arrears.

Under the Constitution and the Convention on the Rights of the Child, minors are eligible for state protection through the social security program. And because minors in general don't have economic ability, it should be assumed that minors are unable to pay for health insurance. As a matter of fact, in most cases, the amount of health insurance arrears to be borne by minors are small, and there is no effectiveness in collecting insurance from minors as they have no economic ability, and the National Health Insurance Service actually makes an exemption for such payments by writing them off. The health insurance liability does more than add economic burden on minors. Because insurance arrears negatively impacts credit and financial ability evaluation, they can negatively affect a minor's life in terms of scholarship, student loans, and employment.

The Commission concluded that minors covered by community health insurance are not obligated to make insurance payment and institutional improvements should be made to exempt them from the joint and several liability of health insurance payment.

The Ministry of Health and Welfare replied that it cannot not accept the recommendation, stating that exempting minors who have joined the community health insurance scheme from the joint and several liability would lead to a rise in moral hazard.

B. Recommendation for Political Freedom of Public Officials and Teachers

On February 25, the Commission expressed an opinion to the Chairman of the National Assembly on the need to amend the State Public Officials Act and other relevant laws so that the basic political rights of public officials and teachers as citizens can be guaranteed as long as they don't harm the political neutrality requirement in the workplace. It also recommended the Minister of Personnel Management, Minister of the Interior and Safety, Minister of Education, and the chairperson of the National Election Commission to amend the provisions in the relevant laws and regulations, and the lower statutes to the effect that they don't excessively limit the political freedom that public officials and teachers have as citizens.

Public officials and teachers are officers with a public duty, but they are also citizens with basic rights and the freedom of expression.

With respect to public sector employees and the freedom of political communication, the United States and some OECD nations except Japan broadly allow public officials to engage in political activities. Even if someone in his or her capacity as a public official makes a political expression, the general view is that restricting political communication by public officials is a matter that must be dealt with with great prudence.

In Korea, political expressions by public officials are rigorously and extensively regulated. Even political expressions made by a person in his or her capacity as a citizen, and not as a public official, irrespective of his or her job, are restricted.

Considering the International Covenant on Civil and Political Rights and ruling by the Constitutional Court, the scope and degree of restriction should be determined based on the correlation with the principle of political neutrality, and limitations on freedom of expression should be applied with a very high degree of clarity and the principle of proportionality should be complied with in a strict sense.

Nevertheless, the current State Public Officials Act and its provisions, which limit personal and collective political communication, can be problematic in that they violate the non-delegation doctrine and the principle of proportionality with regards to the individual freedom of political expression, and violate the purpose specification principle and the principle of proportionality with regards to collective freedom of expression.

Also, no OECD countries other than Korea completely ban government servants from joining political parties. Restriction of political donations by a legal order without a parent law is a violation of the principle of statutory reservation. As to the freedom of election campaigns by public officials, it is too excessive to prohibit them from campaigning for an election in his or her capacity as a citizen regardless of his or her duty. For these reasons, the Commission made recommendations and expressed opinion calling for legislative amendments to guarantee the political freedom of public officials and teachers.

The petitioned organizations did not accept the recommendations, citing the need for constitutional review, public consensus, and public agreement; even the Constitutional Court has ruled that restriction of public officials from joining a political party is constitutional; and this issue must be resolved through legislative and public policy channels by collecting views in the National Assembly.

C. Policy Recommendation to Protect the Rights of Children of Imprisoned Parents

The Commission recommended the chief of the National Police Agency on March 14 to revise the Criminal Investigation Rules and other related regulations to ensure that the rights of children who are at the scene when the parent is arrested or imprisoned are not violated, to establish procedures for early detection of children who are in need of protection, to establish and disseminate guidelines that specify measures that should and should not be taken to serve the best interest of children of arrested parents, and to promote the guidelines on a regular basis.

It recommended the Chief Justice of the Supreme Court to ensure that investigators check if a defendant who is likely to be sent to jail has any children who need to be cared for. To guarantee the rights of children to meet their imprisoned parents, it recommended the Minister of Justice to install children-friendly reception rooms in all correctional facilities, establish a friendly setting for family visits in the eyes of children, and provide a legal basis for incarcerated persons to check how their minor children are doing on a regular basis and in a systematic way.

The National Police Agency accepted the recommendation to incorporate considerations for children of arrested parents into relevant regulations, and to take appropriate actions to transfer these children to related institutions or public officials. The Supreme Court accepted the

recommendation to increase the investigation workforce, and the Ministry of Justice announced plans to establish children-friendly reception rooms.

D. Institutional Improvement Recommendation to Promote the Rights of Rural Seniors

On April 11, the Commission recommended institutional improvements to the Minister of Health and Welfare and the Minister of Agriculture, Food and Rural Affairs to promote the rights of seniors living in rural areas.

In contrast with urban areas, rural areas have a larger administrative district but a lower population density, but most life support facilities and welfare facilities are concentrated in the cities. Such a phenomenon has caused a rapid hollowing-out of rural areas and made a vibrant economic and cultural life difficult for the rural elderly.

The Commission found it necessary to provide a legal basis to make more tailored welfare services available for senior community centers in rural areas, starting with those that enjoy good accessibility and demand. Also, blind spots in welfare services must be removed through narrowing regional gaps in what senior community welfare centers have to offer.

Rural seniors can benefit from home improvement programs and shared housing, which help seniors stay healthy during the hot or cold seasons. To prevent violation of privacy in shared homes and make sure that these homes do not fall below the minimum standard for housing, the Commission found it necessary to provide a legal basis for shared housing for seniors to be operated in a human rights-friendly way.

Because the rural elderly don't have the opportunity to learn about human rights, life support, or safety, they can easily become targets of human rights violations. This is why the Commission found it necessary to educate rural seniors in a way that is best for their needs and to update the Basic Plan on Low Fertility and Aging Society accordingly.

Finally, assistance must be extended to female seniors in rural areas as they remain subjected to a patriarchal culture and the duty to care for an ailing husband or parent. To address this issue, the Commission found it necessary to reflect gender perspectives in the Basic Plan on Low Fertility and Aging Society, including a separate plan to promote the rights of the female elderly in rural areas.

The Ministry of Health and Welfare and the Minister of Agriculture, Food and Rural Affairs both accepted the recommendations.

E. Institutional Improvement Recommendation to Guarantee the Right to Childcare for Migrant Children

With a view to guaranteeing the rights of every child residing in Korea, the Commission on May 2 recommended the Minister of Health and Welfare to adopt in the Child Care Act the provisions on the duties of the state and local governments in the Convention on the Rights of the Child, to amend Article 34 of the Child Care Act and other relevant statutes to guarantee all infants, including migrant children, the right to childcare, and to revisit the Guide to Childcare Programs.

The continuously growing population of migrants has evoked attention to childcare service support for migrant children and their right to education. However, migrant children have so far been excluded and discriminated against on the ground that they don't have Korean nationality.

The overall amendment to the Child Care Act in 2013 expanded the scope of child care subsidy from children of low-income households, children with disabilities, and children from multicultural families to every preschool children who have not yet attained the age of six. As a result, every household with a child who is less than six years old has become eligible for the subsidy regardless of income. However, migrant children have been excluded from this benefit as beneficiaries must be a Korean national with a resident registration number. Migrant parents who cannot afford to send their child to preschool leave the child alone at home while they are at work or take them to their workplace where conditions are usually poor at the risk of their child's safety and health.

The Commission is continuously working with the Ministry of Health and Welfare to ensure that the recommendation is implemented, in line with the emphasis that "States parties are obliged to ensure that migrant children, irrespective of their migration status, have complete access to all levels of education, including preschool" in the Joint General Comment on the Human Rights of Children in the Context of International Migration by the Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

F. Institutional Improvement Recommendation to the Juvenile Classification Review Center

Based on the findings of an on-site investigation of the Juvenile Classification Review Center in 2018, the Commission recommended the Minister of Justice on June 26 to separate youth detention centers from the Juvenile Classification Review Center, so that the latter can concentrate on its classification review function and improve the environment of facilities where young offenders are held in custody.

It also recommended plans be made to enlarge and modernize the facilities of the Juvenile Classification Review Center and to make use of idle space to resolve overcrowding, and to make guidelines and manuals to help delinquents who need special care while in custody, including those who are in need of close supervision, pose a threat to society, are pregnant, foreign, young children, sexual minority, mentally challenged or with a psychiatric disorder.

The juvenile classification review is an institutional arrangement designed to find the most fitting treatment for young offenders based on their individual characteristics. Through classification review, a juvenile court examines the family, school, and social environment to which a juvenile is exposed, as well as his/her individual personality, ability, desire, and behavioral characteristics. In 2018, the Commission conducted an on-site visit of seven juvenile classification review centers in the nation to inspect the general environment and see how youths are being treated from a human rights perspective.

The Commission also recommended establishment of disciplinary procedures, including disciplinary action criteria and appeal procedures, codification of the duty of explanation, an upgrade to classification review counseling for more accurate diagnosis and treatment of juvenile delinquents, and an increase in personnel to implement the proposed improvement plan.

The Commission also recommended that all juvenile classification review centers adopt the same physical examination criteria and methods designed to minimize humiliation and feeling of insult be adopted in, and that the relevant statutes be revised with regards custody extension, so that the reasons and period of extension, as well as related appeal procedures be specified.

The Ministry of Justice replied that six living quarters at the center in Seoul were expanded, and it would accept some of the Commission's recommendations. It announced a plan to open a new center in the Northern Gyeonggi area and establish guidelines for those with special care needs, such as young children, those who are pregnant, foreigner, or sexual minority, by 2020.

G. Recommendation to redress human rights violations caused by notice of non-recognition of refugee status provided without translation

On August 8, the Commission recommended the Minister of Justice to revise the regulations pertaining to notice of non-recognition of refugee status so that it can be issued in a language that is understandable to refugee status applicants, as this is an essential guarantee of applicants' procedural rights.

As of April 2018, out of a total of 484 Yemeni asylum seekers, 467 were denied refugee status. A petition was filed with the Commission that failure to provide notices of non-recognition of refugee status in the Arabic language that Yemenis can understand is an infringement upon the right to know of Yemeni asylum seekers.

Following an investigation, the petition was dismissed because the damages could not be characterized and it was found that the Ministry of Justice did not violate the procedural rights of asylum seekers. However, revision of the relevant regulations was deemed necessary because, under the Refugee Act, notices of non-recognition of refugee status are intended to ensure refugee status applicants easy access to remedial procedures such as appeal and litigation.

In a previous opinion regarding the proposed amendment to the Refugee Act, which was passed on February 14, specifically in relation to paragraph 2 of Article 45-2, which provides that interpretation can be provided when issuing notices of non-recognition of refugee status, the Commission had recommended that the notice be issued as a "translated" document, and not with a one-time "interpretation" that can be controversial in terms of accuracy, so that refugee status applicants be made sufficiently aware of and be guaranteed their procedural rights.

The Ministry of Justice accepted part of the Commission's recommendations and replied that the notices of non-recognition of refugee status would be made available in the languages of countries with a large number of applications (Arabic, Russian, Chinese, and French) and that some other languages could be considered in the future. However, it was also of the position that the provision of translation, and not interpretation, of the "specific reasons for non-recognition" in languages that applicants can understand should be cautiously reviewed considering the legal basis, budgetary requirement, and the fact that applicants come from more than 50 countries.

H. Recommendation of the 2nd Guidelines on the Human Rights of Migrants

The Commission crafted the 2nd Guidelines on the Human Rights of Migrants to help the government set the directions for migrant policies from a human rights perspective. On August 19, it recommended the Office for Government Policy Coordination, Ministry of Justice, and 30 other relevant ministries to reflect the top ten guidelines and 110 key tasks in their relevant policies.

The migrant population in Korea, which surpassed the one million mark in 2007, has continued to rise, reaching 2,481,000 in October 2019. Over time, the government has made efforts on multiple fronts, establishing national plans and legislation in support of migrant policies and installing migrant counseling and support organizations nationwide. These efforts, however, have fallen short of effective protection and promotion of migrant rights, as indicated by the petitions filed with the Commission, surveys of migrant human rights conditions, and counseling with migrant organizations.

I. Institutional Improvement Recommendation for the Right of the Visually Impaired to Access Information on Online Shopping Malls

The Commission investigated petitions regarding lack of accessibility to websites and mobile applications for the visually impaired. Based on the findings, it recommended ten petitioned Internet shopping sites to take corrective actions. On December 19, it also recommended the Minister of Health and Welfare to revise the Enforcement Decree of the Anti-Discrimination against and Remedies for Persons with Disabilities Act as it fails to specify a timeline for mobile applications to fulfill accessibility obligation.

Paragraph 1 of Article 21 of the Anti-Discrimination against and Remedies for Persons with Disabilities Act provides for equitable provision of convenience in information and communications, and subparagraph 1, paragraph 2 of Article 14 of the related Enforcement Decree states that anyone, regardless of physical or technical conditions, should be able to utilize services wanted on websites. However, the provision of the Enforcement Decree only states accessibility to “websites,” and as such, fails to properly reflect the latest changes in the mobile environment.

Recently, users are increasingly relying on mobile devices to access websites. Website operators, including those offering online shopping services, enable users to access their website through

an application that is optimized for the mobile environment. While mobile accessibility for the visually impaired is increasingly important, the relevant laws do not properly reflect the latest developments.

The recommendation is expected to enable greater accessibility for the visually impaired in the Internet environment as a whole.

J. Institutional Improvement Recommendation to Promote the Mental Health of the Elderly and Prevent Suicide

On December 26, the Commission recommended the Minister of Health and Welfare to establish and enforce measures that enable early identification of suicide risks among the elderly, including shortening the depression examination cycle, offering mental health programs tailored to the needs of the elderly, and introducing visiting services.

The rate of suicide among the elderly population is higher than other population groups in Korea. For a long period of time, the rate has been the highest in the OECD area, at 58.6 persons per every 100,000 in 2019, compared to the OECD average of 18.8. The rate of suicide increases with age, standing at 70.0 in people aged 80 years or older.

Against this backdrop, the government enforced a Suicide Prevention Plan, which is updated every five years. In 2018, a pan-governmental National Action Plan for Suicide Prevention was formulated and a Suicide Prevention Policy Department was established in the Ministry of Health and Welfare. Also, the legislation of the Act for the Prevention of Suicide and the Creation of Culture of Respect for Life of 2011 opened the way for the establishment and operation of suicide prevention centers. In 2019, the Suicide Prevention Policy Committee was newly established to facilitate government-wide policy coordination.

Despite the various measures taken by the government, Korea remains the country with the highest suicide rate in the world. To make matters worse, the rate of elderly suicide is not only very high, but the rate increases further with age. Thus, this situation warrants urgent and more effective actions tailored to the needs of the elderly.

The Commission concluded that the state and local governments should faithfully fulfill their obligation of active engagement and active rescue of those at risk of suicide through public policies

and specific plans to prevent elderly suicide, including mental health programs and visiting health services targeting senior citizens.

K. Institutional Improvement Recommendation for the Rights of People Living in Non-Dwelling Facilities

On December 31, the Commission recommended the Minister of Land, Infrastructure and Transport to take the following actions with a view to promoting the rights of people who live in poor housing conditions: to specify the target year and develop an implementation plan to increase housing supply under the Guidelines on Housing Support for People in Vulnerable Housing Situations; to change the surface area and facility criteria in the minimum living standards in line with changing household composition, living conditions, and international standards, and to make for more specific and measurable structural, performance, and environmental criteria; to set the minimum surface area and facility criteria for *gosiwon* (low-cost, cramped single-room type accommodation) to meet proper living conditions and to have those that fail to meet the new standards come up with improvement plans.

The human rights of people exposed to poor living conditions have emerged as a social issue, with petitions filed with the Commission demanding support to redress the situation. The petitions were triggered by several incidents, including the deaths and injuries resulting from a fire in a *gosiwon* and the threats to life and health facing residents of *jjokbang* (rooms smaller than 2 square meters that don't require a deposit to stay in) in times of heat waves in the summer.

According to the Census Bureau, the number of households living in non-residential facilities such as hotel/motel rooms, shacks, greenhouse, or *gosiwon* increased rapidly, from 54,000 in 2005 to 360,000 in 2015. Some residential facilities such as semi-basement homes, basement homes, and rooftop rooms are also in poor conditions. The number of households residing in a facility that is below the minimum living standard (announced by the Ministry of Land, Infrastructure and Transport) was 1.11 million in 2018. The UN Committee on Economic, Social and Cultural Rights and the United Nations Special Rapporteur on Adequate Housing expressed concerns about the poor living conditions of these facilities and recommended the government to improve the situation.

The Commission viewed that inadequate housing is, by itself, a violation of the right to live in dignity, right to health, right to life, and freedom and right to privacy due to tiny spaces, dilapidated building, abhorrent living and hygiene conditions. Based on the results of surveys conducted in 2018, it made institutional improvement recommendations to promote the rights of those living in non-dwelling housing.

3. Key Opinions Expressed

A. Opinion Regarding Proposed Amendments to the Military Service Act and the Proposed Law on Transfer and Service of Alternative Service Personnel in Relation to the Introduction of Alternative Service

On January 31, the Commission expressed an opinion to the Minister of National Defense and the Minister of Justice regarding the proposed amendments to the Military Service Act and the proposed law on the transfer and service of alternative service personnel (pre-announced by the Ministry of National Defense) that some key provisions—reason for and period of applying for alternative service, the review body, location and form of alternative service, and service period—be revised in line with international human rights standards and the relevant rulings by the Constitutional Court and the Supreme Court. The proposed bill provides that application for alternative service be made no later than five days prior to enlistment or muster, limiting applications from active duty personnel, reserves, and recruits. It also expressed concerns that having a review body under the Ministry of National Defense risks affecting its independence and the fairness, objectivity, and transparency of examination. Also, the bill provides that alternative service personnel work and stay in correctional facilities, or public facilities as determined by presidential decree, for 36 months to ensure equity with military service and the intensity of civilian service. However, it fails to provide for pardon, reinstatement, or clearance of records for those who were sentenced for conscientious objection.

The Commission concluded that, in line with international human rights standards, there should be no restriction in the alternative service application period so that every conscientious objector with a certain religious faith or belief in non-violence and peace can apply for alternative civilian service anytime no matter when they gained such faith or belief. It also advised that the alternative

service review body be established separately from the Ministry of National Defense and the Military Manpower Administration, and that its members be appointed by consultation between the chairperson of the Commission and the Minister of National Defense, and also that the reexamination body should be separate from the review committee.

The Commission found it necessary to include social welfare and safety management facilities as potential service locations based on the idea and intent of conscientious objection, and to align forms of services with the needs of services performed. Considering the level of difficulty and the forms of service, the term of alternative service should be readjusted to active duty levels following an intermediary assessment of the effects and side effects of the alternative service system.

For convicted conscientious objectors, the Commission expressed the opinion to the Defense Minister that, considering a Supreme Court ruling that conscientious objectors are not guilty, legal provisions should be made on pardon, reinstatement, and clearance of criminal records.

B. Opinion Regarding the Proposed Report of Korea as a State Party to the United Nations Convention on the Rights of Persons with Disabilities

On February 25, the Commission expressed an opinion regarding the second and third state report (draft) of Korea (Ministry of Health and Welfare being the primary ministry responsible) as a state party to the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

In recommending improvements to the state report, the Commission expressed the view that it is difficult to understand how well the country is implementing or complying with the list of issues published by the United Nations Committee on the Rights of Persons with Disabilities as the plans listed in the report are abstract and unsupported by available statistics; there is a lack of detailed description regarding the implementation of the list of issues and the proposed policies are not accompanied with budgetary information; and the report must reflect a strong commitment of the government to ratify the Optional Protocol.

All state parties to the CRPD are obliged to submit regular reports to the UN Committee on the Rights of Persons with Disabilities with an update of the human rights situations of persons with disabilities. Korea's proposed state report contains information on how the rights have been implemented from 2011 to 2018. The Committee's review of Korea is scheduled for the first half of 2021.

C. Opinion Regarding Care Services for the Older Persons with Disabilities who Require Assistance with Daily Activities

On July 5, the Commission expressed an opinion to the Chairman of the National Assembly that the Act on Activity Assistant Services for Persons with Disabilities and the Long-term Care Insurance Act should be revised so that handicapped seniors aged 65 years and older are not disadvantaged in the use of services for daily activity assistance.

Further to this opinion, the Commission on September 5 recommended the relevant local governments not to suspend care services for persons with most severe disabilities, from whom emergency relief requests were filed as they had become ineligible for those services because they were 65 years and older.

D. Opinion Regarding Long-term Custody of Foreigners who Have Applied for Refugee Status

On August 29, the Commission expressed to the Minister of Justice that it would be desirable to offer alternative options for foreigners held in custody given that, for a significant period of time, they are unlikely to be repatriated and do not pose a risk to the society while their application for refugee status is being reviewed.

Under the Immigration Act, a foreigner protection center is a facility for short-term custody of foreigners while their identity is being verified or they are awaiting deportation. However, some foreigners awaiting a refugee status decision are being held in these facilities for a long period of time. In accordance with Article 3 of the Refugee Act (Prohibition of compulsory repatriation), a foreigner who is held in custody and awaiting refugee status decision cannot be forced to leave the country against his or her will. Thus, until all procedures are complete in relation to refugee status application, including all related proceedings, *i.e.*, for a significant period of time, there is little prospect of or plan for forced repatriation.

The Commission concluded that keeping these foreigners in custody for long risks amounting to inhumane treatment, so the immigration authorities should come up with an alternative option based on a full consideration of humanitarian grounds.

E. Opinion to Guarantee Foreign Prisoners' Right to Communicate with the Outside World

On October 17, the Commission expressed an opinion to the Minister of Justice that it would be desirable to examine foreign prisoners' exercise of right to communicate with the outside world and propose specific ways to give them more access to phones as getting family visits is practically difficult.

Communicating with families and friends is a basic human desire. Especially for prisoners who are cut off from the society, keeping in touch with families not only gives them a sense of assurance but also bridges them to the outside world. Families can also be a safe mechanism against unjustified treatments in the facility and a channel through which prisoners can call for legal assistance.

However, most foreign prisoners do not have their families in Korea. And because family visit is practically impossible due to the geographical separation, they can only rely on phone communication to reach their families. As of August 31, 2019, there were a total of 55,110 prisoners, of which 2,310 were foreigners (approximately 4.2%). The size of the foreign inmate population, which reflects the multi-cultural aspect of the society, is expected to increase.

The Commission concluded that foreign prisoners should be given better treatment in terms of phone use considering the unique circumstances they face.

F. Opinion Regarding Politician Statements that are Disparaging against Persons with Disabilities

On November 25, the Commission urged the Chairman of the National Assembly to warn its members against the use of statements or expressions that are disparaging and/or discriminatory of persons with disabilities, and to come up with a plan to prevent such statements in the future.

A petition was filed with the Commission that, in December 2018, the leader of a political party disparaged persons with disabilities by saying “when you hear politicians talk, there are so many mentally ill politicians who say things that are not normal” and “some are even worse than persons with physical disabilities.” The Commission dismissed the petition on the ground that the case did not meet the criteria for an investigation under the NHRCK Act because no

victim could be characterized. However, it advised that measures be taken to prevent politicians from disparagingly making comparisons with persons with physical disabilities, and from using expressions or statements that risk violating human rights.

G. Opinion Regarding Prevention of and Response to Hate Speech by Politicians

On November 25, the Commission expressed its opinion to the Chairman of the National Assembly, political party leaders, and the chairperson of the National Election Commission that measures are necessary to prevent and stop hate speech by politicians.

Amid a rapid spread of hate speech in politics and related rise in the number of petitions, the Commission was concerned about the possible increase in use of hate speech for political purposes and concluded that it would be necessary to highlight this issue and find ways to counter them.

Hate speech in politics can have a more direct influence on potential speakers and audience, and comes with great social implications. Politicians can act directly in realizing the values of diversity and human rights in a democracy, and they are directly involved in policy-making. As such, they have the obligation to prevent and respond to hate speech.

The Commission expressed the following opinion: the Chairman of the National Assembly should make a public declaration of the commitment of the National Assembly to stop and prevent hate speech, and seek ways to regulate hate speech in the National Assembly Code of Ethics; the leaders of the political parties should declare their commitment to counter hate speech, seek ways to practice no hate speech during elections, include hate speech provisions in their respective code of official conduct, and educate party members on hate speech and discrimination; and the chairperson of the National Election Commission should make a statement to counter hate speech by politicians by developing preventative measures to stop hate speech by candidates running for election.

4. Key Opinions Submitted

A. Opinion to Constitutional Court Regarding Illegal Abortion

With respect to the constitutional appeal (2017heonba127) related to paragraph 1 of Article 269 and paragraph 1 of Article 270 of the Criminal Act, the Commission on February 25 decided to submit an opinion to the Constitutional Court that penalizing women who get an abortion is an infringement upon the right to informational self-determination, right to health, right to life, and reproductive rights of women.

Despite the fact that childbirth has life-changing implications for women, the Criminal Act provides for a complete ban on abortion without exceptions, and the Mother and Child Health Act only offers very limited exceptions where an abortion can be performed. Women have thus been exposed to illegal abortion without guarantees of safety and at the risk of their right to health and right to life.

The Commission is of the view that, just as a democratic state cannot force women into pregnancy, women have a right to choose to have an abortion, which should be guaranteed by the state. It also concluded that criminalizing abortion may not be a good public policy as it does not necessarily reduce abortion rates; rather, it can be used to threaten or retaliate against women.

Meanwhile, the Constitutional Court on April 11 ruled that the abortion ban under paragraph 1 of Article 269 of the Criminal Act was unconstitutional.

B. Opinion Regarding Damage Claim Filed by the State against the Labor Union of Ssangyong Motor

Regarding the damage claim filed by the state against the labor union of Ssangyong Motor (Supreme Court 2016da26662, 26679, 26686 merged), the Commission on November 11 decided to submit an opinion to the Supreme Court to urge the judge panel to hear and rule the case in a way that the exercise of the three labor rights is not constrained by the obligation to make excessive damage compensation.

In 2009, the labor union and workers of Ssangyong Motor had launched a strike by occupying a plant in opposition to large-scale restructuring. Violent, fiery clashes between the police and

workers had caused considerable loss of life and property on both sides, and the state filed a huge damage claim against the labor union for all losses incurred in the suppression of the strike.

Given that opposition to layoffs does not constitute a justifiable reason for a strike and *ex post* remedies are not provided by judicial authorities, the Commission viewed that the labor union had no other choice but to engage in an illegal strike. If a large number of workers are seeing their right to life threatened through no fault of their own, then the state, with its duty to protect the basic rights, has the “constitutional” obligation to mediate conflicts. However, in this case, the state is found accountable for aggravating the situation by failing to fulfill its obligation.

Also, though it is accountable for violating the rights of the dismissed workers and worsening the situation by suppressing the strike in a forceful, unlawful, unjustifiable manner, the police filed a huge damage claim against the workers and seized their possessions. Such an act, which threatened the workers’ right to life, is substantially lacking in legitimacy. Thus, a separate deliberation is needed on whether the police can be held accountable for unlawful and unjustifiable exercise of public power.

Moreover, serious social issues may arise, such as collapse of families and communities, collapse or shrinking of labor unions, and deepening labor-management conflicts, if workers find themselves being sued for damage compensation in addition to being held accountable for unlawful strikes. The Commission concluded that, as pointed out by international organizations, this would not only suppress labor union activities, but also have restrictive and inhibiting effects and cause a setback in the guarantees of the three labor rights.

In light of these considerations, the Commission submitted an opinion to the Supreme Court that the judge panel should carefully review whether the defendants acted in self-defense or in a legitimate way, extensively apply the principle of comparative negligence, and strictly apply the principle of joint and several liability, so that workers are not restricted in exercising the three labor rights.

Section 3. Surveys and Research of Human Rights Conditions

A. Survey of Human Rights Conditions Facing Leprosy Patients from an Aging Perspective

The Commission carried out a survey of the human rights conditions facing leprosy patients from an aging perspective to analyze the effects of institutional efforts made for the rights of leprosy patients, and their limitations. The survey included a policy study of what remedies the state can offer to compensate for the social discrimination and pain that leprosy patients have suffered, and how to address social bias and discrimination.

The finding showed that the public policy for leprosy patients is largely treatment-focused, indicating a need for a policy shift to a welfare approach. In light of the aging leprosy population, the survey report suggested more policies for senior welfare services.

Based on the findings, the Commission will establish an institutional improvement plan to protect the rights of the aging leprosy population.

B. Survey of Discrimination and Human Rights Violations against North Korean Women Defectors in the Workplace

To monitor incidents of discrimination or bullying of North Korean women defectors in the workplace (including the time looking for a job) because they are defectors or women, the Commission carried out a survey of discrimination and human rights violations against North Korean women defectors in the workplace.

The survey included an analysis of related laws, surveys of 100 North Korean women defectors who have work experience, and in-depth interviews of various targets (colleagues, employers, and job center staff). North Korean women defectors were asked about their experience in the workplace and their thoughts about how the problems can be resolved.

Based on the findings, the Commission will establish an institutional improvement plan to prevent discrimination and bullying of North Korean women defectors in the workplace.

C. Study for Renewal of the Right to Information Report

The Commission conducted a study to renew the Right to Information Report. The last version published in 2013 explained the concept of the right to information and presented key related laws, regulations, and institutions, an overview of the Commission's activities, and policy recommendations to protect and guarantee the right to information. Since the last publication, the society has faced rapid changes in the information processing environment with the advent of the Fourth Industrial Revolution and an intelligent information society. Based on the study, the new report will present information on key changes in the laws, regulations, and institutions, major precedents, activities of the Commission, international discussions, and policy recommendations to further protect and promote the right to information in Korea.

Based on in-depth interviews with 50 experts in academia, legal profession, civil society, and industry, an analysis was made of various academic discussions at home and abroad, specifically with respect to the right to informational self-determination, secrecy and freedom of correspondence, freedom of expression on the Internet, right of access to information, and right to enjoy and benefit from culture, as well as legislation trends and precedents.

Based on the result of the study, which will serve as preliminary data, the Commission will continue to collect and analyze key trends in Korea and abroad, develop key policy recommendations, and hold in-depth discussions with leading experts in order to publish the renewed version of the report sometime in 2020.

D. Study of the State of Racial Discrimination in Korea and Legislation to Counter Racial Discrimination

In December 2018, given the concerns that racial views and discriminatory institutions and culture had reached critical levels in Korea, the UN Committee on Elimination of Racial Discrimination recommended legal and institutional improvements to counter racial discrimination.

A study was commissioned to review the state of racial discrimination in the society and to raise awareness that racial discrimination is a criminal act for which there is no tolerance.

The study included a multi-language survey of migrants from various countries to share their experience of racial discrimination. The valid responses from 310 respondents were analyzed, of which 22 were interviewed in depth.

For reasons of discrimination, more than half of the respondents (50%) chose “Korean language ability” (62.3%), “Not being a Korean” (59.7%), “Country of origin” (56.8%), and “Way of speaking (accent)” (56.6%). Other answers chosen were “Economic level” (36.9%), “Occupation” (35.6%), “Gender” (19.0%), and “Religion” (18.6%), indicating that there are many different reasons for discrimination.

By discrimination offender, respondents selected court workers (41.0%), managers at the workplace (supervisor, employer, etc.) (38.0%), immigration office personnel (35.2%), friends and colleagues in affiliated group (30.7%), and passers-by or someone unknown online (28.0%). This suggests a need for state workers to comply with non-discrimination and to change public perception .

Respondents were in favor of regulations to counter racial discrimination. They selected “legislation to prohibit racial discrimination by state and public institutions, and by all individuals, groups, and organizations” (86.8%), “punishing acts that encourage or stimulate racial discrimination” (88.9%), and “more heavily penalizing racially-motivated crimes” (81.8%).

The study looked into patterns of racial discrimination in Korea in the historical and social contexts, sorted out different categories of racial discrimination based on experiences shared by migrants, and proposed legislation and guidelines to counter racial discrimination and racial crimes.

E. Survey of Human Rights Conditions and Perceptions in the Military (including conditions facing female service personnel)

In 2019, the Commission carried out a survey of human rights conditions and perceptions in the military (including conditions faced by female service personnel). This was triggered by considerations that, despite heightened public interest in human rights issues, more improvements are needed and there still exists blind spots in the military.

The survey was conducted among the general public and included questions on experience and perception of human rights violation and discrimination in the military, experience and perception of violation by type of rights and discrimination, and women's experience of discrimination or human rights violations in terms of selection, assignment, and promotion.

F. Preliminary Study on Discrimination Criteria

To establish more credible discrimination criteria, the Commission conducted a study to review and analyze all existing precedents related to discrimination decisions. The 2018 Guidelines for Assessing Discrimination sort out the precedents by reasons of discrimination. Significant legislative and social changes in the following ten years warranted an updated analysis of the latest precedents.

In the study, 3,200 or so petitions processed over the ten years from 2009 to 2018 were analyzed, which included not only those that the Commission made a recommendation or expressed an opinion, but also those that were dismissed because the discrimination was not without a justifiable reason, and those dismissed because that they did not fall under the scope of investigation. In this analysis, a review was made of the rationale used in determining whether an act constituted discrimination or whether a petition would be subject to investigation.

The result of the study showed that the Commission was flexible in applying various discrimination decision criteria and rationale, but there was room for improvement in terms of consistency and clarity in applying those criteria. Based on the findings, the Commission will further review the relevant laws, regulations, criteria, and precedents of other countries, and refine the discrimination decision criteria.

G. Survey to Monitor Implementation of the State Report for Mentally persons with mental disabilities

In 2009, the Commission published the State Report to Safeguard and Promote the Rights of Persons with Mental Disabilities, and made policy recommendations to the Prime Minister and the Minister of Health and Welfare. To monitor how conditions have changed over the ten years that followed, the Commission carried out a survey of people with mental disabilities, their families, and mental healthcare workers.

The survey showed lower rates of involuntary hospitalization since informed consent was introduced, but it is hard to say that the informed consent system is the direct cause of the fall in long-term hospitalization and deinstitutionalization. It was also found that the amendment to the Mental Health and Welfare Act resulted in more mental health promotion centers, but the number of nursing personnel and mental healthcare specialists is still not enough compared to the number of patients. The survey also showed that the mass media reinforces negative perceptions and prejudices against people with mental disabilities, and such perceptions are more prevalent among older, married, and more educated people.

Based on the results of monitoring of the implementation of the 2009 State Report, the Commission will update the report in 2020 and make policy recommendations on additional measures that are necessary to promote the rights of persons with mental disabilities.

H. Inspection of Medical System for Persons with Severe Mental Disorders

The Commission conducted an inspection of medical services offered to persons with mental disorders, to monitor whether timely treatment is given after the first onset of mental disorders and for severe mental disorders, and whether proper treatment is given to those hospitalized in mental healthcare facilities and other multi-user care facilities. For this purpose, the National Health Information database of the National Health Insurance Service was analyzed and interviews were made with facility personnel, persons with mental disabilities (those with the first onset and those with severe disorders), and their families.

In the midst of a shift in global mental health paradigm from custodial care to community care, the mental healthcare in Korea has not moved away from the boundaries of custodial care, and very little information is available on treatments offered in nursing homes for people with mental disorders or facilities for the homeless. The inspection showed that a significant number of people do not receive timely treatment at the first onset of severe mental disorders and many are involuntarily hospitalized, with 24.5% of people with first experience of severe mental illness hospitalized without outpatient care. Even those living in nursing facilities do not get enough care except for short meeting with a part-time doctor.

Based on the findings, the Commission will examine institutional and policy improvement proposals and reflect them in the 2020 update to the State Report.

I. Survey of the Effectiveness of Sexual Harassment Remedies

Through a survey of the effectiveness of sexual harassment remedies, the Commission monitored the channels used by victims to get remedies, the applicable laws and institutions, and actions taken by the relevant institutions to assess the effectiveness of sexual harassment remedies and victim protection. To make regulatory and institutional improvements, it also reviewed user responsibility to ensure that sexual harassment victims can continue to work, as well as receive support from the state .

The survey showed that, compared to those who choose not to report, those who report through in-house channels are more likely to be mentally and physically challenged, to experience job-related difficulties, and to have relations issues with their co-workers. This indicates that the current grievance procedures do not provide effective remedies, nor do they help victims keep their job.

Based on the findings, the Commission proposed several options, including more legally binding user obligations, extended application of the occupational health and safety insurance for victims of sexual harassment, improved grievance procedures, and more counseling support to promote gender-equality in the workplace. It will also consult and meet with experts for policy recommendations.

Section 4 . Special Program: Active Response to the Spread of Hate Speech

A. Overview

1) Background

Hate speech against social minorities has become a social issue, as highlighted by the Gangnam murder case and the Yemeni refugee problem in 2018. In 2019, there was a rapid spread of hatred and discrimination against women, seniors, persons with disabilities, migrants, and refugees. Several incidents have occurred, including an outcry from certain conservative groups to abolish the human rights ordinances issued by local governments. In this process, the groups expressed a deep-rooted sense of hatred and enmity towards social minorities.

Hate speech results from negative views and biases towards social minorities. It can hinder social unity by expanding and reproducing structural discrimination in the society. The international community is taking active responses, including Norway's Policy Declaration and Strategic Plan (2016), the EU's code of conduct on countering hate speech online (2017), Germany's strong action to delete hate speech online (2018), and the UN strategy and plan of action on hate speech (2019).

According to a 2016 survey by the Commission, 86% of respondents said they had seen or heard hate speech online. In a survey conducted by the Ministry of Culture, Sports, and Tourism in 2018, 83.8% of respondents said they had come across hate speech. Despite the various indications that hate speech is spreading, not enough actions have been taken to counter this issue.

In this connection, the Commission chose Active Response to the Spread of Hate Speech as the special program for the 5th phase of the Human Rights Promotion Action Plan (2018-2020). The chairperson presented it as one of the four major obligations and established Hate Speech Project Team .

2) Purpose

Hate speech not only violates the human dignity of social minorities, reproduces and reinforces structural discrimination, but it also threatens the very foundation of democracy and hinders social unity. Thus, a strong response is required to counter hate speech and promote a society of

coexistence and peace where diversity and differences are respected.

The three key strategies to counter hate speech and facilitate coordination among related departments are 1) to bring hate speech to light for public dialogue and awareness, 2) to lead a government-wide approach, and 3) to establish and implement self-imposed controls of hate speech. The Commission developed a list of sub-tasks in support of these strategies.

B. Key Activities

Special Committee to Respond to Hatred & Discrimination

The Special Committee to Respond to Hatred & Discrimination is an advisory body that brings to light the issues of hatred and discrimination for public discussions and inform possible response options. The committee has 25 members who bring the expertise and experience from civil society groups, religion, academia, and the legal profession. The committee was activated on February 20, starting with a Declaration to Fight Hatred and Discrimination.

Survey of public perception of hatred and discrimination

The Commission conducted a series of surveys for a diagnostic assessment of how the public perceives hatred and discrimination. This includes a public perception survey of 1,200 persons in March, a survey on use of hate speech in April, and a survey of 500 teenagers in May. The results showed that 64.2% of adult respondents experienced hate speech, the majority of which felt a sense of intimidation (50.5%) or horror (53.1%), and 87.3% thought the speech was problematic. However, most of them said they did not react, either neglecting (79.9%) or avoiding (73.4%). In case of teenagers, 68.3% said they had experienced hate speech, 82.9% said they would never use hate speech again, but 22.3% thought hate speech wasn't a problem.

Respondents were concerned that hatred and discrimination would foster crime (81.8%), social conflicts (78.4%), and deep-rooted discrimination (71.4%), and negatively impact freedom of speech of social minorities (62.8%). The survey results were in favor of public policy to counter hate speech, including a restriction of media reporting that publicize hate speech (87.2%), more education and campaigns to improve public perception (86.9%), and more school education to promote a respect for human rights (86.5%).

Bringing hate speech to light for public discussion and awareness

The Commission launched the *Maju* Campaign to build social consensus and change public attitudes and perceptions of hatred and discrimination. Meaning “coming face-to-face with someone,” the term *maju* implies to see and recognize differences, and to come together in countering hatred and discrimination.

The campaign logo and slogan deliver the message of countering hatred and discrimination, and promoting co-existence. Starting with an opening ceremony of the *Maju* Campaign on June 4, various online/offline campaigns were organized, including public radio ads, SNS events, and hash tags. Also, to promote public dialogue across the nation, the Commission worked with five regional human rights offices to operate a promotional booth at the Queer Festival, college festivals, and local/regional festivals, and host meetings with local communities.

A variety of educational and promotional materials were created for distribution, including card news, campaign videos, animation and educational contents. The Commission also expanded the scope of the hate speech response through increased international solidarity. These efforts include a meeting with ambassadors in Korea on March 27, hate and discrimination session at the Jeju Forum on May 30, APF conference on hate and discrimination on September 5, and a session at the World Human Rights Cities Forum on October 1.

Defining and setting the standards for hatred and discrimination in Hate Speech Report

Each nation has addressed hate speech in various different ways depending on their respective situation, due to a lack of social consensus and criteria on how hatred relates to discrimination and what the concept of hate speech is. To overcome the lack of public perception and clear the confusion surrounding the concept of hatred and discrimination, the Commission engaged in a five month-long effort with specialists to define the basic concept and framework of hate speech. The result was the publication of the Hate Speech Report in October. It clarifies hatred and hate speech from the perspective of discrimination, and presents separate sections on the emergence of the hatred phenomenon, concept and types of hate speech, evil influences of hate speech, and responses and considerations.

Establishing action plans and standards for self-imposed controls

The Commission worked with the education, media, broadcast, and religious communities to establish and practice self-imposed controls of hate speech. Notably, the declaration made by these communities prior to enforcement served to communicate, both internally and externally, their strong commitment that hate speech would be dealt with with zero tolerance., and set the directions for actions expected of the constituents.

Together with four offices of education in Seoul, Gwangju, Gyeonggi, and Jeonbuk, where student human rights ordinances were enacted, the Commission organized a joint declaration on November 15, announcing a commitment for society-wide action. It made a subsequent joint declaration with all other offices of education and worked to develop guidelines on countering hate speech.

The media has a critical role and obligation towards hate speech. The Commission reached out to them to develop and practice self-imposed controls of hate speech. As a first step, an agreement was reached to make a declaration for countering hate speech in January 2020.

In addition, on September 25, the Commission and the Korean Conference of Religions for Peace (KCRP) jointly organized a seminar with the Islamic communities in Korea. Seven religious orders in Korea discussed cooperation to counter hatred and discrimination.

Expression of opinion regarding hate speech in politics

Hate speech in politics must be addressed with stronger actions as it has more direct influence on potential speakers and audience, as well as significant social implications. Also, politicians can act directly in realizing the values of diversity and human rights in a democracy, and are directly involved in the policy-making of the nation. As such, they have the obligation to prevent and respond to hate speech.

On November 25, the Commission expressed an opinion to the Chairman of the National Assembly, party leaders, and the chairperson of the National Election Commission, calling them to announce plans to counter hate speech, to establish self-imposed control measures such as codifying hate speech in the code of ethics and to take actions in times of election.

Section 5. Activities to Promote and Improve Human Rights in Sports

A. Overview

1) Background

Violence and sexual violence in sports emerged in the public realms following a 2007 policy recommendation by the Commission to safeguard and promote the rights of student athletes, and the subsequent TV program “A Human Rights Report on Sports and Sexual Violence” aired by the Korea Broadcast System.

In November 2008, the Commission conducted a survey of student athletes in junior high schools and high schools, and announced the General Measures for the Rights of Student Athletes. The final output of all subsequent activities was the recommendation of the Guidelines on Human Rights in Sports in 2010.

The Korean Sports & Olympic Committee, which is a leading sports organization in Korea, seemed to be taking actions, including putting in place a voluntary reporting and investigation system, launching a team dedicated to protecting the rights of athletes, and opening a web portal to receive reports. Nothing has changed, however.

In January 2019, an incident of serious violence and sexual violence suffered by an ice skating athlete became known to the public. The revelation highlighted the need for a more fundamental and comprehensive solution, and not a perfunctory change or temporary remedy. The incident triggered the establishment and operation of the Special Investigation Team for Human Rights in Sports by the Commission in February 2019.

2) Purpose

The purpose is to enable more accurate monitoring of violence and sexual violence in the world of sports, find a fundamental and comprehensive solution, and take appropriate remedial actions based on quick, proper investigations of reports received.

B. Key Activities

Survey of actual conditions faced by athletes

From July to August, the Special Investigation Team for Human Rights in Sports conducted an online survey of all student athletes in elementary schools, junior high schools, high schools, and colleges, and athletes in professional sports teams. It also conducted special investigations in ice skating and judo.

In the sports of ice skating, the Commission organized a human rights camp where athletes were invited to write photo essays. This initiative helped the staff build rapport with athletes prior to conducting in-depth investigations. The Commission cooperated with the Korea University Sports Federation for a survey of all collegiate student athletes. They also organized training opportunities to promote human rights in sports and prevent violations.

The fact-finding survey of all student athletes in elementary schools, junior high schools, high schools and colleges indicated a lack of human rights protection for athletes, and showed that athletes suffer from violence, sexual violence, and excessive training. The Commission plans to establish a general policy proposal to guarantee athlete rights and recommend it to the relevant ministries.

The Commission's policy recommendations will be based on a survey of athlete training camps, survey of human rights conditions faced by athletes with disabilities, examination of sexual violence committed by personnel of sports-related organizations and institutions, study of precedents related to violence and sexual violence in sports, survey of parents of high school students on how they perceive human rights in sports, and a survey of human rights conditions faced by sports leaders in schools.

On-site monitoring to prevent human rights violations in key sporting events

The Commission conducted on-site monitoring activities at the Jincheon National Team Training Center, the 13th Korean Youth Para Games (May), the 48th National Junior Sports Festival (May), the 100th National Sports Festival (October), and the 39th National Para Games (October).

Though no incidents of physical assault was reported, several instances were observed of shouting, cursing, verbal abuse, personal insults by coaches or directors toward young athletes. These happened in and outside the venues during competition, time-outs, or post-game because athletes didn't do well or they lost. The open use of violent words and actions by sports leaders in the presence of spectators, parents, athletes, and trainers may be an established practice in training young athletes.

The Commission will continue monitoring to ensure that human rights are respected during sporting events. It will also maintain cooperation with the Korean Sports & Olympic Committee and other stakeholders, and present guidelines to eradicate human rights violations and the authoritarian culture in sports.

Investigations and remedies for victims

The Commission operates various media channels such as phone, KakaoTalk, and e-mails to give victims greater accessibility to report their case or get counseling, as it can be challenging for them to make a report given the unique structure of the sports world.

Until December 31, the Commission received 127 reports, of which 14 were recommended remedies during investigation and 13 were resolved during investigation. The rate of remedied cases is relatively high at 22%.

The Commission made improvement recommendations for the following cases: a local government renewing contract with a coach who has a history of violence, human rights infringement caused by a partial investigation of the Sports Committee; unfair competition entry for a student athlete because he/she changed school; a sporting event organizer restricting entry by athletes at their own expense; a youth sports festival discriminating female athletes in the application guide; a student athlete limited in entering a competition because he/she changed school; human rights violation by a coach who instructed athletes to undergo physical examination naked; student athletes' privacy violated in college living quarters; abusive language by a sports association executive; and unjustified physical punishment by a school coach.

***Ex officio* investigation of response and protection system for victims of violence and sexual violence in sports**

The Commission attributed the cover-up or continued violence and sexual violence in sports to limitations in the current system for counseling, investigation, and remedies. It conducted an *ex officio* investigation of general practices and institutional arrangements in the world of sports, and reviewed what human rights protection system would be necessary to address the issue.

The investigation looked at state agencies such as the Ministry of Ministry of Culture, Sports, and Tourism and the Ministry of Education, which have oversight of sports-related policies, as well as offices of education at the municipal and provincial level, local governments, the Korean Sports & Olympic Committee, Korea Paralympic Committee, other sports organizations responsible for the management of sports clubs, as well as athletes and sports leaders. The findings showed that the chronic recurrence of violence and sexual violence in sports is not just a matter of individual deviation, but more of a structural and operational problem in the safeguard mechanism not working properly.

Based on a conclusion that the current system does not guarantee proper remedies for victims of violence and sexual violence in sports, and has limitations in protecting victims and preventing offenses, the Commission on December 23 recommended the President, relevant ministries and sports organizations to improve the safeguard system in sports, ensure that cases of violence and sexual violence be investigated separately from other cases, and the system and institutional arrangements for protecting victims be improved.

Actions to change public perceptions in the world of sports and the general public

The Commission was present at key sporting events to promote the reporting and counseling channels it offers to help victims find remedies. It also launched a campaign for declaration of human rights in sports to change public perceptions.

Notably, it announced December 13 as the Day of the Declaration of Human Rights in Sports and appointed Ryu Hyun-jin (professional Korean baseball player in the American Major League Baseball) as ambassador for human rights in sports. The declaration was joined by Kim Yuna, Lee Seung-yuop, Lee Dong-gook, and other sports celebrities. Attended by 3,000 or so athletes, coaches, families, and citizens, the event urged a change in public perceptions of human rights in sports.

The Commission also organized a special counseling team comprising seven psychology counselors and 11 legal counselors to address victims' personal grievances and offer them psychological and legal support.

Section 6. Assessment

In 2019, the Commission reviewed policy agenda to mitigate polarization and improve the social safety net. It highlighted the need to change the way care of the elderly by the elderly is perceived, urging public support on this issue. In response to continuously emerging labor issues, it conducted surveys, met with labor union and management representatives, made on-site visits, held meetings, and worked on institutional improvement to further the rights of irregular workers and other vulnerable labor groups.

It carried out a survey of the human rights conditions facing youths who live in poverty and expressed an opinion on a proposed legislation that the right to adequate housing of people exposed to very poor living conditions be promoted. New policy tasks and human rights agenda were identified and proposed to promote the rights of people in blind spots of human rights coverage and other vulnerable groups, including institutional improvement in support of people who live in non-dwelling facilities.

The Commission published and distributed the Human Rights in Business Manual and organized the Human Rights in Business Forum, building social consensus on human rights in business management starting with public organizations. Based on the outcome, the effort will be extended to private businesses. The Commission was also actively involved in safeguarding and promoting the right to information amid a rapidly changing IT environment, and examined ways to protect the right to information in the era of the Fourth Industrial Revolution.

In an effort to help improve the human rights conditions in North Korea, the Commission hosted the International Symposium on North Korean Human Rights (June 11, UN Headquarters in NYC) as part of an agenda of state party to the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The symposium provided a venue for international cooperation to promote peace on the Korean Peninsula through sports, leisure, and culture, and further the rights of persons with disabilities. It helped strengthen cooperation with the United Nations

Department of Economic and Social Affairs (UN DESA), the Special Rapporteur on the rights of persons with disabilities and members to the Convention, and the Asian Paralympic Committee (APC), which were co-hosts of the symposium.

Efforts were made to help North Korean defectors settle in Korea, including an opinion expressed on the amendment to the Social Security Benefits Act and a chairperson statement that called for a more robust social safety net for North Korean defectors. To enhance the effectiveness of its operation, the Commission held a meeting with North Korean women defectors to hear their views. At the North Korean Human Rights Forum, discussions of key agenda items were held with 40 or so experts from academia, legal profession, and civil society groups, and the takeaways were reflected in the Commission's related tasks.

Compared to the previous year, there were 30 more policy recommendations and opinions expressed in 2019 based on petition investigations and *ex officio* investigations. During petition investigations, the Commission identified what institutions, laws, and practices are likely to lead to human rights violation and discrimination, while also looking for individual remedial measures. These efforts helped develop valid improvement recommendations.

Key policy recommendations were made in relation to video recording equipment in police vehicles, the rights of children of incarcerated parents in the criminal justice stage, health insurance payment liability imposed on minors, the 2nd Guidelines on the Human Rights of Migrants, and prevention of sexual harassment and sexual violence in culture and the arts.

Key opinions were expressed in relation to victims of the Committee for the Rebuilding of the People's Revolutionary Party incident, introduction of a court-appointed counsel program for defendants, the emergency remedial requests filed with respect to the Noryangjin Fish Market, human rights violations caused by the police breaking lawful procedures during investigation of children, the joint liability unjustifiably forced upon military cadets, and violation of children's personal rights through disclosure of investigation files to the media.

In addition to petition investigations and *ex officio* investigations, the Commission conducted on-site inspections of 65 facilities in relation to nine cases in 2019. On-site monitoring activities not only had preventative effects, but they resulted in some policy recommendations and expressed opinions, which helped safeguard and promote the rights of persons incarcerated in a detention or protection facility.

In the area of children rights, the Commission examined how and with what procedures schools are handling school violence. The intent was to understand what human rights violations occur in that process and what kind of institutional improvement would be necessary to prevent them.

To ensure proper implementation of international human rights standards in the areas of children rights, the Commission expressed opinion, monitored, and actively responded to the consideration by the UN Committee on the Rights of the Child of the fifth and sixth periodic report of the Republic of Korea. It also conducted children rights monitoring activities and organized a children rights conference.

The Commission used a multilateral approach to combat discrimination in all domains of the society and promote the rights of persons with disabilities, women, sexual minorities, and other socially vulnerable groups, as these issues require not only improvement in institutions, policies, and practices, but also a change in public perception.

To further the rights of persons with disabilities, various policy alternatives were proposed, including guarantee of right to access information, a roadmap for deinstitutionalization, promoting the mental health and human rights of children and youths, support with regards the challenging behaviors of students with developmental disabilities, and improved admissions screening process of mental healthcare facilities. As an extension of the Me Too movement of 2018, it also made policy recommendation on ways to prevent sexual harassment and sexual violence in culture and the arts.

The Commission also expressed an opinion on a number of issues identified during petition investigations. It challenged the pay gap experienced by irregular school workers, disadvantages suffered by conscientious objectors when making a vocational choice, and excessive restrictions placed on persons of mental disabilities when making financial transactions. It also warned against use of the scholarship program to instigate academic factionalism, and politicians' use of disparaging comments about persons with disabilities. The opinion expressed to the Constitutional Court on illegal abortion was positively assessed for the publicity effect and for affecting the ruling that illegal abortion is unconstitutional.

The Commission worked to raise public awareness on sexual harassment and disability issues by publishing and distributing a sexual harassment casebook and a guide to provision of convenience services for persons with disabilities.

The Commission worked to raise public awareness of the need to counter hate speech. It launched several campaigns to publicize the issue, published the Hate Speech Report, and issued a statement on the prevention and countering of hate speech in politics. It also laid the groundwork for establishment and practice of self-imposed control measures in education and the media. Despite these efforts, racial discrimination and hate speech in sports seemed to be spreading across multiple domains. This situation called for the government and the public domain to lead active countering efforts against hate speech, and efforts to eradicate online hate speech.

In the area of sports, the Commission conducted the first-ever human rights survey of sports associations, educational offices as well as athletes in elementary schools, junior high schools, high schools, colleges, and professional teams, revealing unknown human rights situations. Investigations were carried out on multiple fronts to cover various stakeholders (athletes with disabilities, camping sites, student parents, leaders and coaches, and sports association personnel). Athletes who wished to be counseled were contacted separately for counseling or investigation requests, reinforcing in them the trust that the Commission is working on their behalf. Through counseling support, the Commission offered not only psychological counseling but also legal counsel, and built trust for its petition investigations.

The Commission visited training camps and key sporting events to conduct on-site investigations and monitoring activities. It was the first public organization to monitor the national junior sports festival and the national sports festival, and help prevent incidents of human rights violations.

Various forms of campaigns were organized to promote human rights in sports, including video ads, printed materials, and on-site activities. These efforts helped change the general perception of human rights in sports both in and outside of the world of sports.

The activities of the Commission were shared with an external expert advisory committee, the feedback of which was reflected in the Commission's future operation. Such a cooperative mechanism helped enhance the professionalism and efficiency of the Commission. Meanwhile, the Special Investigation Team on Human Rights in Sports was established as a temporary organization. Considering the diversity of the sports world and the wide-ranging unresolved human rights issues, a short-term approach can only lead to limited outcome. Thus, there is a need to establish a separate, specialized division in charge of all things related to human rights in sports.

Chapter 2

Investigations and Remedies of Human Rights Violations and Discrimination

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, schools¹⁾, public service-related organizations²⁾, and detention and protection facilities that violate the human rights guaranteed under Articles 10-22 of the Constitution or commit discrimination³⁾ in relation to their operation⁴⁾ and corporate bodies, organizations, and private persons that commit discrimination.

1) 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

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

3) 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.

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

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 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 petitions⁵⁾.

Upon receiving a petition, we enter into an investigation. If the case is recognized as a human rights violation or discrimination, the petitioner 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 filed in 2019 totaled 9,737, which is 452 less (4.9%) than the 9,285 petitions filed in 2018. Of these, 9,136 (76.2%) were processed, which is 1,046 (10.3%) less compared to the previous year.

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 2019, six petitions were brought to the attention of the Standing Committee for Emergency Remedy, of which one was voted in favor of emergency relief recommendation. On September 25, the Commission recommended the Mayor of Seoul and the Mayor of Busan to sustain care services for persons with disabilities who turn 65 so that their life and health are not seriously compromised due to suspension of services, and to come up with a plan to prevent blind spots in service coverage.

5) 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.

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 2019, the Commission decided to initiate *ex officio* investigations on nine cases. That year, a total of ten cases were closed, including one case that was carried over from the previous year. Five cases were closed with a recommendation for remedy, one with accusation, one with recommendation for disciplinary action, one with an expression of opinion, and two with closure of *ex officio* investigation.

On-site Inspections

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.

In 2019, the Commission decided to initiate on-site inspections in relation to nine petitions. Eleven cases were processed, including one that was carried over from the previous year. Five were closed with a policy recommendation and six with closure of on-site inspections.

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 2019, amid rising public interest in human rights violations in sports, the Commission introduced timely counseling services by standing up counseling booths at key sporting events and festivals.

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

(Unit : cases)

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
2019	1,060,653	141,934	138,239	108,214	106,007	31,379	29,897	2,341	2,335
2018	87,526	9,285	10,182	7,064	7,719	2,197	2,441	24	22
2017	91,638	12,336	11,012	9,144	8,585	3,159	2,375	33	52
2016	80,283	10,647	10,868	8,164	8,424	2,429	2,410	54	34
2015	80,686	10,695	10,894	8,499	8,795	2,188	2,016	8	83

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

Section 2. Investigations and Remedies: Human Rights Violations

1. Petitions Filed and Processed

A. Petitions Filed

In 2019, a total of 7,072 petitions were filed in relation to human rights violations, which is eight more (0.1%) from the previous year. The number of petitions filed in relation to multi-user care facilities has been on a downward trend since 2015. The fall can be attributed to the amended Mental Health Welfare Act, which provides for shorter hospitalization periods in mental hospitals. In the case of detention facilities, the number has gone down for two consecutive years, after a spike in 2017. Meanwhile, the number of petitions related to local governments and public institutions has increased, with 247 (96%) more petitions filed with respect to local governments compared to the previous year.

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

(Unit : cases)

Year	Total	The Prosecution	The Police	National Intelligence Service	The Military	Central administrative agencies	The Legislature	The Judiciary	Other state organizations	Local governments	Detention facilities	Immigration-related organizations	Public institutions	Educational institutions	Medical institutions	Multi-person care facilities	Others
Cumulative sum	108,214	3,169	21,151	252	2,083	7,080	87	1,245	991	4,329	30,948	992	2,286	5,717	163	26,448	1,273
2019	7,072	145	1,318	11	212	499	4	84	19	504	1,682	43	291	666	21	1,462	111
2018	7,064	127	1,254	12	192	316	3	58	10	257	1,822	64	205	573	10	2,045	116
2017	9,144	219	1,480	11	248	547	10	93	9	395	2,265	68	278	732	19	2,563	207
2016	8,164	149	1,474	8	201	321	3	78	18	261	1,629	81	199	605	24	3,038	75
2015	8,499	151	1,361	3	123	331	8	57	68	389	1,653	72	194	552	19	3,456	62

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

Since its inception to the end of 2019, a cumulative total of 108,214 petitions were filed in relation to human rights violations. The largest number of petitions were related to detention facilities (30,948 petitions or 28.6%), followed by multi-user care facilities (26,448 or 24.4%), police (21,151 or 19.5%), and central administrative agencies (7,080 or 6.5%). The largest proportion of petitions was related to detention facilities, multi-user care facilities, and the police.

B. Petitions Processed

Since 2013, the Commission has processed over 7,000 petitions related to human rights violation every year. In 2019, it processed 6,635 petitions, which is 1,084 less compared to the previous year. The decrease in petition processing can be attributed to both a decrease in the number of petitions filed and more focus placed on processing long-term cases carried over from 2017.

In 2019, 531 petitions related to human rights violations were remedied, which is 137 (20.5%) less compared to the previous year. This is largely due to a fall in cases closed by settlement (98 less). By type of institutions, there was a significant decrease in the number of cases related to the police (83 less cases) and to detention facilities (53 less cases). For the same reason, the rate of remedied cases has been falling for three consecutive years, from 8.7% in 2018 to 8.0% in 2019. Meanwhile, compared to the previous year, there were more petitions closed with a recommendation (35 more cases).

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

(Unit : cases)

Year	Submitted	Processed	Remedied							Rejected	Transferred	Dismissed	Investigation suspended
			Subtotal	Criminal investigation requested	Recommendations, etc.	Legal aid requested	Mediation	Closed by settlement	Resolved during investigation				
Cumulative sum	108,214	106,014	12,422	148	2,809	19	15	1,817	7,614	60,921	1,511	30,609	551
2019	7,072	6,635	531	3	244	-	-	24	260	4,157	125	1,815	7
2018	7,064	7,719	668	3	209	-	-	122	334	4,703	76	2,254	18
2017	9,144	8,585	876	8	210	-	4	59	595	5,422	96	2,166	25
2016	8,164	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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

* 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

In 2019, looking at the number of petitions processed by type of institutions, 1,625 were related to detention facilities, 1,540 to multi-user care facilities, 1,249 to the police, 556 to educational institutions, 445 to central administrative agencies, and 369 to local governments. In terms of remedied cases, 126 were related to multi-user care facilities, 104 to educational institutions, 70 to the police, 53 to local governments, 35 to central administrative agencies, and 31 to the military.

2. Ex Officio Investigations and On-site Inspections

A. Ex Officio Investigations

Following the death in April of a junior high school girl who reported to the police that she was raped, the Commission conducted an ex officio investigation into the police's victim protection

mechanism. The findings showed a gap in victim protection. From the time the victim made the report until she died, the police hardly made any efforts to look after her safety. Thus, on July 9, the Commission recommended the head of the police station in charge and the commissioner of the district police agency to issue a disciplinary warning to those involved in the case, and the chief of the National Police Agency to modify operational procedures to prevent similar incidents in the future and ensure proper functioning of the victim protection mechanism.

It recommended the Minister of Health and Welfare to improve information sharing of child abuse cases between the police and child protection centers, as insufficient information sharing may lead to serious gaps in protecting abused children. It also recommended the Minister of Justice to revise the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes, as some child abuse perpetrators who are not a child's guardian are prone to a secondary offense in ways similar to those of guardians, thus the same level of temporary actions taken against children guardians should also apply to these perpetrators.

In 2019, the Commission closed a number of *ex officio* investigations initiated in 2018. The investigation initiated on July 26, 2018 regarding the arrival of North Korean restaurant workers to Korea was completed on August 8, 2019. Based on the findings, the Commission recommended the Director of the National Intelligence Service, Defense Minister, and Minister of Unification to take remedial measures, and the Public Prosecutor General to initiate an investigation of those who disclosed information to the media, and requested the KBA Legal Aid Foundation to offer legal assistance to the victims.

Based on the findings of an *ex officio* investigation initiated on October 4, 2018 into the death of a migrant worker during police crackdown, the Commission on January 16, 2019 recommended the Minister of Justice to take disciplinary actions against those responsible for the death and come up with a plan to prevent similar incidents in the future. It recommended that enforcement be stopped if there is risk of casualty. It also recommended making it mandatory to film scenes of police enforcement. The Ministry of Justice did not accept some of the recommendations, including the disciplinary actions, and failed to give a reply on its position regarding the questioned illegality during police crackdown. On July 11, the Commission disclosed to the media those recommendations that were not accepted by the Ministry.

The Commission also closed an *ex officio* investigation initiated on November 29, 2018 of a soldier killed by gunshots at a guard post. On April 30, the Commission expressed an opinion to the ROK Army Chief of Staff calling for a single chain of command for all soldiers assigned to GPs, monitoring of personnel management, and greater oversight over the management of firearms.

On November 19, the Commission decided to carry out an *ex officio* investigation to prevent young officers from dying due to intentional self-harm. The Commission noted that young officers had a higher mortality due to self-harm than NCOs, with 20 or so incidents occurring every year. Thus, the decision was made for an *ex officio* investigation of the legal office and personnel office of the National Defense Ministry and ROK military headquarters. To establish preventative measures, analysis was made of the causes behind young officers dying from intentional self-harm. Following an analysis of the causes of deaths, the Commission will review whether veteran compensation decisions were appropriate, and the final result will be announced following on-site inspections and consultation with experts.

B. On-site Inspections

In 2019, the Commission closed four on-site inspections carried over from the previous year, and initiated nine new ones. Visits were made to six police lockups to inspect physical examinations, overall facility environment including lockup size and toilet, medical services and meals. The Commission communicated the findings and an opinion to the police stations that were subject to inspection.

From January 28 to August 21, the Commission visited ten correctional facilities to inspect prison cells, prison room, confinement cells, work spaces, and kitchen, and had in-depth interviews with 135 prisoners, including long-term prisoners (at least two years), prisoners who were detained in three or more facilities, prisoners who were detained for less than a month, female prisoners (if the prisoners had children with them, the children were interviewed too), and prisoners aged 65 or older. The findings, including problems identified during interviews, were communicated to the respective facilities, and some problems were resolved. The Commission also recommended that the Ministry of Justice make improvements to the facilities, practices, and institutions so that prisoners can be guaranteed their basic rights during times of severe heat and cold.

The Commission inspected three immigration detention facilities. It examined the status of recommendations it had previously made regarding improved medical treatment for aliens. The inspection focused on what improvements had been made over time, and what more are necessary.

Following inspections in 2017, the Commission inspected ten homeless care facilities. The inspections focused on forced labor, payment of fair wages, issues during admission and discharge, freedom of religion, guarantees of the right to petition, abusive language and violence by facility staff, medical treatment for those needing treatment, and protective measures for those with disabilities. The inspection focused on what improvements had been made over time, and what more are necessary.

The Commission inspected 15 senior care facilities at ten locations, with a focus on meals, clothing, and living conditions, availability and management of petition box, human rights education for the staff, CCTVs, and monitoring of CCTV footage (with respect to Personal Information Policy).

From May to June, the Commission made on-site visits to six military units (four in the Army, one in the Navy, and one in the Air Force) to inspect military confinement facilities and conditions of detained personnel. Issues were found with disciplinary confinement decisions, toilet partition, recording of visits and telephone conversations, and excessive collection of personal information, and recommended the Minister of National Defense to make appropriate changes.

The Commission made on-site inspections of 12 facilities that assist young people aged 18 or more to live independently following termination of institutionalized support. These facilities are important for these young people as they offer stable housing for a given period of time. The Commission inspected the facilities and the general environment they offer, the basic rights of facility residents, and assistance programs offered. The inspections are designed to prevent violations of human rights in the facilities. The inspections resulted in some key takeaways, which will be used for future policy recommendations.

3. Key Petitions

A. Prosecution, Police, and Courts

Human rights infringement caused by a court's leakage of personal information

The Commission concluded that court issuance of copies of trial records to an offender accused of sexual violence, without ensuring the victim's anonymity, infringes upon the right to informational self-determination, and the privacy and freedom of the victim, which are guaranteed under the Constitution. On January 18, it recommended the chief judge of the district court to warn the official in charge and train the staff. It also advised the Minister of Court Administration to revisit the regulations on viewing and copying of trial documents to protect the personal information of assault victims.

The spouse of the victim filed a petition with the Commission that the court official in charge of issuing copies of court trial documents had released to the offender's attorney documents containing information about the victim, causing the leakage of personal information.

According to the official, efforts are usually made to prevent secondary victimization of victims when court trial records are handled for viewing and copying. In this particular case, the official could not confirm whether the victim's personal information was actually leaked, but felt greatly concerned about the harm negligence on his/her part might have caused the victim.

An investigation showed that an employee from the legal office representing the offender requested copies of trial records from the court and received copies, which contained the personal information of the victim. The attorney used the victim's address and resident registration number to fill out a civil deposit form and submitted it to the court, and the petitioner later received a court notice of deposit showing the victim's personal information.

While recognizing that the official's careless handling of the victim's personal information may have seriously compromised the victim's safety, the Commission did not determine that the official was entirely responsible for this incident because the current regulations offer no clear provisions on how to make the personal information of victims anonymous.

The internal operational policies of the prosecution limit viewing, copying, and releasing trial records in the event that doing so may seriously violate the privacy, reputation, physical safety, and

peace of mind of victims. However, court rules and standard operating procedures do not include the same provisions to regulate victims' information.

The Commission made recommendations based on a conclusion that, in addition to warning the official, there was a need to revise the regulations and procedures pertaining to the viewing and copying of trial records in order to prevent further victimization that may arise due to leakage of personal information.

The district court accepted the recommendation. However, the Ministry of Court Administration refused to do so, stating that it additional efforts would be made to protect the personal information of sexual assault victims during the viewing and copying of trial records without changing the existing rules and SOPs.

Victim forced to testify during police investigation of oil storage tank fire in Goyang

The Commission concluded that the police officer who interrogated the suspect in the Goyang oil storage tank fire had forced his confession by repeatedly asking him whether he “wasn’t lying”, or stating “don’t lie,” thus violating the suspect’s right to refuse to make statements guaranteed in Article 12 of the Constitution. Also, the disclosure of the suspect’s identity, including name, nationality, age, gender, and visa type, to the media is a violation of the privacy and freedom under Article 17 of the Constitution. On April 30, the Commission recommended that the chief of the police station and the commissioner of the district police agency warn the police officer and train the staff to prevent a recurrence of the incident.

An investigation found that the victim, after being arrested without a warrant on October 8, was interrogated four times for a total amount of 28 hours and 50 minutes (including viewing time). The examination record showed that the police officer asked the victim whether he “wasn’t lying,” and said “don’t lie,” or “that’s a lie” 62 times. An analysis of the video recording of the fourth interrogation session showed that the police officer pressed the victim about “lying” 123 times.

The Commission found that the police officer repeated the statements about “lying” when the defendant attested his innocence, or just negated the defendant’s statements. It concluded that the police officer was forcing the defendant to admit wrongdoing, and that the interrogation deviated from the norm under the current criminal judicial system.

The Commission acknowledged a need to disclose the facts, given the strong public interest

and the amount of media coverage of the incident. However, public interest is not in the personal information of a migrant worker, but rather the cause of a fire that started at a key national facility. And even if the public had an interest in the personal information, an investigative agency should refrain from disclosing that information based on the presumption of innocence and proportionality.

The police station and the local police agency both accepted the recommendations.

Police use of electric stun guns and human rights violation

The Commission viewed that police use of a stun gun on a union member who had crawled under a delivery vehicle to protest violated the Guidelines on Use of Electric Stun Guns and was an infringement upon the union member's freedom of action. The guidelines provide for the use of stun guns only when harm is imminent or when there is strong resistance. On April 30, it recommended the chief of the police station in question to educate the staff on the use of electric stun guns, and the chief of the National Police Agency to codify the mandatory use of verbal control prior to using stun guns.

The Commission concluded that the likelihood of an accident does not, by itself, justify use of stun guns, and that there must be a proven specific need to do so. Video recordings showed that there was no concern for an accident, and that the petitioner was simply under the vehicle to protest, rather than to cause harm. The Commission saw no risk that justified the use of an electric stun gun.

The petitioner was handcuffed only 24 seconds after crawling under the vehicle, and the electric shock was administered one minute and 15 seconds afterwards. During this time, the police neither tried to persuade him to come out nor warned him of a stun gun, meaning that no necessary actions were taken prior. In addition, the police first used the stun gun to drag the petitioner out from under the car, and six seconds later, used it again. Even though there was resistance from the petitioner, there were several police officers on the site, making the use of the stun gun even less justifiable.

Meanwhile, the procedures manual of the National Police Agency provides for instances where electric stun guns can be used, but fails to provide specific details for different levels of resistance. The Commission ordered further clarification on the usage of electric stun guns for different levels of resistance, and the mandatory use of verbal warnings, dialogue, and persuasion prior to stun gun use.

The police station and the National Police Agency both accepted the recommendations.

Unjustified distribution of personal information by the prosecution

The Commission found that sending prisoners' personal information extensively to correctional facilities where the prisoners are not accommodated, to seize prisoner money to collect unpaid fines, is a violation of human rights. On September 17, it recommended the head of the district prosecutors' office to train the staff and prevent a recurrence in the future.

An investigation showed that, in January and April, an investigator of the district prosecutors' office sent to 25 correctional facilities a letter regarding seizure of prisoner money for collection of arrears and a file containing a list of prisoners who have unpaid fines, with their name, resident registration number, address, and unpaid amount. In addition, the investigator also sent by postal mail reports and seizure notices containing the name, resident registration number, address, and unpaid amount of prisoners who have unpaid fines to the correctional facility where each of the prisoners are detained.

The Commission found that sending reports and seizure notices to the correctional facility where each prisoner is detained would have achieved the intent of seizing money to collect unpaid fines. However, sending their personal information even to those facilities where they are not detained is an act of excessive distribution of personal information beyond the level necessary to achieve the purpose, and thus is a violation of the rule of proportionality specified in Article 37 of the Constitution and a violation of the right to informational self-determination.

The district public prosecutor's office accepted the recommendation.

Excessive use of force by the police during arrest

The Commission concluded that breaking an arm of an intoxicated person by twisting it behind the back to apply handcuffs is a violation of the freedom of action by using excessive force. On September 17, it recommended the chief of the police station in question to issue a warning to the petitionee and to train the staff on what not to do during arrest.

An investigation found that the petitioner was suspected of obstructing governmental administration, but even if the person was resisting arrest, the police officers at the site could have worked together to arrest the person safely. Rather, they chose to use excessive force, causing the

arm to break. Thus, it concluded that it was a violation of the principle of proportionality and the freedom of action.

The police station accepted the recommendation.

Unjustified arrest without warrant and use of handcuffs by the police

The Commission concluded that handcuffing a suspect and arresting him without warrant, in an interview room where he was being interrogated with his attorney present, because the suspect would not admit to tax evasion charges and there was risk of spoliation of evidence, is a violation of the suspect's freedom of action. On November 19, it recommended that the chief of the police station in question train its officers on correct procedures of arrest without warrant and use of police tools.

The Commission concluded that the possibility of spoliation of evidence is not, by itself, a condition for arrest without warrant. Also, arresting a suspect without warrant requires an emergency situation in which obtaining a court warrant of arrest is not possible. In this case, however, the Commission found no such urgency as the petitioner was being interrogated with his attorney present, and there was no "situation where the suspect is found by chance" as specified under Article 200-3 of the Criminal Procedure Act, and enough evidential materials to characterize the charges had already been secured through interrogation.

Human rights violation caused by excessive use of handcuffs in a holding cell

The Commission concluded that excessive use of handcuffs to constrain a person caught in the act and locked in a holding cell because of the continuous commotion he caused, and the fact that there were no partitions in the toilet inside the cell, constitute violations of freedom of action and of privacy, respectively. On December 20, it recommended that the chief of the police station in question share lessons learned, and that the chief of the National Police Agency revise the pertinent regulations.

The Commission concluded that the existence of CCTV blind spots does not justify physical constraints, and that the victim already had limited mobility in the holding cell as his hands were handcuffed behind the back. But using a second handcuff to a wall to further constrain the victim is not only humiliating but also violates freedom of action.

Also, the room in which the petitioner was locked had no toilet partition and had a CCTV. The Commission concluded that this does more than monitor the safety of those arrested, and infringes upon both their right to personality, and privacy and freedom.

B. The Military

Failure to notify parents that their son was hospitalized during recruit training

Soon after joining the military, the victim (a new recruit) was transferred to a hospital for a week for pneumonia treatment, but the petitionee did not inform the family of the victim's hospitalization. On February 26, the Commission recommended that the unit commander educate the petitionee to prevent similar cases from happening in the future.

The Commission found that, as a recruit who just joined basic training, the victim was not physically or mentally adapted to the new environment, and that respiratory diseases such as pneumonia can worsen into conjunctivitis or asthma, and in some serious cases, into severe pneumonia and even death. It concluded that the petitionee, who was in charge of the victim, did not fully take him or his family into account when the victim was discharged from the hospital and returned to basic training, and used his own judgment to decide that the victim was not in an emergency situation, and thus did not contact or inform the victim's family.

The relevant command accepted the Commission's recommendations on human rights education.

Human rights infringement caused by Navy captain's failure to allow medical treatment

On February 26, the Commission recommended a Fleet Commander to issue a warning to the petitionee and train its staff on human rights, so that sailors' right to access medical treatment is not violated in the future.

An investigation found that, immediately after the ship set sail, the victim complained of back pain and was admitted to the infirmary for the entire time at sea. However, he was only offered painkillers during that time. No report was made on a need to evacuate the patient to a higher echelon unit, nor any evacuation measures taken for the patient.

The need for evacuation is something that the petitionee, the commander, can determine with certain discretion based on the ongoing mission and the severity of injuries or sickness of his unit staff. However, no evidence was shown that evacuation was impossible because the ship was conducting emergency operations or that it was physically impossible for the petitionee to check the status of the victim. Witnesses reported that the petitionee did not come to see the victim himself or check on the severity of his illness, but there had been cases in the past where the petitionee had checked patients' conditions and evacuated them according to procedures. In this case, it is concluded that the petitionee failed to check and evacuate the victim, preventing him from getting proper medical services, and thus this constitutes an infringement upon the victim's right to access medical treatment.

The Fleet Commander accepted the recommendations of the Commission to issue a warning and offer human rights education to the petitionee.

Violation of right of defense in connection with a Review Committee meeting

The petitionee contacted 30 or so of the higher-ranking officers who are members of the Dismissal Review Committee one or two hours prior to a meeting slated to review the petitioner's case, and shared his views about the charges brought against the petitioner. On September 17, the Commission recommended that the Minister of National Defense come up with a plan to prevent similar incidents in the future and disseminate the case to subordinate units.

Considering the strict hierarchical structure unique to the military, the actions of the petitionee may have unfairly influenced the decision-making of the Dismissal Review Committee, regardless of what the intention was. Also, the closer to the meeting time such contacts were made, the more likely it would be for committee members to be influenced in their decisions; hence the Commission concluded that the petitioner's right to a fair trial and human dignity were violated.

The Ministry of National Defense accepted the recommendations to disseminate the case across the military.

Abuse of power and other human rights violations by unit commander

The Commission concluded that the petitionee violated the obligation to protect whistleblowers, as well as of the petitioners' privacy and freedom. On December 12, it recommended the higher

commander to require the petitionee to take human rights training, and the Chief of Staff of the Army to share the case with subordinate units to prevent such incidents from happening again in the future.

An investigation found that the petitionee had disclosed the name of the petitioner and his petition at a meeting with a hundred or so participants, and made comments to the effect that anyone who got into contact with the petitioner would be subject to an interrogation, and that it would do more harm than good to file a petition with the Commission.

In this regard, the Commission highlighted Article 55 of the NHRCK Act, which states that no person shall be subject to unfavorable treatment or other disadvantages because of his/her petition, as well as Article 43 and 45 of the Framework Act on Military Status and Service, which provides for a soldier to report to the relevant investigative institution any acts of human rights infringements committed in barrack life. In consideration of these guarantees, the inappropriate comments and actions by the petitionee ran contrary to his obligation as a commander to guarantee the rights of his service personnel, and thus constituted a violation of the obligation to protect whistleblowers, as well as the petitioners' privacy guaranteed under Article 17 of the Constitution.

The Army Command accepted the human rights training recommendations by the Commission.

C. Detention Facilities

Unfair prisoner housing decisions

On June 19, the Commission recommended the Minister of Justice to disclose to prisoners at least their qualitative indicator scores, if not the total score, of the security level evaluation (housing decisions), should prisoners ask to check the scores.

An investigation found that housing decisions are made using an objective process. However, prisoners are only given the decision outcome, but not the individual indicator scores nor the total score. The Commission concluded that this is limiting prisoners' right to know, and even recognizing the discretionary nature of qualitative evaluations, prisoners' right to know should be limited to the minimum necessary when determining what scores to disclose.

The Ministry of Justice accepted the recommendation and replied that a list of disclosable items

would be selected for prisoners' right to know, and that it would decide how the scores would be disclosed should there be a request from prisoners.

Excessive use of restraints on a prisoner

On April 2, the Commission recommended the Minister of Justice to ensure that prison guards accurately fill out the use of physical restraint log, so that the purpose and reason for using a restraint(s) on prisoners can be verified *ex post*, and to reduce the time interval until the next log entry, so that the actual time restraints were used can be observed. It also recommended vocational training for the petitioned prison guards.

An investigation found that the petitioner was put on physical restraint for approximately five days, but there was a daily average of only three remarks entered in the log. The remarks were also very abstract and lacking detail. According to records, the petitioner showed no specific symptoms or risked doing harm to oneself or others. Nonetheless, three different types of restraint were used on the petitioner and that for a long time, including bedtime. The Commission concluded that the continued use of restraints over an extended period of time when no risk of harm to oneself or others was observed is a violation of the freedom of action.

The Ministry of Justice accepted part of the recommendation. It replied that affiliated institutions would be required to enter the purpose and reason of restraints with enough specific details—including a justification for continued use and time of log entry—to verify whether they are in line with the provisions of Article 97 and Article 98 of the Administration and Treatment of Correctional Institution Inmates Act. However, the current interval for the next entry of remarks on the log would be maintained.

D. Multi-person Care Facilities

Mental hospital asks a minor to sign a DNR form for his father

Regarding an incident where a minor child was asked to sign a DNR (Do-not-resuscitate) form for his father, the Commission on July 5 recommended the director of Hospital A to establish measures to prevent similar incidents in the future. It also recommended the chief of the district office of the jurisdiction to enforce rigorous monitoring and oversight of medical institutions in the

jurisdiction to prevent the recurrence of similar incidents.

The Commission found that the petitioner was not critically unable to communicate and concluded that the petitionee asking a minor child of the petitioner sign the DNR form, and not a person with protective custody or legal representative, without asking the petitioner's opinion is an infringement upon the right to decide about one's life and the personal rights in general, because the decision to extend one's own life in an emergency situation is a basic human rights for all.

Right to make choices violated due to forced discharge and transfer from an assisted living facility

On August 7, the Commission recommended the director of an assisted living facility for persons with severe disabilities to educate the staff on proper procedures, to provide residents information and a chance to visit the home they will be transferred to, and to follow the procedures and provisions specified in the relevant laws, in the event that a discharge decision is to be made by a third person. It also recommended the Minister of Health and Welfare to include more detailed guidelines on discharge, transfer, and provision of facility/service information for residents in the Guide to Care Facilities for People with Disability Program.

The Commission is of the view that it falls on residents of an assisted living facility for handicapped persons to decide whether or not to be discharged, and considering their mental ability, the facilities must assist them in making a decision by offering photos, videos, and other information of the facility to be transferred to. Thus, it concluded that it is a violation of the right to make choices and of the freedom of residence to obtain discharge consent from a guardian, and not from the resident because he/she has a disability, and not offering information on the facility to be transferred to.

Rights of elderly violated in a senior care center due to failure to take medical actions

On August 8, the Commission recommended the director of a senior care center to ensure that the staff is educated by an external human rights organization, and the Mayor of the jurisdiction to provide more rigorous oversight of senior care centers in the jurisdiction by communicating the lessons learned.

The Commission found that in February the petitionee relied only on a questionnaire and an ocular inspection by a nurse aide, and not by a medical professional, to determine the condition of the petitioner who just had a femoral fracture, and failed to take appropriate medical actions for three days. It concluded that this is a violation of the duty of care to protect and treat ailments of senior patients, and an infringement upon the victim's right to health and the freedom of action. The Commission also found that the use of CCTVs in the community area and placing monitors in an open area for people to see, thereby publicly exposing the genitals of the victim and of other seniors, is an infringement upon the human dignity, value, and privacy and freedom of the residents.

The center and the city government of the jurisdiction accepted the Commission's recommendations.

Human rights violation caused by involuntary discharge and hospitalization between mental hospitals

On October 7, the Commission reported the director, staff, and doctors of Hospital A to the prosecution. The head admin officer of Mental Hospital A took a patient just discharged from Mental Hospital B by ambulance and re-hospitalized him in Hospital A though there was no hospitalization request, the director of Hospital A locked up the victim and faked the signature of the person who has protective custody of the victim, and a doctor of Hospital A instructed that the patient be isolated because the latter refused to consent to admission.

The Commission also recommended the Minister of Health and Welfare, Mayor of Seoul, and Mayor of Incheon to closely monitor transfers or movements of patients from one mental hospital to another immediately upon their discharge without informing them or obtaining their consent. It also recommended that measures be taken to prevent hospitals from inducing patients to voluntary or consented hospitalization when the patients don't have the ability to understand what hospitalization means or they do not want to be hospitalized.

Unjustified violation of personal information in a senior nursing home

On October 17, the Commission recommended the director of a nursing home to get human rights education from an external specialist to improve the awareness of the petitionees and other staff members.

The petitionees used a mobile group chat room for the purpose of “enhancing coordination and information sharing.” About 25 to 35 of all 40 staff members joined the chat room. It was found that they shared a photo of a blister of victim 1 with the victim’s name, the medical information of victims 3, 4, and 6, medical condition and a photo of an inflammation of victim 5, a video showing victim 2 verbally abusing a care worker, and photos of problematic behaviors of victim 2 (breaking a fan, pushing down a meal cart, and turning over a meal tray).

The information shared in the chat room concerns medical and illness conditions, symptoms caused by dementia, and information that the victims would not want to disclose outside. The information was also shared with the nutritionist, cooks, and admin personnel who are not directly involved in the treatment and protection of the victims. Thus, the Commission concluded that such activities violated the personal rights of the victims.

The nursing home accepted the recommendations of the Commission.

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

Human rights of corporate taxi workers violated due to uniform regulations forced upon them

On February 21, the Commission recommended the Mayor of a city to withdraw the order forcing corporate taxi personnel to wear designated uniforms and imposing a fine if the rule is not followed.

The Commission found that the municipal government’s enforcement of uniforms and fine policy run against the principle of proportionality and is a violation of the right to make choices and the freedom of action in general. Though forcing taxi service workers to wear a designated uniform is not, by itself, a human rights violation, the Commission viewed that it fails to achieve balance of legal interests, because uniforms alone do not significantly help improve taxi service image, it is difficult to say that the policy would achieve the intended effect as they are no more than a mere formality, and countering non-compliance with fine levy cannot be policy that minimizes violation of the fundamental rights.

The municipal government accepted the recommendations of the Commission.

Human rights of alien worker violated due to issuance of work permit denied

On May 8, the Commission recommended the director of a regional employment office under the Ministry of Employment and Labor to find a solution for an alien worker whose worker status expired due to elapse of worker registration period by no intention or gross negligence on his part, and allow him to work with a proper work permit.

The Commission found that an alien worker who applies for a change in workplace must obtain permission within three months from the date of application, and the Ministry of Employment and Labor must help the worker find a job in three months. In this case, however, it took two months for the employment office to document the fact that the petitioner had left a wrong phone number, and the petitioner had only five days left when he got a job offer from the office. Also, by mistake of the employer, the petitioner had to undergo an unnecessary tuberculosis test, which caused him to miss the legal employment registration period by a lapse of three days.

Based on the above, the failure to meet the employment registration period is due to a reason not attributable to the worker, as specified in the proviso of paragraph 3 of Article 25 of the Act on the Employment, etc. of Foreign Workers.

Thus, the Commission concluded that denying work permit to the petitioner who was without fault in the elapse of the employment registration period is a violation of the freedom of action and the freedom of occupation of the petitioner.

The employment office accepted the Commission's recommendations and gave the petitioner an extension for workplace change so he can continue to work legally as an alien worker.

Freedom of movement and residence violated due to policy restricting leave to a country other than the one volunteers are sent to

On November 28, the Commission recommended the president of an overseas volunteer organization to modify the leave policy that restricts volunteers from taking leave in a country outside the one they are serving.

The Commission concluded that the leave policy, which limits volunteers from taking leave to another country, is a violation of the freedom of movement and residence because: there is no significant correlation between the safe management of volunteers and the leave policy (including

Korea); the policy itself is unlikely to raise the quality of volunteer activities; it cannot be said that the policy, which applies without exception, is a measure with justifiable restrictions of fundamental rights to achieve the goal of the volunteer mission and the policy causes specific and serious damages to the petitioners while its benefit is merely convenience of personnel management.

The organization accepted the recommendation of the Commission. Considering the minimum time for adaptation and the security situation in other countries, it changed the policy to allow volunteers to take leave to another country after six months have elapsed from the time they were stationed.

Human rights infringement caused by restroom restrictions during bar exam

On October 14, the Commission recommended the Minister of Justice to improve the current administration of the bar examination in a way that the rights of test-takers are not violated due to the restriction placed on use of restrooms during the examination.

The problems of cheating or causing a disturbance cannot be completely controlled if test-takers are allowed to use the restroom during the exam. However, no reports of cheating or disturbances were received from college entrance exams, TOEIC test, or other public examinations where the restroom restriction policy was mitigated or abolished based on the Commission's recommendation.

The benefit gained from restricting use of restroom for the sake of fairness and protection of other examinees is vague and limited as the bar exam offers little chance of benefit gained from cheating in the restroom due to the exam layout and the difficulty of the test; the physiological need to use the restroom is a basic human need and a right that must be protected by the Constitution; and it is harsh to make a test-taker who is desperately in need of using the restroom choose between suppressing a natural urge or giving up on the exam. On the other hand, the damage suffered by test-takers is specific and serious. Thus, the Commission concluded that, if an exam session is not more than two hours, restricting the use of restroom is an infringement upon the right to human dignity and the freedom of action in general.

The Ministry of Justice accepted the Commission's recommendation and replied that it would allow restroom breaks, starting thirty minutes after a test begins and ending 20 minutes before it ends.

F. Schools

Human rights violation in a school caused by smartphone collection and hair policy

The Commission concluded that collecting smartphones during normal school hours and restricting students from getting a hair perm or dyeing without consulting the students and teachers is an infringement upon the freedom of action in general and their freedom of communication. On April 29, it recommended the principal of the junior high school in question to revise the related rules based on due consultation with students and teachers. It also recommended the superintendent of education in the jurisdiction to review the hair-related regulations of all junior high schools and high schools in the area and see that those banning hair perm and coloring be modified.

The Commission concluded that prohibiting students from possessing or using smartphones during normal hours, and from getting a hair perm or coloring excessively limit the general freedom of action, freedom of communication, right to make choices, and freedom of expression of identity.

The principal of the school and the superintendent of education accepted the recommendation by the Commission.

Mandatory university survey on sensitive personal information

On May 8, the Commission recommended the director of a university research institute not to force students to take a survey containing sensitive information in order to view their grades, and to take appropriate measures to ensure that the right to make decisions on personal information is not violated in future surveys. It also recommended the university president to see that the petitionee and the research institute staff are properly trained on human rights and to prevent a recurrence of similar incidents.

An investigation showed that the survey did not collect personally identifiable information such as name, university ID, or telephone, but it did collect personal information that are protected under the right to make decisions on personal information, *i.e.* information that can characterize a student when combined with other information (such as gender, military experience, category of admission, and college), as well as information that can characterize a student's personality and

identity (personal sexual orientation and conviction, economic conditions, and experience with bullying).

The Commission concluded that the petitioners' freedom of action in general and the right to make decisions on personal information were violated. The balance of legal interests was not achieved in this case, as shown by the facts that students were not given access to their grades until they took the survey; there is little legal basis in the survey; it is not a way to minimize limitations of fundamental rights; and there are no circumstances showing that the petitionee had a serious need to conduct the survey.

The university accepted the recommendation by the Commission. It replied that students would be fully communicated the purpose and content of condition surveys and voluntary participation would be encouraged, and the staff would be educated on human rights.

Sending a student's school life record unsealed through a third person

The Commission concluded that an elementary school teacher sending a student's school life record unsealed through a third person and leaving the student's personal information open to that third person is a violation of human rights. On August 27, it recommended the principal of the school to develop measures to protect personal information and educate the teaching staff accordingly.

The Commission concluded that the teacher sending a student's school life record through a friend of the student without sealing the record is a violation of the victim's right to make decisions on personal information and privacy.

The principal of the school accepted the recommendation by the Commission to educate the staff on what not to do when handling personal information.

Section 3. Investigations and Remedies : Discrimination

1. Petitions Filed and Processed

A. Petitions Filed by Area

The total number of petitions filed for discrimination from the time the Commission was established until December 2019 stands at 31,379, the largest proportion of which is related to discrimination concerning the supply and use of goods and services at 12,308 (39.2%), followed by discrimination concerning employment, dismissal, and wages at 9,201 (29.3%) and discrimination in use of educational facilities and vocational training institutions at 1,787 (5.7%).

The number of petitions filed for discrimination, which had surged in 2017 and fallen markedly in 2018, increased again in 2019, with a total of 2,613. By area, petitions related to discrimination concerning the supply and use of goods and services stood at 968 (37.0%), discrimination concerning employment at 855 (32.7%), and discrimination in use of educational facilities at 111 (4.2%), showing a relative increase in cases concerning discrimination in employment.

As to discrimination in employment, the largest number of petitions filed was related to wage and non-wage payment at 253 (29.6%), followed by recruitment and hiring at 168 (19.6%), education, placement, and promotion at 124 (14.5%), and retirement age, retirement, and dismissal at 70 (8.2%). As to petitions related to discrimination in goods and services, 400 (41.3%) were related to goods, followed by services at 324 (33.5%), and transportation and commercial facilities at 213 (22.0%).

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

(Unit : cases)

Classification		Discrimination concerning employment												
Year	Total	Subtotal	Recruitment	Hiring	Education	Placement	Promotion	Wage	Non-wage payment	Loan	Retirement age	Retirement	Dismissal	Others
Cumulative	31,379	9,201	1,426	1,850	170	543	352	1,354	349	7	253	273	810	1,814
2019	2,613	855	59	109	22	68	34	222	31	1	11	27	32	239
2018	2,197	603	75	111	23	49	31	90	24		6	10	47	137
2017	3,159	795	76	182	21	40	39	136	37	-	3	36	69	156
2016	2,429	488	65	93	15	26	13	92	26	-	6	14	44	94
2015	2,188	594	58	123	34	13	16	141	27	-	9	19	50	104

Year	Discrimination concerning the supply and use of goods and services							Discrimination concerning the use of educational facilities			Sexual harassment				Others
	Subtotal	Goods	Services	Transportation	Commercial facilities	Land	Residential facilities	Subtotal	Educational facilities	Vocational training institutes	Subtotal	Employment-related	Work related	Others	
Cumulative	12,308	5,087	4,791	1,102	980	34	314	1,787	1,676	111	302	199	18	85	7,781
2019	968	324	400	51	162	1	30	111	98	13	302	199	18	85	377
2018	1,041	369	512	66	79	1	14	92	80	12	-	-	-	-	461
2017	1,227	283	591	211	110	4	28	129	122	7	-	-	-	-	1,008
2016	863	350	326	88	55	4	40	256	249	7	-	-	-	-	822
2015	951	299	489	104	41	16	2	93	90	3	-	-	-	-	550

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

※ Sexual harassment numbers represent petitions filed in 2019.

B. Petitions by Reason

Looking at the discrimination-related petitions by reason, 14,662 petitions (46.7%) were related to disabilities, accounting for nearly half of all petitions filed. This was followed by sexual harassment at 3,050 (9.7%), social status at 2,686 (8.6%), age at 1,820 (5.8%), and gender, pregnancy, and childbirth at 1,536 (4.9%).

In 2019, the number of petitions related to discrimination based on disabilities remained the largest at 1,094 (41.9%). There was a larger proportion of petitions related to social status at 364 (13.9%), and gender, pregnancy, and childbirth at 255 (9.8%). Compared to the previous year, the number of petitions related to sexual harassment was higher at 302 (11.6%). The number of petitions filed for a reason not specified in the NHRCK Act stood at 299 (11.4%), showing that petitions are driven by a variety of reasons.

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

(Unit : cases)

Year	Total	Gender	Marital status	Pregnancy and childbirth	Family situation	Sexual harassment	Appearance	Disability	Age	Social status	Place of origin	Country of origin	Ethnicity	Race	Skin color	Religion	Ideology	Criminal record	Sexual orientation	Medical history	Academic background	Others
Cumulative sum	31,379	1,199	148	337	244	3,050	376	14,662	1,820	2,686	179	466	18	120	18	222	64	244	376	485	667	3,998
2019	2,613	225	7	30	22	302	17	1,094	101	364	8	36	-	2	1	13	4	17	20	33	18	299
2018	2,197	100	10	41	22	259	18	1,132	106	183	16	29	1	6	1	22	8	12	11	28	19	173
2017	3,159	136	19	40	31	297	34	1,428	109	234	20	25	2	5	-	25	9	16	261	33	45	390
2016	2,429	96	16	8	19	205	20	1,511	101	89	8	28	-	8	1	15	7	10	5	32	23	227
2015	2,188	65	6	1,147	98	117	8	23	-	23	2	10	21	12	10	4	10	11	17	23	203	378

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

C. Petitions Processed by Category

From the time it was established through December 2019, the Commission received a total of 29,897 discrimination-related petitions, of which 95.3% were closed.

Looking at the petitions closed in 2019, ten more cases were processed compared to the previous year, but there were 434 less petitions that were remedied. The marked decrease in the number of petitions remedied is in contrast to the spike in the number in the previous year. In 2018, 244 petitions related to the Army's tracking down of sexual minorities were closed all together with a recommendation, and 208 collective petitions submitted by persons with visual disabilities were closed all together as resolved during investigation.

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

(Unit : cases)

Classification	Submitted	Processed	Remedied						Rejected	Transferred	Dismissed	Investigation suspended
			Subtotal	Criminal investigation requested/rejected	Recommendations, etc.	Mediation	Closed by settlement	Resolved during investigation				
Cumulative	31,217	29,897	8,169	20	1,977	57	778	5,339	14,991	142	6,428	165
2019	2,455	2,451	512	2	248	1	39	222	1,300	5	631	3
2018	2,185	2,441	946	3	338	7	19	579	1,017	2	475	1
2017	3,152	2,375	725	1	147	15	29	533	1,098	6	543	3
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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

* 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

Looking at the cases remedied in 2019, there was a greater number of remedies to discrimination based on age and to discrimination based on social status. Compared to the previous year, 49 more petitions were handled and 6 more petitions remedied in relation to discrimination based on age, and this increase was particularly noticeable in the employment area.

In the area of discrimination based on social status, the Commission actively handled petitions related to public service personnel in schools and public institutions, and those related to fixed-term workers. Compared to the previous year, it handled and remedied 230 and 106 more petitions, respectively.

For the period 2014-2018, the number of petitions related to discrimination based on disabilities represented 65.6% of all petitions remedied. In 2019, these petitions accounted for only 39.8%. This is largely because a large percentage of these petitions required policy level review, and there was a rapid increase in cases requiring IT-related expertise, such as web accessibility by the visually impaired.

2. *Ex Officio* Investigations and On-site Inspections

A. *Ex Officio* Investigations

The Commission conducted an *ex officio* investigation of law school application forms of 25 schools nationwide to see if they contain question about criminal records.

The investigation showed that seven law schools require applicants to state in the application form if they have ever been criminally punished. The Commission viewed this as an unjustifiable act of discrimination, because there is no need for law schools to examine whether an applicant has reasons to be disqualified under the Attorney-at-law Act, the question can have a negative impact on an applicant's admission result, and it can ultimately deprive applicants of an opportunity in the legal profession. On December 26, the Commission recommended five law schools (two law schools announced that they would take remedial actions) to remove the criminal record question from their application forms.

On October 25, 2018, the Commission initiated an *ex officio* investigation of a human rights violation against a student with developmental disabilities. The violation was caused by the

school's referring the student to the school's Committee to Counter Violence because the student's behaviors were "aggressive."

It was found that the school lacked a general understanding of the behavioral impairments of students with developmental disabilities, suggesting a need to educate the investigated teacher in human rights. Given an urgent need to improve institutions and practices, the Commission on July 5 recommended the Minister of Education to develop a manual explaining how schools can respond to various "challenging behaviors" of students with developmental disabilities, and to enable students with developmental disabilities to get external expert assistance when appearing at the Committee to Counter Violence, either as an offender or a victim.

B. On-site Inspections

In 2019, the Commission conducted on-site inspections of nursing homes for infants with disabilities and those for persons with mental disabilities.

The Commission inspected nine nursing homes for infants with disabilities. There was a more urgent need to do so as young children with disabilities cannot report human rights violations on their own. Inspections were made of facility environments, infants' right to life, right to protection, right to development, and right to participation, and included questionnaires for facility workers, families of infants, and foster home guardians. The Commission will review the findings and make recommendations for improvements.

Inspections of nursing homes for persons with mental disabilities showed that these facilities admit patients using the same procedures as mental healthcare facilities and have specific rules on communication, leave, and visits, behavioral control measures, and work treatments despite the fact that these facilities are functionally different from mental healthcare facilities in that they provide living assistance for those with chronic ailments. In 2019, the Commission inspected nine facilities that were not inspected in 2013 and 2017. Based on the findings, the Commission will make an analysis of the types of human rights violations that occur in these nursing homes and recommend medium- to long-term improvement plans.

3. Key Petitions

A. Gender Discrimination

Male candidates excluded from special admission to a college flight operations department

On January 23, the Commission recommended the dean of a community college to modify the admission criteria of the flight operations department so that it is not limited to a specific gender.

The Commission concluded that special college admissions are essentially designed to attract students with specific experience or talent, but gender is not a specific experience or talent. The fact that newly hired flight attendants are largely female is a result of a gender stereotype, which in turn fostered a discriminatory hiring structure. Also, gender is not a vocational characteristic that is absolutely critical in fostering a professional force.

While acknowledging that the aspiration of an impressive job placement rate is a realistic challenge that the college faces, the Commission concluded that the employment rate is a goal that the institution must achieve, and not a reason justifying the gender discrimination in admission. Thus, taking applications from a specific gender constitutes a discrimination based on gender without a justifiable reason.

The college accepted the recommendation of the Commission and notified that it would change its admission policy and remove the gender limitation starting from the 2022 admission.

Discrimination against women caused by limited interpretation of the term *jangson*

Concluding that it is discriminatory to limit the interpretation of *jangson* (literally meaning “the eldest grandchild”) to ‘the eldest son of the eldest son’ in an employment support program targeting the eldest grandchildren of persons of distinguished service to the state, the Commission on March 20 recommended the Minister of Patriots and Veterans Affairs to develop specific, gender-equal remedial actions.

The Commission concluded that, despite the abolition of the patriarchal family registry system and the noticeable change in the public perception of family functions and parental roles, limiting the concept of *jangson* (literally “the eldest grandchild”), who is the succeeding head of family, to

a male based on the old patriarchal family registry system and the lingering notion that a family lineage is patriarchal is a discrimination based on gender stereotypes, and thus a violation of the Constitution.

The Ministry of Patriots and Veterans Affairs accepted the Commission's recommendation, and revised the related guidelines so that the *jangson* concept is interpreted as "the first child of the first child," regardless of gender.

Promotion discrimination based on gender

On July 24, the Commission recommended the petitionee company to remove a long-standing gender discrimination practice. The company hired women to lower positions than those assigned to male recruits, and had them do simple, repetitive work. It assigned jobs and positions to male employees only, discriminating against women in terms of promotion and wage level.

An investigation by the Commission showed that men and women workers of the company don't have fundamentally different work ability, and that there is no significant difference in responsibilities and degree of efforts. Opportunities to gain experience were assigned to male employees only, and female employees were completely excluded from related education and training programs.

The Commission did not see that the jobs of male employees were comparatively more specialized to justify a considerable difference in promotion between men and women, nor that they require a specialized skill or effort that cannot be expected of female employees. It concluded that female employees were discriminated against without a justifiable reason based on gender stereotypes that women "are fit to do repetitive, simple jobs that do not require any skill levels" or "they "cannot assume the responsibility of managing hazardous and heavy components."

B. Sexual Harassment

Supervisor urging a subordinate employee to quit because she refused to go out with him

On October 29, the Commission recommended the petitionee, a supervisor, to take special human rights education sessions and pay a compensation of 3 million won to the petitioner, who

was his subordinate employee. The petitionee had urged the petitioner to leave the company because she had rejected him.

The petitionee told the petitioner that women are bound to quit their job because they have continuity issues when they start going out with someone or get married. However, if she were to go out with him, he would protect her. He was using his higher official rank to urge her to go out with him. When she rejected his offer, he said “get ready to quit,” which are comments that could have direct influence on her employment status. The petitioner ended up leaving the company.

The Commission concluded that the petitionee made the petitioner quit her job, and his act is equivalent to giving a disadvantage in employment for reason that one does not accept sexual speech or sexual demands. Thus, it constitutes sexual harassment.

Head of private educational institute demanding a female instructor to wear revealing clothing

On November 19, the Commission recommended the petitionee, who is the director of a private educational institute, to take special human rights education sessions. The petitionee demanded a TOEIC instructor to wear a mini skirt, kill heels, coffee-colored stockings, and a lot of makeup, though such clothing had nothing to do with her performance as a TOEIC instructor.

The petitionee insisted that he was coaching the petitioner on style so she can look like a professional TOEIC instructor, and that he had no sexual intention or implication. However, the Commission saw the required dress code to be a sort of sexual objectification, as it reveals certain parts of the body such as thighs and legs.

The Commission also concluded that wearing a miniskirt against one’s will and putting up with excessive exposure not only gives women a sense of humiliation, but also creates a toxic work environment. Thus, the demand of the petitionee counts as sexual harassment.

C. Disability-Based Discrimination

A person with development disabilities asked to be accompanied by a same-sex caregiver in order to use swimming pool

On July 5, the Commission recommended the director of a sports center to allow persons with disabilities to use the swimming pool even when they are not accompanied by a same-sex caregiver, unless there are special reasons not to do so. It also recommended the mayor and the director of the Facilities Management Corporation in the county to increase oversight of sports facilities and prevent a recurrence of such incidents.

The victim (male, 29 years old at the time) who has developmental disabilities wanted to use the swimming pool during a free swim session at the sports center. The ticket staff denied him and his mother, who petitioned the case, access to the pool, stating that admission is not possible unless he is accompanied by a same-sex caregiver.

The Commission concluded that it is a discrimination based on disabilities to demand a person with disabilities to be accompanied by a same-sex caregiver in order to use the pool and to restrict its use otherwise, by reason of safety risks and shortage of personnel, and without considering the specific, individual characteristics of the user's disabilities, and without providing separate guidelines or notification in advance.

The county mayor accepted the recommendations and replied that actions would be taken so that persons with disabilities can use a swimming pool without discrimination. It would also increase oversight of other sports facilities in the jurisdiction so that there are no discrimination based on disabilities in the future.

A person with epilepsy asked to submit a doctor's note and be accompanied by a caregiver in order to take part in sports activities

On August 7, the Commission recommended the director of an education center to stop demanding persons with disabilities to submit a doctor's note and be accompanied by a caregiver in order to participate in sports activity programs. It also recommended modification to the discriminatory provisions in the Terms of Service, which were cause of such discrimination, and to properly educate the staff.

The petitioner, who is undergoing epilepsy treatment, was asked to submit a doctor's note and be accompanied by a caregiver in order to take an aerobics class at the education center. She filed a petition with the Commission that the requirements were excessive and discriminatory.

The Commission concluded that it is an unjustified discrimination against persons with disabilities to demand the petitioner to bring a doctor's note and a caregiver in order to mitigate safety risks and reassure other program users.

The education center accepted the recommendations and replied that it would stop asking persons with disabilities to submit a doctor's note and be accompanied by a caregiver, train the staff on human rights, and modify the relevant provisions in the Terms of Service.

Guide dogs of persons with visual impairment denied entry into restaurant

On September 6, the Commission recommended the mayor of a city to impose a fine on a restaurant for violation of the Act on Welfare of Persons with Disabilities, organize education and training for restaurants, and conduct oversight and monitoring to prevent similar incidents in the future.

The victims, who are blind persons (visual impairment grade I), wanted to have a meal at the restaurant, accompanied by their guide dogs. However, the petitionee refused to allow the dogs from entering the facility for the reason that other diners don't like it.

The Commission concluded that guide dogs play an integral role in the lives of blind persons, so denying them entry into a restaurant because of a false notion that guide dogs can do harm to other customers or affect business is a discrimination based on disability.

The city accepted the Commission's recommendations and imposed a fine to the restaurant. It also replied that it would work with human rights organizations in the jurisdiction to offer regular educational sessions for restaurant operators.

D. Age Discrimination

Discrimination based on age during a school interview

On June 25, the Commission recommended the principal of a junior high school not to discriminate against older candidates by asking their age and other unrelated questions during job interviews.

The Commission found that, during an interview to fill a teacher position, the petitionee asked the petitioner who was 55 years old at the time, “Older teachers don’t like to offer open classes. What about you?” The question was about age or personal information related to age. Though it is difficult to conclude that the petitionee’s question influenced the interview outcome, the question/comment itself revealed an age bias or prejudice that “older teachers have a hard time communicating or socializing.” Thus, it is an act of discrimination that must be redressed.

The school accepted the recommendation and said that it would prohibit questions that may violate human rights procedures and regulations during all open hiring, and take measures to prevent a recurrence of similar incidents by training the staff on related laws and regulations, and manual.

Employment discrimination based on age at a nursing home

On November 19, the Commission recommended the director of a nursing home to ensure that no applicants are restricted from applying for a position due to age.

The petitioner wanted to get a nursing assistant position at the nursing home. When she called to ask questions, the person in charge asked how old she was. Hearing that she was born in 1952, the hirer said that they wanted someone younger. Considering the characteristics of nursing assistant jobs, it is difficult to say that the position requires set age limits. Also, age is not a criterion for assessing computer skills or physical ability to move patients; rather, these abilities should be validated during interviews. Based on these considerations, the Commission concluded that there is no justifiable reason to place an age limit during the application phase, and so discouraging the petitioner from applying for the job by saying they would rather hire someone younger is an act of age discrimination in employment.

E. Discrimination Based on Social Status

Assignment of fixed-term employees on night shifts

On January 23, the Commission recommended the director of a medical center not to differentiate fixed-term workers and indefinite-term contract workers in terms of shifts.

The medical center treated fixed-term workers differently from indefinite-term workers. The victims, who were formerly outsourced from an external service agency but later hired as fixed-term cleaning employees by the center based on the government's public sector employment policy, were placed on night shifts, while indefinite-term workers were placed on day shifts. The Commission concluded that fixed-term employees are not specifically specialized in night-time work, the intensity of work of the night and day shifts is unlikely to be essentially different, and the user's claim that there was a need to distinguish the work performed by fixed-term employees who don't get paid a bonus and those performed by indefinite-term workers cannot be a justifiable reason.

The medical center accepted the recommendation and notified that actions were taken to include both fixed-term and indefinite-term workers in the night shift.

Discriminatory payment of welfare points to a cook hired under an indefinite-term contract

On May 3, the Commission recommended the director of an agency to give the same amount of additional welfare points to both indefinite-term employees and regular employees based on seniority.

The agency only paid basic welfare points to the petitioner, a cook hired under an indefinite-term contract, but not the additional, seniority-based welfare points because the channel through which the petitioner was hired and the duty performed are different from those with a permanent position.

The Commission concluded that the intent of selective welfare programs is to raise employee morale and improve work conditions, so welfare points should be given equally to all employees who have a working contract with the agency. It also concluded that the fact that there are a few part-time workers to whom the welfare point program does not apply cannot be a justifiable reason

for applying a different criteria for all the cooks who are on an indefinite-term contract, as opposed to those with a regular status.

The agency accepted the recommendation and notified that it would modify the welfare point policy and secure the necessary budget to pay the same additional points to all indefinite-term workers from 2020.

Discriminatory treatment of term contract teachers

The Commission recommended that term contract teachers should not be excluded from excellence awards on Teacher's Day (September 30); regulations limiting the maximum step that a retired teacher who is re-hired on a fixed-term contract can receive to be 14 steps should be modified (October 29), and regulations should be revised so that term contract teachers who gain additional career experience during the term of contract be eligible for a salary adjustment in the form of step increase (November 19).

The Commission concluded that eligibility for excellence awards on Teacher's Day should be based on contribution to the development of education and exemplary achievements, and not teachers' permanent position. Regarding the hiring of a retired teacher on a term contract, it found the maximum step limit unjustifiable, because some teachers retire without receiving retirement pension benefits. It also found it unjustifiable that a term contract teacher should be denied the same step increase as permanent position teachers despite having enhanced vocational capability and skills by obtaining a grade 1 regular teacher qualification.

The Ministry of Education and the offices of education accepted the recommendations. They made changes so that term contract teachers are not excluded from excellence awards on Teacher's Day, and also revised the standard operating procedures on salary payments for term contract teachers.

F. Discrimination Based on Religion

Discrimination in use of university facility for failure to attend religious events

On April 10, the Commission recommended the president of a university to modify the dormitory admission pledge, which makes it mandatory for dorm residents to attend early-morning chapel service and allows for their eviction otherwise.

The dormitory admission pledge provides that residents faithfully attend chapel services, be warned if they don't attend a service for the third time, be counseled if they don't attend for the fourth time, and be evicted if they don't attend for the fifth time, and raise no objection even if re-admission is denied.

The Commission acknowledged the fact that the mission of the university is to foster ministers and church leaders in the Christian faith. However, it concluded that it is an unjustified act of discrimination against non-Christian students to force them to the pledge, even though most departments are open to non-Christian students and the dormitory is open to all enrolled students who have paid the admission fee, and not a facility dedicated to fostering religious persons. It also concluded that evicting dorm residents who fail to attend early-morning chapel service is excessive.

The university announced the position that the recommendation cannot be accepted because of the freedom of religion and its founding principles as an agent of religious education. It would, however, develop considerations for students who cannot comply with the dormitory rules for some unavoidable reasons.

Certain religious believers limited in taking a national license exam administered on a Saturday

On November 25, the Commission recommended the director of the Licensing Examination Institute to make the national semiannual nurse aide exams available on different days of the week.

The victim, a believer of a religious group that disallows secular activities from sunset on Friday to sunset on Saturday, petitioned that it is impossible for her to take the national nurse aide exam as it is always administered on a Saturday.

The Commission concluded that administration of national certification and licensing exams on certain day(s) of the week is an indirect discrimination because, though it may seem equal as it applies the same for all religious believers and non-believers alike, it can have disadvantageous effects on certain religious believers. Also, because the disadvantage can be significant for the victim as she has to give up becoming a nurse aide as she cannot take the exam unless she gives up her religious faith, it concluded that it is necessary to make one of the two annual exams to be administered on a different day of the week.

G. Discrimination Based on Medical History

Petitioner coaxed into resigning by reason of HIV infection

On January 23, the Commission recommended the chief of a fire station to make sure that, in the future, no staff is treated disadvantageously by being coaxed into resigning just because he or she is an HIV infector. It also recommended the governor in the jurisdiction to take remedial actions, including reinstating the victim.

The Commission concluded that it is an act of discrimination without justifiable reason to coax the victim into resigning and remove from the job based on a decision that the victim can no longer perform the duties, despite the fact that the latter had never had any issues in completing the job throughout the service, there are alternative ways to manage HIV infectors, and the victim was no longer in an infectious condition.

The chief of the fire station accepted the recommendation and came back with a plan to protect and support HIV infectors, and an implementation plan to prohibit forced resignation. However, the governor was of the position that no action can be taken to reinstate the petitioner because there were still controversies on whether the victim was coaxed into resigning.

Discrimination in selection due to history of cancer operation

On November 19, the Commission recommended that the criteria for selecting multilateral cooperation specialists and volunteers be revised, so that candidates are not altogether rejected just because of a history of cancer surgery and a specified period of time has not elapsed since the surgery, and without consideration of their actual physical conditions.

While acknowledging that selection of multilateral cooperation specialists should be based on strict criteria, and based on an expert opinion that the petitioner's physical condition is not particularly limited in fulfilling the proposed job description, the Commission concluded that it can hardly be justifiable to exclude the candidate from selection just because the candidate had a history of surgery and no consideration was made of actual physical condition.

H. Discrimination Based on Sexual Orientation

Discrimination and human rights violations against transgender inmates

On March 20, the Commission recommended the Minister of Justice to conduct a survey of the conditions and treatment facing sexual minorities in prison, and to develop a plan to ensure enforcement of Article 39 (treatment of sexual minorities) of the Standard Guidelines for Correction. It also recommended the director of a detention center to educate the staff to be more sensitive to transgender rights.

The detention center was aware that the petitioner, a transgender who had a female-to-male surgery, had the breast removed and begun hormonal therapy. During counseling, the petitioner had complained of health problems since hormonal therapy was stopped. Though the associated side-effects were sufficiently predictable, no necessary medical treatment was given to the petitioner. Also, the center failed to consider sexual minority characteristics in assigning the petitioner to a female prison cell and issuing underwear and clothing for women.

The Commission concluded that the treatment of the petitioner by the detention center was due to a lack of understanding from the perspective of sexual minority rights. And because the center in question is unlikely to be the only detention center having this problem, the Commission advised the Ministry of Justice to conduct a survey of all correctional facilities in the nation and see if the dignity and fundamental rights of transgender prisoners are respected in every aspect of prison life, from prison cell placement, medical treatment, to undergarment choice and bath, and to come up with a general improvement plan.

Discrimination in facility use for reason of sexual orientation

On April 10, the Commission recommended a district office and the local facilities management corporation to ensure that prospective facility users are not denied space rental for reason of sexual orientation. It also recommended the corporation to train the staff for increased awareness of sexual minorities.

The corporation argued that the space request was approved because the officer in charge was not aware of a ceiling repair work that was scheduled on the same day, and the request was cancelled only after the officer became aware of the scheduled work. The district office argued that

the repair work schedule was determined in consultation with the corporation, and the office was not involved in cancelling the space approval.

The Commission found that the corporation was influenced by complaints on an event organized by a sexual minority group, scheduled the repair work to fall on the day the petitioner had a reservation, and then cancelled the petitioner's reservation. And though the corporation helped a kindergarten, which had a reservation on the same day, reschedule their event, it did not do so for the petitioner. Thus, it concluded that the petitioner was discriminated against for reason of sexual orientation.

I. Discrimination Based on Race and Color

Club entry denied by reason of race and color

With respect to an Indian-American denied entry into a club, the Commission recommended on July 22 that the club improve its business policy to ensure that customers are not denied entry for reason of race and color.

The International Convention on the Elimination of All Forms of Racial Discrimination guarantees the right of access to any place or service intended for use by the general public, without distinction as to race or color. The club argued that it was denying access to foreigners because of safety reasons. However, entry was denied only to the petitioner, but not to the Korean American friend who was with him. The Commission determined this to be an act of discrimination based on race and color. Though the club operator has the freedom to manage the facility in the way he/she sees fit, the same freedom does not provide unlimited guarantee to exclude certain groups of people without a justifiable reason, and thus does not justify discrimination based on race and color.

The club refused to accept the recommendation. By disclosing the club's non-acceptance of the recommendation, the Commission highlighted the principles of the Convention and informed the public that no groups of people should be excluded from accessing a facility, even though it is a commercial one.

Employment discrimination based on race and color

On December 26, the Commission recommended the president of a service agency to ask the petitioner, a Sudanese sojourning in Korea with a refugee status, if he wishes to be hired for a specific position, so he isn't disadvantaged in employment. It also recommended the agency to take specific measures to prevent disadvantages in employment in the future, ensure that job-seekers are not excluded from a job offer for reasons of race or color, and train its staff on human rights.

After being interviewed by the agency for a job, which is linen cleaning service for a hotel, the petitioner received a text message saying, "the hotel manager does not want to get attention, so he can't hire you."

The Commission concluded that the petitioner was excluded from the job clearly for reason of race and color, and that doing so constitutes employment discrimination without a justifiable reason in violation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Discrimination (Employment and Occupation) Convention (ILO Convention No.111).

Section 4. Human Rights Counseling and Petitions

From 2018, there was a slight surge in petitions, counseling requests, and complaints/inquiries. To ensure more effective remedial measures, the Commission advertised the services it offers and made it clear who and which organizations are subject to investigation when a petition is filed.

In 2019, the Commission received 9,737 petitions, 33,437 counseling requests, and 44,861 complaints and inquiries (on who/institutions subject to Commission investigation, filing procedures, and information on other institutions). Compared to the previous year, there were 452 more petitions (4.9%), 1,159 more counseling requests (3.6%), and 1,107 (2.4%) less complaints and inquiries.

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

(Unit : cases)

Year	Petitions	Counseling requests	Complaints and inquiries	Total
Cumulative sum	141,934	402,361	516,350	1,060,645
2019	9,737	33,437	44,861	88,089
2018	9,285	32,278	45,968	87,526
2017	12,336	36,370	42,939	91,638
2016	10,647	31,616	38,020	80,283
2015	10,695	32,030	37,961	80,686

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

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

1. Human Rights Counseling

Since its inception until the end of December 2019, the Commission processed approximately 400,000 counseling requests in total. In 2019 alone, the number stood at 33,437, which represents a slight increase from the previous year. By type, 41.1% were related to human rights violations, 8.3% to discrimination, 3.1% to face-to-face petitions closed by counseling, and 47.5% to other issues. Compared to 2018, the number of counseling requests related to human rights violations

increased by 0.9%, while counseling requests related to discrimination decreased by 0.3%. 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	402,361	157,048 39.0	34,793 8.7	182,640 45.4	27,878 6.9
2019	33,437	13,744 41.1	2,767 8.3	15,872 47.5	1,052 3.1
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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

2. Petitions Filed

Since its inception in November 2001, the Commission received a total of 141,934 petitions, of which 108,214, or 76.2%, were related to human rights infringement, 31,379, or 22.1%, to discrimination, and 2,341, or 1.6% to other issues. In 2019 alone, 9,737 petitions were filed, of which 7,072 (72.6%) were related to infringements and 2,613 (26.8%) to discrimination.

There were 452 more petitions filed (4.9%) from the previous year, of which those related to discrimination increased by 416 (18.9%). The increase is attributable to the emergence of employment discrimination and gender discrimination in the public realm.

[Table 2-2-9] Petitions Filed Requests in the Last Five Years by Type

(Unit : cases, %)

Classification Year	Total	Human rights violation		Discrimination		Others	
Cumulative	141,934	108,214	76.2	31,379	22.1	2,341	1.6
2019	9,737	7,072	72.6	2,613	26.8	52	0.5
2018	9,285	7,064	76.1	2,197	23.7	24	0.3
2017	12,336	9,144	74.1	3,159	25.6	33	0.3
2016	10,647	8,164	76.7	2,429	22.8	54	0.5
2015	10,695	8,499	79.5	2,188	20.5	8	0.1

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

3. Face-to-Face Petitions

From November 2001 to December 2018, the Commission received 59,295 face-to-face petitions from detention and protection facilities. Of the 2,645 face-to-face petitions closed in 2019, 573 (21.7%) were filed as petitions, 1,052 (39.8%) closed by counseling, and 1,020 (38.6%) withdrawn by the petitioners. Face-to-face petitions closed by counseling, which account for the largest percentage of face-to-face petitions processed, decreased slightly in tandem with a decrease in face-to-face petitions filed. Those closed by counseling were mostly inquiries about existing petitions, or investigations and proceedings in which the Commission is not involved pursuant to the NHRCK Act.

Since the Commission encouraged more petitions to be filed by postal mail in 2010, an increasing number of petitions were filed from detention and protection facilities through the postal service, rather than through face-to-face meetings. This has resulted in a steady drop in face-to-face petitions and increased in efficiency in face-to-face processing.

[Table 2-2-10] 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	59,480	59,271	15,223	25.7	27,878	47.0	16,170	27.3
2019	2,669	2,645	573	21.7	1,052	39.8	1,020	38.6
2018	2,648	2,654	570	21.5	1,171	44.1	913	34.4
2017	2,765	2,858	672	23.5	1,302	45.6	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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

4. Civil Complaints and Inquiries

As a national institution dedicated to human rights, the Commission receives and handles various civil complaints and inquiries, in addition to petitions and investigations. If a complaint cannot be processed and investigated as a petition under the NHRCK Act, the Commission refers it to other remedial measures specified by law, relevant institutions or groups, and even legal counseling.

The number of civil complaints and inquiries processed continued to rise in 2019, totaling 30,149. By channel, those received via e-People (pan-governmental civil complaint portal) were the greatest in number at 16,663 (55.3%), followed by the Internet (the Commission website, email, etc.) at 8,545 (28.3%), and mail service and fax at 4,749 (15.8%). Overall, 83.6% of all civil complaints and inquiries were filed online, including e-People.

[Table 2-2-11] 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	233,933	55,472	23.7	110,367	47.2	701	0.3	66,392	28.4	1,001	0.4
2019	30,149	4,749	15.8	8,545	28.3	1	0.0	16,663	55.3	191	0.6
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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

Section 5. Preliminary Investigations and Mediation

In February 2018, the Task Force to Improve Petition Filing and Processing Procedures highlighted some key challenges in getting petitions properly processed. These include investigators overloaded with cases, key petitions not getting proper attention and left unattended for too long because investigators are largely dedicated to handling withdrawn petitions, and a need for prompt handling of petitions as they are filed (through dismissal, mediation, settlement, etc.). Addressing these challenges would help the Commission be more involved in mediation.

Against this backdrop, the Commission revisited its organization manning document on July 24, 2018 to reorganize the Human Rights Counseling Center as the Human Rights Counseling and Mediation Center, and establish a team dedicated to preliminary investigation and mediation of petitions.

1. Preliminary Investigations

Since August 2018, the Preliminary Investigation and Mediation Team was assigned 18.1% (or 2,345) of all 12,930 petitions filed until December 2019 and processed 17.4% (or 2,313) of all 13,285 petitions closed during the same period. The team took on average 8.8 days to dismiss a

case (the average was 63 days in 2017 and 81.5 days in 2019). It is assessed as having a positive effect on enhancing the work flow of the Commission, even though it handles cases that are obviously bound to be dismissed.

[Table 2-2-12] Number of Petitions Assigned to and Closed by Preliminary Investigation

(Unit : cases)

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
Total	12,930	2,345 (18.1%)	13,285	2,313 (17.4%)
2019	9,706	1,792 (18.5%)	9,136	1,787 (19.6%)
August-December 2018	3,224	553 (17.2%)	4,149	526 (12.7%)

2. Mediation Petitions

In 2019, nine mediation petitions were filed, which is 13 cases less compared to the previous year. One case was closed by mediation, which represents six cases less from a year ago.

In 2019, the ratio of mediation petitions filed to total petitions filed was low at 0.1% (nine mediation petitions out of 9,737 petitions), remaining largely unchanged from 0.2% in 2018 (22 mediation petitions out of 9,285 petitions) and 0.3% in 2017 (36 mediation petitions out of 12,336 petitions).

Given the need for a more fundamental institutional approach to facilitating mediation, the Commission will work on the amendment of the NHRCK Act to introduce a one-person mediation system and revisit the Conciliation Committee regulations to streamline the referral procedures.

[Table 2-2-13] Mediation Cases Submitted and Processed in the Last Five Years

(Unit : cases, %)

Classification	Submitted	Case closed					
		Subtotal (①+②+③)	Mediated ①	Unmediated ②	Decision in lieu of mediation		Rejected ③
					Completed	Objection raised	
Cumulative sum	164	164	72	29	(10)	(6)	63
2019	9	9	1	1	-	-	7
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

* 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, 2019.

Section 6. Assessment

In 2019, the number of petitions processed was 9,136. This is the first time the number fell below the 10,000 mark since 2013. The number of remedied cases was also 561, which is a decrease of 570 over the previous year. The rate of remedied cases stood at 11.4%, which represents a decrease of 4.5% in the remedy rate, compared to the previous year, and an end to a five-year upward trend.

The fall in the number and rate of remedied cases is notable, even considering the unusually high number of merged petitions in 2018, including the recommendation related to the tracking down of sexual minorities in the Army (244 petitions merged)¹ and the resolution during investigation of collective petitions on discrimination against persons with visual impairment (208 petitions merged). An analysis is needed on what caused the fall and plans should be made to realize effective remedies.

Though there was an overall decrease in the numbers of petitions processed and remedies, the Commission put in a lot of effort to identify tasks that warrant improvement. Thanks to these efforts, recommendations were made and opinions expressed on improving policies and practices

pursuant to paragraph 1 of Article 25 of the NHRCK Act, even for petitions that were rejected or dismissed in accordance with paragraph 1 of Article 32 or paragraph 1 or Article 39 of the same Act. This number was 49 in 2019, which represents an increase of 30 from the previous year.

Looking at some key recommendations made in 2019 in relation to human rights infringements, with respect to the police, the Commission made recommendations regarding seizure of smart phones in violation of the procedures for search and confiscation, search and seizure conducted in the presence of an ordinary person, suppression and dispersion of a rally without consideration of terrain features, excessive use of Taser guns, unjustified arrest without a warrant, and unjustified use of handcuffs during interrogation in an interview room where attorney was present.

As to the prosecution, the Commission made recommendations regarding the practice of using handcuffs and other tools during interrogation, a victim made to re-enact the scene of sexual violence, leakage of personal information of a person convicted to a fine, and the practice of sending decision notices to suspects' home contrary to their expressed wish.

For the courts, the Commission made recommendations with respect to a court's issuing copies of trial documents without protecting the anonymity of sexual assault victims. In this regard, it recommended the Minister of Court Administration to modify the relevant rules and regulations so that the personal information of sexual violence victims can be included in the list of information to be made anonymous.

As to migrant rights, the relevant ministries establish and execute annual implementation plans in relation to the 3rd Basic Alien Policy Plan and the Multi-cultural Family Policy Plan (2018-2022). However, amid a surge in the number of foreigners staying in Korea and the various forms of residence adopted by migrants, new migrant policy tasks have failed to find a place in government policies, and such limitations prompted the Commission to identify new policy tasks to protect the migrant population.

The Commission's 2nd Guidelines on the Human Rights of Migrants was established in close consultation with relevant ministries, migrant associations, and experts to present more effective policy recommendations on migrant rights in general. The guidelines present directions for future government migrant policies. Also, with a view to promoting migrant rights and counter racial discrimination, the United Nations Office of the High Commissioner for Human Rights (OHCHR) and other international organizations have reached out to the Commission for collaboration, and

migrant rights groups have demanded the Commission to be more closely involved in migrant rights issues, prompting the latter to take timely responses to these issues.

To promote the rights of children who cannot represent their interests on their own, the Commission made recommendations to exclude minors from the health insurance payment liability. It also recommended a revision to the relevant regulations and procedures to ensure early detection of children of incarcerated parents who need protection .

For the best interests of children, the Commission expressed an opinion for the provision of right-sized spoons for children during school meals. The Commission found that collection and management of children's fingerprint information through operation of fingerprint door locks risk excessively limiting children's right to information self-determination without a legal basis. The Commission expressed an opinion that the safety of children should be protected in ways that minimize restrictions on their fundamental rights .

Regarding discrimination-related petitions, the Commission worked to establish clear criteria for justified discrimination, as discrimination can occur for reasons other than the 19 reasons listed in the NHRCK Act (gender, religion, disabilities, age, etc.), and focused on countering discrimination deemed unjustified.

With respect to gender discrimination, the Commission found a need to change fixed gender roles and gender stereotypes, including the perception that certain jobs must be performed by women or concept of *jangson* is male-centered. It also concluded that unjustified employment practices, such as excluding women from promotion for a long time, constitute gender discrimination, and recommended actions for change.

In relation to sexual harassment, the Commission concluded that it is sexual harassment to force an instructor to wear revealing clothes for sexual objectification or to ask a subordinate out and create a hostile work environment otherwise. As to sexual orientation, it recommended improved treatment for transgender prisoners and redress of facility access denials based on sexual orientation.

In the area of discrimination based on disabilities, the Commission saw that restricting the use of sports facilities by a person with disabilities without consideration of the degree and type of disability constitute an act of discrimination. It also found the refusal to allow a guide dog into restaurant discriminatory. These incidents highlighted the need to change public perceptions of

persons with disabilities as having a higher risk of accidents or causing inconvenience to others. The Commission also recommended improvements and rectification of discrimination against persons with disabilities in the public domain, including not providing sign language during TV election debates and persons with brain disorders denied issuance of an authentication certificate of seal.

In the case of age discrimination, it was found that, though the Act on Elderly Employment Promotion had been in effect for ten years, older job seekers were often excluded from job opportunities due to their advanced age. The Commission has held the position that, unless age is a critical job requirement, the suitability to perform a job should be based on individual qualification and ability, and not age. It also pointed out that job offers with a hiring preference for older or younger workers should not excessively limit the employment opportunities of other age groups.

As to social status, the Commission observed persistent discrimination against public-sector workers and fixed-term teachers in the public domain (schools, local governments, public service-related organizations, etc.). In some cases, workers who made the transition from a fixed-term contract to a regular position were still experiencing discriminatory treatment compared to their other peers. The Commission made it clear that people should not be discriminated against due to their employment status or previous positions, and made recommendations for change and improvement.

Regarding religion, the Commission concluded that no discrimination based on religion should be allowed in religious schools in terms of hiring or facility usage that have nothing to do with realization of religious faith. It also pointed out that administration of state exams on certain days of the week should not be discriminatory for certain religions, even though it may seem to be unbiased.

In relation to medical history, it found it discriminatory to give disadvantageous employment opportunities to people who are infected with HIV or hepatitis, or had a surgical operation in the past, or restrict their social activities.

With the society rapidly becoming multi-cultural, the Commission made recommendations for redress of discrimination in goods and services, use of commercial facilities, and employment based on race or skin color.

The Commission also looked closely at discriminations that are likely to occur but not covered

by the law, such as disadvantages faced by workers who return to work after parental leave or are reinstated from unfair dismissal.

Given the increasing variety and complexity of discriminations, the current investigation team and personnel have limited capacity to process petitions promptly. To resolve this limitation, there is a need to build the investigation capacity, including increasing professionalism and refining investigation procedures and methods. Also needed are efforts to establish reasonable and consistent criteria for determining discrimination. An anti-discrimination law is urgently needed to enable a more fundamental resolution to wide-ranging discriminations in the society.

To enhance the efficiency of petitions filing, procedures were refined in naming petitions and sorting out the related regulations, criteria, and methods at the petition filing stage. During major sporting events such as the national sports festival and the national junior sports festival, the Commission set up counseling booths and offered human rights counseling, raising awareness among participating student athletes and coaching staff.

In August 2018, the Human Rights Counseling Center was reorganized as the Human Rights Counseling & Mediation Center, to support refinement of petitions through preliminary investigation, and early closing of petitions through mediation and dismissal. This helped enhance the overall efficiency of operation by significantly reducing the time to process dismissed cases. Efforts were also made to increase remedial efficiency, as indicated by the fact that many of the preliminary investigation cases were closed with remedies rather than dismissals (two closed with settlement and 32 resolved during investigation). As to mediation, the number of related petitions filed was low, suggesting a need to simplify the procedures to facilitate mediation.

Chapter 3

Human Rights Education and Promotional Activities for Public Awareness

Section 1. Overview

With a view to raising public awareness on human rights, the Commission carries out human rights education and promotional activities in accordance with subparagraph 5 of Article 19 and Article 26 of the NHRCK Act.

The year 2019 highlighted the importance of a human rights-based approach to issues of hatred and discrimination, and violence and sexual violence in sports. In order to respond effectively to various emerging issues, the Commission strengthened its education policy function, developed and distributed human rights-related content, and also managed a series of educational programs. It released the movie *Maggie*, a story of how lack of communication can lead to hatred and discrimination, and ran a contest focused on topics of hatred/discrimination, human rights in sports, and human rights in the military.

Human rights education and training

The Commission facilitated more effective and systematic state-led human rights education as part of a process to institute human rights education for all.

Given the need for dedicated training space, the Commission consulted the relevant organizations on the possible use of the old Customs Clearance Center site in Yongin, Gyeonggi-do Province, as well as the Jarim Welfare Center site in Jeonju, Jeollabuk-do Province as potential sites for the Human Rights Training Institute. It will continue to consult with the relevant ministries to decide on a potential site for the institute, secure the necessary budget, and establish a plan to develop and manage specialized educational programs that meet the public's needs.

Domestically, the Commission worked closely with municipal and local governments, the military, and school authorities to boost the human rights education councils. It also established the Council for Human Rights Education of the Press and the University Human Rights Center

Council. Internationally, it submitted opinions regarding the plan of action for the fourth phase of the World Programme for Human Rights Education, which focuses on the rights of youths, and emphasized the role of education in preventing hatred and discrimination, and protecting the rights of sexual minorities and the labor rights of working youths.

To provide systematic and effective education of human rights, the Commission monitored disability awareness programs for civil servants, human rights education for school teachers, human rights instructor certification program and older people's rights education for nursing homes and examined ways to improve institutions and policies. .

The Commission produced and distributed a variety of human rights teaching materials and reference materials, including Advocate People, Standard Guide to Preventing Hate Speech, Manual for Educating Babysitters, four types of educational content for schools (three types of card news, one type of PPT lesson plan), Important Values in Light of Human Rights, and Indicators for Assessing Human Rights Education.

Promotional activities

As part of promotional activities, the Commission developed and used various new methods of promotion, including media platforms, to help the public better understand and become sensitive to human rights issues.

In addition to press releases, the Commission issues an online monthly newsletter titled Human Letter to update the public of new Commission activities.

The blog Byeolbyeol Stories is run by 17 online supporting journalists who posted 557 content all together. The content were also linked to Facebook, KakaoStory and other new media platforms for active promotion of activities.

In 2019, the Commission issued a total of 259 press releases on its policy recommendations, investigation results, programs, and activities. The materials were released to the media and posted on the website for increased exposure. The Commission also hosted the 8th Human Rights Reporting Awards, contributing to enhanced human rights sensitivity in the media.

The Commission organized a celebration of the Universal Declaration of Human Rights. The event helped highlight the significance of the declaration adopted by the United Nations in 1948. Seven institutions and persons were awarded the Korea Human Rights Award.

Section 2. Major Achievements

1. Institutionalizing and Shaping Conditions for Human Rights Education

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

To secure a site for the Human Rights Training Center, the Commission consulted relevant organizations on possible use of the old Customs Clearance Center site in Yongin, Gyeonggi-do Province, and the Jarim Welfare Center site in Jeonju, Jeollabuk-do Province. It also crafted an overall plan describing the purpose of the training center, education and training program proposal, and the space and budget requirement. The plan provides a good rationale for a future training center.

Based on the revised curricula of 2015, the Commission conducted a thorough review of school textbooks, announced its findings on drawings and texts that infringe upon human rights, and made recommendations. Extensive discussions were held on how to apply the findings in education, contributing to raising awareness on the importance of developing human rights-friendly textbooks.

The Commission monitored the education and training programs for public officials on disabilities, those for teachers and mental health workers, as well as the human rights instructor qualification program, to understand and resolve issues in education and training. It also monitored education in areas of childcare and senior care, developed teaching plans, organized competence-building programs, identified tasks for institutional improvements, and discussed them with the relevant government organizations and private institutions. The monitoring results and key tasks will inform future policy recommendations to provide more and better human rights education and training.

B. Fostering and Appointing Human Rights Instructors

With more human rights education and training becoming available in various sectors of the society, human rights instructors play an increasingly important role in enhancing education

both in quantity and quality. Through its human rights instructor development program, the Commission has shaped conditions for making human rights education widely available in the society, and in 2015, it introduced an instructor appointment program. It also offers instructors a variety of capacity-building programs and conducts instructor re-appointment evaluation every one or two years to raise the quality of instructions offered.

The Commission takes applications for the instructor development program through the Cyber Human Rights Training Center in February every year. Areas of human rights education—rights of persons with disabilities, children, the elderly, etc.—for which instructors are fostered are determined on an annual basis based on demand, and program participants are selected based on their previous experience in a given field.

The instructor development program includes a 12-day group program and four online classes. The group program comprises a 6-day basic course, a 4-day intermediate course, and a 2-day intensive course. The basic course, which helps participants gain an understanding of human rights in general, offers the classes Understanding Human Rights, Understanding the Right to Liberty, Understanding Social Rights, Understanding Equal Rights, and Understanding the international human rights system and national human rights organizations. The intermediate and intensive programs offer classes that help participants gain specialized knowledge in a given area. Course participants are required to give a teaching demonstration to assess their teaching abilities and become familiar with the methodology of human rights teaching. Instructors are appointed based on teaching demonstrations and assessment.

2. Establishing Domestic and International Networks of Cooperation for Education & Training

A. Building a Domestic Network of Cooperation

In 2019, the Local Government Human Rights Education Council met to share education and training plans, and identify areas where education support is necessary. Local government human rights instructors participated in workshops to build network, share information, and improve competence through communication and cooperation.

In May and December, the Commission organized meetings of the Military Human Rights

Education Council comprising representatives of the Ministry of National Defense, the Army, the Navy, the Air Force, and the Marines to share information and increase cooperation on human rights education. The council identified a number of key tasks to boost human rights education in the military, including use of digital content, joint use of an instructor pool, and use of reference materials for publication of human rights news and educational materials.

The School Human Rights Education Council, which hadn't had many opportunities to meet, met for the thirteenth time on July 10. The meeting helped resume discussions on what can be done to promote human rights education in schools. The council discussed a variety of topics, including a proposal for cooperation on key school-related issues raised by the Commission's human rights education department, Hate Speech Project Team, and the Special Investigation Team for Human Rights in Sports, as well as the proposed amendment to the Elementary and Secondary Education Act. A workshop was also held for the staff of offices of education (August 22-23) to strengthen cooperation and support capacity-building activities.

Based on a survey to identify priority tasks and following a capacity-building workshop for university human rights centers, the Commission identified a strong demand for an organized council among universities. Thus, the University Human Rights Center Council was organized comprising 62 universities nationwide. The first meeting (November 18) covered a progress report, discussions on the operation and manning of a working-level committee, as well as tasks and roles of the council. The participants agreed to cooperate and build competence through workshops, trainings, and online chat rooms.

Despite ongoing efforts by the Commission (enactment of the Human Rights Reporting Rules, publication of the Guide to Human Rights in the Media, and organization of workshops for social issues reporters), the media's effort to develop and operate human rights education programs has been insufficient, highlighting the need for a council to discuss and coordinate human rights education in the media. To this end, the Commission met with organizations and groups related to human rights and the media (May 2). Subsequently, the Media Human Rights Education Council was established (October 16), comprising 11 organizations and groups (Journalists Association of Korea, Korea Press Foundation, Citizens' Coalition for Democratic Media, Korea Broadcasting Journalist Association, Korea Communications Standard Commission, and Korea Communications Standards Commission, and Center for Media Responsibility and Human Rights, to facilitate discussions on effective human rights education in the media.

The council agreed on the need to educate media personnel on human rights, publish a training packet with recent trends in media reporting and coverage, establish guidelines for human rights-friendly reporting, promptly address human rights infringements by the media, and establish reporting rules for hate speech.

On May 27, the Commission organized the 2019 Special Committee for Human Rights Education to submit an opinion regarding the plan of action for human rights education in the fourth phase of the World Programme for Human Rights Education, and consult special advisors about the 2020 education calendar, textbook development, and its plan to host the human rights education forum and other meetings.

On February 28, the Commission hosted a conference to brief and discuss the results of school textbook monitoring activities carried out in 2018. The meeting was attended by 46 representatives from the Ministry of Education, Ministry of Gender Equality & Family, Korean Institute for Gender Equality Promotion and Education, municipal and provincial offices of education, school teachers, and school textbook publishing companies.

A speaker at the conference, Professor Koo Jeong-hwa of Gyeongin National University of Education shared her views on the overall composition of human rights content in textbooks. She pointed out that content related to “human rights values and behavior” and “analysis of human rights issues and their proposed solution” outweighs those related to “the basic concept of human rights” and “the laws and institutions related to human rights.” Textbook drawings, photos and expressions (texts) largely depict women as being responsible for childcare and household chores, and physically and mentally weaker than men. Some textbooks offer no description of students from multi-cultural families, most textbooks depict persons with disabilities in the image of a person in a wheelchair, and there seem to be a tendency for emphasizing a fixed image of families. Professor Koo suggested that human rights are learned through practice, and not as knowledge. Diversity should be a key consideration when depicting social minority examples, and the bias on gender roles, race and people, and fixed images of families should be avoided.

In this regard, some expressed their views that the non-inclusion of the right to solidarity and certain other human rights content in textbooks may not be a textbook issue but rather a state curriculum issue. Because it is the curriculum that decides what content goes into textbooks, the Commission should consult the Ministry of Education to sort out what human rights content

should be reflected in the curriculum prior to its revision. Some also suggested that it would be helpful to refer to textbooks of other countries for drawings, photos and texts depicting persons with disabilities along with persons without disabilities.

On March 15, the Commission hosted a conference to brief the results of monitoring human rights education of public officials in 2018. The conference was attended by 30 or so human rights education personnel from local governments, the National Police Agency, and the Korea Communications Commission.

The Korea Manifesto Institute, a speaker at the conference, explained that a large proportion of educational courses took less than eight hours to complete, and there is a considerably low number of specialized educational courses lasting eight hours or more. It also pointed out that labor and labor rights issues were only allocated 1% or 2% of the time, an indication that programs are not tailored to actual demand, and that less than 10% of the 169 monitored institutions allocated enough time for quality education.

Looking ahead, it was proposed that local governments should expand human rights education and that education requires strong support from local government leaders as well as administrative support and funding for education specialists. Also suggested is the need to establish the Human Rights Training Center as a control tower for public official training and the need for more useful educational programs and materials.

B. Building an International Network of Cooperation

From July 4 to 17, the Commission ran a two-week training program on human rights policy development and capacity-building for 16 representatives from seven countries (The Gambia, Nepal, Bangladesh, Azerbaijan, Uzbekistan, Tajikistan, and Kirgizstan). The program offered three modules: defining the concept of human rights policy with each country sharing their human rights situations and related policies, presenting examples of institutionalization efforts made at the central and local governments, and developing a country-specific action plan with a human rights agenda.

The program has contributed to improving international human rights conditions, by helping to diagnose the human rights situations in the participating countries and build partnerships. Participants were very satisfied with the program and hoped that the program would continue in the future.

3. Expanding Education through Human Rights Education Centers

Since its inception, the Commission has seen a continuous increase in demand for human rights education. For this reason, it established the Cyber Human Rights Training Center and made space available for education in the human rights offices. It also appoints human rights instructors through the instructor development program.

In 2019, the Commission organized special lectures for state-run corporations, based on request. It also offered educational opportunities for the prosecution, police, military and other governmental authorities that exercise public power. Overall, the Commission organized 4,948 educational sessions, visiting programs, cyber training, and lectures for as many as 392,098 persons. In 2019, new demand for cyber training emerged in connection with mandatory training required of nursing home operators and staff, and training has also become mandatory for employees of state-run corporations, resulting in a surge of training in the business sector. In light of such an increase in demand, the Commission made cyber content available for a wider audience.

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

(in number of sessions and persons)

Classification	Total		Educational course		Visiting education		Cyber education		Special lecture	
	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant
Cumulative sum	29,592	2,152,450	3,811	177,493	3,233	72,704	5,416	770,405	17,132	1,131,848
2019	4,948	392,098	330	12,527	556	10,694	1,363	261,505	2,699	107,372
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

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

4. Development and Distribution of Educational and Promotional Content

A. Educational Content

Educational content helps communicate the key concept and values of human rights. The more quality content is developed and distributed, the higher the educational effects. Recognizing the importance of human rights educational content from the start, the Commission has remained committed to publishing and distributing content.

In 2019, the Commission published the Standard Training Manual on Prevention of Hatred and Discrimination to help users better understand hate speech, school content in formats that can be used on SNS and other new media (four types of card news and instructor manual, Chuseok and the value of labor, Hangeul Proclamation Day and the rights of persons with disabilities, Preventing Hate Speech, and the Convention on the Rights of the Child); Important Values in Light of Human Rights, which is the first ever guide on human rights values; Indicators for Assessment of Human Rights Education designed to measure the performance of human rights education; a translated version of Understanding Human Rights, which captures the basics of human rights and teaching methodologies; Monitoring of training to change perception of disabilities and a study designed to develop training materials; and A Modern History of Human Rights in Korea, a re-interpretation of the modern history of Korea in light of human rights.

B. Promotional Content

1) Human Rights Film

The human rights movie *Maggie*, which was completed in 2018, went to theaters in September 2019. Produced by the Commission and directed by Lee Ok-seob. *Maggie* follows the steps of previous movies in that it depicts various human rights issues in everyday life. It shows how hatred and discrimination can result from a lack of communication between the characters, raising public understanding of this issue. *Maggie* received four awards at the 2018 Busan International Film Festival and the Grand Prix at the Osaka Asian Film Festival. The movie was produced in DVD format for distribution to state organizations, local governments, public institutions, and educational facilities.

2) Web Dramas

From 2018, the Commission turned to the production and distribution of web dramas, which are easier to disseminate. Using dramatic elements, *The Secret of Secret* addresses issues of privacy and freedom, youth rights, human rights in sports, the rights of multicultural families in a school context. Uploaded on Youtube and shared on Facebook, the drama led to a rapid increase in subscriptions, presenting insights on the directions of future promotional activities and educational programs.

3) Human Rights Contests (Posters, Card News)

Every year, the Commission organizes several contests to promote public understanding that human rights are values that must be preserved in every aspects of life.

The three themes for the 2019 human rights contest were “hatred and discrimination,” “human rights in sports,” and “human rights in the military.” A total of 481 entries were received, including 305 in the general category and 176 in the youth category. Following preliminary and final screenings, a total of 27 works were selected for chairperson awards. The selected works were produced as postcards for distribution to libraries, human rights offices, and the general public. Posters and infographics were put on display during the Human Rights Week events organized by local governments, including the municipal government of Seoul. The works were also posted on the Commission’s Facebook, KakaoStory, and blog, and were used as educational and promotional materials using new media.

5. Operation of the Human Rights Library

The Commission’s Human Rights Library is the only library dedicated to human rights in the country. It was established in 2002 as a separately affiliated human rights reference library, based on Article 27 of the NHRCK Act. During a restructuring process in 2009, the reference library became affiliated to the Administrative and Legal Affairs Division. Then, in 2012, its name was changed to Human Rights Library. Since 2016, it has been under the Human Rights Education Planning Division.

The library facilitates research, collection, analysis, and preservation of human rights-related

information and materials; offers reading and loan services; registers, manages, and preserves Commission's publications; and engages in exchange and cooperation with other libraries in Korea and abroad. A variety of human rights information is available on the library's website.

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

Classification	Cumulative sum	2018	2017	2016	2015	2014
Lent to staff members	19,016 persons 51,056 books	502 persons 1,885 books	632 persons 1,912 books	1,157 persons 2,785 books	1,188 persons 2,950 books	1,124 persons 3,129 books
Lent to visitors (individuals and organizations)	5,062 persons 15,336 books	391 persons 1,394 books	360 persons 1,170 books	428 persons 1,352 books	286 persons 953 books	294 persons 847 books
Library users	144,548 persons	22,326 persons	33,213 persons	45,694 persons	12,454 persons	3,526 persons

* The cumulative sum is the total from November 25, 2001 (the date of the establishment of the Commission), to December 31, 2019.

In cooperation with regional human rights offices, the Commission also operates annex libraries (libraries in Busan, Gwangju, Daegu, and Daejeon opened in 2015; library in Gangwon opened in 2017) to offer increased access to human rights library services to local residents. This initiative is designed to make use of human rights information convenient for all.

6. Promotional Activities to Raise Public Awareness

A. Promotion through Conventional Media Coverage

In 2019, the Commission distributed 259 press releases and posted them on its website. Press releases mostly covered factual survey results, policy recommendations and opinions, results of investigations on human rights violations and discrimination, statements and commentaries on major current issues, and other activities at home and abroad. They helped raise public understanding of human rights issues and create social consensus by publicizing various human rights issues via newspaper articles, broadcast programs, and online portal services.

The Commission actively interacts with the press, offering assistance for coverage and interviews, based on request. Key issues such as human rights violations in sports and violations of persons with disabilities with disabilities, and hate speech were widely reported in the form of

special press reports. The Commission also communicates closely with its press corps via email and mobile networks to share information on its activities and pending issues.

In 2019, the Commission organized press briefings on key decisions and responses. These included a press conference by the chairperson to issue an emergency statement regarding the special investigation team to eradicate all forms of violence in sports, the chairperson's New Year press conference, as well as a briefing on Hate Speech Project Team. The briefings helped increase understanding and interest in the media, and clearly and promptly communicate the Commission's position and plans. The Commission led the effort of raising human rights awareness in the media through frequent meetings with journalists, the human rights reporting standards, and media human rights sensitivity enhancement programs.

B. Promotion through Other Forms of Media

While continuing promotional activities using its existing blog and the Human Letter, the Commission also sought to promote human rights via new media.

The Commission sent out the Human Letter, an online monthly newsletter, to 40,000 or so subscribers, informing them of its key activities and news. Through the Byeolbyeol Reporters, a group of 17 online supporters, it posted over 557 promotional content on the blog Byeolbyeol Stories, and also shared them via Facebook and KakaoStory.

The recommendations made by the Commission, as well as various human rights issues, were produced and uploaded as card news, webtoons, and videos. Online and offline advertisements were produced to prevent hatred and discrimination, and a sports human rights campaign was also organized featuring baseball player Ryu Hyun-jin and other famous star athletes.

The electronic display located in front of the Commission headquarters was used to promote some key precedents, as well as information on the Korea Human Rights Awards and the Commission's mediation system.

The Commission used various forms of media and techniques to promote human rights in everyday life, highlight its role, policies, and key achievements. The promotional activities were carried out and managed based on a detailed plan, informed by each division and reflecting their specific promotional needs.

C. Human Rights Day Ceremony

On the occasion of the anniversary of the Universal Declaration of Human Rights, the Commission held a ceremony to celebrate the 2019 Human Rights Day at 10am on December 10 at the Ferrum Tower in Jung-gu, Seoul. The ceremony was attended by 200 or so participants, including Yoo Nam-seok, the President of the Constitutional Court, Archbishop Kim Hee-joong, diplomatic corps, religious leaders and representatives of human rights and civil society groups.

Emceed by entertainer Park Kyung-lim, the event kicked off with a commemorative speech by the Commission chairperson, followed by congratulatory remarks by the President of the Constitutional Court Yoo Nam-seok, Archbishop Kim Hee-joong, the Commission's first chair of the Committee for Policy Consultation Ms. Ji Eun-hee, and Director Park Rae-gun of the Human Rights Foundation Saram. The event also featured a recital of the 30 provisions of the Universal Declaration of Human Rights, an award ceremony for the Korea Human Rights Awards, and congratulatory performances by the 416 Choir and Areumdri multicultural choir.

At the 2019 Korea Human Rights Awards, seven awards were presented—one Order of Civil Merit, four commendations, and two group awards. The Order of Civil Merit (Peony Medal) went to President Lee Geum-ju of the Gwangju Bereaved Family Association for his untiring effort in supporting victims of Japanese forced labor, including seven trials against Japan and over 80 visits to Japan.

D. Publication of the Human Rights Magazine

The Human Rights magazine was first published in August 2003 as a monthly. It turned into a bimonthly publication in 2007, and the 125th issue was published in December 2019.

A total of 3,600 copies are printed for distribution to welfare facilities for the elderly, facilities for people with disabilities, and facilities for the homeless, junior high schools and high schools, and small libraries. The magazine is also made into a webzine for digital publication.

In 2019, each issue a dedicated topic related to key human rights issues of the society, such as violence in sports, hate speech, human rights in the military, children rights, and social rights. The sections “Speaking of life” and “Open Thoughts” were also dedicated to presenting various perspectives and discussions on human rights.

The magazine is published by a national human rights organization and dedicated to human rights issues. It features Commission news, advice columns, and many interesting and easy-to-read stories on human rights.

E. Human Rights Reporting Awards

On September 23, 2011, the Commission 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, the two organizations jointly launched the Human Rights Reporting Awards to promote the standards from early on. Based on positive feedback, the awards were organized every year. In 2019, the 8th Human Rights Reporting Awards were selected and awarded.

The jury comprised eight members, including six external members (from academia, media, and civil society) and two internal members (Director-General of the Policy and Education Bureau and Director of the Public Relations Division), and was headed by Professor Min Yeong of Korea University. A total of 45 entries were received, including 14 newspaper articles, 15 television reports, two news agency articles, seven Internet reports, one magazine article, and six others. Following two rounds of screening, six winning entries were selected.

F. Videos of Precedents

Since 2014, the Commission has produced and distributed a series of videos about its precedents. The videos take the form of dramas to help the public better understand what role the Commission is playing and become more aware of human rights issues.

In 2019, it rendered examples of precedents as animated movies (on three topics: right to education of students with disabilities, gender discrimination, and student rights) to make it easier for viewers to understand the decisions made by the Commission. The one on gender discrimination, in particular, depicts the mechanism through which fixed gender roles, as reflected in the media, can influence the way people accept these roles and reinforce discrimination in everyday life. The material is available in CD format and uploaded on Youtube. Also, to grab public attention, the existing drama format was changed into water drawing format, which is widely used online.

Section 3. Assessment

The results of monitoring school textbooks, education of public workers to change their perceptions of disabilities, education of school teachers, private sector certification program, and education of nursing home personnel on the rights of older persons highlight the importance of effective human rights training and education and serve as important reference for developing improvement plans. Looking ahead, more work should be done to study and improve institutional arrangements, policies, and practices related to human rights education.

The Commission has done a great job at establishing the Local Government Human Rights Education Council, Military Human Rights Education Council, School Human Rights Education Council, University Human Rights Center Council, and Media Human Rights Education Council, to promote and facilitate human rights education and training, share business plans and identify cooperation tasks, and organize capacity-building workshops. There is a need to involve various stakeholders to enable effective and systematic training and education.

The Commission submitted to the United Nations its opinion on the plan of action for human rights education in the fourth phase of the World Programme for Human Rights Education (2020~2024). The opinion highlighted the need for training and education to prevent hatred and discrimination, and promote gender equality and respect for the rights of the elderly among young children. It was significant in its proposal of educating and training young children as a key topic for international discussions. More work would be necessary to establish the proposal as a standard for domestic implementation pending UN recommendations.

In cooperation with human rights specialists and activists, the Commission stepped up its efforts to develop and distribute a variety of quality educational content. Developing and distributing quality content is key to ensuring quality human rights education. Looking ahead, effective content should be continuously developed, and it should be reflective of current issues and the voice of the education community. This will require more personnel and funding. Promotional activities through media reporting took the form of press releases distributed to the press, broadcast companies, and Internet outlets regarding the policy issues and human rights topics that the Commission handled through investigations and remedial actions. This helped raise public interest and build social consensus.

The Commission also held press briefings regarding key decisions and actions, including the

emergency statement announced by the chairperson to establish a special investigation team to eradicate all forms of violence in sports, the chairperson's New Year press briefing, and the briefing on Hate Speech Project Team. The briefings helped increase press understanding and attention, and quickly and clearly communicate the Commission's position and plans. The Commission needs to plan for serials and in-depth reports to give human rights issues continuous exposure.

The year 2019 is marked by an increase in new promotional initiatives. The Commission used new media and methods to create content that the target audience is more familiar with. Following the 2018 web drama *Calm Down*, which depicts the activities of an investigator of the Commission, the Commission in 2019 produced *The Secret of Secret* on violations of privacy and freedom in a school. Released on Youtube on December 19, the web drama had 1.1 million views at the end of March 2020. The production was positively received for aligning the target audience and theme with the characteristics of the media. It was praised for discretely promoting respect and consideration for others.

While the identity as a specialized magazine was maintained, the Human Rights magazine was revamped in 2019 to carry special stories on current issues (violence in sports, hate speech, human rights in the military, children rights, and social rights) and turn into a popular magazine for readers to have fun reading. The magazine carried various sections on notable figures, cultural trends, and a selection of petitions. For greater diversity of content, a Planning Committee was formed to pick a feature story for each issue, raising the overall quality of content.

The Human Rights Day ceremony on December 10 highlighted the significance of the Universal Declaration of Human Rights and presented human rights awards to key human rights activists. Similar ceremonies were held nationwide by regional human rights offices jointly with local governments and national organizations. The event helped increase human rights awareness 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

The Commission communicated and cooperated with human rights and civil society groups. It hosted a meeting with these groups two times in 2019, one in the first half and the other in the second half, to discuss the Commission's Business Plan for 2020. The views of human rights groups were actively reflected in the plan, from the initial planning stage to the final write-up.

The Commission supports the activities of human rights advocacy groups, whose work supports socially vulnerable groups of people. It also organizes cooperation programs jointly with these groups (in the form of funding) on various topics and domains to expand the human rights horizon.

The Commission is also working to expand and strengthen the network with local human rights organizations through meetings with the staff of regional human rights offices, meetings with the human rights committees of local governments, and meetings with local government human rights personnel. Also, from August 28 to 30, it hosted the Convention of Human Rights Advocates in Jeju. The event helped foster a system of cooperation with human rights organizations and groups to promote the values of human rights, and safeguard and promote human rights at the regional level.

Exchanges and cooperation with international organizations and human rights institutions in other countries

The Commission is actively involved in exchanges and cooperation with NHRIs through the Global Alliance of National Human Rights Institutions (GANHRI) and the Asia Pacific Forum of National Human Rights Institutions (APF). In March, it took part in the GANHRI Annual Meeting in Geneva, Switzerland for discussions of various human rights issues. In September, it hosted a meeting of the GANHRI Working Group on Ageing to lead international initiatives for the rights of older persons, and was re-elected to chair the working group. The Commission also invited NHRI staff from seven countries affiliated to APF to take part in a training program, further raising the Commission's status within the APF.

Notably, in 2019, the Commission hosted a meeting with ambassadors and United Nations organizations in Korea in March (nine ambassadors, and two UN representatives), the 24th APF Annual Meeting and Biennial Conference in September (311 participants from 25 NHRIs), and the 4th ASEM Conference on Global Ageing and Human Rights of Older Persons in October (406 participants from 42 ASEM member countries and international organizations). The events helped facilitate an international discussion on countering hatred and discrimination, a key topic of the Commission, and garner international support for the Commission's activities to combat hatred and discrimination.

Section 2. Major Achievements

1. Exchanges and Cooperation with Domestic Human Rights Organizations

A. Regular Cooperation

In 2019, the Commission worked to meet regularly with human rights and civil society groups, including two meetings, one in the first half and the other in the second half, to hear their views and reflect them in the 2020 business plan. The meetings provided a venue for human rights and civil society activists to give feedback on the general directions of the Commission's business plan for the subsequent year. They helped strengthen the cooperative relations with human rights and civil society groups.

The Commission also worked to change public perception of sexual minorities. In June, it took part in the Seoul Queer Culture Festival held at the Seoul City Hall Plaza, for the third time following its attendance in 2017 and 2018, and organized a Queer Parade booth. It also hung a rainbow banner at its Headquarters. The regional human rights offices also took part in local queer culture festivals.

B. Joint Programs with Human Rights Groups (Funding)

The Commission organized joint programs with human rights organizations every year since 2003 to facilitate human rights campaigns by civil society groups and support various initiatives that promote human rights. It selects programs based on originality (addressing new human rights domains), timeliness and effects on current issues, and offers funding support for selected groups.

In 2019, the Commission funded programs that are in line with its priority tasks, including combating hatred and discrimination, building public consensus for legislation of an Anti-Discrimination Law, and monitoring of conditions facing migrant children in terms of right to stay.

The Commission selected 12 programs, including monitoring of wheelchair accessibility in public buildings, the National Security Act with a woman's narrative, monitoring of conditions facing unregistered migrant children in terms of right to stay, and monitoring of human rights conditions of torture victims. Through the selection, the Commission funded programs that aim to safeguard the rights of minorities, including persons with disabilities, victims of the judiciary system, and unregistered migrant children, and identified issues and tasks in the respective areas.

The Commission also selected seven programs of excellence and publicized their outcome.

C. Exchanges Including Visits to Sites of Human Rights Interest

The Commission makes on-site visits to various locations to hear the voices of those on the front lines, discuss current human rights issues, and identify policy tasks.

The Chairperson and standing commissioners visited many places in 2019. They attended the New Year event for persons with disabilities, where they listened to discussions on key issues such as personal mobility and disability grading. At the Incheon Detention Center, they examined the operation of a building-type correctional facility and how the rights of inmates are protected,

and talked with the staff. At the Incheon City Government, they congratulated the launching of the Incheon Human Rights Committee and talked with the Committee members about the roles that the local human rights committees can play. At the Gyeongsangnam-do Educational Office, they encouraged the hard work of the staff to enact a student rights ordinance and promised close cooperation in the process.

In May, a visit was made to the Jeju United FC to highlight the importance of human rights in sports and raise awareness on the need to safeguard the rights.

Following its participation in 2017 and 2018, the Commission took part in the Queer Culture Festival again in 2019, setting up a promotional booth. Joined by more than a hundred organizations and groups, including human rights and civil society groups and Embassies in Korea, the event aims to safeguard the rights of sexual minorities and counter discrimination against them. The Commission also hung a rainbow flag on the wall and electronic board of its headquarters building as a show of support to sexual minority rights.

At the Seoul Queer Culture Festival held on June 1 at the Seoul City Hall Plaza, the Commission offered information on its activities and the petition filing process. A variety of promotional activities and content were organized to attract festival participants, including a photo section, cards for messages countering hatred and discrimination, a Maju Campaign photo wall, tattoo stickers for diversity, and souvenir gifts. The event raised public interest and understanding of sexual minority rights, and allowed the Commission to reach out to sexual minorities and engage with related human rights and civil society groups.

D. Cooperation and Networking with Local Governments

The Commission is committed to safeguarding and promoting human rights at the local level through networking and cooperation with local governments.

As part of efforts to strengthen communication and information sharing, the Commission had a meeting with local government human rights committees in May and a meeting with human rights officials of the Seoul, Gyeonggi, and Incheon governments in June and July, and held a workshop for human rights committee members from the local governments of the greater Seoul metropolitan area in November.

From August 28 to 30, the Commission hosted the Convention of Human Rights Advocates in Jeju. Attended by 140 participants from local governments and human rights groups, including personnel in charge of human rights, committee members, advocates, and activists, the event facilitated discussions on regional approach to human rights issues and ways to counter hatred. It was also an opportunity for participants to share their experiences on the role of human rights committees and human rights administration in local governments, education of local government workers in human rights, and examples of petitions.

2. Exchanges and Cooperation with International Human Rights Organizations and Groups

A. GANHRI and APF

1) Global Alliance of National Human Rights Institutions (GANHRI)

GANHRI is a global alliance of national human rights institutions (NHRIs) established to comply 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 resolution of the United Nations General Assembly in 1993. Previously known as the ICC (International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights), the organization adopted the new GANHRI name in March 2016.

Every year, the Commission participates in the GANHRI General Meeting and Bureau Meeting to strengthen multilateral exchanges and cooperation with NHRIs. The annual meeting in March discussed proposed statute amendments, revised the Rules of Procedure of the Sub-Committee on Accreditation, approved members of the Executive Bureau, and discussed senior rights and migrant rights.

As the chair of the GANHRI Working Group on Ageing, the Commission hosted meetings in the first and second half of 2019. It drafted a chairperson statement regarding the report of the United Nations independent expert on the enjoyment of all human rights by older persons, for submission to the United Nations Human Rights Council. In the second meeting, the term of the GANHRI Working Group on Ageing was extended to 2022, and the Commission was re-selected

to chair the working group and lead international discussions on the human rights agenda for the elderly.

Notably, at the 24th APF Annual Meeting, the Commission was elected as the Asia Pacific representative on the GANHRI Bureau. For three years from 2020, the Commission together with the NHRIs of Qatar, Australia, and Jordan will represent the Asia Pacific region to advance NHRIs and promote human rights on the international stage.

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

A regional network of NHRIs for the Asia Pacific region, the APF aims to strengthen exchanges and cooperation among NHRIs, support the establishment and operation of NHRIs, and strengthen cooperation with international human rights organizations and governments.

The Commission hosted the 24th APF Annual Meeting and Biennial Conference from September 3 to 5 in Seoul. The annual meeting discussed work of the 23 APF member NHRIs, international engagement, gender mainstreaming, APF-NGO dialogue, APF Performance Report, APF Annual Report, and APF audited accounts.

The 2019 APF Biennial Conference was held with the theme “Combating Hate and Discrimination: Dignity for All.” The conference gathered 300 or so human rights specialists from 25 NHRIs, international organizations, government institutions, NGOs, local governments, public organizations, and diplomatic missions in Korea, and discussed the roles NHRIs can play to deal with the issue of hate and discrimination and what approaches were taken, how and in which area(s) international organizations, governments, civil society organizations, and national institutions can work together to combat hate and discrimination, and what measures can be taken to prevent hate and discrimination in all parts of society, to promote education and to protect victims. The conference helped raise awareness about hate and discrimination, and the Commission played the role of a leading, quasi-international human rights institution by strengthening cooperation with the international human rights system.

B. Cooperation with the United Nations and Other Human Rights Organizations

From April 15 to 18, the Commission participated in the 10th Session of the Working Group on Ageing held at the United Nations Headquarters in New York and took part in discussions of “Education, training, life-long learning and capacity-building” and “Social protection and social security.” At a side event organized jointly with the governments of Austria, Slovenia, and Chile, it presented an overview of the senior human rights programs managed so far. It held a discussion of its NHRI activities at a meeting with Ambassador Martin Garcia Moritan of Argentina, the chair of the United Nations Working Group on Ageing. It also led a meeting of NHRIs and promoted a strategic engagement of NHRIs at United Nations meetings. The Commission also sought to strengthen cooperation with civil society groups by taking part in their meetings. Meanwhile, thanks to the activities of the Commission, 17 representatives from ten NHRIs (excluding the Commission) participated in the 10th Session of the Working Group on Ageing, and 20 NHRIs submitted their reports.

The Commission received office calls from Ambassador James Choi of Australia, Ambassador Hayder Shiya Albarrak of Iraq, Ambassador Philip Anthony Turner of New Zealand, Ambassador Harry Harris of the United States, Ambassador Sripriya Ranganathan of India, Australian Minister for Foreign Affairs Marise Payne, and other foreign dignitaries to discuss key global human rights issues.

1) Visit to UK Equality and Human Rights Commission and HOPE not Hate

On March 7, the Commission visited the UK Equality and Human Rights Commission (EHRC) to meet with Deputy Chair Caroline Waters and discussed the UK response to hate, discrimination, and hate crimes, definition and forms of hate crime, EHRC recommendations accepted by ministries and related organizations, and the EHRC response to the enactment of the UK Anti-Discrimination Law.

On March 8, the Commission visited the HOPE not Hate, an advocacy group that campaigns against hatred and discrimination in the UK, to discuss related campaigns, charity events, and dialogues on racism and fascism in the UK. The visit helped the Commission better understand the UK responses to hatred and discrimination, and the information will serve as reference for future activities to counter hatred and discrimination.

2) Meeting with ambassadors and United Nations representatives for response to hatred and discrimination

On March 27, the Commission held a meeting with ambassadors and United Nations representatives in Korea to discuss responses to hatred and discrimination. It presented an overview of its activities to combat hatred and discrimination, and heard from the participants about their countries' efforts to address this issue.

The meeting was attended by nine ambassadors to Korea (France, Finland, Switzerland, Australia, Delegation of the European Union, the United Kingdom, New Zealand, Norway, and Sweden), the representative of the United Nations Human Rights Office in Seoul, and the acting representative of the UNHCR Representation in Korea.

At the meeting, a presentation was made of state-level institutional arrangements to counter hatred and discrimination, United Nations standards were briefed, and experiences of the international community were shared to find ways to combat the rising prevalence of hatred and discrimination around the world. The Commission will use the various examples shared at the meeting as reference for its future activities to combat hatred and discrimination, and plans to strengthen international collaboration in this regard.

3) Visit to UN Women and New York City Commission on Human Rights

On April 18, the Commission visited the New York City Commission on Human Rights and met with the chairperson to discuss their roles and activities. Discussions were held on the criteria for assessing discrimination, educational activities to prevent discrimination, and the annual report of the New York City Commission entitled "Fighting the Rising Tide of Hate."

The Commission also visited UN Women for an office call with the Director of Peace and Security and the policy specialist on transitional justice. Discussions were held on activities to counter hatred against women, which is one of the key focus areas of UN Women, the domestic implementation of the Convention on the Elimination of All Forms of Discrimination against Women, and gender equality and Sustainable Development Goals (SDGs). The Commission and UN Women are committed to strengthening exchanges and cooperation for women's rights.

4) Visit to human rights organization and civic groups in Russia

On December 18, the Commission visited the Office of the High Commissioner for Human Rights in the Russian Federation for an office call with Tatiana Moskalkova, the High Commissioner for Human Rights in Russia. Discussions were held on the legal basis of the Russian office, the state of petitions processed, educational activities through the National Human Rights Education Center, international cooperation, and legislative activities. The Commission committed itself to increased cooperation and exchanges with the Office of the High Commissioner for Human Rights in the Russian Federation.

Also, on December 20, the Commission met with the Human Rights Ombudsman for Saint Petersburg and discussed human rights issues in Saint Petersburg and the Ombudsman operation. The discussions centered on the role of Ombudsman, the authority to process and investigate petitions, and key human rights issues related to the right to adequate housing, basic right to liberty, and the rights of persons with disabilities, the elderly, migrants, and the homeless.

The Commission also had an office call with the Russian Minister of Labour and Social Protection, and visited the Sova Center for Information and Analysis, Memorial Human Rights Center, Citizens Watch and other civic groups to discuss the human rights conditions, and challenges and outcomes of human rights movements in Russia.

C. Invitational Training for National Human Rights Institutions

From May 27 to 31, the Commission hosted the 2019 Partnership Program for Human Rights Defenders by inviting staff members from seven NHRIs (Samoa, Oman, Mongolia, Australia, Kazakhstan, Sri Lanka, and Afghanistan) to Korea.

The program is designed to help NHRIs jointly address regional and international human rights issues and to enhance the Commission's standing in the international community by inviting staff members from NHRIs affiliated to the APF to discuss key human rights issues, share best practices, and expand the network of cooperation and information sharing among NHRIs.

This year's participants gave an overview of their institution, activities, and challenges, and participated in workshops. In particular, they shared information on what their NHRI is doing to combat hatred and discrimination, which is an international human rights issue and a priority task of the Commission. The program helped the participating nations gain a better understanding of

pending human rights issues in other countries and what each NHRI is doing to address them. The participants had a chance to visit the Constitutional Court of Korea and understand how human rights guarantees have evolved over time in Korea.

The Commission's invitational program, which began in 2006 to help NHRIs build their capacity, has received positive reviews from the international community. Through the program, the Commission will continue to share Korea's experience in the democratization process and the human rights domain, and support international efforts to promote human rights.

3. International Conferences

From September 30 to October 2, the Commission hosted the 4th ASEM Conference on Global Ageing and Human Rights of Older Persons and the meeting of the GANHRI Working Group on Ageing. The 4th ASEM Conference on Global Ageing and Human Rights of Older Persons was hosted jointly by the Commission and the European Union, and the discussion topics were selected based on consultation with specialists of the European region. The conference was attended by 406 people from 42 countries to discuss what the international community can do to promote the rights of older persons.

From the initial stage, the conference benefited from a robust planning effort with the EU Delegation to Korea. As a result, it was attended by key figures, including the relevant ministers and deputy ministers from Myanmar, China, Mongolia, the Philippines, Pakistan, Cambodia, Malaysia, and Germany, the Chair of the United Nations Working Group on Ageing, Deputy Secretary-General of ASEAN, and European ambassadors to Korea, and led international discussions on the rights of older persons.

Key discussions included employment discrimination, which is the most serious discrimination against older persons. Session 4 on intergenerational solidarity covered possible solutions to hatred and discrimination against older persons as part of efforts to resolve issues of hatred and discrimination the Korean society is facing. As the chair of the GANHRI Working Group on Ageing, the Commission gained the necessary momentum to lead discussions on human rights of older persons in the international community.

Meanwhile, the meeting of the GANHRI Working Group on Ageing held in the second half of

2019 was attended by 18 representatives from the GANHRI Bureau and 12 NHRIs (Germany, Kenya, Georgia, the Philippines, etc.). At the meeting, the activities of the Working Group on Ageing were extended to 2022, and through re-election as the chair of the group, the Commission can continue to lead the GANHRI agenda on human rights for older persons.

Section 3. Assessment

The Commission launched an active promotional campaign to raise public sensitivity and awareness of human rights issues, and used new media platforms to communicate the issues in a more accurate and friendly way.

In 2019, it organized the Human Rights Advocacy Conference in Jeju, where members of local government human rights committees, advocates, admin personnel, and civil society group activists got together for some meaningful discussions about regional approaches to human rights issues and ways to counter hatred. The conference helped establish a mechanism for regular regional cooperation by facilitating capacity-building support for regional human rights organizations and helping local governments establish and enforce human rights ordinances.

International exchanges and cooperation were focused on countering hatred and discrimination, which were the key tasks of the Commission. A meeting with ambassadors and United Nations representatives in Korea helped garner international support to its activities in this area. International cooperation to combat hatred and discrimination was the topic of discussions when the Commission visited the UK Equality and Human Rights Commission and HOPE not Hate. The Commission met with the United Nations Women and the New York City Commission on Human Rights to cooperate on women's rights. By selecting countering hatred and discrimination as the topic for the 2019 APF biennial conference and the 4th ASEM Conference on Global Ageing and Human Rights of Older Persons, the Commission facilitated an international discussion on this issue.

To ensure proper implementation of international human rights standards in Korea, the Commission submitted an opinion regarding the response to the List of Issues Prior to Reporting (LoIPR) to the United Nations Human Rights Committee for consideration of the ROK government's fifth periodic report, organized a symposium with courts to discuss the adoption

of international standards in domestic trial norms, and organized a meeting of subject matter experts to discuss ways to join the International Convention for the Protection of All Persons from Enforced Disappearances to which Korea is not a party.

Amid global aging trends, the Commission hosted the 4th ASEM Conference on Global Ageing and Human Rights of Older Persons and the meeting of the GANHRI Working Group on Ageing where member countries briefed progress made and discussed what the international community can do to promote the rights of older persons. As the chair of the GANHRI Working Group on Ageing, the Commission will continue to lead international discussions on ageing by extending the activities of the working group.

The Commission was elected as the Asia Pacific representative on the GANHRI Bureau and will be active for three years from 2020. In this capacity, it will strive to deliver the voice of NHRIs in the region and hopes to work closely with the other regional NHRIs within the GANHRI.

In an effort to become more sensitive to international human rights issues and build capacity, the Commission makes annual visits to human rights organizations abroad, and makes case studies of international practices with regards to newly emerging global issues. The overseas training programs organized by the Ministry of Personnel Management offer the opportunity to understand human rights issues at home and abroad, and also identify potential issues that may arise in the future. The training outcome is used for policy review and investigations, and helps increase the proficiency of the staff.

Chapter 5 | Regional Human Rights Offices

The Commission operates six regional human rights offices in Busan, Gwangju, Daegu, Daejeon, Gangwon, and Jeju to enhance and protect the human rights of local residents and facilitate prompt remedies. Starting with the launching of the Busan and Gwangju offices in October 2005, the Daegu office opened in July 2007, followed by the Daejeon office in October 2014, the Gangwon office in June 2017, and the Jeju office in October 2019.

[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, and Jeollabuk-do
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
Jeju Regional Human Rights Office	Jeju-do in Jeju	Jeju-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 by 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.

1. Petitions, Counseling Requests, Complaints and Inquiries Filed

In 2019, 1,896 petitions, 8,827 counseling requests, and 3,908 complaints and inquiries were filed with the regional human rights offices. Compared to the previous year, the number of petitions increased by 25 cases (1.3%), but there were 323 (4.5%) less counseling requests. More petitions were filed with the offices in Gwangju, Daegu, and Gangwon, and counseling requests decreased in all regional offices, except the Busan office.

[Table 2-5-2] Number of Petitions, Counseling Requests, and Complaints and Inquiries Submitted by Regional Human Rights Offices in the Last Two Years

(Unit : cases)

Regional Human Rights Office	Year	Petitions	Counseling requests	Complaints and inquiries	Total
Total	2019	1,896	8,827	3,908	14,631
	2018	1,871	9,150	5,944	16,965
Busan	2019	483	2,362	759	3,604
	2018	517	2,038	1,436	3,991
Gwangju	2019	452	2,335	1,326	4,113
	2018	400	2,572	1,808	4,780
Daegu	2019	408	1,716	413	2,537
	2018	393	1,965	789	3,147
Daejeon	2019	360	2,094	501	2,955
	2018	425	2,181	1,000	3,606
Gangwon	2019	188	299	904	1,391
	2018	136	394	911	1,441
Jeju	2019*	5	21	5	31

* The statistics for the Jeju Regional Human Rights Office represent the total from the day it was opened (October 1, 2019) to December 31, 2019.

2. Face-to-face Petitions Filed and Processed

In 2019, 1,790 face-to-face petitions were filed with the regional human rights offices and 1,774 were closed. Of those closed, 319 (18.0%) were filed as petitions, 716 (40.4%) were closed by counseling, and 739 (41.7%) were withdrawn by the petitioners. Compared to 2018, the number of face-to-face petitions filed decreased by 74 (4.0%) and the number of those closed by 99 (5.3%). These numbers fell in all regional offices, except the Daegu office.

[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	2019	1,790	1,774	319	18.0	716	40.4	739	41.7
	2018	1,864	1,873	358	19.1	859	45.9	656	35.0
Busan	2019	504	499	90	18.0	189	37.9	220	44.1
	2018	574	604	116	19.2	280	46.4	208	34.4
Gwangju	2019	402	385	65	16.9	184	47.8	136	35.3
	2018	445	432	88	20.4	184	42.6	160	37.0
Daegu	2019	556	563	87	15.5	206	36.6	270	48.0
	2018	490	483	67	13.9	238	49.3	178	36.9
Daejeon	2019	231	235	56	23.8	114	48.5	65	27.7
	2018	257	258	59	22.9	119	46.1	80	31.0
Gangwon	2019	89	88	21	23.9	23	26.1	44	50.0
	2018	98	96	28	29.2	38	39.6	30	31.3
Jeju	2019*	8	4	-	-	-	-	4	100.0

* The statistics for the Jeju Regional Human Rights Office represent the total from the day it was opened (October 1, 2019) to December 31, 2019.

3. Petitions Processed

In 2019, 3,164 petitions were assigned to the regional offices, of which 2,544 were processed. A total of 283 were remedied, 115 resulted in a recommendation, 11 were closed by agreement, and 157 were resolved during investigation.

Compared to 2018, the number of petitions assigned to regional offices fell by 139 (4.6%) and those processed by 635 (20.0%). An increased number of petitions were assigned to the offices in Busan, Gwangju, and Gangwon, and the number of petitions processed went down in all offices, except the Busan office.

[Table 2-5-4] Number of Petitions Processed at Regional Human Rights Offices in the Last Two Years

(Unit: cases)

Regional Human Rights Office	Classification	Assigned	Processed	Remedied						Rejected	Transferred	Dismissed	Investigation suspended
				Subtotal	Criminal investigation requested	Recommendations, etc.	Mediation	Closed by settlement	Resolved during investigation				
Total	2019	3,164	2,544	283	-	115	-	11	157	1,507	22	730	2
	2018	3,025	3,179	364	4	97	-	19	244	1,919	18	867	11
Busan	2019	777	714	67	-	17	-	3	47	387	10	250	-
	2018	697	695	77	-	19	-	5	53	421	7	190	-
Gwangju	2019	772	561	92	-	47	-	5	40	350	2	116	1
	2018	657	679	80	2	17	-	3	58	392	-	197	10
Daegu	2019	723	530	45	-	17	-	-	28	338	-	147	-
	2018	776	749	96	2	21	-	7	66	452	5	195	1
Daejeon	2019	575	569	71	-	32	-	1	38	324	8	165	1
	2018	682	744	67	-	35	-	1	31	435	4	238	-
Gangwon	2019	292	159	8	-	2	-	2	4	98	1	52	-
	2018	213	312	44	-	5	-	3	36	219	2	47	-
Jeju	2019*	25	11	-	-	-	-	-	-	10	1	-	-

* 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 statistics for the Jeju Regional Human Rights Office represent the total from the day it was opened (October 1, 2019) to December 31, 2019.

4. Human Rights Education and Training

Through their education centers, the regional offices organized human rights instructor training courses, human rights sensitivity training courses, human rights education and training legally required of personnel of mental healthcare centers and homeless facilities, and special human rights lectures.

In 2019, the regional offices organized a total of 2,596 human rights education sessions (85,856 persons). By type, 22 sessions (420 persons) were for human rights instructor training, 64 sessions (1,559 persons) for human rights sensitivity training, 52 sessions (2,628 persons) for mandatory training, 556 sessions (10,694 persons) for on-site education, and 1,902 sessions (70,555 persons) for special lectures. The largest number of education and training was in the form of special lectures.

[Table 2-5-5] Human Rights Education Conducted by Human Rights Offices in 2019

(in number of sessions and persons)

Regional 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	2,596	85,856	22	420	64	1,559	52	2,628	556	10,694	1,902	70,555
Busan	774	25,282	4	75	22	555	12	1,093	47	883	689	22,676
Gwangju	308	11,468	4	118	10	258	10	394	126	2,944	158	7,754
Daegu	442	15,301	4	78	16	374	12	454	147	2,379	263	12,016
Daejeon	806	25,287	4	82	16	372	12	497	157	2,919	617	21,417
Gangwon	266	8,518	6	67	-	-	6	190	79	1,569	175	6,692

The Gwangju office, in particular, partnered with the regional police agencies, educational offices, and regional assemblies to include human rights sensitivity training in the organizations' vocational training. The training was offered with great success to the staff of the regional police agencies of Gwangju, Jeonnam, and Jeonbuk, to school principals and deputy principals in

partnership with the education offices of Gwangju and Jeonnam, and to local lawmakers of the Suncheon Assembly.

Section 3. Assessment

The Busan Regional Human Rights Office focused on prompt processing of petitions by regularly monitoring the status of petitions so that they are not left unprocessed for too long. To this end, it strengthened monitoring of human rights hotspots, including casualties incurred during a crackdown by the Busan Immigration Office, rally opposing the student rights ordinance in Gyeongnam province, rally where a statue of a Korean victim of wartime forced labor in Japan is being installed, and rally against sexual minorities.

To raise public awareness, facilitate public dialogue, and counter hatred and discrimination, the office organized human rights campaigns year round, made radio appearances, hosted debates, organized workshops for human rights lecturers, and held a human rights culture concert.

The year 2019 was particularly focused on reinforcing and expanding cooperation with human rights-related organizations and civil society groups in Busan, Ulsan, and Gyeongnam areas. It organized a human rights policy council with local government personnel in charge of human rights, and a human rights education council with the metropolitan education offices for discussions on developing human rights-friendly cities and promoting a local approach to human rights issues. It also organized training and workshops for personnel in charge of human rights tasks. A police human rights education council was set up with the metropolitan police agencies of Busan, Ulsan, and Gyeongnam for joint management of the human rights instructor development program. The partnership also resulted in a manual for dealing with cases involving persons with disabilities and the establishment of a network of cooperation with local groups that advocate the rights of children, older persons, and people with disabilities.

The Communication Cooperation Committee serves as the channel for receiving opinions from human rights and civil society groups. It helped establish a system for information sharing and cooperation with local activists on pending issues in the region. To promote further cooperation, the Busan Human Rights Policy Forum was held, where local governments, colleges, education offices, lawmakers, associations, and citizens gathered to discuss key regional human rights policies.

However, local governments have shown different levels of progress in terms of enforcing human rights ordinances and establishing regional human rights organizations. Climate surveys to support basic human rights planning are still at a preliminary stage. To resolve these issues, a communication channel must be facilitated among the Busan office, local governments, human rights and civil society groups, and businesses in the region so that they can work together to foster mutually beneficial and complementary policies and culture. Also, more human rights education and training should be organized to enlarge the regional base for human rights promotion.

In 2019, the Gwangju Human Rights Office focused on investigations and remedies in cooperation with related agencies. The effectiveness of investigations was enhanced through cooperation with groups advocating the rights of persons with disabilities. It met with groups that represent persons with disabilities for policy discussions on deinstitutionalization. Preliminary on-site inspections were conducted on emergency cases, including habitual violence on or exploitation of labor of persons with disabilities in nursing homes, and forced repatriation of an alien worker who needed medical treatment. Also, the 2019 Casebook was published and distributed to local communities, offering an at-a-glance look at all the petitions and responses undertaken throughout the year.

Human rights in sports, hatred and discrimination, and historical distortion were selected topics for roundtable meetings, building a consensus on pending regional human rights issues. There were some notable collaboration and cooperation with local governments and related groups. The Human Rights Movies with Citizens event was organized jointly with local culture and arts institutes, Gwangju metropolitan government, and Gwangju education office, enhancing citizens' cultural rights. The office got feedback that this event should be continued regularly due to popular demand. Notably, the course titled A Study of Human Rights through Precedents was well received by group activists as a refresher course.

Meanwhile, a variety of cultural programs were organized as part of efforts to expand human rights education and cooperation with human rights organizations. While these efforts were positively assessed as having enhanced cooperation among the private sector, public sector, and academia, regional equity was pointed out as a limiting factor because the provinces of Jeollanam-do and Jeollabuk-do were excluded from these programs compared to the Gwangju metropolitan city. Thus, development of educational courses and cultural programs should not only involve the Gwangju metropolitan city but also the province of Jeollabuk-do, which is stabilizing its operation,

and the province of Jeollanam-do, which has new people on board for program development.

The Daegu Regional Human Rights Office closely monitored local human rights incidents, including those involving cashiers of the Gimcheon Korea Expressway Corporation, laid-off workers of a medical center, person in charge of care programs at the Daegu educational office, and collective petitions on discrimination against persons with disabilities. Considering the diversity of petitions filed (including cases concerning exposure of the medical history of an inmate with HIV, all-out prohibition of mobile phones in schools and mental hospitals, disparaging remarks about disabled athletes, violation of the personal information of a civil petitioner by a local government, and insufficient medical treatment in a correctional facility), the office worked on facilitating collaboration and discussions among investigators to build their capacity to promptly process petitions and propose effective remedies.

Timely programs were organized to respond to local human rights issues, and human rights training were conducted for local lawmakers. In cooperation with human rights and civil society groups, the office also hosted lectures and discussions to expand a culture of countering hatred and discrimination. These positive outcomes were promoted on various media channels, raising the standing of the office and promoting an improved perception of human rights in the region.

Given regional characteristics that limit further expansion of a human rights culture in the region, an effective regional human rights governance system must be established to facilitate cooperation with local governments, related agencies, and human rights and civil society groups.

In 2019, the Daejeon Regional Human Rights Office focused its efforts on efficient processing of petitions filed and investigated. Of 575 petitions filed, 569 were processed (32 closed with a recommendation, 38 resolved during investigation), achieving a processing rate of 99%. This outcome can be attributed to an improved investigation capability, which benefited from regular in-house training programs for both novice and experienced investigators.

In its fifth year of operation in 2019, the office was actively engaged in developing public-private partnerships with local governments and civil society groups, while networking with local human rights advocates. The sustained effort at maintaining close cooperation and solidarity with regional human rights organizations helped build a regional human rights mechanism. The office discussed pending local labor rights issues and labor disputes with human rights groups, and jointly hosted several campaigns and events to counter hatred and discrimination, increasing exchanges and cooperation with these groups.

On the occasion of the 71th anniversary of the Universal Declaration of Human Rights, various efforts were made to promote a human rights culture in the region, including a citizen-led human rights book club and various online/offline promotional activities.

The relocation of the Daejeon Human Rights Experience Center was not without difficulties, but the new location attracted more than 3,800 visitors to experience hands-on programs. To ensure a stable operation of the center, more work will be done in 2020 to secure a long-term facility and improve exhibition programs.

Meanwhile, given the different levels of progress in the enactment and enforcement of student rights ordinances in Daejeon and the Chungcheong area, the office needs to work with local human rights and civil society groups to develop programs for enhancing student rights awareness.

To facilitate the enactment of human rights ordinances by local governments, the Gangwon Regional Human Rights Office met with human rights and civil society groups in the region, organized the Communication and Cooperation Committee, and had office calls with local lawmakers. Thanks to these efforts, which helped build consensus, human rights ordinances were legislated in Donghae and Taebaek.

The office engaged itself in the establishment of a special-education school in Donghae, the construction of which was suspended due to community resistance. It also expanded counseling services, initiated as a pilot program in Wonju in 2018, to the Chuncheon area, to work with local residents in expanding a human rights culture and improving the safeguard of human rights in the area.

In close cooperation with the Headquarters Office, the regional office launched local campaigns to counter hatred and discrimination, as well as campaigns to promote human rights in sports.

However, continued efforts are needed in terms of human rights ordinances, as the rate of enactment is lower compared to other regions. To this end, the office will work closely with local governments to facilitate enactment of the ordinances and follow-up measures, so that effective progress can be made in safeguarding and promoting the rights of local residents.

The Jeju Regional Human Rights Office, which was opened on October 1, verified the high level of interest and expectations from local communities through meetings with local human rights groups, counseling services, the Human Rights Week event, and the office opening ceremony.

In response to the high public expectations, the office will work closely with residents to become a trusted gatekeeper for the Jeju community. It will carry out sustained activities to expand a human rights culture through counseling services, investigations, human rights education and training, and cooperation with human rights organizations and civil society groups.

National Human Rights Commission of Korea
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03 | Appendices

- 1 Commissioners and Senior Executive Officers
- 2 2019 Business Roadmap

1. Commissioners and Senior Executive Officers (as of December 31, 2019)

■ Commissioners



Name	Profile	Nominating/electing authority (Term)
 <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 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) ※ Term of office ended on January 19 2020.</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>
 <p>Standing Commissioner Lee Sang-chul</p>	<ul style="list-style-type: none"> • Judge, Seoul High Court • Judge, Daegu High Court • Head of Andong Branch, Daegu District Court • Head Judge, Seoul Central District Court • Chief Judge, Seoul Northern District Court • Standing Commissioner, National Unification Advisory Council • Member of North Korean Human Rights Committee, Korean Bar Association • Non-standing Commissioner, National Special Investigation Committee on Sewol Ferry Disaster 	<p>Elected by the National Assembly (September 19, 2019 - September 18, 2022)</p>

Name	Profile	Nominating/electing authority (Term)
 <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>
 <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>

Name	Profile	Nominating/electing authority (Term)
 <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>
 <p>Commissioner Mun Sun-hye</p>	<ul style="list-style-type: none"> • Director, Korean Buddhist Research Institute for Future Society • Member, Steering Committee, People's Solidarity for Participatory Democracy • Representative Director, Ungajabiwon Welfare Foundation • Permanent Representative, Shilcheon Bulgyo • Co-Representative, task force on return of public funds illegally obtained by government officials • Chief, Beobjangsa Temple of Jogye Order of Korean Buddhism • Adjunct Professor, Joong-Ang Sangha University • Advisor, Transparency International Korea 	<p>Nominated by the President (July 9, 2019 - July 8, 2022)</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	Profies
 Secretary General Song Soh-yeon	<ul style="list-style-type: none"> • General affairs manager, Democratization Practice Movement Council • Special adviser, Jipyong LLC • Executive director, The Truth Foundation 	 Director-General of Planning and Coordination Bureau Lee Suk-jun	<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
 Director-General of Policy and Education Bureau Cho Young-ho	<ul style="list-style-type: none"> • Director, Investigation of Civil and Political Rights Division, NHRCK • Director, Public Relations Division, NHRCK • Director, Rights of Persons with Disabilities Division 1, NHRCK • Director, Human Rights Policy Division, NHRCK 	 Director-General of Civil and Political Rights Bureau Choi Jae-gyeong	<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
 Director-General of Discrimination Remedy Bureau Gang Mun Min-seo	<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. 2019 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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National Human Rights Commission of Korea

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