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**NATIONAL HUMAN RIGHTS COMMISSION
OF THE REPUBLIC OF KOREA**

ANNUAL REPORT 2015



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of the Republic of Korea

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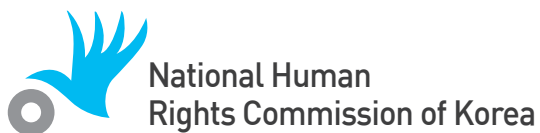
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Symbol of the National Human Rights Commission of Korea

To signify the mandate and credibility of the National Human Rights Commission of Korea (NHRCK) as a national institution for the promotion and protection of human rights, a simple symbol of formative beauty was designed. For the color of the symbol, the Commission used blue, which represents 'creation' and 'life' as well as 'spring', particularly according to the Yin-Yang Theory. It was chosen to express the identity of the Commission and its commitment to human beings.

The symbol also combines the image of a dove and a hand to embody the message of 'peace' and 'tolerance'. It is placed next to a circle, the most primal shape, to communicate the following ideas: 'centeredness and concentration', 'diversity and positivity', 'sun and brightness', 'harmony and tolerance', and 'justice and fairness'.



Annual Report 2015

This book is an annual report of the Commission on its activities from January 1st to December 31st of 2015. The Commission publishes and submits this book to the President and the National Assembly of the Republic of Korea, in compliance with Paragraph 1, Article 29 of the National Human Rights Commission Act.

Chairperson's Foreword



The Commission will continue to step up its effort to serve its duty as a reliable ally for the disadvantaged and marginalized to make this world a better place to live.



Since its establishment in 2001, the National Human Rights Commission of Korea (the “Commission” or NHRCK) has been active in protecting the inviolable and fundamental human rights of every individual, promoting the human rights of the most vulnerable members of society, internalizing human rights in daily life, and broadening the horizons of human rights.

Korea witnessed serious cases of human rights abuse throughout the year of 2015, from a daycare employee’s assault on a child to the case of a university professor who beat and forced his ex-pupils to eat feces. These appalling events took the nation by shock, along with the continued human rights abuse cases within the military discovered after a reservist’s shooting spree at the reserve forces training center in Naegok-dong.

On the other hand, the UN Human Right Council (UNHRC) elected a Korean as its president for the first time since the Republic of Korea joined the UN. Also, the UN General Assembly adopted the resolution on “National institutions for the promotion and protection of human rights (A/C.3/70/L.49/Rev.1)”, which calls on “Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them,” and to promote a more active participation of these institutions in the UN proceedings, including the Commission on the Status of Women (CSW) held in New York.

Against this backdrop, we spared no effort to better serve the Commission’s essential responsibilities, including: issuing recommendations to improve laws, institutions, policies, and practices on human rights; conducting investigations on different cases of human rights abuse or discriminatory acts and making remedies for the victims; educating people and raising their awareness on the promotion of human rights in society; and engaging in cooperation with human rights organizations at home and abroad.



The Commission received more than 10,000 cases of counseling and complaints for three consecutive years, from 2013 to 2015. The Commission concentrated its efforts to resolve the cases without delay and reduce the number of cold cases. In addition, we actively conducted suo motu and on-site investigations on group care facilities for the disabled and for mental health facilities.

We moved into the Narakium Jeo-dong Building after inhabiting the Kumsegi Building for the 14 years since the foundation of the NHRCK, which means we now have a better place to work especially for the newly launched 4th National Action Plan (NAP) for the Promotion and Protection of Human Rights, the mid-term plan of the Commission from 2015 to 2017. In addition, by strengthening communication channels and cooperation at home and abroad, we have laid a platform to take the lead in new human rights issues, including business and human rights, and the human rights of older persons.

I expect this Annual Report, which gives a good description of these efforts, to serve as a tool for you to recognize our activities and help us discuss the future direction of the Commission.

I sincerely ask for your continued support, care, and criticism for the improvement of the Commission. Going forward, the Commission will continue to step up its effort to serve its duty as a reliable ally for the disadvantaged and marginalized to make this world a better place to live.

Thank you.

Sung-Ho Lee
Chairperson

National Human Rights Commission of the Republic of Korea

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Part I Introduction

National Human Rights Commission of Korea
Annual Report 2015



Part I Introduction

Chapter 1

Overview

1. Foundation

The National Human Rights Commission of Korea (the “Commission”) was established on November 25th, 2001, pursuant to the National Human Rights Commission Act (the “NHRC Act”). The Commission is a national advocacy institution for human rights protection based on the Principles relating to the Status of National Institutions [the Paris Principles]¹⁾. Stipulating the competence and responsibilities of a national institution, its composition and guarantees of independence and pluralism, and methods of operation, the Paris Principles constitute the international standards for national human rights institutions.

2. Purpose and Identity

The Commission is a national institution in charge of promoting and improving human rights in Korea. However, the Commission, by law, is guaranteed an independent status regarding all human rights issues in Korea. To ensure its independent status, it is legally separated from all branches (legislative, executive, judicial, and election) of the Government of the Republic of Korea.

1) The principles were adopted by the United Nations Human Rights Commission Resolution 1992/54 of March 3rd, 1992, and by the UN General Assembly Resolution 48/134 of December 20th, 1993. Since they were defined at the first International Workshop on National Institutions for the Promotion and Protection of Human Rights held in Paris, they are often referred to as the “Paris Principles”.

3. Main Duty

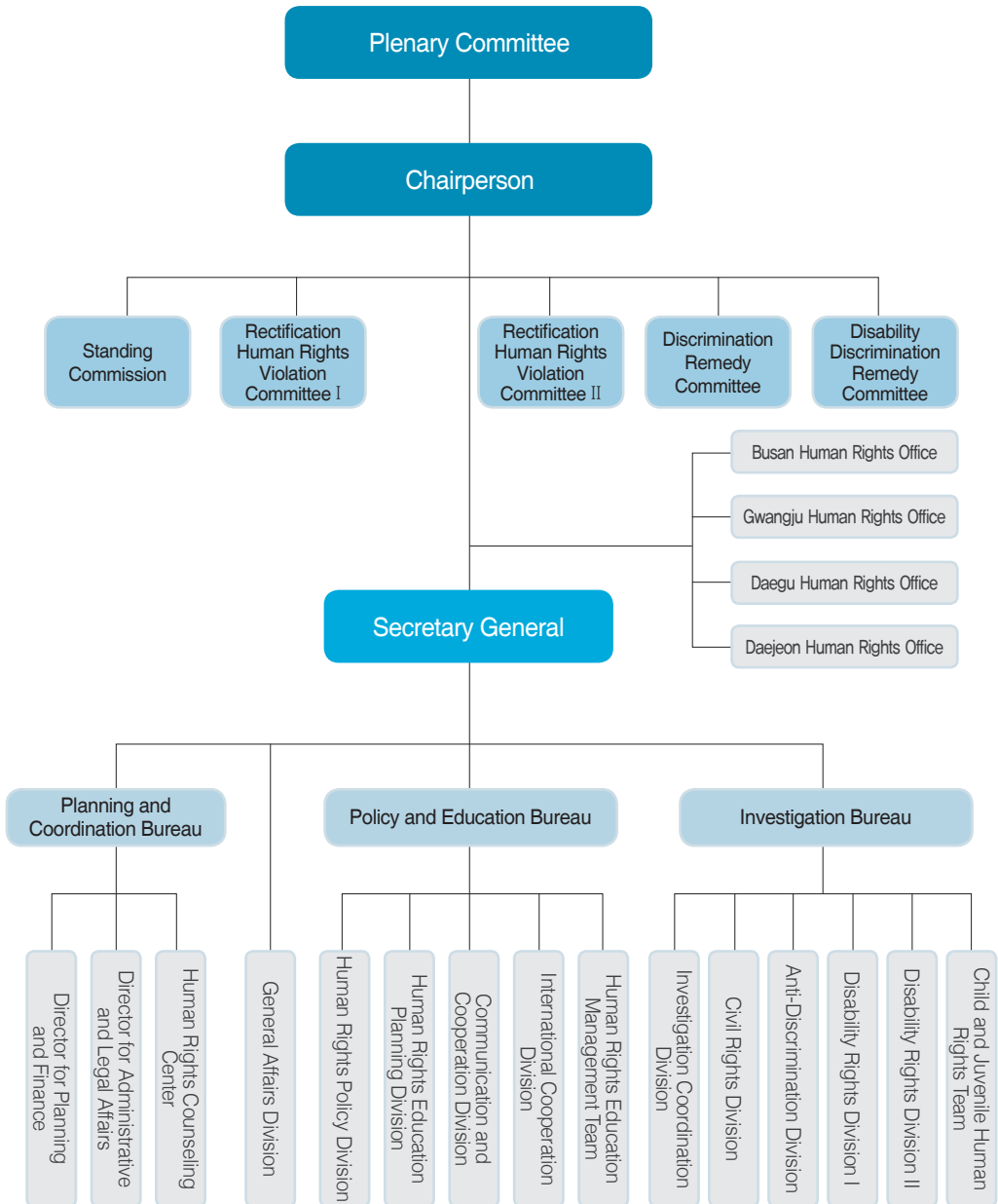
- 1) Recommendations for the improvement of laws, regulations, institutions, policies, and practices related to human rights
- 2) Investigations on and remedies for the cases of human rights violations and discriminatory acts
- 3) Education and campaigns on human rights
- 4) Implementation and integration of international human rights treaties in Korea
- 5) Cooperation with human rights groups and organizations at home and abroad

4. Organization

- Commission: Total of 11 Commissioners including the Chairperson, three Standing Commissioners, and seven Non-Standing Commissioners
 - Four Commissioners shall be nominated by the President of Korea; four shall be elected by the National Assembly; and three shall be nominated by the Chief Justice of the Supreme Court and then approved by the President of Korea.
 - Three-year term (only one consecutive term is allowed)
 - Chairperson and Standing Commissioners are public officials in political service.
 - The Commission has to have at least four female commissioners.
- Secretariat: Led by the Secretary General, and comprised of three Bureaus, 12 Divisions, three Teams, four Regional Offices
 - Number of personnel: 190 (as of December 31st, 2015)
- Organizational Chart²⁾

2) Scope of work for each committee in the Commission

- Rectification Human Rights Violation Committee I: Human rights violations cases related to the prosecution, police, National Intelligence Service, military, legislative and judiciary institutions
- Rectification Human Rights Violation Committee II: Human rights violation cases related to detention and protective facilities (excluding group care facilities for the mentally disabled), other national institutions (local governments, schools, and public service-related organizations)
- Discrimination Remedy Committee: Discrimination cases against a person or those within national institutions
- Disability Discrimination Remedy Committee: Disability discrimination cases against a person or those within national institutions, and human rights violation cases within group care facilities



Chapter 2. Domestic and International Environment in 2015

1. Inauguration of the New Chairperson and Moving into the New Office

Year 2015 marks the 67th anniversary of the 1948 Universal Declaration of Human Rights and the first year of the 4th National Action Plan for the Promotion and Protection of Human Rights, the mid-term plan of the Commission from 2015 to 2017. Chairperson Lee Sung-Ho took office on August 13th as the 7th Chairperson of the Commission, announcing his blueprint for the Commission to strengthen communication and cooperation. The Commission moved into the new office in the Narakium Bldg., 340 Samil-daero, Jung-gu, Seoul on October 5th after 14 years in the old office in the Kumsegi Building, 6 Mugyo-ro, Jung-gu, Seoul since the foundation.

2. Domestic Environment

The case of a daycare employee's assault on a child in Incheon in January took the society by surprise, highlighting human rights violations on children as a serious social issue. This led to revision of the Enforcement Regulation of the Infant Care Act on September 18th, which required all day care centers to install CCTVs inside them.

On the other hand, on February 26th, the Constitutional Court ruled that Article 241 of the Criminal Act on adultery, which has been in place for 62 years, violates the anti-overrestriction principle and infringes on people's right to sexual autonomy, privacy, and freedom.

In addition, repeated human rights violations in the military attracted major attention due to recent cases, including: the reservist's shooting spree at the Reserve Forces Training Center in Naegok-dong, Seoul, on May 13th; and the perpetrator's violence against his inmate in the Military Correctional Institution in August after his persecution for the beating that killed Mr. Yoon, a Private First Class of the Army's 28th division. This led to a discussion on the necessity of the Military Ombudsman to Protect Human Rights of Soldiers in the National Assembly.

While youth unemployment is increasingly emphasized as one of the most serious social problems in Korea, the Commission witnessed the case of a university professor who beat and forced his ex-pupils to eat feces for two years. In July, the entire country was in shock over such a terrible human rights abuse.

3. International Environment

South Korea was elected to chair a UN human rights panel for a year for the first time since its membership in the UN. As a result, Ambassador Choi Kyong-Lim, who headed the country's permanent mission in Geneva, Switzerland, came to serve as the council's chair in 2016.

On December 17th, the UN General Assembly adopted the resolution on “National institutions for the promotion and protection of human rights”, which calls on national human rights institutions (NHRIs) to express opinions and engage in more active participation in the UN proceedings, including the Commission on the Status of Women (CSW) held in New York. This allowed exchanges between the UN and NHRIs to take place in New York, in addition to Geneva.

The International Coordinating Committee of National Human Rights Institutions (ICC), the international council of NHRIs, deferred its decision on the status of the Commission three times in a row (March and November in 2014, and March in 2015), recommending a legislation to guarantee the transparency and inclusiveness of the appointment process of commissioners. In response, the proposal for the amendment of the NHRC Act was formulated to reflect the ICC recommendations, went through the public hearing and pre-announcement of legislation, and was placed on the agenda of the plenary session in the National Assembly. And the ICC is planning to deliver its decision on the status of the Commission in the first half of 2016.

Chapter 3.

Basic Directions and Major Achievements in 2015

1. Basic Direction

The Commission concentrated its efforts to implement its fourth mid-term work plan, the 4th National Action Plan for the Promotion and Protection of Human Rights. The action plan lays out a vision to realize a “World of Dignity for All” with four strategic goals, a special task, and a featured project (the 2016 project). The four strategic goals include: ① laying a foundation to promote human rights; ② protecting human rights of the vulnerable and marginalized; ③ spreading the values of human rights in society; and ④ highlighting human rights issues and

strengthening cooperation. In addition, the Commission engaged in the project to promote North Korean human rights as a special task.

2. Project Achievements

A. Four Strategic Goals

1) Laying a Foundation to Promote Human Rights

Guaranteeing and Strengthening the Right to Freedom

The Commission participated in the review process for the ROK's 4th National Report to the UN Human Rights Committee. The Commission submitted an information note and independent report, and proposed opinions separately from the government and NGOs at the review, allowing the event to yield more fruitful results and deliver concluding observations.

To guarantee human rights within the military, the Commission has:

1. conducted a survey on solutions to improve the investigation and judiciary systems within the military from May 22nd to November 21st;
2. conducted a survey on ensuring the right to defense for the socially vulnerable in the procedures of the criminal justice system from June 17th to December 24th; and
3. held a discussion meeting on the status quo and issues regarding the rights of freedom, including freedom of expression, on March 31st.

Expanding and Promoting Social Rights

To expand and promote social rights, the Commission has:

1. mobilized the 7th Senior Human Rights Supporters for monitoring activities as part of its project to support senior activities in society;
2. held a discussion meeting with experts to expand coverage for the disadvantaged in healthcare services on June 24th;
3. submitted an opinion on the 8th National Report for the Convention on the Elimination of All Forms of Discrimination Against Women on July 13th;
4. conducted a survey on the domestic implementation of international human rights standards for children's right to conduct a review on policies for children and youth;
5. submitted the proposal of the 2016 National Survey on Public Awareness of Human Rights to develop statistics and indicators of human rights, including awareness survey on seniors, multicultural families, and youth.

6. held a conference with competent authorities for the implementation of Human Rights Impact Assessment (HRIA); and
7. conducted a survey project from June 24th to December 22nd to build a system for human rights statistics.

2) Protecting Human Rights of the Vulnerable and Marginalized

To promote the human rights of children and youth and call for more active policy improvements for issues in children's rights, the Commission has:

1. expressed an opinion on the revision of the Infant Care Act on February 16th and the Act on Supporting Out-of-school Youth on September 23rd;
2. issued a recommendation to eliminate the practices of enforcing school regulations that restrict students' social activities without any legal basis on June 10th;
3. held a discussion meeting on how to ensure the right to play for children and youth on July 22nd;
4. held a discussion meeting on how to implement the international standards for the rights of children and youth on December 4th;
5. conducted a study on the current status for domestic implementation of the international standards for children's rights; and
6. conducted on-site monitoring to ensure human rights for abused children and runaway kids.

To promote the human rights of seniors, the Commission held the ASEM Conference on Global Ageing and Human Rights of Older Persons from October 26th to 28th. The main goals of the conference were to: "reaffirm the universal value of the rights of older persons, share information in Asia and Europe, and pursue cooperation among ASEM member nations and international coordination for the promotion and protection of human rights for older persons". In addition, the Commission launched the 7th Senior Human Rights Supporters to monitor the government's project to support the social activities of seniors to address some issues regarding the ageing society, including the increase in the number of poor seniors and generating a source of income for them.

To promote the human rights of people with disability, the Commission has:

1. conducted a suo motu investigation on discrimination against the disabled in the use of ships and airplanes;

2. issued a policy recommendation for the promotion of the right to education in the integrated education environment for the disabled on July 2nd;
3. held a discussion meeting on mobile accessibility for people with visual or hearing disadvantages on September 1st;
4. submitted an opinion to the Constitutional Court to point out the unconstitutionality in 'hospitalization of a patient through his/her legal guardian', the center piece of the involuntary admission of people with mental disability (May 11th);
5. expressed an opinion to guarantee the right to vote for people with mental disabilities in residential care facilities on April 16th;
6. conducted on-site monitoring on the compliance level of the Act on the Prohibition of Discrimination against Disabled Persons and Remedy against Infringement of Their Rights, etc. (Anti-Disability Discrimination Act), in 90 national, public, and private universities and tourist lodging facilities, and published the research results; and
7. formulated a five-year monitoring plan (from 2016 to 2020) on the compliance level of the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

To promote the human rights of women, the Commission has:

1. conducted a survey on the status of human rights and maternity protection measures for female workers in the field of public health care from May 6th to November 3rd;
2. conducted a survey on the status of secondary victimization of sexual harassment and measures for prevention and remedy from May 6th to November 5th;
3. conducted a survey on the status of health rights of service and sales workers in the distribution industry from May 14th to November 13th;
4. conducted a suo motu investigation to improve policies regarding leave of absence from school for graduate students due to pregnancy, childbirth, and childcare;
5. distributed 20,000 copies of the Guide to Sexual Harassment Prevention in schools; and
6. expressed an opinion on the 8th National Report to be submitted to the UN Committee on the Elimination of All Forms of Discrimination against Women (UN CEDAW) on July 13th.

To promote the human rights of immigrants and migrants and overseas Koreans, the Commission has:

1. held a joint discussion meeting on the human rights of migrants in each region with 30 civil rights groups;
2. held a joint discussion meeting with overseas Korean descendants currently living in Korea on August 21st;
3. conducted monitoring on the education and health rights of migrant children;
4. came up with solutions to guarantee living rights for migrants through benchmarking policies related to refugees, multicultural families, and migrant workers as well as anti-multicultural sentiment in Germany from May 25th to 30th;
5. studied the status of human rights for migrant workers in the construction industry and analyzed related policies and regulations in foreign countries; and
6. launched and hosted the Forum on Human Rights of Migrants so as to review work permit regulations and look for solutions to improve them.

To provide remedies for the victims in places excluded from the human rights protection mechanism, the Commission has:

1. conducted an on-site investigation at the Military Correctional Institution, the Gongju Institute of Forensic Psychiatry, protection facilities for foreigners, and senior nursing homes;
2. conducted a suo motu investigation at the residential facilities for homeless people, facilities for people with mental disability, residential facilities for the disabled, and mental health institutes;
3. issued a statement on August 12th against people denying the delivery of food and drink for the demonstrators who were on a strike at the rooftop floor of the office building of the Commission;
4. launched a human rights counseling tour for lepers in Sorokdo island, Korean-Chinese people in Ansan, multicultural families in Hongcheon, pneumoconiosis patients in Taebaek and Sabuk; and
5. actively cooperated with the Special Committee at the National Assembly to improve the human rights of soldiers and reform military culture, which induced the Special Committee to allow the Commission to appoint a human rights ombudsman for soldiers.

3) Spreading the Value of Human Rights in Society

Human Rights Education

To institutionalize human rights education, the Commission expressed its opinions on the following issues: partial amendment made to the enforcement regulations of the Infant Care Act on July 30th; improvements in human rights education to promote the rights of sailor migrants on October 8th; and strengthening human rights education in the supplementary education course for social welfare workers on December 9th.

To respond to the potential demand for human rights education, the Commission developed various forms of new content, including: ‘Sports and Human Rights’, ‘Media and Human Rights’, the ‘Guide to Public Administration Focused on Human Rights’, as well as online content, such as the ‘Universal Declaration of Human Rights for Children’, ‘Education Course to Prevent Discrimination against People with Disability’, and ‘Social Welfare and Human Rights’.

As a result of the recent reorganization of the human rights education sessions, the Commission now has eight-day courses (Basic-Intermediate-Advanced) instead of five-day ones. The Commission divided the sessions into the following categories: Disability, Mental Disorder, Children and Youth, and Immigration. Then the Commission appointed about 300 lecturers who have qualified in the lecture demonstration review.

The education sessions covered a diverse array of human rights issues, including: police, military, seniors, homeless people, multicultural families, children and youth, people with disability, the right to information, and mental health. While the number of sessions performed saw a 7.5% year-on-year increase (from 2,334 to 2,509), the number of trainees decreased by 11.5% (from 164,075 to 145,322). These trends reflect how the Commission attempted to keep the maximum number of trainees below 50 to maximize the effect of its education sessions.

Promotional Campaigns for Human Rights

The Commission delivered its message on how to speak in a way that supports human rights through radio commercials, and spread the Guiding Principles to Uphold Human Rights in Press Coverage through a smartphone application and education course for intern reporters.

In addition, the Commission actively promoted its major activities, policies, functions, and roles, taking advantage of diverse media outlets and channels, including its own publications (‘Human Rights’, the magazine, blogposts, newsletters, etc.), and radio commercials, as well as

its Facebook and Kakao Story account.

The promotional campaigns for human rights also include: production of movies on human rights, the Mobile Movie Theatre service (on five occasions), Small Movie Screening events (two occasions), Dialogue with Citizens through Movies (three occasions), a web-toon series (22 in total), and posting foreign films (12 in total) as well as original films from the Commission (10 in total) on YouTube.com.

4) Highlighting Human Rights Issues and Strengthening Cooperation

To ensure stable employment and the protection of human rights for workers, the Commission has:

1. expressed an opinion on the government's proposal for the comprehensive solution to address issues in temporary employment on May 26th;
2. made a recommendation to eliminate the practice of hiding industrial accident cases, and strengthened the risk prevention efforts to protect workers from in-house subcontractors on November 12th;
3. conducted a survey on the human rights situation of domestic workers without employment benefits from March 26th to September 25th;
4. conducted a survey on the safety and health rights of fire officers from March 27th to September 25th; and
5. held a discussion on how to ratify the Fundamental Conventions of the International Labor Organization (ILO) related to the freedom of association on September 30th.

To promote human rights in business management, the Commission conducted the study on the National Action Plan (NAP) on business and human rights from May 14th to November 13th. In addition, the Chairperson of the Commission participated in the 2015 UN Forum on Business and Human Rights hosted by the UN Working Group on Business and Human Rights. He was invited as a high-level panel member for the NAP session and the opening ceremony. In the event, the UN commended the hard work of the Commission in implementing the UN Guiding Principles on Business and Human Rights.

To protect human rights to information in this highly informatized society, the Commission has:

1. expressed an opinion to prevent the recurrence of cases similar to the CCTV surveillance incident that infringed on the privacy of the professional baseball players of Lotte Giants on March 3rd;
2. expressed an opinion on finding an alternative to the collection of bio-information (fingerprint) and protecting the personal right to informational self-determination on March 26th, regarding implementation of the electromagnetic card system in context with strengthened regulations on the gambling industry; and
3. issued a recommendation on September 23rd to improve the problems involved in disclosing the detailed personal information of a defendant in an official gazette when he or she was found not guilty in a retrial at court.

The Commission strengthened exchanges and cooperation with domestic human rights groups by launching the Communication and Cooperation Team within the Commission, visiting disability groups, and hosting a workshop for human rights activists in Gangwon province. In addition, the Commission pushed ahead with the revision of the Human Rights Commission Act to implement the recommendations from the ICC. Also, the Commission hosted a special session for NHRIs at the ASEM Conference on Global Ageing and Human Rights of Older Persons to lay a foundation for the operation of the ICC Working Group on Aging, following up with an MOU signing with NHRIs in Poland, Denmark, Indonesia, and Mongolia, in order to strengthen exchange and cooperation between NHRIs.

B. Special Task: Project to Promote North Korean Human Rights

There is an active discussion in the UN and international community on the human rights situation of North Koreans and ways to improve the status quo. In this context, there is a rising expectation on the role of NHRIs. In response, the Commission has designated the promotion of North Korean human rights as its Special Task since 2009.

To protect the human rights of North Korean defectors, the Commission has:

1. conducted a survey on the labor rights of North Korean defectors from June 2nd to December 1st;
2. conducted an on-site inspection from September 7th to 11th to comprehend the situation of protection for North Korean defectors in Thailand, which they mainly use as a stop-over in

- their escape, and to strengthen cooperation with the local authority; and
3. visited the UK and Germany from December 10th to 16th to study what made many North Korean defectors take refuge in Europe and how they are settled there, launching a joint project with local NGOs to promote North Korean human rights as well.

To raise awareness on North Korean human rights and to strengthen cooperation, the Commission has:

1. hosted the 4th North Korea Human Rights Forum and operated the Special Committee on Human Rights in North Korea;
2. hosted the International Symposium in Jakarta to raise awareness on North Korean human rights and strengthen cooperation on February 10th;
3. hosted a discussion meeting on ‘dispersed families’, the opening of the UN Office of High Commissioner of Human Rights (OHCHR) in Seoul, and transitional justice;
4. hosted a human rights workshop for inter-Korean university students on December 21st and 22nd;
5. had in-person meetings with major figures related to North Korean human rights, including the UN High Commissioner for Human Rights, UN Special Rapporteur on the Human Rights Situation in the DPRK, and the Chief of the UN OHCHR in Seoul; and
6. published a collection of the NHRCK's Resolutions on Human Rights in North Korea (40 cases) in both Korean and English, as well as a guidebook in English.

Chapter 4. Evaluation and Challenges

Year 2015 was a new turning point for the Commission in many ways, as it began to work on its mid-term work plan, the 4th National Action Plan for the Promotion and Protection of Human Rights, welcomed the inauguration of its 7th Chairperson, and moved into a new office.

Through surveys on the human rights situation on various fronts, and reviewing laws and institutions related to human rights, the Commission strengthened its capacity to make policy

recommendations. In addition, the Commission actively responded to current human rights issues in the society, including child abuse and others. The Commission worked hard to fulfill the Commission's responsibility as a quasi-judicial body in charge of remedial actions by conducting suo motu investigations on cases of serious infringement upon human rights, and on-site investigations on residential care and detention facilities, as well as the usual investigations on appealed cases. To strengthen its capacity of investigation and of creating remedies in the years to come, the Commission acknowledged the need to hire enough manpower for investigations and to foster the capacity building of its investigators with education courses on a regular basis.

The Commission yielded great results in terms of international exchange and cooperation. At the 10th ASEM, which took place in Milano, Italy, on October 16th and 17th in 2014, the ANNEX adopted the ASEM Initiative on Global Ageing and Human Rights of Older Persons proposed by the ROK government. This led the Commission to host the ASEM Conference on Global Ageing and Human Rights of Older Persons in Seoul from October 26th to the 28th. It served as an opportunity for the Commission to officially bring the importance of senior human rights to the discussion table of the international community, laying a foundation to spearhead a project to promote senior human rights. In addition, the Commission fulfilled its role as one of the more active NHRIs in the international community through the following measures: operating a workshop to invite personnel over to Korea from other NHRIs; participating in a range of international conferences, including the ICC and APF Annual Meeting; and signing MOUs with NHRIs in Poland, Denmark, Indonesia, and Mongolia.

The Commission has also seen great progress in human rights education, which is an important part of its role. To meet the demand and allocate enough resources, it successfully reorganized its training system to foster enough human rights lecturers, develop various forms of educational content, and begin the operation of human rights education in each field. Going forward, especially in terms of spreading and institutionalizing human rights education, the Commission needs to engage in the reviewing process to analyze the current situation and the effectiveness of human rights education in academia as well as in the public and private sector.

The Commission shall serve its mission as an NHRI under close cooperation with civil society, so that improvements in human rights can actually be felt in the life of each and every member of the society.



Part II Major Activities of NHRCK

National Human Rights Commission of Korea
Annual Report 2015



Part II Major Activities of NHRCK

Chapter 1.

Improvement of Laws and Regulations, Institution, Policies, and Practices

Section 1. Overview

In compliance with the NHRC Act, the Commission carries out various activities, including:

1. issuing recommendations and opinions on human rights-related laws, regulations, policies, and practices (Article 19.1 and Article 25);
2. conducting investigations pertaining to human rights conditions (Article 19.4); and
3. issuing recommendations and opinions on the accession to and implementation of international human rights treaties in order to facilitate the implementation of the treaties in Korea (Article 19.7).

In accordance with the provisions in the act, the Commission has the right and responsibility to serve the following tasks:

1. establishing subcommittees and an advisory organ to seek advice on matters deemed appropriate to the performance of the duties of the Commission (Article 12 and 15);
2. requesting a consultation of state organs, local governments, and other public or private organizations (Article 20);
3. holding a public hearing (Article 23);
4. expressing its opinions on de jure matters to the competent court or the Constitutional Court in the event a trial, which significantly affects the protection and promotion of human rights, is pending (Article 28); and
5. preparing an annual report on its activities for the preceding year, including the human rights situation and any improvement measures, and report thereon to the President of the Republic of Korea and the National Assembly (Article 29).

Section 2. Policy Recommendations and Opinions

1. Overview of Policy Recommendations, Opinions, etc.

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

(Unit: Case)

	Cumulative total	Recommendations	Opinions	Opinions submitted
Cumulative Total	575	261	292	22
2015	36	12	23	1
2014	46	27	18	1
2013	43	27	16	0
2012	42	24	18	0
2011	40	18	20	2

* Cumulative total: November 25th, 2001, to December 31st, 2015

* Opinions submitted: The Commission may submit to the court of law or the Constitutional Court its opinions during a litigation that will significantly influence the protection and improvement of human rights.

2. Highlights of Policy Recommendations³⁾

A. Policy recommendation on discrimination against people with disability when they use express and intercity bus

Despite it being over nine years since the Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons came into effect, most of express and intercity buses were not equipped with tools to support wheelchair-riding people. Even worse, related organizations and businesses did not have any plan to make improvements. Therefore, the Commission conducted a suo motu investigation to look for solutions to duly guarantee the disabled the right to intercity mobility.

The result found that government responsibilities are not properly fulfilled to secure the right to mobility of people with disability, contrary to what is stipulated in Article 23.1 of the Act on Welfare of Persons with Disabilities, Article 8.1 and 8.2 of the Anti-Disability Discrimination Act, Article 4 of the Mobility Enhancement for the Mobility Impaired Act, and Article 9 of the Convention on the Rights of Persons.

³⁾For more details on the suo motu and on-site investigations and the recommendations related to Reinforcing Activities to Promote North Korean Human Rights, refer to Chapter 2 Section 3 and Section 4.

In response, the Commission issued a recommendation to the Minister of Land, Infrastructure, and Transport to make the Plan for Mobility Enhancement for the Mobility Impaired include installation of a wheelchair lift on express and intercity buses, and to make the revision of the legislation require bus operators to comply with the phase-in installation of the lift. Another recommendation on April 13th went to the Speaker of the National Assembly and the Minister of Strategy and Finance to provide financial aid to bus operators that implemented wheelchair lifts on their buses.

While the Ministry of Land, Infrastructure, and Transport partially agreed with the directions from the recommendation, the National Assembly did not recognize the budget to support the installation of wheelchair lifts on express buses in the review and decision-making process for the 2016 national budget plan. In addition, the Ministry of Strategy and Finance also remained noncommittal, explaining that providing financial aid to intercity bus operators shall be discussed after they go through the performance review on the implementation of local public transportation services for the handicapped (including intra-bus with low floors and call-taxis for the disabled).

B. Policy recommendation to eliminate the practices of enforcing school statutes that restrict students' out-of-school activities without any legal basis

School A restricts its freshmen and sophomore students of a certain department from engaging in out-of-campus activities, including performances and filming, as required in the “school’s guidebook to campus life”. Should a student refuse to comply with the rule, the school punishes him or her by giving an F in three major subjects.

Being subject to the Higher Education Act, School A is to put forth a set of school statutes in accordance with Article 4 (School Statutes) of the enforcement decree of the same law. It is through the statutes that School A may regulate the operation of its educational courses as well as the grading and graduation of its students. However, the aforementioned guidebook only included information on school affairs and administration, and thus its content may not be deemed as official school statutes. Also, the school statutes never delegated the booklet or the faculty council to impose restrictions on out-of-school activities or take punitive measures on the grades of students.

The Commission found that School A was clearly denying the generally accepted principles related to basic rights by imposing such restrictions, meaning that the school was infringing on

its students' general right to the freedom stipulated in Article 10 of the Constitution. Therefore, the Commission issued a recommendation to School A on June 10th, to revise its statutes to include regulations regarding the matter.

C. Religion-oriented discrimination in employment at a university

The Commission accepted a complaint that a job posting from a university required all applicants to be "Christians in accordance with the founding philosophy of the school", which appealed that it is an unfair discrimination in employment oriented from one's religion. Therefore, the Commission issued a recommendation to the said university on June 17th, to revise its articles of association that restricted non-Christians to apply for a job opening at the school to prevent discrimination.

D. Policy recommendations to secure the right to education for over-aged people with disability in residential care facilities

The Commission, in January, accepted a complaint that a handicapped person was not eligible for special education due to his age, appealing that it should be deemed as a violation of equal rights and the right to education. However, it dismissed the case because imposing an age-cap for special education cannot be considered as a case of discrimination or violation of the right to education as stipulated in Article 3 of the Act on the Special Education for the Disabled Persons, etc.

However, the Commission decided that it is necessary to provide an education opportunity for people in this case, where they cannot receive proper care and protection from their guardians, and ended up missing their chance to receive the compulsory education.

Therefore, the Commission issued a recommendation to the Minister of Education to revise related guidelines so that over-aged people with disability in residential care facilities could gain access to special education. In addition, it included the mayors and governors of 17 provinces and cities, along with the Minister of Education, for another recommendation on June 30th to expand its lifelong education facilities and education courses so that over-aged people with disability who missed their chance for the compulsory education could have access to education of an equal level.

E. Policy recommendation for the promotion of the right to education in the integrated education environment for the disabled

According to the 2014 survey to promote the right to education for disabled students, it turned out that the integrated education environment was in fact limited to the superficial fusion of kids with disability and kids without. Response from general teachers, special education teachers, parents, and assistant personnel in typical schools suggested that 36.7% of disabled students experienced in-school violence. While verbal violence (teasing, insults, threats, and name calling) accounted for 24% of the total, bullying (robbery/extortion, brutal acts, forced errands, and alienation) for 19.2%, and physical violence (destruction of properties, beating, and physical punishment) for 16%.

In response to improve the situation, the Commission has:

1. strengthened the activity of the Permanent Monitoring Group to Protect Human Rights of Disabled Students that had been in operation at support centers for special education under local Metropolitan and Provincial Offices of Education since 2012;
2. built a system that can provide communication support upon investigation or counseling process when a disabled student is either an offender or victim of school bullying;
3. had a disability expert participate in the local Committee on School Violence under the local Metropolitan and Provincial Offices of Education, which are in charge of retrial of school bullying cases; and
4. conducted a capacity building program to help disabled students with their self-efficacy skills, and strengthened a preventive education program to prevent school bullying for all students.

In addition, the Commission issued recommendations to:

1. employ more assistant personnel considering gender balance, and conduct human rights education for them on July 2nd;
2. allocate more budget on supporting educational conveniences and provide an effective and accurate guide to them;
3. conduct research on supporting educational conveniences, including advantages during tests and compensation in evaluation, considering the disability level and characteristics of a student; and
4. strengthen research effort to improve general teachers' capacity to manage the integrated class.

F. Recommendations following the suo motu investigation on residential shelters for homeless people

The Commission accepted a complaint on human rights violation cases at a residential shelter in City A on April 14th, 2014. In the process of investigation, it lost contact with the complainant and failed to specify the defendant for a part of the petitioned details. However, the Commission went ahead and conducted an on-site monitoring on the facility in question, and secured more than enough evidence and testimony that witnessed continued acts of human rights violation on homeless residents of the place. The findings led to a decision by the Rectification Human Rights Violation Committee II to conduct a suo motu investigation on the shelter on March 18th.

The investigation unveiled the terrible situation punctuated by an atrocious violation of human rights: the facility personnel would both physically and verbally abuse the residents, make them punch each other, force them to sit on their knees while holding up a heavy fire-extinguisher, and exploit their labor for farming. Even worse, the facility director's husband exercised an absolute dictatorship at the shelter: he was illegally pocketing the subsidies and public benefits from the local government, allowance, and pension benefits from the residents with disability, and veterans' benefits and basic pension from the rest.

After the revelation, the said facility voluntarily declared a shutdown and closed on June 25th in accordance with the regulations in the Social Welfare Services Act, and the residents moved into other facilities. Therefore, the Commission has issued recommendations on July 15th to the Metropolitan government to:

1. take measures to claw back the capital that was illegally taken and spent on anything else out of purpose by the facility personnel;
2. make the facility personnel return the embezzled capital, including the allowance and pension benefits from the residents with disability and veterans' benefits as well as basic pension from the rest, to the residents concerned; and
3. strengthen supervision and inspection on social welfare facilities in the city and come up with the necessary preventive measures.

As a result, the Metropolitan government is planning to claw back the funds illegally received by the facility (118.46 million KRW) and the capital to be redirected to the residents by the end of 2015. In addition, the city government also notified the Commission that it agreed to

conduct stronger supervision and inspection on the city welfare facilities more than once a year, and enforce additional education upon the personnel in those facilities as a part of the preventive measures.

G. Recommendation to address the issues involved in disclosing personal information of the defendant in an official gazette when he or she was found not guilty in retrial

Following the Constitutional Court ruling that adultery is found unconstitutional in February, 2015, there are more and more defendants lodging an appeal for a new trial to receive an acquittal. In this case, however, personal information of the defendant, the charge against him or her, and the actual names of people involved as well as the details of the ruling are disclosed in an official gazette. Media coverage and appeal made to the Commission concerning the matter criticized the fact such proceedings violate the personal rights of people involved in such cases.

According to Article 440 of the Criminal Procedure Act, it requires the court to disclose the information of the ruling in an official gazette and local newspapers when an acquittal is issued without prior consent of the defendant concerned. Also, the Commission confirmed that such disclosed information included not only the name of the defendant, but also his or her date of birth, occupation, residence, and registered address, as well as the actual names of people concerned.

Therefore, the Commission issued a recommendation on September 23rd to:

1. have the Minister of Justice revise Article 440 of the Criminal Procedure Act so that the court cannot disclose the information of the ruling without prior consent of the defendant; and
2. have the Chief Justice prepare and implement the concrete guidelines to refrain from disclosing personal information of the defendant and people involved any more than necessary for the rehabilitation of the defendant when the court posts the information on an official gazette.

H. Suo motu investigation on the right to counsel of criminal inmates and recommendation to improve the situation

The Commission conducted a suo motu investigation on five courts regarding the violation of criminal inmate's right to counsel with an attorney when he or she is summoned to the court. Should the inmate want to see his or her attorney or if the attorney wants to see the inmate,

related provisions require them to notify the judge (by phone or verbally) and get permission from the manager of the detention area.

As a result of the investigation, the Commission found out that general criminal courtrooms in the five courts, where the cases of the respondent or defendant under custody are handled, did not have a separate room for attorney counseling, unlike the courtrooms for substantive review of arrest warrants and review on the legality of confinement, which was in fact a restriction of the inmates' right to counsel. Regarding the matter, the court replied that inmates in such a case have no actual need to see their attorney at the court since they finish the necessary counseling with their attorney at their remand prison or correctional facility before they come. In addition, it also explained that it would definitely allow the inmates to see their lawyer upon any request, but such a request had never been made.

In response, the Commission issued a recommendation on November 10th to the Chief Justice to:

1. make sure all general criminal courtrooms in each and every court across the nation have a separate space to allow the inmates to counsel with their attorney; and
2. make all inmate waiting rooms offer an effective guide to the inmates on their right to request a counsel with their attorney and how to do so.

I. Recommendation to eliminate the practice of hiding cases of industrial accident and strengthen the risk prevention efforts to protect workers of in-house subcontractors

The 2014 Survey on Job Categories Vulnerable to Industrial Accidents found that workers employed by in-house subcontractors were in charge of jobs with a higher risk of industrial accident compared to their counterparts employed by prime contractors in the shipbuilding, steel, and plant construction industries. Even worse, many of those who actually suffer from accidents often cannot receive any compensation from their industrial accident compensation insurance (IACI). Therefore, the Commission issued a recommendation on November 12th to the Minister of Employment and Labor to eliminate the ill-practices of business sites that do not allow the IACI to cover industrial accidents suffered by workers of in-house subcontractors, and come up with ways to effectively prevent and manage industrial accident risks.

More specifically, the recommendation suggested the minister to:

1. ensure that the safety and health council, based on the Occupational Safety and Health Act, has one of the subcontractor workers as its member, and ensure that its agenda includes discussions for the safety and health of the subcontractor workers;

2. clarify the standards of harmful and risky jobs that require permission when subcontracted, and increase the scope of the standards;
3. revise a schedule rating system for the workers' compensation insurance and Pre-Qualification system to put more emphasis on inducing business sites to strengthen their efforts to prevent industrial accidents than on a simple decrease in the accident rate in the long term;
4. to expand the scope of the management system for integrated statistics of both prime contractors and subcontractors exclusively in application for the construction industry as of now, so as to include the industries with a higher risk of industrial accident, including the shipbuilding and steel industries;
5. strengthen supervision on contracted business sites to have their project owners faithfully fulfill their duties related to the safety and health of the workers as well as reporting in case of industrial accident; and
6. come up with a plan to employ more industrial safety supervisors.

J. Recommendation to giving penalties due to the age of applicants for employment at local governments

The Commission accepted an appeal from a complainant who allegedly suffered discrimination as he could not pass the job interview at a local government because of his age. However, its investigation could not prove that he was actually disqualified because of his age.

Still, the Commission also found that there was room for controversy regarding the charge of discrimination, and therefore decided to take action. In fact, there was no point in making the applicants reveal their age to the interviewers or in allowing the interviewers to ask the age of the applicants. It was even more pointless where age did not usually matter regarding job performance or the type of work, and where the interviewees might suffer any disadvantage because of their age.

As a result, the Commission issued a recommendation on November 18th, to the district mayor concerned, to:

1. prevent the evaluation report from the job interview from including any information on the age of applicants; and
2. prevent any job interviewer from asking the age of applicants and giving any disadvantage because of their age.

K. Recommendation to ensure the citizens' right to access and use environmental information from, and to participate in the process of, public projects

The result of the survey suggested that providing information and allowing more participation of citizens in public projects are major measures to ensure citizens' right to environment, which may prevent unnecessary dispute and ensure the transparent and responsible progress of public projects. While the legal basis for these measures was already in place, however, citizens found the measures unsatisfactory. Therefore, the Commission issued a recommendation on December 23rd to the Minister of Environment to:

1. provide clear and easy-to-understand information when the ministry conducts an evaluation on environmental impact; and
2. come up with effective measures to collect the opinions of citizens, including promotional campaigns through diverse media and channels, to encourage people to engage in more active participation.

L. On-site Investigation of the Gongju Institute of Forensic Psychiatry and recommendation to improve human rights situation

The Commission launched an on-site investigation team with outside experts to conduct an in-depth interview with inmates, correctional officers, and the warden of the Gongju Institute of Forensic Psychiatry, as well as an environmental investigation on reception and living rooms, medical facilities, kitchen, and sports facilities within the institute on August 27th and 28th.

The investigation found out that the institute had several serious problems including: lack of medical staff, overcrowding, restricting freedom of inmates for non-medical purposes, and pro forma operation of the review committee on therapeutic custody that is in charge of the decision-making to release inmates. In particular, there was no legal basis for imposing protective custody on mental examinees having equivalent legal status to that of inmates on trial. Even worse, female mental examinees were being accommodated with those under therapeutic custody, requiring an urgent intervention.

Therefore, the Commission issued a recommendation on December 23rd, to the Minister of Justice, to:

1. address overcrowding issues;
2. separate and employ more medical staff and custody personnel;

3. prepare legal basis on the treatment of mental examinees, and separately accommodate female mental examinees with those under custody; and
4. develop and strengthen therapeutic measures, including a non-pharmacological therapy program.

3. Highlights in Expression of Opinion

A. Expression of opinion on the partial revision of the Infant Care Act

The Public Health and Welfare Committee in the National Assembly asked for the Commission's opinion regarding the partial revision of the Infant Care Act (Proposal No. 9980 and 13719) to require daycare centers to install CCTVs inside in order to prevent accidents, including child abuse. In response, the Commission expressed its opinion that it is necessary to:

1. attach a provision that allows an exception when all parents do not agree with such installation of CCTVs; and
2. attach a provision to prohibit out-of-purpose use of the CCTVs to prevent any abuse or surveillance on daycare teachers, and to impose sanctions upon violations.

B. Expression of opinion on MOE's attempt to prohibit the use of yellow ribbon for the victims of the sunken Sewol Ferry

The Commission received a complaint (14JinJeong0810000) that the Ministry of Education (MOE) was violating people's right to expression and conscience by issuing an official notice to stop the yellow ribbon campaign in schools. However, it could not confirm any report on restricting people's freedom to use yellow ribbon and therefore dismissed the case.

The MOE explained that the purpose of the official notice was not to prohibit students from using yellow ribbon to pray for the Sewol ferry victims; it meant to ask people to refrain from joining the specific campaign by the name of "Tying the Ribbon of Condolence and Promise on Trees in School", which might be deemed as a type of political action since the campaign is to call for the legislation of the special Sewol bill, under the lead of certain advocacy groups. However, the Commission found that:

1. the notice was clearly concerning all use of yellow ribbon, not just the campaign mentioned; and

2. students tying yellow ribbons were only doing so to pray for the Sewol ferry victims, not to participate in a political activity.

Therefore, the Commission expressed its opinion on March 18th that measures taken by the MOE, regardless of the appeal made, are potentially violating the right to expression of school personnel and students.

C. Expression of opinion to guarantee the right to vote for people with mental disabilities in residential care facilities

The Commission published a report on the right to vote for people with disability in 2014, and issued a recommendation to the National Election Commission (NEC) for the local election on June 4th in the same year to come up with measures to help the disabled with voting, depending on the type and characteristic of their disability.

In response, the NEC joined the effort to ensure the right to vote for people with disability. As a result, there is gradually increasing support to enhance the accessibility for physically challenged people and provide supportive equipment for voting. In addition, the Public Official Election Act was revised on January 7th, 2014, making it mandatory to install a voting booth in all residential facilities for the disabled, including hospitals, nursing homes, and camps with more than 10 registered residents eligible for voting.

However, the Commission's survey on the right to vote for people with disabilities in residential care facilities in 2014 found that:

1. the voting rate of the mentally disabled in the facilities was very low; and
2. these people had trouble with access to information on elections.

Therefore, the Commission expressed its opinion on April 16th to the NEC President and the Minister of Health and Welfare to ensure the right to vote for people with mental disability by taking more practical measures to provide information on elections and support for voting.

D. Expression of opinion on the government's proposal for the comprehensive solution to address issues in temporary employment

Regarding the government's proposal for the comprehensive solution to address issues in temporary employment announced in the end of December, 2014, the Commission expressed its opinion on May 26th to the Minister of Employment and Labor that it is necessary to come up

with supplementary measures to protect employment stability and labor rights for all workers, including non-regular workers.

More specifically, the Commission suggested that the Minister:

1. review the policy to extend the period of employment for temporary and dispatched workers. Since it would attract more employers to replace their regular employees with temporary counterparts, the Commission expressed its opinion that the Minister should come up with measures to improve the said policy, considering the fact that there is not enough policy support to prevent abuse, and to induce employers to turn their temporary employees into regular ones after extending the period;
2. review the policy to expand the scope of tasks for dispatched workers and extend their employment period. The Commission believed that the policy could lead to an increase in the number of dispatched workers who suffer from harsh working conditions, worsening the disparity in the labor market. In addition, the Commission expressed its opinion to the Minister that he should come up with measures to improve the said policy, considering that there are not enough policy measures to ensure decent working conditions and equal treatment for dispatched workers;
3. review the policy to exclude benefits from prime contractors for subcontractor workers from proof of illegal dispatch, since it may blur the line between legal contracting and illegal dispatch. In addition, the Commission expressed its opinion that the Minister should come up with measures to improve the said policy by specifying the legal standards to distinguish one from the other; and
4. carefully review the revisions made in the guidelines on general standards and procedures to fire an employee and the standards for amending the rules of employment, since these may be abused as tools for easy firing and the deterioration of working conditions.

E. Expression of opinion on the proposal of the 4th National Report on the UN International Covenant on Economic, Social and Cultural Rights

Regarding the proposal of the 4th National Report on the UN International Covenant on Economic, Social and Cultural Rights (ICESCR), the Commission expressed its opinion on May 26th to the Minister of Justice on:

1. the lack of description on difficulties and obstacles to fulfill the ICESCR;
2. the lack of information on the expected results and effects of related legislation and policies

- when implemented;
- 3. lack of description on the implementation of the third round of concluding observations of the Committee on Economic, Social and Cultural Rights;
- 4. difficulties in comprehending the status of the overall implementation of the ICESCR; and
- 5. details on the status of domestic implementation for each article in the ICESCR.

F. Expression of opinion on the proposal of the 8th National Report on the UN Convention on the Elimination of All Forms of Discrimination Against Women

The Ministry of Gender Equality and Family (MOGEF) prepared the proposal of the 8th National Report on the implementation status of covenants from 2011 to June, 2015 in accordance with Article 18 of the UN Convention on the Elimination of All Forms of Discrimination Against Women, and requested the Commission to submit its opinion on the document. In response, the Commission expressed its opinion on July 13th as follows:

- 1. The report only included a simple list of legislated and revised laws and implemented policies, when it was supposed to contain an in-depth review on the expected results and impact as well as potential issues upon the implementation of the laws involved.
- 2. It did not have enough description on the implementation of the 2011 final recommendation from UNCEDAW.
- 3. It lacked in terms of analysis on the status of female non-regular workers and countermeasures to address the issue.
- 4. It did not have enough statistics on female employment and other categories related to women in most vulnerable groups of society.

G. Submission of the Independent Report on the 4th National Report on ICCPR

To prepare for the review on the 4th National Report on the UN International Covenant on Civil and Political Rights (ICCPR), the Commission submitted the Information Note on February 5th to assist in the selection of the list of issues. In addition, the Commission submitted the Independent Report on the status of domestic implementation of the ICCPR and its opinions on September 14th to assist the upcoming review.

The report includes the Commission's information and its opinion on the issues related to civil rights including: (1) independence of the Commission, the Anti-Discrimination Act,

discrimination against the vulnerable including sexual minorities and unmarried mothers, the death penalty system, non-voluntary admission to mental health facilities, conscientious objection to the military service and introduction of alternative military service, freedom of association and demonstration, and the National Security Act.

H. Expression of opinion on the revision proposal of the Act on Supporting Drop-out Youth

The Minister of Gender Equality and Family requested the Commission's opinion on the revision proposal of the Act on Supporting Drop-out Youth (Proposal Number 16570), regarding the issue on whether or not to allow school principals and personnel to provide Support Centers for Drop-out Students with personal information on the drop-out youth without his or her consent. In response, the Commission expressed its opinion that removing the consent provision may infringe on the right to informational self-determination on September 23rd for the following reasons:

1. There were many other organizations and institutes that provide information on the drop-out youth to the support centers.
2. Since it had been only four months since the law came into effect, it was difficult to confirm that difficulties in getting consent from the youth concerned were the major cause for the support centers' alleged difficulty in contacting the individual.
3. The support for the drop-out youth can only be effective when the youth concerned displays his or her own will to apply for it.

I. Expression of opinion on the revision proposal of the Habeas Corpus Act

The government put forth the revision proposal of the Habeas Corpus Act on April 14th, 2014. The proposal is to employ habeas corpus officers from the Ministry of Justice (MOJ), and dispatch them to detention facilities to check whether or not that inmate is imprisoned lawfully and whether or not he or she should be released from custody due to the reason of imprisonment being deemed invalid or eliminated. However, the Commission found that most of "mass care facilities", of which inspection should be conducted by the Commission, are included in the "detention facilities" mentioned above, inevitably causing for the potential duplication of duties. Therefore, the Commission expressed its opinion on November 18th to the Chairperson of the

Legislation and Judiciary Committee of the National Assembly on the risk of:

1. potential confusion due to duplication between the duty (meeting complainers, and conducting suo motu and on-site investigations) of the Commission personnel and that of the habeas corpus officer from the MOJ; and
2. even more confusion by the subjects of investigation (including complainer, inmate, or facility).

J. Expression of opinion on the opposition against the construction of facilities for the disabled

The Seoul Metropolitan Office of Education and Korea Employment Agency for the Disabled worked together to build the Job Skill Training Center for Students with Developmental Disability inside Middle School A. However, the construction was being delayed due to the strong opposition of the local residents and parents of students in the school, who protested against: potential dangers from having people with developmental disability around, deterioration of living conditions, imbalance in regional development, and the fact that it failed to get approval from local residents. In fact, construction of specialized education schools and other facilities for the disabled in Seoul, Gyeonggi, and Incheon had to face similar gridlock.

In response, the Commission expressed its opinion on December 29th to the Seoul Mayor and the local district mayor. It was to call for their action to raise public awareness on the disabled to prevent the recurrence of discrimination against the disabled, because opposition against the construction of facilities for the disabled is in fact a cruel refusal against people with disability, which clearly goes against the constitutional principle of equality.

K. Expression of opinion on the case of CCTV surveillance on the privacy of the professional baseball players of Lotte Giant

In 2014, a complaint was made to clarify the suspicion that Lotte Giant, a professional baseball team, had been monitoring the entrance/exit of its players at the accommodations for an away game. This infringement led to a strong backlash from the players, who engaged in a collective action to protest the surveillance, gaining much attention from the public. Since the case arose from a baseball club operated by a private business, it was not subject to an investigation by the Commission pursuant to Article 30 of the NHRC Act. However, the

Commission decided to launch a policy review as it recognized that the case might have been related to ill-practices in the sports circle against the human rights of athletes.

As a result of the investigation, the Commission found that the club had been monitoring the entrance and behavior of players through CCTVs installed on the isles of the player lodgings for away games for nearly two months under the direction of its CEO. It was also confirmed that the club did not receive prior consent from its players or notify them about the surveillance.

Therefore, the Commission decided that the case was infringement on players' right to privacy, freedom, and informational self-determination, according to the Constitution. It also recognized that the case was an example of ill-practices in the domestic sports circle, which put gaining control over players before respecting their human rights. To eliminate such ill-practices, the Commission expressed its opinion on March 5th to the President of the Korea Baseball Organization (KBO) to come up with preventive measures against player surveillance pursuant to the Commission's "Recommendation on the Sports Human Rights Guideline" in 2010. In addition, the Commission notified the Ministry of Government Administration and Home Affairs of its decision and requested the ministry to take measure against the violation of the Personal Information Protection Act.

In response, the KBO announced that it would spread the details of the 2010 recommendations to all the professional baseball clubs in Korea and come up with preventive measures.

L. Expression of opinion on the implementation of the electro-magnetic card system in the gambling industry

The National Gaming Control Commission (NGCC) under the Prime Minister made a proposal to prevent the side-effects of the gambling industry (gambling addiction, bankruptcy due to excessive gambling, etc.) by introducing electro-magnetic cards (e-cards). It immediately provoked controversy because e-cards were to collect bio-information (finger vein) of an individual, and use the information to prevent the use of multiple cards.

Although the Commission acknowledged the purpose, it decided that the proposal was unacceptable and expressed its opinion on March 26th to the NGCC Chairperson for the following reasons:

1. The proposal needs to come up with a stronger legal basis, because forcing an individual to get an e-card issued and have his or her personal information for identification clearly restricts the constitutional rights to freedom of action and informational self-determination.

2. It is desirable to look for an alternative since bio-information has a strong identifiability and invariance, and thus carries a serious potential risk of infringement and abuse.
3. It is necessary to come up with measures to ensure the safe management of collected personal information and ensure the rights of the source.

M. Expression of opinion on the proposal for the partial revision of the Resident Registration Act

To lay a foundation for the so-called Fin-Tech industry, the Ministry of Government Administration and Home Affairs requested the Commission's opinion on the proposal for the partial revision of the Resident Registration Act (Proposal Number 17979). The proposal was to allow access to the fingerprint information of an individual registered on the government's computerized database in the process of verifying his or her real name for online financial transactions.

In response, the Commission expressed its opinion on December 23rd that it is important to:

1. come up with very strong measures to ensure the protection of personal information and an individual's right to informational self-determination, considering that fingerprint information has an even bigger potential risk for abuse and leakage than that of a resident registration number, since it functions as a key indicator of personal information and cannot be modified or changed at all; and
2. provide more attention to the language of the proposal to clarify the meaning, since the proposal involves a revision of legislation with a great impact upon citizens' rights by using critically-important personal information.

4. Highlights in the Opinions Submitted

Submission of opinion on hospitalization by legal guardians pursuant to the Mental Health Act

At the 8th Plenary Committee on May 11th, 2015, the Commission decided to submit its opinion to the Constitutional Court on the review of the constitutionality on Article 24.1 and 24.2 of the Mental Health Act regarding hospitalization by legal guardians (2014HunGa9).

Seoul Central District Court decided that the articles concerned have a probable cause to be

considered as unconstitutional provisions that may contradict the principle of due legal process and the constitutional principle of excess prohibition, and therefore infringe on the rights to bodily liberty and self-determination of a mentally-ill person. As a result, the court ruled out to request a review of the constitutionality on the article concerned (2014ChoGi408).

Regarding the matter, the Commission had continued to express its opinion that improvements should be made to the standards for non-voluntary hospitalization pursuant to the Mental Health Act by strengthening the conditions and procedures involved, since non-voluntary hospitalization accompanies the potential risk of serious infringement on the rights to bodily liberty and self-determination of a mentally ill person. In fact, the Commission (1) issued a recommendation concerning the complaints related to mental health facilities, (2) published the National Report for the Promotion of Human Rights for People with Mental Disability in 2009, (3) and expressed its opinion on the proposal for the complete revision of the Mental Health Act in 2013.

The Commission submitted its opinion to the Constitutional Court that, as the Seoul court had ruled, the article concerned contradicts the principles of excess prohibition, due procedures, and certainty, and therefore infringes on the rights to bodily liberty and self-determination of a mentally ill person guaranteed by Article 10 and 12 of the Constitution.

5. Highlights in the Statements Announced on Current Issues of Human Rights

A. Statement to call for implementation of the recommendations regarding the appointment and nomination process of the NHRCK commissioners

The Commission issued a recommendation on September 22nd, 2014, to the ROK President, Speaker of the National Assembly, and Chief Justice of the Supreme Court to apply the Guideline on Principles and Procedures for the Appointment and Nomination of the NHRCK Commissioners.

Based on the Paris Principle [Principles relating to the Status of National Institutions], the guideline consists of principles related to credentials and responsibilities, assurance of diversity, and procedures of appointment and nomination of the NHRCK commissioners. It was to set the unified standards that should be observed by the institutions that may appoint and nominate

the NHRCK commissioners, and to urge the institutions to put in place a set of internal rules regarding the matter duly based on the standards.

Since the recommendation was not yet implemented by the parties concerned, the Commission announced a statement on January 14th to the National Assembly, ROK government, and the Supreme Court to call for the implementation of the recommendation.

B. Chairperson's statement on the case of child abuse at the daycare center

Regarding the case of child abuse at the daycare center, the Chairperson announced a statement on January 22nd to call for effective measures to prevent child abuse in daycare facilities and to ensure public interest in daycare services. The statement highlighted that we need to improve the working conditions and training system for daycare teachers, and strengthen the government's responsibility to ensure public interest in daycare service. Regarding the matter, the Commission has:

1. conducted an on-site monitoring on sites of potential child abuse;
2. begun to put in effort to revise the bill to include private daycare centers in the scope of investigation by the Commission; and
3. strengthened its education programs on the rights of children for daycare center workers and citizens.

C. Chairperson's statement to eliminate the ill-practices of putting up an outdoor banner that highlights students' admission to schools with high reputations

The Chairperson announced a statement on January 27th to express concerns on the continued ill-practices of schools across the nation that put up an outdoor banner that highlights students' admission to schools with high reputations.

The Commission found that such promotional behavior may:

1. cause other students, who went to other schools of less reputation or did not go for higher education opportunity, to feel left out;
2. have an undesirable impact on educational quality;
3. promote elitism and the discriminative culture of cliquism;
4. damage the personal well-being of youth who are sensitive and still in the process of maturing; and
5. promote rankism among students.

Therefore, the Commission requested cooperation on January 26th to all provincial and metropolitan offices of education and called for school faculties and parties involved to raise awareness on the issue.

D. Chairperson's statement commemorating the first anniversary of the Sewol ferry disaster

The Commission found that there was room for much improvement in the overall measures to overcome the aftermath of the Sewol ferry disaster. Therefore, it announced a statement on April 16th to commemorate the first anniversary of the Sewol ferry disaster, calling for:

1. swift operation of the Special Committee for Investigating the Sewol Ferry Disaster; and
2. improvements in related legislations and institutions by the government and the National Assembly to fulfill their duties to effectively ensure the lives and safety of citizens.

E. Chairperson's statement on the ruling of the Supreme Court in favor of launching the labor unions of immigrant workers

Regarding the Revocation of Disposition on Return of Labor Union Establishment raised by the labor unions of immigrant workers in Seoul, Gyeonggi, and Incheon, the Supreme Court ruled that:

1. as long as a foreigner can be included under the scope of “worker” prescribed under the Trade Union and Labor Relations Adjustment Act, it is difficult to acknowledge that such a foreigner cannot be included under the scope of “worker” depending on whether he or she has obtained sojourn status as a foreigner and employment eligibility; and
2. a foreigner who has not obtained sojourn status to work in the Republic of Korea pursuant to the Immigration Control Act is included under the scope of “worker” who may form or join a labor union. (Supreme Court en banc Decision 2007Du4995 Decided June 25, 2015)

In response, the Commission quoted from its opinion submitted to the Supreme Court in 2008 that claimed that foreigners, including those who have not obtained sojourn status in the Republic of Korea pursuant to the Immigration Control Act, have the legal right to form a labor union in a labor relationship that has a different target of legal regulation from the forementioned provision. Then, the Commission followed with a welcoming statement on July 1st to express that it hopes to see that the court's decision serves as an opportunity to equally ensure the right to

form and join a labor union [which is a constitutional right and guaranteed by the International Covenants on Human Rights] to everyone without any discrimination.

F. Chairperson's statement on the ruling to install a wheelchair lift on intercity buses

The court reaffirmed that bus operators have a responsibility to provide the necessary support upon boarding and alighting for wheelchair using people with disability. Then it followed with a ruling that took advantage of active court measures, including orders to:

1. halt the discrimination specified in the Article 48.2 of the Anti-Disability Discrimination Act;
2. rectify the errors, and make necessary improvements.

The Chairperson announced a statement on July 14th, finding the ruling very significant to improve the right to mobility of people with disability. Through the statement, the Commission expressed that:

1. the ruling would serve as an opportunity to ensure that people with disability would have even access to all public transportation services, including express and intercity bus;
2. all parties concerned should consider that the court acknowledged that not providing the necessary support for the disabled was in fact discrimination pursuant to the Anti-Disability Discrimination Act [although it rejected the claim against the Minister of Land, Infrastructure, and Transport, and Seoul City Mayor]; and
3. the government and local governments should provide the necessary technical, administrative, and financial support to give the disabled full access to public transportation.

G. Chairperson's statement on the 4th round of the Concluding Observations from the UN HRC

The UN Human Rights Committee (HRC) announced the Concluding Observations after its 4th review on the ROK on November 5th. The UN committee recommended that the ROK should abolish the death penalty, acknowledge an individual's right to conscientious objection to the military service, and legislate an integrated Anti-Discrimination Act. In response, the Commission announced a statement on November 10th to call on the government to show an active effort to implement the directions in the recommendation and thereby address the concerns of the UN committee.

H. Chairperson's statement on the International Day of Persons with Disabilities

At the UN General Assembly in 1992, the UN designated December 3rd as the International Day of Persons with Disabilities, and announced that the international community would work together to:

1. promote an understanding of disability issues and mobilize support for the dignity, rights and well-being of persons with disabilities; and
2. increase awareness of gains to be derived from the integration of persons with disabilities in every aspect of political, social, economic, and cultural life.

The ROK put in place a range of legislations related to the disabled, laying an institutional foundation to ensure the human rights of people with disability and prevent discrimination against them. Most recently, we implemented the Act on the Protection of Rights and Support for People with Developmental Disabilities, which contains provisions to ensure the right to self-determination of people with developmental disability, supportive tools for their communication, and measures to promote their participation in and integration within the society.

However, the Commission continues to receive complaints related to discrimination against the disabled (1,340 cases in 2012, 1,334 cases in 2013, and 1,153 cases in 2014), accounting for more than 50% of all discrimination-related complaints accepted by the Commission annually. These cases witness: (1) violence and abuse against the disabled who reside in facilities, (2) bullying against students with disability, (3) lack of access to information and public facilities including transportation, (4) public transportation operators who refuse to allow guide dogs for the blind in, and (5) discrimination concerning disability rating upon employment.

Therefore, the Chairperson announced a statement on December 3rd, celebrating the International Day of Persons with Disabilities, to call on all members of the society to engage in more active efforts to root out discrimination against the disabled and violation of their human rights.

I. Chairperson's statement to welcome the ROK to chair the UN Human Rights Council

At the UN Human Rights Council meeting held at the UN Headquarters in Geneva, Switzerland, on December 7th, the ROK was elected to chair the council for the first time since its membership in the UN. As a result, Ambassador Choi Kyong-Lim, who headed the country's permanent mission in Geneva, Switzerland, was appointed as the chairperson of the council

from January 1st to December 31st in 2016. (The ROK had been elected as the member of the council four times: from 2006 to 2008, from 2009 to 2011, from 2013 to 2015, and 2016 to 2018.)

Welcoming the ROK to chair the council, the Chairperson of the NHRCK announced a statement on December 31st to express his expectations that it would serve as an opportunity for the ROK government to:

1. concentrate its effort to join the conventions the country has yet to sign;
2. implement recommendations from international convention organizations; and
3. serve a more active role in the international community to promote human rights.

Section 3. Research and Surveys on Human Rights Conditions and Human Rights Protection Activities

1. Surveys and Research on the Status of Human Rights⁴⁾

The Commission has conducted the surveys and research hereafter to have a clear comprehension of diverse issues and the status quo of human rights in society. And the reports from the survey results are the basis of the recommendations issued from the Commission.

A. Survey on the human rights situation of fire officers

Nearly 8,300 fire officers have participated in the survey from March to September. They account for 21.3% of the total number of fire officers across the nation whose duty is to provide relief upon emergency, fight fire, save people, and serve shifts at 119 Situation Rooms.

The survey found that the officers could not look after their personal safety and health on duty due to lack of manpower, obsolete and deteriorated equipment, poor on-site disaster response, and insufficient legal basis. In particular, they showed a much higher prevalence rate when it comes to hearing problems, depression, anxiety disorder, and insomnia in comparison to typical workers. Even worse, only one out of eight officers who experienced injury were recognized to have medical care benefits for official duties.

Based on the survey results, the research team at the Commission proposed measures for improvement, which include:

1. clarifying the health and safety duties of the government and local governments;
2. recognizing fire officers as a special occupational group with a high risk of injury, and setting new labor, health, and safety standards for them;
3. preventing any disadvantage to an officer who applies for medical care due to official duties or the place he works for;
4. strengthening objectivity and expertise for investigations into the cause of disasters;
5. preventing any economic and judicial disadvantage against fire officers in case of traffic accident on their way to emergency sites or during patient transport;
6. formulating responsive measures when fire officers on duty suffer from any violence caused by ordinary citizens; and

4) Refer to Section 4 for more details of the surveys related to Reinforcing Activities to Promote North Korean Human Rights

7. institutionalize cooperation from related organizations when fire officers are on duty at emergency sites.

B. Survey on the human rights situation of domestic workers without employment benefits

The Commission conducted a survey on 500 domestic workers without employment benefits, including housemaids, babysitters and care workers. It turned out that more than 70% of the respondents were depending on non-profit or for-profit employment agencies to get a job, suggesting that their jobs were actually part of the available professions in the labor market.

However, we found these workers marginalized from typical social benefits and minimum labor conditions, as they were specified as ‘out of scope’ targets for general labor and social security laws including the Labor Standards Act, Minimum Wages Act, Industrial Accident Compensation Insurance Act, and Employment Insurance Act.

Based on the survey results, the research team at the Commission proposed measures for improvements, which include:

1. abolishing the “exclusion from application” provision in labor laws, including the Labor Standards Act;
2. including these workers in the scope of social insurance programs; and
3. fostering agencies to provide counseling and job-matching services for foreign domestic workers.

C. Survey on the overall research situation of graduate students

As of 2014, there were nearly 330,000 graduate students, many of whom reportedly fell victim to unfair actions by their professors. In response to continued complaints, the Commission launched a survey from March to September on 1,906 graduate students in 1,209 graduate schools across the nation to take an in-depth analysis on the overall research situation of graduate students. This includes: (1) their economic situations, (2) institutional and real-life support, (3) environment for learning and joint research projects, and (4) cases of infringement on personal rights by their professors or seniors.

As a result, the survey found that many graduate students were suffering from:

1. infringement on their right to study and their own research, as well as economic burden from tuitions mainly due to excessive administrative workloads;

2. diverse forms of human rights violation by their professors and seniors, including verbal, physical, and sexual violence; and
3. lack of protection on their intellectual rights for their own research progress.

D. Survey on the human rights situation in group homes for the disabled

The number of group homes for the disabled is on a rapid growth surge across the nation. While group homes used to fall in the category of local social rehabilitation centers in the past, they are now included in the category of residential facilities. However, these places were not receiving all the support (including budget) entitled to residential facilities for the disabled. Even worse, they usually had only one social rehab instructor who often has to work literally 24 hours a day being in charge of both diverse program operations and the administrative work concerned.

In response, the Commission conducted a survey on the human rights situation of the residents and workers in group homes for the disabled from March to October.

As a result, the Commission found that just one social rehab instructor had to cover everything in the group homes, from providing everyday care for the residents to supporting local community programs, even on weekends in some cases. And when their caretaker goes on a day off, residents in some group homes were left on their own without any necessary support, exposing themselves to various risks. In short, social rehab instructors and residents were both situated in the dead zone of human rights.

Therefore, based on the findings through the survey, the Commission came up with policy proposals to revitalize smaller facilities in local communities and promote social integration of the disabled.

E. Survey on the situation of environmental right protection in public projects and research to make improvements

The Commission received continued complaints from Buan, Miryang, and Gangjeong regarding environmental rights protection. In response, it selected the “situation of civil rights protection, identification of human rights issues, and highlighting emerging aspects of human rights in large-scale projects” as a major task in the research and development of a new human rights agenda (Performance Target IV-4) in the 4th Action Plan for Human Rights Promotion (2015-2017).

Since it is inevitable to use and develop land, environmental conditions will continue to deteriorate while people's demand for an improved quality of life and pleasantness will only increase. To look for solutions, the Commission launched a survey from April to October on the situation of environmental right protection in public projects and research to make improvements.

The result of the survey suggested that providing information and allowing more participation of citizens in public projects are major measures to ensure citizens' right to the environment. While a legal basis for these measures was already in place, however, citizens found the measures unsatisfactory. Therefore, the Commission issued a recommendation on December 23rd to provide clear and easy-to-understand information and allow more citizen's access to the administrative process in public projects. It was part of the Commission's effort to protect and promote environmental rights, prevent unnecessary dispute, and ensure the transparent and responsible progress of public projects.

F. Survey to promote labor rights of the severely disabled

The Commission conducted a survey on the working environment for the severely disabled from March to October on managers and operators, and the disabled, in occupational rehabilitation facilities across the country.

The result of the survey suggested a very large income gap among the disabled: 35.8% of the respondents had monthly income ranging from 100,000 to 300,000 KRW; 15.8% ranging from 300,000 to 500,000 KRW; 11% less than 100,000 KRW; and 15% more than 1 million KRW. Of the respondents, 40% did not know how much they earn, 15.4% did not sign an employment contract; and 12.2% did not even know what an employment contract was. Also, many of them responded that their working environment is hard to put up with due to nasty smells, too much heat in the summer, or severe cold in the winter, highlighting the need to improve the situation.

However, operators and staff in occupational rehabilitation facilities expressed their concerns on potential difficulties if minimum wage law were to be enforced to their facilities: 36.5% responded that it would lead to low productivity of the business; 32.4% responded that it would seriously hurt the bottom-line of their businesses and may result in closure of the facilities; and 22.3% responded that it would greatly discourage them to From employing the severely disabled.

When asked what needs to be done before universal application of minimum wage, 27.9% responded that the Ministry of Health and Welfare needs to allocate more budget for its occupational rehabilitation project to support the reinforcement of manpower in the facilities; 26.3% responded that facilities that are excluded from minimum wage requirements should be established where the severely disabled may work; and 22.6% responded that revisions in the legislations should be made to allow them to spend the subsidy to encourage employment from the Ministry of Employment and Labor (MOEL) on salaries or operational costs.

G. Survey for the promotion of educational rights of disabled infants and young children

For the promotion of educational rights for disabled infants and young children, the Commission conducted a survey from April to November on managers, teachers, and parents of the students in kindergarten attached to special education schools, general kindergarten, daycare centers specialized for children with disability, and general daycare centers.

The result suggested that the rights of the disabled infants and children were relatively satisfying the desired level in those educational institutions. Of the respondents, 19% replied that they experienced a violation of human rights against disabled infants and children. In the larger criterium, physical violence accounted for 10.2%, verbal violence for 6.9%, bullying for 6.7%, infringement on privacy for 5%, educational neglect for 2.6%, and sexual violence for 0.7%. In the smaller criterium, beating accounted for 7.5%, teasing for 6.1%, corporal punishment for 5.6%, alienation for 4.9%, infringement on portrait rights for 4.2%, insults for 3.21%, and educational neglect for 2.1%.

Of the respondents, 9.4% replied that they experienced discrimination due to disability. In the larger criterium of discrimination, refusal to provide due conveniences accounted for 6.3%, and discrimination of educational opportunities for 5.3%. In the smaller criterium, refusal to provide supportive personnel accounted for 4%, refusal to provide commuting support for 3%, exclusion from outdoor activities for 3%, rejection of admission for 2.6%, exclusion from indoor activities for 2.4%, and refusal to provide course materials for 2.5%.

H. Survey on human rights situation of non-regular workers in the private sector (focusing on workers in special types of employment)

Among different types of temporary employment, workers in special types of employment (the

“special workers”) are increasing in numbers and variety. Therefore, the Commission conducted a survey on their rights to labor and social security from April to November. The survey was a follow-up investigation for the survey on the infringement on labor rights of five special types of employees in 2006.

The result found that the actual number of the special workers were nearly four times larger than the official statistics from the government: 2.3 million. The Commission then conducted another survey on 1,027 special workers in 36 occupations in 13 job groups. The result suggested that special workers had barely any difference from their counterparts who signed an employment agreement when it comes to their elements as employees of business owners.

However, existing legislation was not in favor of the special workers, making it difficult to recognize their right to labor and social security. Therefore, the Commission raised a claim against the problems in the existing laws related to labor and social security, recommending a legislative approach to improve the situation.

I. Survey on isolation and forced confinement practices in mental health facilities

Among the mentally-ill who have or had been hospitalized in mental health facilities, 45% experienced isolation or binding. And among the complaints concerning mental health facilities, complaints made against isolation or binding account for more than 15%. To this point, there has been no research effort to cover the cause and structural background of isolation or binding, perspectives of patients and medical staff, situation of the actual sites, and cases from overseas. Therefore, the Commission conducted a survey from April to November to get to the bottom of isolation or binding in mental health facilities and to come up with appropriate solutions.

As a result, the survey discovered many elements of human rights violation, including the terrible environment of isolation rooms and binding tools, and the reckless enforcement of isolation or binding. Therefore, the Commission came up with a policy basis to complement the existing guidelines, including measures to improve the conditions of isolation or binding, standardize the records of isolation or binding, and make facility staffs observe the maximum duration of isolation.

J. Survey on the human rights situation for immigrant workers in the construction industry

In many construction sites, the number of immigrant workers has been on the increase. This

can be attributed to the following reasons: aging domestic workers, a shrinking preference for 3D-industry jobs, and the low wages and availability of foreign workers. However, there was an increasing demand for special inspections and policy measures for the following reasons:

1. The death toll of immigrant workers is already at a serious level.
2. General industrial accidents are on the increase.
3. The human rights of immigrant workers (including Korean-Chinese) are especially vulnerable due to the lack of labor standards and supervision.

In response, the Commission conducted a survey on the human rights situation for immigrant workers in the construction industry from May to November. The survey also included:

1. a paper-based survey and in-depth interviews on immigrant workers at construction sites;
2. face-to-face meetings and documentary review on related agencies and businesses; and
3. face-to-face meetings and documentary review on related legislations and policies.

The results found that there is an ongoing violation of human rights in many areas, including working conditions, housing environment, and individual rights to health due to extended hours of physical labor, not signing an employment agreement, verbal and physical violence, and exposure to industrial accidents.

K. Survey on the status of health rights of service and sales workers in the distribution industry

Due to continued growth of the service industry, the number of emotional laborers is on the steady increase. As part of the businesses' strategy for customer satisfaction, emotional laborers are directly in contact with customers often in unfavorable situations. As a result, emotional laborers suffer from mental health risks, including emotional disharmony, depression, sociophobia, and panic disorder.

In response, the Commission conducted a survey on the status of health rights of emotional laborers, concentrating on service and sales workers in the distribution industry from May to November.

As a result, the Commission confirmed that not only physical environment (e.g. place and time to rest) but also essential factors, concerning employment type, condition, and environment, serve as determinants that influence the health rights of emotional laborers. Therefore, the Commission learned that it is imperative to come up with policy solutions to make improvements.

L. Survey for the maternity protection of female workers in the healthcare sector

Traditionally, the healthcare sector has been mainly employing female workers. However, due to the nature of medical institutions, the healthcare sector is notorious for labor intensity and irregular working hours, which is why a majority of workers in the sector find it difficult to strike a balance between job and family. This also gave rise to a tendency to avoid marriage and childbirth, a low rate of taking maternity or parental leave, and ill-practices of the so-called “turn-based pregnancy system”, which resulted in continued complaints to the Commission.

In particular, female residents are in the dead zone of human rights, suffering from sexual discrimination and harassment due to their unique status as a trainee, laborer, and woman.

In response, the Commission conducted a survey on the overall situation of human rights violation and discrimination against female workers (including nursing assistants, nurse, and residents) in the healthcare sector from May to November, in order to protect their vulnerable motherhood and to address issues, including gender equality, workplace violence, and sexual harassment.

M. Survey on secondary victimization of sexual harassment, and research on measures to save the victims and offer remedies

Secondary victimization of sexual harassment has been a steady topic in the continued sexual-harassment-related complaints received by the Commission. However, it could not conduct effective investigations and take measures to save the victims and offer remedies. Such difficulty is mainly attributable to the absence of a clear definition of secondary victimization and the lack of provisions regarding investigation and remedies regarding the issues set forth in the NHRC Act.

Therefore, the Commission contemplated legislations at home and abroad related to secondary victimization through a research period spanning from May to November. In addition, it analyzed the complaints made over the last five years and cases of counseling in private agencies. As a result, the Commission categorized the type of secondary victimization, and researched the awareness level of secondary victimization through:

1. surveys on workers, students, and those in charge of sexual harassment prevention both in the public and private sector; and
2. through an in-depth interview with sexual harassment victims and the staff who handled their cases.

N. Research to prepare for the proposals of recommendations to be included in the 3rd NAP

Whenever the government formulated the 1st (2007-2011) and 2nd (2012-2016) NAP for the Promotion and Protection of Human Rights, the Commission took initiative and recommended items to be included in the upcoming NAP in advance. Now that the government is about to prepare the 3rd NAP, the Commission conducted research on three sectors (including marginalized and socially vulnerable people, right to freedom, and social rights) from July to December, in order to:

1. review the progress of implementation of the 1st and 2nd NAP recommendations; and
2. come up with a new proposal of recommendations for the 3rd NAP.

O. Survey on protection of the right to defense ensured to the socially vulnerable throughout criminal and judicial procedures

The Commission conducted a survey on protection of the right to defense for the disabled, children and youth, and foreigners throughout the criminal and judicial procedures from June to December. In the process, the Commission has:

1. conducted a review on the international standards and foreign cases regarding the right to defense for the socially vulnerable throughout the criminal and judicial procedures; and
2. had an in-depth interview with experts to analyze the existing provisions related to: (1) the right to have the assistance of defense counsel, (2) announcement of rights, (3) video-recorded product, (4) presence of persons with a reliable relationship, and (5) the right to refuse to make statements.

Through the results, the Commission learned the necessary measures to make improvements. These include:

1. diversifying the methods for the notice of grounds;
2. institutionalizing the compulsory presence of persons with a reliable relationship;
3. allowing the interrogation of criminal suspects based on audio- or video-recorded products; and
4. fostering dedicated interpreters.

P. Study on the current domestic implementation status of the international human rights standards of children and youth

The Commission conducted a study on the current domestic implementation of the international human rights standards of children and youth from June to December. For the research, it looked at 42 articles in the UN Convention on the Rights of Child (CRC) regarding the rights of children and youth (including the definition of 'child', anti-discrimination, right to freedom, alternative care, education, sexual and labor exploitation on children, and juvenile criminal law). Then, the Commission analyzed the meaning of each provision, domestic legislations and policies, progress of domestic implementation of the convention, and difficulties. Drawing lessons from the overseas cases of legislation regarding the matter, it came up with solutions for improvement.

Going forward, the result of the research shall serve as a guideline in reviewing the progress of domestic implementation of the international conventions related to children and youth, including when the Commission would review the government's Fifth and Sixth National Report on the CRC due in June, 2017.

Q. Research to prepare the NAP on Business and Human Rights

The UN Working Group on Business and Human Rights (UNWG) came up with the Guidance on National Action Plans on Business and Human Rights (the "NAP Guidance") to assist the implementation of the UNGP. It was to recommend the UN member countries to develop their own NAP on Business and Human Rights at the UN Forum on Business and Human Rights on December 1st, 2014.

In response, the Commission conducted research from May to November, to prepare the NAP on Business and Human Rights, which is to prevent the violation of human rights in business practices, ensure sustainable operation of businesses, and promote the concept of business and human rights in domestic businesses.

The Commission's research team analyzed the NAPs of the UK, Netherlands, Denmark, and Finland, as well as the NAP Guidance to comprehend international trends and the progress of implementation in other countries. As a result, the team presented a proposal for the NAP to implement the principles set forth by UNGPs on Business and Human Rights in Korea.

2. Projects to Promote Human Rights

A. Project to develop and improve human rights institutions in local governments

There is a growing interest in developing human rights institutions at the local community level. Since the Commission had issued a recommendation to local governments to enact a human rights ordinance in April, 2012, 73 local governments (including 16 regional and 58 local) showed some progress: they set up their own human rights ordinance and began to operate a local-based human rights office or council to engage in different projects (including human rights education for citizens, publication and distribution of leaflets to promote human rights, and idea contests on human rights).

Excluding Daegu, Gyeonggido, Gyeongsangbukdo, Gyeongsangnamdo, Jeju, 11 out of the 16 regional governments and 17 out of the 58 local governments launched a local human rights-based council, which conducts a range of different projects, including human rights education for public servants, training courses for human rights instructors, talk-concerts on human rights, private-public joint workshops, selection of core human rights indicators, preparation of plans to ensure and promote human rights, and publication of the Declaration of Human Rights.

However, their continued effort on policies and support for those policies depend on the intentions of the head of the local government, a non-permanent, elected official. In addition, personnel in charge of the local-based human rights activity continues to suffer from diverse difficulties. As part of its effort to look for measures to implement human rights institutions tailored to the local situation, the Commission has (1) hosted a meeting with experts, (2) held a workshop in five regions to raise awareness on local-based human rights institutions, (3) shared exemplary cases, (4) and set the direction of human rights institutions in Gangwondo and its goals.

B. 7th Senior Human Rights Supporters and on-site monitoring

By launching the 7th Senior Human Rights Supporters, the Commission conducted a survey on the project to support the social activities of seniors led by the government. The respondents were general seniors, beneficiaries of the project, and the personnel in the project agencies.

The results found that many seniors were already aware of the project and with much interest since additional household income helps. Public service was the most popular, followed by job seeking and talent donation.

As for seniors who participated in the project, they worked less than six to nine months,

3.01 days a week, less than four hours per day on average, with an average monthly income at 230,700 KRW. Although they did not seem so satisfied with the salary, they appeared generally satisfied with the working environment, interest level, and hours and days of labor. However, although it was only a few, some participants of the project experienced discrimination and infringement on human rights, including verbal abuse, discrimination over age and academic background, and negligence.

Personnel in project agencies finished their education on senior human rights and safety. Their satisfaction level on the facilities of project agencies was above average. They considered the age, selection sheet standards, distance between residence and workplace, and experience of applicants, to select the participants.

Most project agencies conducted a satisfaction survey on the participants, through which respondents expressed that the workplace environment is generally safe and the project helped them with additional income, social participation, their health, and recovering their self-esteem.

The Commission held an open briefing on the progress of the project in Seoul, Busan, Gwangju, Daegu, and Daejeon with the 7th Senior Human Rights Supporters.

C. Monitoring Group on the Human Rights Guidelines on Migration focusing on multicultural families

The Human Rights Guidelines on Migration recommended by the Commission in February, 2012, include a part on strengthening human rights protection for immigrant children. In addition, through the survey on the human rights situation of immigrant children following the changes in the form of family in 2013, the Commission confirmed the terrible human rights situation of immigrant or immigrated children following the changes in the form of their family due to international marriage or divorce.

In response, the Commission decided to get to the bottom of issues surrounding immigrant/immigrated children and come up with solutions. To this end, it launched the Monitoring Group on the Human Rights Guidelines on Migration in 2015 and began to collect the cases.

As a result of the monitoring activity, it turned out that immigrant children were suffering from the following: difficulties in school education; conflict with peers; physical, mental, and verbal violence; economic difficulties; communication; adjusting to cultural differences; conflict with family members; health problems; as well as issues in future prospects and education.

D. Project to promote the human rights of female emotional laborers

Emotional labor refers to a type of labor where more than 40% of the duty involves emotion regulation to display or maintain certain emotional states within the workplace⁵⁾. Jobs that fall into a category of emotional labor include: nurse, call center counselor, clerk at “super supermarkets (SSMs)”, salesperson, and others whose work involves interaction with customers.

There has been continued appeal on the vulnerable human rights situation of emotional laborers. In addition, there has been a continued media coverage on cases where customers yell and curse at shop clerks (or even make them bow down on their knees to beg forgiveness) in 2015, also serving as a witness to the grim status quo.

In response, the Commission worked with influential businesses in the distribution industry (the largest employers of emotional laborers) and put up posters to promote the campaign to protect emotional laborers, alongside its own posters for the campaign as well.

However, it was also clear that the vulnerable human rights situation of emotional laborers would not change just by raising public awareness. It had to accompany improvements in legislations and policies to ensure the rights and interest of those laborers. As part of its effort to see more progress, the Commission began to monitor the bills related to the issue in the National Assembly, and cooperated with the National Network of Emotional Laborers to propose exemplary bills regarding the matter.

E. Project for practical implementation of the UN Convention on the Rights of Persons with Disabilities

Since the UN Convention on the Rights of Persons with Disabilities (UNCRPD) took effect in Korea in 2009, the Commission has been serving as a monitoring body to promote, protect, and supervise domestic implementation of the UNCRPD pursuant to Article 33.2.

To this end, the Commission formulated a plan to improve domestic legislations, policies, institutions, and practices in 2015 that do not meet the standards of the convention. In addition, it prepared the five-year (2016-2020) monitoring plan on the UNCRPD, to inspect the progress of implementation of details in the concluding observations announced by the UN Committee on

5) Arlie Russell Hochschild is a professor emerita of sociology at the University of California, Berkeley. In 1983, she mentioned the concept, emotion work or emotional labor, for the first time through her book, *The Managed Heart*. Through the term, emotional labor, she expressed the cruel aspects of modern society that commercialize human feelings.

the Rights of Persons with Disabilities after reviewing the First National Report from the ROK.

The plan includes:

1. strengthening education and promotion for public servants in the government and local governments, lawmakers, judge, and people with disability to raise awareness on the UNCRPD and concluding observations;
2. reflecting the part of the UNCRPD that is not yet stipulated in Korea on the domestic law, and issuing recommendations to revise the part of domestic law that contradicts the UNCRPD;
3. securing the manpower and budget for a continued and well-organized monitoring, and conducting research to improve the Commission's monitoring methodologies;
4. including the disabled and advocacy groups in the monitoring; and
5. sharing the expertise and skills of the UNCRPD monitoring, training programs, and best practices from advanced countries, and strengthening the international network.

The Commission conducted a discussion meeting with disability experts on March 24th and with disability groups on June 26th, to reflect their opinions on the monitoring plan. It also collected opinions on the proposal of the five-year (2016-2020) monitoring plan on the UNCRPD, through the Conference to Promote Domestic Implementation of the UNCRPD on November 30th.

F. Monitoring Project on Anti-Disability Discrimination Act

The Commission nominated 172 members, 62.8% of whom are living with disabilities, including physical disability, brain disability, visual and hearing impairment, for the Monitoring Group on the Act on the Prohibition of Discrimination against Disabled Persons, Remedy against Infringement of Their Rights, etc (the "Anti-Disability Discrimination Act") in six regions including Seoul, Gwangju, Busan, Daegu, Daejeon, and Gyeonggi. It was part of the Commission's effort to swiftly address everyday discrimination against the disabled and ensure the effectiveness and institutionalization of the Anti-Disability Discrimination Act.

The scope of monitoring includes: (1) 90 national, public, and private universities, (2) 135 tourist accommodations facilities, (3) 28 sports facilities, (4) 12 welfare facilities for the disabled, (5) 35 integrated classes, and (6) 25 police patrol divisions and precinct stations. The monitoring group estimated the convenience level of the facilities for the disabled.

The Commission made great contributions to the prevention and correction of discriminative

conditions and practices by sending the results of the monitoring activities to the facilities concerned in order to encourage their voluntary effort. As a result, more than 90% submitted their plans to make improvements.

After the project came to an end, the Commission held an open briefing on the progress of the monitoring project and published the 2015 Report on the Results of On-site Monitoring on the Anti-Disability Discrimination Act.

G. Monitoring project on child and youth rights

In June, the Commission began to work on the monitoring project on children's rights, which was transferred from MOHW in April. The topic of the monitoring project was solutions to ensure the human rights of abused children and runaway youth. In addition, it conducted a basic survey on the status of domestic implementation of the international standards on child rights.

The goal of the project was to look for solutions after studying how existing legislations and policies on the human rights of children and youth work, what the current issues are, and why the dead zones of human rights appear. With a group of experts (including 16 child abuse experts and 15 runaway youth experts), the Commission conducted the project from June to November. To receive feedback and advice and ask for policy review regarding the project, it also operated an advisory group of experts.

There were many human rights issues raised at the open briefing sessions (one for runaway youth on November 23rd, and another for child abuse issues on December 11th) on the progress of the monitoring group and advisory group. The tasks presented from the child abuse briefing include: defining the concept of "noninterference", preventing educational noninterference, eliminating the dead zone of parental rights, improving the birth registration system, strengthening protection measures for abused children, and protecting informants of child abuse cases.

On the other hand, the proposed tasks for runaway youth were: eliminating the dead zone of parental rights, improving the working environment for youth, ensuring the right to education for youth, strengthening health and medical service support, protecting them from prostitution, reorganizing the functions of protection agencies, improving supportive measures to help the youth stand on their feet, and improving the system of protective disposition pursuant to the Juvenile Act.

Through the basic survey on the status of domestic implementation of the international

standards on child rights, the Commission analyzed the domestic implementation status of each article in the CRC, and collected the data needed to comprehend the limitations in existing policies and discuss the directions for improvement.

3. Major Forums and Discussion Meetings⁶⁾

A. Forum on labor rights and the government's Comprehensive Measures on Non-regular Workers

The Commission expected that there would be a huge impact on working conditions and the human rights of all workers (including non-regular workers) from the proposal for Comprehensive Measures on Non-regular Workers, which was announced by the government at the end of 2014. Therefore, it held a forum on the issue on February 16th, gathering experts from academia, legal circles, labor rights groups, and labor unions.

At the forum, we examined and reviewed the measures for non-regular workers by employment types and measures for more flexible labor standards, which was a highlight in the government proposal. Then we went on to discuss how the measures in the proposal would influence labor and human rights.

B. Joint forum to establish local networks for migrant human rights

To promote the awareness level of local communities on migrant human rights and establish local networks among relevant groups, the Commission held a joint forum with 30 civil rights groups in five regions including Daegu and Gyeongbuk (April 17th), Busan and Gyeongnam (May 10th), Gwangju and Honam (August 14th), Daejeon and Chungcheong (September 3rd), and Seoul and Gyeonggi (November 13th).

Through the forum, the Commission increased the awareness of local communities on migrant human rights through topics and discussions on general migrant rights issues as well as region-specific ones, strengthening its network with civil society.

⁶⁾ Data archives from the forums are available at the Press Release and Human Rights Policy Database at the official website of the NHRCK at www.humanrights.go.kr.

C. Discussion meeting with government offices related to the development of national indicators

The Commission held a discussion meeting with government offices related to the development of national indicators on May 27th. The participants came from: Employment Policy Coordination Division, MOEL (Job Creation Index in 2013); Women's Policy Division, MOGEF (Gender Equality Index); and Culture and Leisure Policy Division, MCST (Culture and Leisure Happiness Index in 2013).

Learning from their experience on developing national indicators, the Commission discussed the feasibility study and future directions for the development of national human rights indicators with other government offices, as well as how the Commission may take advantage of future indicators.

D. Forum to discuss solutions to ensure youth and children's right to play

The UN Committee on the Rights of the Child issued a recommendation to the ROK government to protect children's right to enjoy leisure and cultural activities. In the recommendation, education craze in Korea was highlighted as the main culprit that deteriorates children's quality of life. In response, the Commission held a forum on July 22nd to examine the current situation of and obstacles to a children's right to play, as well as to discuss solutions to ensure the youth and children's right to play.

While some called for a more fundamental and long-term-based approach to the issue, many proposed measures to ensure the youth and children's right to play. Those include: (1) revising relevant legislations, (2) improving after-school programs for elementary and middle school students, (3) implementing a new type of Korean SAT based on absolute grading, (4) eliminating high school rankism, (5) changing the general perception of parents, (6) strengthening the social security network, and (7) changing the evaluation system.

E. Joint forum for human rights of foreign peoples of Korean descent who live in Korea

There are approximately 800,000 foreigners of Korean descent currently living in Korea as of now, and the figure is gradually increasing. This gave rise to discrimination and prejudice against these people as an increasingly important human rights issue. In response, the

Commission held a joint forum with the Association for the Studies of Koreans Abroad (ASKA) on August 21st under the theme of foreigners of Korean descent who live in Korea and their human rights, discussing solutions to promote their rights.

F. Forum on improving access to mobile information for people with vision and hearing impairment

At the forum on the 7th anniversary of implementation of the Anti-Disability Discrimination Act in April, 2015, participants discussed improving access to mobile information and broadcasting services for the disabled. With the same context and topic, the Commission co-hosted a forum on improving access to mobile information for people with vision and hearing impairment on September 1st with the Korea Blind Union and the office of the lawmaker Min Byung-Joo.

At the forum, we discussed problems in the existing legislations, including the Anti-Disability Discrimination Act, as well as the desirable revisions. In particular, we focused on how the Enforcement Decree of the Anti-Disability Discrimination Act and Framework Act on National Informatization only cover PC-based websites. We also discussed limitations in the Public Notice on Guaranteeing Access to Broadcasting Service for the Disabled and how it needs to be revised. Furthermore, university students with vision impairment prepared a side-event called the Mini Book Concert, preparing an opportunity to communicate with the participants.

G. Meeting with organizations and agencies related to HRIA

The Commission hosted a meeting with organizations and agencies related to Human Rights Impact Assessment (HRIA) on September 22nd. The meeting was held in the presence of personnel from organizations and agencies related to different impact assessment systems, including (1) the Corruption Impact Assessment Division, Anti-Corruption & Civil Rights Commission; (2) Gender Impact Assessment Division, MOGEF; and (3) the Lifestyle Diseases Research Center, Korea Institute for Health and Social Affairs (related to Health Impact Assessment).

Through a comparison with other impact assessment systems, the Commission checked (1) how investigation and advisory are used; (2) voluntary verification standards in different systems; (3) acceptance rate of recommendations; (4) preliminary check-up standards; and

(5) procedures for prior arrangement. In addition, the Commission gained a good reference on useful approaches in introducing an impact assessment system: either by convincing for the necessity of preliminary assessment (risk control) by highlighting the issues in the existing legislations or by selecting a target first and launching a pilot test there and then expanding the scope. Also, there were many useful recommendations, including: (1) selection of targets, (2) listing or specifying, (3) securing specialists for the assessment, and (4) designing a process that is not too lax.

H. Forum to discuss measures to ratify the ILO Fundamental Conventions related to the right to association

The Commission co-hosted a forum on September 30th with the office of lawmaker Lee In-young to discuss the importance of ratifying the ILO Fundamental Convention No. 87 and 98 (the key items related to the right to association) and solutions to it. At the forum, we discussed the following issues: the authority of administrative offices regarding registration of a labor union and its limitations, and necessary improvements to legislations for the ratification of the conventions and solutions to it.

I. Forum to discuss broadcasting service to promote human rights and respect for life and future directions for online content

The Commission co-hosted a forum on November 10th with the Korea Suicide Prevention Center (led by director Hong Jin-Pyo) to discuss the future direction of online and broadcasting content, to promote human rights and respect for life. The forum was held in the presence of personnel from human rights groups, mental health groups, and suicide prevention groups. At the forum, we highlighted the problems emerging in modern broadcasting and online content related to trends that devalue life and are punctuated with unacceptable language and expressions against human rights. Then, we engaged in multilateral discussions to search for solutions to address the issue.

J. International symposium to promote social integration of the mentally challenged into local communities

The Commission hosted an international symposium on November 17th to discuss the role

of local communities for the mentally challenged and ways to improve related legislations and policies. The symposium was held in the presence of people with mental disabilities, personnel from related groups, and experts at home and abroad.

In the symposium, we discussed: (1) the necessity of promoting integration of the disabled based on the UNCRPD, (2) legal capability of the mentally challenged, and (3) cases studies on the efforts in major Asian countries to promote the social integration of people with mental disabilities. We also conducted a comparison of treatment and policies for the disabled in different countries, reviewing the perspective of the ROK government and its policies.

K. Forum to promote implementation of the UNCRPD

The Commission co-hosted a forum with Bae, Kim & Lee LLC and Dongcheon Foundation on November 30th to promote implementation of the UNCRPD. In the forum, we discussed: (1) the monitoring plan for the implementation of the UNCRPD, (2) ways to improve access to public transportation for wheelchair-using people with disabilities, and (3) ways to improve access to supportive equipment for the disabled. Kim Hyung-Shik, a member of the concerned UN committee, delivered a keynote speech on the international trends concerning monitoring on the UNCRPD implementation.

L. Forum to discuss the domestic implementation of international human rights standards for youth and children

International human rights standards for youth and children serves as an important guideline to examine domestic human rights policies for youth and children and come up with ways to improve it. In particular, the Fifth and Sixth National Report to be submitted to the UN Committee on the Rights of the Child is due in June, 2017. Therefore, the Commission hosted a forum on December 4th under the theme of: “How far have we come in realizing children’s rights? - Is it enough to prioritize the best interest of children?”. Based on the CRC, we examined the effectiveness of and issues in domestic legislations and policies as well as the current progress of implementation of the 3rd and 4th Concluding Observations from the UN Committee on the Rights of the Child in 2011 through presentations. In addition, we brought together experts in academia and personnel from government agencies related to youth and children.

M. Forum for review on domestic implementation of the recommendations from the UPR 2nd Cycle

It has been more than two years since the recommendations from the Universal Periodic Review 2nd Cycle (UPR 2nd Cycle) were adopted. Therefore, the Commission hosted a forum on December 22nd to discuss the midterm check-up on the government's progress in implementing the UPR 2nd Cycle recommendations. At the forum, the Commission discussed the current progress of implementation of the 70 recommendations from the UPR 2nd Cycle of the UN HRC, with experts from international organizations, academia, and NGOs.

N. Forum on the 7th anniversary of implementation of the Anti-Disability Discrimination Act

Marking the 7th anniversary of the Anti-Disability Discrimination Act implementation, the Commission hosted a forum in seven regions across the country starting from Seoul (April 8th), Busan (April 7th), Daegu (April 10th), Deajeon (April 10th), Gwangju (April 14th), Suwon (April 14th), and Jeju (April 24th). It was to look back on the progress so far, examine the limitations in the Act, come up with measures for more effective implementation, improve institutions and policies, and raise awareness on the disabled.

At the forums, we discussed the following:

1. trends and issues pursuant to environmental changes of the time after the implementation of the Anti-Disability Discrimination Act;
2. access to information for the disabled (focusing on changes in the ICT environment and the revision of the Anti-Disability Discrimination Act);
3. rights to education and cultural activities in the Anti-Disability Discrimination Act;
4. policy measures to expand work opportunities for the disabled;
5. remedies for the rights of the disabled and the role of local governments;
6. future directions of the basic human rights plan for the disabled in local governments; and
7. current situation of the right to mobility for local people with disability and the direction of improvement.

In the forum that took place in Seoul and Jeju, we had a testimony session for the disabled, cultural performances, and art exhibitions, in order to get together with the participants.

O. Launching of the Policy Planning Group for the Human Right to Information

The Policy Planning Group for the Human Right to Information consists of seven experts who identify and discuss issues related to the human right to information. The group came into being in June, 2015, for regularized meetings and free discussion, succeeding the purpose of the Special Expert Committee on the Human Right to Information and Forum on the Human Right to Information in the past.

In 2015, the group held two meetings for topic presentations and discussions on issues identified in actual cases, measures to address them, and responsive measures for the Commission regarding improvements to be made in legislations that unnecessarily demand the actual name of individuals. In addition, the group has been engaging itself in discussions on timely and influential issues on the human right to information that have great impact on the livelihood of citizens, such as operation of the Smart Security Officer (smartphone application) and integration of the government intra-network.

P. Conference on changes in the ICT environment and the human right to information

The Commission co-hosted a conference with the Korean Constitutional Law Association on March 27th to discuss ways to ensure the individual right to information in the era of rapid ICT technology development demonstrated by new technologies such as big data, the internet of things, and cloud computing.

At the conference, we discussed:

1. the importance of the soft-law-oriented approach that may allow legislations on personal information protection to reflect technological changes due to penetration of the internet of things across the society;
2. limitations and potential problems in the concept of “de-identification”, which was newly introduced to utilize big data;
3. measures to strengthen the tools for personal information protection in the cloud computing environment pursuant to implementation of the “cloud computing act”.

Q. Conference to examine the freedom of press in Korea and find solutions to improve the situation

The Commission co-hosted a conference with the Korean Society for Media Law, Ethics, and Policy Research on November 20th to examine the freedom of press in Korea, and to discuss problems and solutions for issues related to the freedom of expression online following ICT technology development, with an emphasis on issues surrounding cyber defamation and redefining the concept of press due to the rise of new media.

At the forum, an important point was made to discuss the “de-criminalization” of defamation in the future by reviewing the issues in terms of human rights and the principles of law when giving criminal penalties on defamation due to true or false statements. In addition, we had an active discussion on diverse questions and issues raised on the increasingly blurred concept of the press due to the rise of online-portal-centered news distribution and individual media.

R. Attendance to the 37th ICDPPC

The Commission participated in the 37th International Conference of Data Protection and Privacy Commissioners (ICDPPC) held in the Netherlands in October.

At the conference, we discussed:

1. ways to come up with a common, universal framework to protect personal information and privacy, at a time where distribution of data has no boundaries even though we have various (and therefore inconsistent) legislations and policies in different countries and continents;
2. negative and positive changes in the context of protection of personal information in the rapidly changing environment, as well as future prospects on the issues concerned;
3. ensuring the rights of the information source in the use of genetic information;
4. the role of organizations that protect personal information regarding the activities of national intelligence bodies to collect information; and
5. de-identification of personal information to utilize big data and the risks in re-identification.

S. Spreading the culture of business management based on human rights

With the increasing social influence of businesses and interests in business and human rights issues, there is a growing demand on businesses to protect and respect human rights globally. The trend is increasingly apparent as the UN set forth the Guiding Principles on Business and Human Rights along with the Guidelines for Multinational Enterprises from the OECD.

Based on the consensus in the universal values to protect and respect human rights as well as the increasing importance of human rights risk management, many countries around the world began to institutionalize businesses to protect and respect human rights so as to improve their national image and strengthen the competitiveness of their businesses. Major global businesses also joined the campaign by declaring the practice of business and human rights as well as formulating their own set of human rights policies.

In response to the international demand, Korean businesses began to join the UN Global Compact or write sustainability reports, to deserve their position as a player in the competitive global market. In addition, many public organizations started to operate their own department for business and human rights, utilizing the recommendations issued by the Commission. However, it is also true that domestic awareness of and business practices catering to human rights still have much room for improvement compared to international standards.

The Commission made a multi-faceted effort to reflect the global trends in business and human rights as well as to help Korean businesses better understand the new concept in 2015. Besides the activities described below, the Commission launched the Working Group for Business and Human Rights in September, to develop the policies of business and human rights and seek advice from experts in business, academia, and from NGOs. In addition, the Commission reported its progress to the UN, which posted the Commission's agenda for the NAP on business and human rights.

1) Open briefing for public organizations on business and human rights

To enhance the effectiveness of implementing the guidelines on business and human rights issued to 117 public corporations and organizations, the Commission held an open briefing on business and human rights for office heads and personnel from these public bodies on January 23rd. Out of the 117 subjects of the recommendations, 96 sent 160 personnel members and office heads to the briefing. As public organizations started to launch a dedicated department and appoint the personnel in charge of business and human rights in accordance with the recommendations from the Commission, it may be safe to say that we are on the initial stage of building a system for business and human rights. After the briefing, 115 subjects accepted the Commission's recommendations on the implementation of the guidelines on business and human rights so far.

2) Invitation to the former chairperson of the UNWG on Business and Human Rights for a guest lecture and the International Symposium on Business and Human Rights

After issuing the recommendations on implementation of the guidelines on business and human rights to public organizations, the Commission invited Michael K. Addo, the former chairperson of the UN Working Group on Business and Human Rights (UNWG), for a guest lecture on May 18th. Also, it hosted the International Symposium on Business and Human Rights on May 19th.

103 public organizations sent their personnel in charge of business and human rights to the guest lecture of Mr. Addo, while 120 directors and executives of public organizations participated in the International Symposium on Business and Human Rights.

In his lecture, Mr. Addo commended the Commission's effort to conduct a prompt research on formulating the NAP on Businesses and Human Rights following the UNWG's recommendation in December, 2014. In addition, he also praised the fast follow-up made by the Commission by developing its own guidelines for business and human rights, and issuing recommendations to public organizations to implement the guidelines.

3) 2015 Korea Business and Human Rights Forum

The Commission hosted the 2015 Korea Business and Human Rights Forum on November 6th to discuss with stakeholders at home and abroad the formulation of the NAP on Business and Human Rights to implement the UNGP. It was part of the Commission's effort to build a consensus to formulate the NAP on Business and Human Rights in society.

The 2015 Korea Business and Human Rights Forum brought together the 130 stakeholders and experts from all sectors⁷⁾, demonstrating much interest in the NAP on Business and Human Rights in society.

7) Government ministries: Ministry of Foreign Affairs and Trade and MOJ

Private businesses and business circles: Samsung, LG, SK, and Korea Employers Federation

Public organizations: 30 including Korea Minting and Security Printing Corporation

The press: Hankuk Ilbo, Hankyoreh, and Yeonhap News

Academia and NGOs: Kyung Hee University and KHIS

4) Attendance to the 2015 UN Forum on Business and Human Rights

The UNWG hosted the 2015 UN Forum on Business and Human Rights from November 16th to the 18th in Geneva, Switzerland. The forum was held under the theme of “tracking progress and ensuring coherence” (it means to track the progress of business and human rights and to build a globally coherent policy foundation).

The first forum began in 2011, with the UN member countries taking the lead. It has established itself as the most important global forum among multilateral stakeholders to discuss contemporary issues related to business and human rights. The 2015 forum was participated by nearly 2,400 participants from governments, businesses, academia, and NGOs in 130 countries.

The NHRCK Chairperson Lee Sung-Ho was invited to the forum as a high-level panelist, to make presentations on the progress of the Commission in the opening ceremony and the NAP session on Business and Human Rights.

Through this forum, we reaffirmed the following facts:

1. we should clarify the common misunderstandings on the concept of business and human rights as a new form of regulation that hampers or intervenes upon free business operations; and
2. business and human rights is a long-term challenge for all members of the society (including the government, private businesses, and citizens as consumers) from the perspective of continued growth and development.

Section 4. Special Task: Reinforcing Activities to Promote North Korean Human Rights

A. Overview

1) Background

In April of 2003, the Legislation and Judiciary Committee in the National Assembly called on the Commission to take the lead in a project to promote North Korean human rights. In response, the Commission launched a non-permanent group by the name of the North Korean Human Rights Research Team as a result of the decisions made in the 40th Plenary Committee in 2003.

Since then, the Commission has been actively engaged in research, investigation, policy development and recommendations, and forums on North Korean human rights. In 2006, it announced the “NHRCK statement on North Korean human rights” to present policy directions and guiding principles to approach issues regarding North Korean human rights, with a pledge to serve an active role on this front. It set North Korean human rights as one of its 10 major key assignments in 2007, and designated strengthening policy activities to improve North Korean human rights as one of its six major projects in 2008. Launching the Special Project to bolster human rights in the Democratic People's Republic of Korea (DPRK) in 2009, the Commission newly put in place the North Korean Human Rights Team in 2010.

Despite the announcement of the report from the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea and the UN Security Council (UNSC)'s move to include the North Korean human rights situation in its agenda for February, 2014, there has been no signs of improvement in North Korean human rights. Rather, the number of North Korean defectors who take refuge into the ROK is on the decrease due to even stronger control and surveillance.

In South Korea, we saw some progress thanks to bipartisan action to integrate the existing bills related to North Korean human rights in the 19th National Assembly. We came up with a proposal for a united bill, although it failed to reach legislation.

There is an increasing demand to improve North Korean human rights in the international community as well. In 2015 at the UN General Assembly, the vast majority⁸⁾ of member

8) 119 votes in favor, 19 against, and 48 abstentions

countries agreed to adopt the UN Resolution on the Situation of Human Rights in the DPRK, which calls on the DPRK to join and ratify the ILO Conventions. And the UNSC adopted the North Korean human rights situation as one of its agendas in 2015, in the same context as its decision in the year earlier. On June 23rd, the UN OHCHR in Seoul has opened to regularize and support the UN's activities related to North Korean human rights, including monitoring on human rights abuse in the DPRK.

In response to such actions of the international community, the DPRK recently began to participate in international conventions for the disabled, children, and women. However, there is no meaningful sign of improvement in North Korean human rights. In addition, we are still at a stalemate on inter-Korean human rights issues related to Korean War prisoners detained in North Korea, abductees, and dispersed families (family reunion events are only taking place on a yearly basis as of 2015).

2) Purpose

The purposes of the Commission's work on North Korean human rights are as follows:

1. objective and specialized survey and research on the North Korean human rights situation;
2. well-planned collection and management of data related to North Korean human rights;
3. more active cooperation with international organizations and experts related to North Korean human rights issues;
4. regularized policy consultation with other government departments;
5. understanding the North Korean human rights situation through strengthening its monitoring activities of domestic and international groups and organizations related to North Korean human rights issues; and
6. seeking ways to improve and promote the North Korean human rights situation.

B. Major Activities

Due to the unique nature of inter-Korean relations, there are many restrictions on the work of the Commission in relation to North Korean human rights issues. However, it spared no effort to: (1) analyze the North Korean human rights situation, (2) issue recommendations and develop policies to promote North Korean human rights, (3) actively engage in various activities to discuss and highlight North Korean human rights issues and build an extensive network at home and abroad, and (4) collect records related to North Korean human rights issues and keep the database well-organized.

To develop policies that can improve the North Korean human rights situation, the Commission continues to conduct surveys; issue recommendations; express opinions; announce Chairperson statements; operate the "Report Center for North Korean Defectors" and the "North Korean Human Rights Records Depository", the North Korean Human Rights Commission and North Korean Human Rights Forum; host discussion meetings, forums, and international symposiums to build an international network to promote North Korean human rights, and the Seoul Dialogue for Human Rights; have face-to-face meetings with major figures related to North Korean human rights; and conduct consultations with organizations related to the human rights and related investigations for overseas North Korean defectors.

1) Opinions Expressed and Chairperson's Statements

■ The Commission's opinion on the government's actions to stop citizens flying anti-DPRK leaflets into North Korean territory

Whether it is by activist groups or an individual, flying anti-DPRK leaflets into North Korean territory falls into the category of the constitutional freedom of expression. The threats from the DPRK or the bilateral agreement to prohibit aspersions and slanders against each other cannot serve as excuses to compromise the fundamental rights of people. Therefore, the Commission expressed its opinion on January 26th that the government must not take measures to stop or regulate these legitimate leaflet-flying activities.

■ Chairperson's statement regarding South Koreans detained in the North

There are still four South Koreans detained in the North: missionaries Kim Jung-Wook, Kim Kuk-Gi and Choe Chun-Gil, and New York University student Joo Won-Moon. And they are strictly shut off from all outside contact, including government officials and their family members. Therefore, the Chairperson announced a statement on May 12th to urge the North to take due measures pursuant to the International Covenant on Civil and Political Right, expressing strong concern over the North's behavior on this matter.

■ Chairperson's statement to welcome the opening of a UN OHCHR in Seoul

On the opening of the UN OHCHR in Seoul, a UN field-based structure to regularize and support its activities related to North Korean human rights, including monitoring on human rights abuse in NK, the Chairperson announced a statement to welcome the event, expressing

his expectations for closer cooperation and more progress regarding North Korean human rights issues on June 23rd.

■ Chairperson's statement to welcome the 20th reunion of dispersed families

The Chairperson announced a statement on October 20th to welcome the 20th Reunion of dispersed families in South and North Korea to be held in Geumgang mountain from October 20th to 26th. In the statement, the Chairperson expressed that the 20th reunion is especially significant for it came 20 months after the previous one, going through the high-level meeting between inter-Korean officials which took place in the midst of the military tension between the two Koreas in August and overcoming many concerns. He emphasized that the issue on dispersed families should be considered as the most pressing human rights issue between the two Koreas, and that we must maximize the frequency and scale of reunions, working hard to allow the people concerned to remain in touch while reunions are not yet possible.

■ Chairperson's statement to welcome the UN General Assembly's decision to adopt the UN Resolution on the Situation of Human Rights in the DPRK

The Chairperson announced a statement on December 18th to welcome the UN General Assembly's decision to adopt the UN Resolution on the Situation of Human Rights in the DPRK on the day before. Through the statement, the Chairperson expressed that it is meaningful to note that the UN Resolution on the Situation of Human Rights in the DPRK not only gains in volume and content but also wins the support from an increasing number of member countries year by year. In this context, he called on the North to show more action not only in terms of North Korean human rights issues but also on other inter-Korean human rights issues, including war prisoners, abductees, and dispersed families. In addition, he went on to call for more support for and interest in North Korean human rights issues from the society as well.

2) Institutional Foundation Related to North Korean Human Rights Issues

■ "Report Center for North Korean Defectors" and "North Korean Human Rights Records Depository"

The Report Center for North Korean Defectors and the North Korean Human Rights Records Depository opened on March 15th, 2011. Since then, they have been collecting and recording the human right abuse cases experienced by war prisoners, abductees, and dispersed families in

North Korea as well as what North Korean defectors had to face on their way to South Korea.

Since March, 2012, they have begun to conduct a survey on the newly coming defectors to ask what they went through and what human rights abuse cases they witnessed on their way out of the DPRK. As a result, the on-going survey has collected the answers from a total of 2,426 respondents so far (619 in 2012, 652 in 2013, 484 in 2014, and 671 in 2015).

■ Survey on the labor rights of North Korean defectors

To come up with policy measures to help North Korean defectors have a better idea and awareness of their labor rights as well as to comprehend the situation and ensure their labor rights, the Commission launched a survey on the labor rights situation for North Korean defectors from June to November.

As a result, about 60% of the respondents replied that they have a good knowledge of labor laws (including the Labor Standards Act) in South Korea. However, the in-depth interview with them found that their awareness on labor rights was very low and that they did not even have a sound understanding on their rights after all. Having difficulties in writing a resume and cover letter, many respondents began to work without writing an employment agreement. Although more than 60% claimed that they did not suffer from labor rights abuse and unfair treatment and discrimination, many of them believed that the fact they came from the DPRK was the main reason behind the ill-treatment in the workplace.

■ Basic research on for the North Korean Human Rights Museum

Believing that it was necessary to come up with a place for the education and promotion of North Korean human rights issues through well-planned collection and management of data related to North Korean human rights, the Commission launched a basic research project for the North Korean Human Rights Museum.

First of all, the Commission conducted a feasibility study to build the North Korean Human Rights Museum to promote public awareness on North Korean human rights, prevent human rights abuse through monitoring, and collect data related to North Korean human rights. To this end, it reviewed the basic direction of the construction, organization of exhibition spaces, content of the exhibitions, and ways to collect the items for the exhibitions based on the role and lay-out of the museum. In addition, the Commission analyzed the construction cases of similar buildings (including the Canadian Museum for Human Rights, Museum of War and

the Women's Human Rights, United States Holocaust Memorial Museum) and how they are operated.

- [A Collection of the NHRCK's Resolutions on the Human Rights in North Korea \(English version available\)](#) and [a brochure on North Korean human rights in English](#)

From the earliest years of its inception until 2015, the Commission collected its recommendations, opinions, and statements regarding North Korean human rights issues. Then, it translated the data into English to publish "A Collection of the NHRCK's Resolutions on the Human Rights in North Korea". In addition, the Commission came up with a brochure on its activities related to North Korean human rights issues in English to promote awareness of the international community and strengthen the international network on the matter.

3) Strengthening International Cooperation

- [International symposiums on North Korean human rights](#)

Since 2004, the Commission has hosted the International Symposium on North Korean Human Rights annually, to promote its activities and roles to protect North Korean human rights in the international community, to set the policy direction and strategies on North Korean human rights issues, and to strengthen cooperation with the international community.

In addition, the Commission held an international symposium under the theme of measures to promote international cooperation to improve North Korean human rights on February 10th in Jakarta, Indonesia. The symposium was co-hosted by the NHRCK, Indonesian Institute of Sciences (LIPI), National Commission on Human Rights Indonesia (Komnas HAM), and the Indonesian Representative to the ASEAN Intergovernmental Commission on Human Rights.

After the opening ceremony, a keynote speech was delivered by Marzuki Darusman, the UN Special Rapporteur on the Human Rights Situation in the DPRK from Indonesia. While we discussed the role of the international community to eliminate crime against human rights in Session I, we moved on and conversed about the measures to promote cooperation in the ASEAN region in order to promote North Korean human rights in Session II.

- [On-site inspections of overseas sites related to North Korean human rights](#)

The Commission conducted an on-site investigation in Thailand, the most popular transit point for North Korean defectors. The investigation took place from September 7th to 11th,

to comprehend how the defectors are being treated and protected and to request for more support from the local authorities. In addition, the Commission visited the UK and Germany from December 10th to the 16th to figure out why many North Korean defectors take refuge in Europe and how they have settled there, and to strengthen its cooperation with the local NGOs related to North Korean human rights.

■ Face-to-face meetings and cooperation with major figures

To exchange insights and interest with them, the Commission had face-to-face meetings with major figures, including: Krzysztof Ignacy Majka, Poland Ambassador to Korea; Zeid Raad Al Hussein, the UN High Commissioner for Human Rights; Marzuki Darusman, the UN Special Rapporteur on the Human Rights Situation; Robert King, US Special Envoy for North Korean Human Rights issues; Signe Poulson, the head of UN OHCHR in Seoul; Michael Kirby, former Chairperson of the Commission of Inquiry (COI) on Human Rights in North Korea; and Sonja Biserko, a fellow member of the COI on North Korean human rights.

4) Strengthening Domestic Cooperation

■ North Korean Human Rights Forum

Since May of 2008, the Commission has been operating the North Korean Human Rights Forum with North Korean human rights experts from academia, legal circles, press, and civil rights groups. Through the forum, the Commission works hard to develop North Korean human rights policies, strengthen cooperation networks, and promote more active discussion on the matters in society.

As the two-year service term of existing forum committee members expired in 2015, the Commission newly appointed 43 committee members and held four quarterly forums throughout the year.

The Commission discussed “expected major issues in North Korean human rights in 2015” at the 26th forum held on April 3rd, the “right to cultural activities for North Koreans” at the 27th forum on June 19th, “strategies for inter-Korean dialogue on human rights” at the 28th forum on September 11th, and “improving North Korean human rights through inter-Korean exchanges and cooperation” at the 29th forum on November 27th.

■ Discussion meetings and forums

The Commission continues to host discussion meetings and forums to collect the opinions of stakeholders and related institutions regarding North Korean human rights policies and to build a national consensus.

To this end, the Commission hosted the following events:

1. the forum to look for policy solutions regarding issues related to the aging members of dispersed families, jointly with the National Assembly Human Rights Forum and Committee for the Ten Thousand Dispersed Families at the National Assembly on April 3rd;
2. the forum to discuss the expectations on and prospects of the OHCHR in Seoul jointly with the National Assembly Human Rights Forum at the National Assembly on June 26th; and
3. the symposium on transitional justice experience in Germany and North Korean human rights, jointly with the Transitional Justice Working Group at Seoul Press Center on July 28th.

Marking the 800th anniversary of the Magna Carta, the Commission co-hosted the Seoul Dialogue for Human Rights with the Yonsei Center for Human Liberty, Christian Solidarity Worldwide, and the International Coalition to Stop Crimes against Humanity in North Korea at Westin Chosun on November 11th. The event was held under the theme of “In Search of Liberty and Human Rights in North Korea”, participated in by major figures, including the three former members of the COI on Human Rights in North Korea: Michael Kirby; José Manuel Ramos-Horta, the former president of East Timor; Robert King, US Special Envoy for North Korean Human Rights issues; and Charles Hay, British Ambassador to Korea.

■ Projects to promote understanding on North Korean defectors

The Commission intended to add more momentum to its projects by raising awareness on the characteristics of North Korean defectors and difficulties they experience. To this end, it hosted a capacity building workshop for projects to promote understanding on North Korean defectors on November 12th, inviting personnel in charge of these people in local governments and civil rights groups.

To promote mutual understanding among young people from both Koreas and to help South Korean students have better knowledge on North Korean human rights, the Commission hosted the Human Rights Workshop for Inter-Korean University Students at the Seoul Youth Hostel on December 21st and 22nd.

■ Cooperation with experts and organizations related to North Korean human rights

The Commission continued to exchange opinions on North Korean human rights issues and discuss measures for closer cooperation through discussion meetings with human rights experts and organizations at home and abroad. In addition, it actively participated in forums on North Korean human rights hosted by other human rights groups, including: the two rounds of discussion meetings with the heads of North Korean human rights groups on January 20th and July 29th; the discussion meeting with experts of policies for dispersed families on May 20th; the discussion meeting on North Korean workers overseas on May 22nd; the discussion meeting with people from foreign NGOs on involuntary disappearances on July 30th; and three rounds of working group meetings with people from the UN OHCHR in Seoul.

Chapter 2. Investigations and Remedies: Human Rights Violations

Section 1. Overview

Pursuant to Article 19.2 and 19.3 of the NHRC Act, the Commission conducts investigations and makes remedies concerning the cases of human rights abuse and discrimination.

Subject to Investigation

In any event of discrimination or violation on human rights (guaranteed by Article 10 to 22 of the Constitution) in connection with the performance of duties⁹⁾ by state agencies, local governments, schools¹⁰⁾, public service-related organizations¹¹⁾, and detention and protection facilities, they are subject to investigation by the Commission. The same applies to when a discriminatory act is committed by a juristic person, an organization or a private individual.

Complaints

Investigation on human rights abuse or discrimination usually begins with a complaint. Complaint may be filed by not only the victim(s) but also any third party individual or organization that acknowledges the case. If an inmate truly intends to file a complaint, the Commission shall have its personnel visit the relevant confinement or caring facility for a face-to-face meeting¹²⁾ with the said inmate to receive an oral or written complaint as well.

Once the complaint is accepted, the Commission investigates the case. If it finds that the case falls within any category of human rights abuse or discrimination, it issues a recommendation to the facility concerned to take the necessary measures to prevent reoccurrence and make remedies. When a complaint does not meet the standards specified in the NHRC Act for an investigation, the case shall be dismissed. On the other hand, the case shall be rejected when it is

9) Excluding legislation by the National Assembly and trials by a court or the Constitutional Court

10) Any school established by Article 2 of the Elementary and Secondary Education Act, Article 2 of the Higher Education Act, and other Acts

11) Any public service-related organization pursuant to Article 3-2 (1) of the Public Service Ethics Act,

12) Pursuant to Article 31.2 and 31.4 of the NHRC Act, the Commission shall have a commissioner or a staff member visit the relevant confinement or caring facility to receive an oral or written complaint from the said internee.

not in violation of human rights or discrimination.

The number of complaints accepted by the Commission in 2015 marked 10,687 cases, which is a decrease of 2.1% (229 cases) compared to the figure from the previous year (10,916 cases). Complaints on human rights abuse accounted for 79.5% of the total with 8,496 cases, while its counterpart on discrimination had 20.4% with 2,183 cases.

Urgent Relief Measures

After the Commission receives a complaint, if it is deemed highly likely that any violation of human rights or a discriminatory act against a person subject to investigation is in progress and then it is deemed likely that any damage impractical to recover where such violation or discrimination is left unattended, the Commission may take urgent relief measures pursuant to Article 48 of the NHRC Act.

Suo Motu Investigations

Article 30.3 of the NHRC Act provides that:

“Even if any complaint under paragraph (1) is not filed, the Commission may, ex officio, initiate an investigation when it deems that there exists a reasonable ground for believing that a violation of human rights or a discriminatory act exists and that such a violation or act is serious.”

Therefore, the Commission conducted suo motu investigations on a total of nine important human rights issues in 2015, including:

1. forced labor and exploitation at residential facilities for homeless people;
2. forced labor and violence against the resident facilities for people with mental disability;
3. discrimination against the disabled in the use of ships and airplanes;
4. for improvements in policies regarding leave of absence from school for graduate students due to pregnancy, childbirth, and child-care;
5. human rights abuse in residential facilities for the disabled; and
6. illegal transfer of patients between mental hospitals.

On-site Investigation

The Commission’s authority for on-site investigation of facilities is prescribed in Article 24.1 of the NHRC Act: “The Commission may, if deemed necessary, visit a confinement or caring

facility to make an investigation by its resolution.”

Therefore, the Commission worked hard to issue recommendations to improve human rights situations, by conducting a total of eight on-site investigations in 2015, including: the Military Correctional Institution and military mental hospital, youth detention centers and an institute of forensic psychiatry, protection facilities for foreigners, and mental health facilities (unfair hospitalization). In addition, the Commission put much effort in making remedies to call for preventive measures.

Capacity Building for Investigators

The Commission held two rounds of “Investigators’ Academy”, an education course to help its officers in charge of on-site investigation with capacity building. Newly joined investigators as well as more seasoned ones have participated in the course to learn more about (1) the characteristics of the NHRCK investigation and the role of investigators, (2) investigation methodology and skills for each type of case, and (3) case studies on the actual complaints.

Human Rights Counseling

For better access to its counseling services, the Commission has:

1. put in place specialized counseling counters operated by counselors dedicated to human rights and counseling commissioners;
2. visited schools and organizations for the disabled to promote the diverse counseling channels of the Commission, including video phone calls, online chatting, and SNS accounts;
3. appointed an additional counseling commissioner who can use sign language for people with hearing impairment;
4. provided diverse counseling services by allowing reservations and providing counseling for English speakers.

In addition, the Commission conducted ten rounds of the Outreach Counseling Program for the socially vulnerable and marginalized, including AIDS patients, lepers, Korean-Chinese, and pneumoconiosis patients.

[Table 2-2-1] Complaints, Counseling, Petitions, and Inquiries Received and Handled over the Last Five Years

(Unit: case)

Year	Total Number of Complaints, Counseling, Petitions, and Inquiries	Total Number of Complaints Accepted	Complaints on Human Rights Abuse		Complaints on Discrimination	
			Accepted	Closed	Accepted	Closed
Cumulative.	713,125	99,914	76,761	74,648	20,974	20,219
2015	80,672	10,687	8,496	8,800	2,183	2,015
2014	82,085	10,916	8,701	8,093	2,197	2,223
2013	82,234	10,056	7,457	7,453	2,496	2,858
2012	69,791	9,582	6,946	6,938	2,549	2,559
2011	58,728	7,357	5,425	5,158	1,803	1,898

※ Cumulative Total: November 25th, 2001, to December 31st, 2015

※ If the case accepted got separated into two or more, the total number of complaints accepted will increase.

Section 2. Investigations and Remedies: Human Rights Violations

1. Status of Complaints Received and Handled

A. Complaints Received

The Commission received 8,496 complaints on human rights abuse in 2015, which suggested a 2.3% decrease (204 less) compared to the figure from last year. This reflects decrease in the number of complaints from the prosecution, police, army, other national agencies, and public service-related organizations, which had shown a steady increase until 2014. On the other hand, the number of complaints from the “facility for caring for many persons” (group care facilities), local governments, and schools is still on the constant increase.

[Table 2-2-2] Complaints on Human Rights Violations Filed Against Entities

(Unit: case)

Year	Total	Prosecution	Police	Detention Facilities	NIS	Army	Other National Agencies	Caring Facilities	Criminal Justice Agencies	Legislature	Local Gov't	Immigration Office, etc.	Schools	Public Service-related Organizations	Etc.
Cumul.	767,612	2,538	15,551	23,967	228	1,545	6,401	17,174	977	62	3,669	199	2,353	732	1,365
2015	8,496	144	1,363	1,715	3	153	259	3,473	61	6	443	81	550	190	55
2014	8,701	190	1,539	1,631	11	182	392	3,464	83	3	387	18	490	230	81
2013	7,457	157	1,330	1,688	16	141	315	2,728	74	6	343	23	412	179	45
2012	6,946	147	1,221	1,731	16	184	424	2,115	85	0	335	27	480	133	48
2011	5,425	139	1,107	1,360	15	132	530	1,555	71	3	247	40	199	0	27

※ Cumulative Total: November 25th, 2001, to December 31st, 2015

※ Statistics above are subject to change due to recent corrections and changes, and may seem different from the previous figures.

From the inception of the Commission to the end of 2015, the cumulative total of complaints received is 76,761 cases. By different entities the complaints on human rights violations were filed against: those against detention facilities accounted for 31.3% of the total (23,967 cases out of 76,761 cases); followed by those against group care facilities with 22.4% (17,174 cases); those against the police with 20.3% (15,551 cases); and those against other national agencies with 8.4% (6,401 cases). While the complaints against detention facilities and the police account for more than half, there is a rapid increase in the number of complaints against group caring facilities. Also, pursuant to revisions made in the NHRC Act in 2012, schools and public service-related organizations were included in the scope of the NHRCK investigation, showing a steady increase in the number of complaints received.

B. Complaints Handled

The number of complaints on human rights violations handled over the last three years shows a steady increase: while the Commission handled 7,453 cases in 2013, there were 8,093 in 2014, and 8,800 in 2015. Such increase in the number may be attributed not only to the increase

in its incoming counterpart, but also to improving the skills of the investigators as well as the Commission's effort for capacity building and promoting efficiency in the handling of cases.

The number of accepted complaints in 2015 is 418, which is a 27.1% (89 more cases) increase year-on-year. Eight (8) complaints led to criminal charges or an investigation request, three (3) to recommendation for disciplinary action, 130 to recommendation for remedy, and 277 to consensual settlement. The biggest difference comes from the increase in the number of cases that led to a recommendation for remedy (54 more cases, 71.0% increase) and consensual settlement (48 more cases, 20.9% increase).

[Table 2-2-3] Complaints on Human Rights Violations by Resolution and Year

(Unit: case)

Year	Received	Total	Accepted								Not Accepted			
			Sub total	Criminal Charge/ Investigation Request	Recommendation for Disciplinary Action	Urgent Remedy	Recommendation or Settlement Recommendation	Consensual Settlement	Legal Aid Request	Adjustment/ Resolution through Basic Investigation	Dismissed	Transferred	Rejected	Suspended
Cumulative Total	76,761	74,648	3,593	115	95	10	1,861	1,490	18	4	46,762	1,132	22,687	474
2015	8,496	8,800	418	8	3	0	130	277	0	0	5,417	79	2,830	56
2014	8,701	8,093	329	21	2	0	76	229	1	0	5,180	48	2,496	40
2013	7,457	7,453	360	1	2	0	113	242	2	0	4,542	18	2,512	21
2012	6,946	6,938	264	2	1	1	155	103	2	0	4,391	22	2,230	31
2011	5,425	5,158	260	6	4	0	130	117	2	1	2,935	35	1,908	20

* The number of suspended cases refers to those that were suspended in each year.

* Cumulative Total: November 25th, 2001, to December 31st, 2015

* Statistics above are subject to change due to recent corrections and changes, and may seem different from the previous figures.

The 5,417 dismissed cases in 2015 consist of the following: 4,251 cases that were withdrawn by the complainant (78.5%); 485 cases that did not fall in the scope of the NHRCK investigation (9.0%); 230 cases that were being handled or closed by other agencies (4.2%); 117 cases

that were expired (2.2%); and 335 cases that were found groundless or inappropriate for the investigation (6.2%). As for the withdrawn cases that account for a vast majority of the dismissed ones, many of them were due to resolution of the problem that was the cause of the filed complaint.

To look at the number of the complaints handled in 2015 by different entities, the Commission handled 1,597 cases against detention facilities, 3,546 against group care facilities, 1,548 against the police, and 533 against schools.

[Table 2-2-4] Complaints on Human Rights Violations by Entity and Resolution in 2015

(Unit: case)

Category	Received	Total	Accepted								Not Accepted			
			Sub total	Criminal Charge/Investigation Request	Recommendation for Disciplinary Action	Urgent Remedy	Recommendation for Settlement Recommendation	Consensual Settlement	Legal Aid Request	Adjustment/Resolution through Basic Investigation	Rejected	Transferred	Dismissed	Suspended
# of Cases	8,496	8,800	418	8	3	0	130	277	0	0	5,417	79	2,830	56
%	-	100	4.8	0.1	0	0	1.5	3.1	0	0	61.6	0.9	32.2	0.6
Prosecution	144	174	4	0	0	0	3	1	0	0	101	2	63	4
Police	1,363	1,548	77	0	2	0	13	62	0	0	721	20	694	36
Detention Facilities	1,715	1,596	2	0	0	0	2	0	0	0	896	12	685	1
NIS	3	6	0	0	0	0	0	0	0	0	3	0	3	0
Army	153	166	9	0	0	0	5	4	0	0	112	0	42	3
Other National Agencies	259	328	5	0	0	0	1	4	0	0	189	4	130	0
Caring Facilities	3,473	3,548	272	7	1	0	86	178	0	0	2,554	17	703	2
Criminal Justice Agencies	61	69	0	0	0	0	0	0	0	0	48	1	19	1
Legislature	6	5	0	0	0	0	0	0	0	0	3	0	2	0
Local Governments	443	487	20	1	0	0	5	14	0	0	237	1	228	1
Immigration Office and etc.	81	45	0	0	0	0	0	0	0	0	36	0	9	0
Public Service-related Organizations	190	234	8	0	0	0	3	5	0	0	119	1	105	1
Schools	550	532	21	0	0	0	12	9	0	0	346	19	139	7
Etc.	55	62	0	0	0	0	0	0	0	0	52	2	8	0

2. Major Cases among the Complaints

A. National Organizations and the Army

- Human rights violations due to the excessive collection of personal information by a battalion commander

The Commission has received a complaint against a battalion commander: the respondent reportedly ordered the sergeants and officers under his command to submit their bank account statements on their salary over the past six months, claiming that he wanted to track down any gambler among his staff members who reside in the bachelor officer quarters (BOQ) outside the barracks.

Through an investigation, the Commission learned that the commander got a tip-off that some of his staff members who reside in the BOQ outside the barracks are compulsive gamblers. Although the Commission acknowledged that the commander had to prevent gambling among his staff members and maintain order in his battalion, it found the measures he took too excessive and unreasonable; he could have taken other ways to address the issue, possibly by having his staff go through an education program to prevent gambling addiction, or take a more individual approach after identifying the problem through face-to-face meetings and investigations. Therefore, the Commission found that his actions clearly violated the freedom of privacy guaranteed in Article 17 of the Constitution.

Considering that there was a similar case for which the Commission had to discuss in June, 2013, the Commission believed that preventive measures should be taken. Therefore, it issued a recommendation on June 17th to the Army Chief of Staff to spread the Commission's decision across all subordinate forces under his command.

The Army accepted the recommendation and instructed all forces to study the complaint cases from the Commission, including related content and education programs for army forces.

- Human rights violations due to verbal abuse by a battalion commander

The Commission has received a complaint against a battalion commander: the respondent reportedly said "What the hell are you here for, scumbag?" and verbally abused a soldier who came to him with a plastered leg at the end of March, 2015, for a moving-in report. In addition, he was notorious for cursing and insulting his staff members from time to time.

Through an investigation, the Commission found that it was true; although the moving-in

soldier behaved problematically, the commander was using coarse language while on duty. As a result, the Commission confirmed that his action was clearly violating Article 15 of the Decree on Military Service, which prohibits physical and verbal violence as well as other forms of harsh treatment within the Army, thereby infringing on the human rights guaranteed by Article 10 of the Constitution.

Therefore, the Commission issued a recommendation to the commander of the **th Division of the ROK Army, the supervisor of the respondent on September 2nd, to give a disciplinary warning to the respondent and to come up with preventive measures.

The army division accepted the recommendations, reprimanding the respondent and taking a disciplinary action against him. In addition, the division directed all soldiers accused of verbal violence to go through an appropriate language education program.

■ Suo motu investigation on physical violence and harsh treatment within the army system for soldiers “who need special attention”

Continued army accidents in 2014—the shooting spree at the GOP, and suicide by a soldier “who needs special attention”—alerted that there is on-going physical violence and harsh treatment within the Army, which leads to tragedies that kill precious lives. The Commission suspected that the accidents may be attributed to serious human rights violations due to ill-practices and the army’s system for soldiers who need special attention (the “System”). Therefore, pursuant to Article 30.3 of the NHRC Act, the Commission launched suo motu investigations on August 7th, 2014, on the seven barracks where the tragedies took place.

Through the investigations, the Commission confirmed that all offenders and supervisors of the barracks went through disciplinary measures and their cases were referred to criminal courts. However, the Commission still found room for improvement and therefore issued recommendations on November 11th, 2015, as follows:

1. The Commission acknowledged that, in many cases, witnesses to violence within the army did not report on what they saw, out of their doubt in the measures the Army would take, or their concern that it would lead to their own disadvantage. In response, the Commission recommended the Minister of Defense to educate all new recruits, as they enter the boot camp, on how they can consult outside agencies, including the NHRCK, for necessary remedies and reliefs.

2. The Commission recommended that: (1) the Army pay for the patients in military hospitals in need of nursing care, just as when they are hospitalized in private hospitals; (2) conduct an investigation or check-up on a regular basis to root out the ill-practices of forcing the new recruits to do all the cleaning, kitchen duty, and the laundry in the barracks; (3) stop the ill-practice of enforcing *apjonbeop*¹³⁾ among the ranks of soldiers to use it as a tool to pick on new recruits; and (4) put in place a system through which soldiers are free to request for medical diagnosis or treatment.
3. The Commission confirmed the case where a soldier was not eligible to receive an active duty suitability inspection, despite the fact that he continued to show symptoms of mental disturbance from his time of enlistment until discharge. He was disqualified because he could not meet the physical standards and receive the professional opinion from his psychiatrist in the military hospital, who said “it seems unlikely that the patient is in a state of mental illness.” In response, the Commission recommended the Minister of Defense to come up with standards to allow more accessible active duty suitability inspection for soldiers¹⁴⁾ who continue to display unacceptable behavior in the army due to mental illness.
4. The Commission examined the case where a man killed himself on the day he was discharged from his military service when his death reportedly occurred on the next day. He had been blamed for making too many mistakes on duty and thus was harshly treated and suffered serious verbal and physical abuse from his seniors, which led to symptoms of psychological illness that lasted until the point he left. Considering the situation, the Commission acknowledged that there is a significant connection between his death and his duty in the army, and it is necessary to clarify the point of death. Therefore, the Commission issued a recommendation to the Minister of Defense to conduct a review on compensation for the death of soldiers for the victim.

■ Bullying on a conscripted firefighter

A conscripted firefighter physically and mentally suffered from severe bullying in his group living quarters within the fire station where he resided: his seniors would lock him inside a cabinet, knock him around by pushing or kicking, and have him spread his legs out to step on his testicles.

13) Specific way of speech in Korean language, often used in military

14) An active duty suitability inspection for military officers are more strict.

The Commission confirmed the case and lack of supervision at the fire station through testimonies of other conscripted firefighters, documents, and others records in the place, and through an in-person interview with the supervisor.

In response, the Commission has:

1. requested the Prosecutor General to investigate the perpetrators;
2. recommended the fire chief to review compensation for the death of servicemen again for the victim and reprimand the supervisor of conscripted firefighters;
3. issued a recommendation to the Minister of Public Safety and Security on November 11th, to take preventive measures by sharing the details of the case with all fire stations with conscripted members across the country.

B. The Prosecution, Police, and Justice Agencies

■ Human rights violations due to verbal abuse

After the complainant was accused of sexual harrasment against a woman near a bus stop, he was under investigation by the respondent, a police officer. In the process, the respondent used coarse language against the complainant, saying: “You son of a bitch, you know why I place my hands above my shoulders when I take a bus? Because it’s embarrassing to have any woman think of me as a potential sexual harasser! You don’t even deserve to be a man, so cut your dick off!”

The Commission found that the respondent violated Article 8 (Prohibition on Physical and Verbal Violence and Other Harsh Treatment) of the Code of Conduct as a Police Officer to Protect Human Rights, thereby infringing on the human rights of the complainant guaranteed by Article 10 of the Constitution.

Therefore, the Commission issued a recommendation on March 19th to the police chief, the respondent’s supervisor, to have the respondent go through a human rights education course, and take preventive measures by sharing the details of the case with all members in the station.

The case was closed as the chief agreed to accept the directions in the recommendation.

■ Human rights violations involving illegal arrest

The complainant filed a complaint against a police officer for violating his human rights by illegally arresting and inflicting injury on him:

When the complainant was fighting against other person in front of a subway station, the

respondent, a police officer, tried to stop the complainant by interlocking his left hand fingers to twist his arms and push him back. So the complainant resisted against the respondent's action to stop him and pushed the respondent in the chest. Then the respondent twisted the complainant's arm behind his back and arrested him to a police substation, where the respondent handcuffed him, threw him on the sofa, and pressed against his neck and handcuffed arms.

Through an investigation, the Commission found that the complainant kept on cursing at and resisted against the respondent, even after he was warned by the respondent on duty that he may be punished for obstruction of justice if he continues to interfere and uses coarse language against the police officer. So the Commission acknowledged that the respondent had his difficulties concerning his duty with the complainant. However, the Commission also considered the fact that the complainant was cleared of the charge against obstruction of justice and not prosecuted, and that he was injured on his fingers and wrists in the process of the arrest.

The Commission decided that the respondent's action violated the complainant's personal rights guaranteed by Article 12 of the Constitution. Therefore, the Commission issued a recommendation to the district police commissioner to reprimand the respondent on May 13th.

The case was closed as the police chief issued an unpublished warning to the respondent.

■ Human rights violation involving the police's unlawful demand for voluntary accompaniment

The complainant filed against police officers from the NPA Public Safety Bureau for violating her human rights by urging her to go to the police station.

Receiving a tip-off which suspected the complainant to have committed prostitution, the respondents came into her one-room office and demanded her to come with them by saying, "be good and accompany us to the police station, since we are offering you to do so voluntarily when we are supposed to arrest you." In response, the complainant in tears asked the respondents to wait by saying, "my mother is sick and I need to take her to the hospital now, so please let me go through the investigation tomorrow." But the respondents refused and insisted that she must come with them to the police station and get the investigation immediately, spending much time in her residence.

The respondents defended themselves by pointing out that they offered to have a female officer to talk to her and that they had her sign on the written consent for the voluntary accompaniment, insisting that they were on legitimate duty.

However, the Commission confirmed that the respondents never notified the complainant that she had the right to refuse their demand to accept the voluntary accompaniment, which could be deemed as violation of her personal rights. Therefore, the Commission issued a recommendation on May 13th to:

1. the respondents' police chief to have the respondents go through an occupational training program to learn more about the principles in random investigation and procedures involved in voluntary accompaniment; and
2. the district police commissioner to have all officers of the NPA Public Safety Bureau learn a lesson from the case.

The case was closed as the police chief and commissioner both agreed to accept the directions in the recommendation.

■ Excessive use of force by the police

The complainant was caught in the act by the respondents and was being transferred to the criminal department of the police station. The complainant resisted and lied down on the ground in front of the police quarter, but he was stopped by the respondents who seized him by the arm and forcefully dragged him into the building.

The Commission decided that the respondents' action violated the complainant's dignity and personal rights guaranteed by Article 10 and 12 of the Constitution. In fact, there was no apparent urgency to exercise force to take the complainant into the station, and the respondent could have come up with other solutions that involve less force in the process by: persuading the complainant to get back on his feet and walk; having two policemen on his sides to grab his shoulders and walk him off; or asking the personnel present at the scene for some help.

Therefore, the Commission issued a recommendation on May 13th to the police chief in charge to take preventive measures by having his staff members go through an occupational education program on avoiding human rights violation in the process of arresting a suspect or taking him or her to the criminal department.

The case was closed as the chief agreed to accept the directions in the recommendation.

■ Human rights violation involving a notice of apprehension that contained previous criminal records

The complainant filed against a prosecutor and investigator for sending his wife a notice of

apprehension that described his previous criminal records, which led to serious family trouble and conflict.

Through an investigation, the Commission found that the respondents (who arrested the complainant for violating the Act on the Control of Narcotics, etc.) did not tell the complainant, who did not appoint a lawyer, to select a person to whom the notice of apprehension would be sent. Instead, they selected ‘his family member’ at their discretion, and sent the notice that contained his current and previous criminal records that suggest recidivism to his registered address.

The Commission decided that the respondents’ action violated the complainant’s freedom of privacy. While Article 26.1 of the Ordinance on Public Prosecutor's Affairs requires prosecutors to send a notice of apprehension to anyone selected by a suspect without a lawyer, the respondents did not ask the complainant for the decision. Instead, they selected his family member as the receiver at their discretion, and sent the notice of apprehension.

Therefore, the Commission issued a recommendation on June 17th to:

1. the director of the local public prosecutor’s office to have the respondents go through an occupational education on giving a notice of apprehension, its due procedures, and its purpose;
2. the Public Prosecutor General to inform the case to all staff involved in handling a notice of apprehension and have them go through an occupational education on related provisions.

The case was closed as the director and Public Prosecutor General accepted the directions in the recommendation.

■ Human rights violation due to poor toilet facilities in the detention room inside the public prosecutors' office

The complainant filed a complaint that he felt embarrassed when he had to show some part of his body while using the toilet facility inside a detention room. The facility in question was surrounded by low partition walls with a small hinged door.

Through an investigation, the Commission found that there was a considerable reason for the visibility: since there is no doubt that all inmates in a detention room require a certain level of surveillance, a toilet facility had to be built-in and allow some exposure for surveillance issues. However, the Constitutional Court decided that it may be deemed as an infringement on an individual’s personal rights to force the inmate to use such a toilet without proper

cover, focusing on efficiency for surveillance and control over the inmate (July 19th, 2001 / 2000HunMa546). Following the purpose of the court's decision, the Commission decided that it was a violation of the inmates' personal rights guaranteed by Article 10 of the Constitution to force him or her to use a toilet without enough cover to block the sounds and smells from inside, as well as inevitably forcing the user towards some exposure of his or her body parts.

Therefore, the Commission issued a recommendation on June 17th to the public prosecutor in charge of the district public prosecutor's office to take preventive measures and improve the poor toilet facilities to provide enough cover for the user.

The case was closed as the public prosecutor accepted the directions in the recommendation by rebuilding the 11 toilets inside the detention rooms into ones that provide enough cover and ventilation.

■ Arresting a flagrant offender without due process

The complainant filed a complaint against a group of policemen for arresting him without following due process: the complainant was arrested in the act by the respondents who came to the scene after receiving a report of assault. In the process, however, the respondents did not announce the reason of arrest or the complainant's right to appoint a lawyer.

Through an investigation, the Commission found it difficult to conclude that the respondents did not announce the suspect's rights. However, it was confirmed that the respondents did not produce any document related to the arrest, violating the instructions of National Police Agency: According to provisions in the Rules of Criminal Investigation and the Code of Conduct as a Police Officer to Protect Human Rights, the policemen had to explain and announce the rights of the suspect, and have it recorded or get a written consent, then include it in the case record. So the Commission decided that the respondents have infringed on the personal rights of the complainant by violating the provisions regarding arrest of a suspect.

Therefore, the Commission issued a recommendation on June 17th to the police chief in charge to have his staff go through an occupational education to urge them to follow due process in arresting a suspect.

The case was closed as the chief accepted the directions in the recommendation.

■ Lack of victim protection by the police

The complainant reported to the police on an offender who ran amok in her bar without

paying the bill. The offender was arrested in the act, but he did not stop cursing at the complainant. So the policemen handcuffed and took him to the respondent at the police station, isolating him from the complainant. Although the respondent was aware of the situation and knew that the complainant was sitting in front of the restroom, the respondent unlocked the cuff when the offender said that he needed to go to the restroom. As soon as he was freed, he jumped on the complainant to punch her face, breaking her teeth.

The Commission decided that the respondent's action in fact exposed the complainant to the threat, infringing on the complainant's personal rights by neglecting his duty of care set forth by the Guidelines for the Use of Handcuffs, etc. The accident was predictable and preventable, if the respondent cared to consider how the offender got arrested and handcuffed, and that he would go to where the complainant was on his way to the restroom.

Therefore, the Commission issued a recommendation on July 24th to the police chief in charge to give a disciplinary warning to the respondent.

The case was closed as the chief accepted the directions in the recommendation.

■ Human rights violation due to verbal abuse and publicizing facts of suspected crime by the police

When the complainant was arrested on charge of proxy murder and was in police custody, the respondent, the head of detective bureau in the police station, came to the complainant and threatened the complainant by saying, "You are so finished. I'm gonna dig up every single bit of crime you've ever committed." Based on the fact that his behavior insulted the complainant and might have influenced the complainant's right to remain silent, the Commission decided that the respondent violated the complainant's personal rights.

In addition, the respondent distributed the press release on the facts of the suspected crime. Although it might have been necessary to publicize the case, he disclosed more information than required. The Commission saw this as a violation of the petition's personal rights and privacy.

Therefore, the Commission issued a recommendation on July 24th to the police chief in charge to give a disciplinary warning to the respondent, and to improve ill-practices in police investigation by having his staff go through occupational education on publication of the facts of suspected crime.

The case was closed as the chief accepted the directions in the recommendation.

■ Unduly notice to the subject of DNA collection by the Prosecution

The complainant filed a complaint against an employee of the local prosecutor's office for sending a postal notice where the respondent explicitly wrote "Notice to the Subject of DNA Collection" to her husband (the victim). The complainant found it unacceptable because it unnecessarily disclosed the situation to her children and neighbors.

Being a subject to DNA collection may be considered a sensitive instance of personal information because it implies that the subject could be a criminal. In addition, the notice was sent via snail mail, whereas it was clear that such sensitive information could be disclosed to a third party. Considering the above reasons, the Commission decided that the respondent's action infringed on the victim's privacy and freedom.

Therefore, the Commission issued a recommendation on September 9th to the Prosecutor General to prevent the violation on human rights in the process of issuing the notice on DNA collection by informing all staff members involved about the case.

The case was closed as the Prosecutor General accepted the directions in the recommendation, by issuing an official notice to all prosecutor offices across the country to display extra care when they request a DNA sample to anyone.

■ Emergency arrest without a sufficient reason

A group of police officers arrested a man, who was accused of rape, without a warrant. However, the Commission found that the case did not meet the requirements for an emergency arrest, considering the following facts:

1. The victim of the unduly arrest without warrant was accused of rape some 22 days after the date the crime reportedly happened, according to the accuser's claim.
 2. There was no risk for the destruction of evidence, since it was already secured from the CCTV installed in the residence of the accuser.
 3. The respondents (police officers) had enough time to get a warrant from the court or request for an attendance to the victim.
 4. They made a hasty decision that the victim was likely to escape, as soon as they found that he went to his registered residence.
 5. Although the victim had no previous record of a similar crime, the respondents did not even try to contact him before they arrested the victim at his registered address without a warrant.
- Therefore, the Commission issued a recommendation on September 2nd to the police

chief in charge to give a disciplinary warning to the respondents, and to have them go through occupational education on the requirements for an emergency arrest.

The case was closed as the chief accepted the directions in the recommendation.

■ Restricting the rights of a foreigner suspect to contact a consular attaché for counseling

At the request from the police for an attendance, a foreigner (the complainant) visited a police substation, where he was suddenly arrested on charge of theft. In response, the complainant requested the police to allow him to contact a consular attaché from his country's embassy.

However, the police officers and the prosecutor did not notify his embassy about the situation, and left the complainant in the detention center. When he was put to a trial, it turned out that the real perpetrator was a fellow countrymen of the complainant, who used to reside in the same church where the complainant lived. It was found that the perpetrator was arrested for thievery and gave the complainant's name and registration numbers during interrogation before he ran away. As a result, the complainant was freed after 12 days of detention.

The Commission decided that it was a violation of the suspect's right to self-defense for the investigators to neglect the complainant's request to call his Embassy after being arrested on charge of a crime. Therefore, the Commission issued a recommendation on November 11th to the local public prosecutor in charge to have the prosecutor involved go through an occupational education program.

The case was closed as the prosecution accepted the directions in the recommendation.

■ Unduly behavior in publicizing the facts of a suspected crime by the police

The respondents, the police officers who were in charge of writing and issuing a press release on a case related to the complainant, showed unduly behavior while on duty: they described each case of suspected crime with a name of the suspect for each from page 2 of the document, they wrote "suspects including C (surname of the complainant)" in page 1, giving an impression that the other suspected crimes are related to the complainant.

In addition, they described unnecessary information, including the address of the complainant's business site and the fact that the complainant appeared in TV programs, allowing unspecified individuals to analogize the identity of the complainant. As a result, some daily newspapers reported the last name and age of the complainant in their articles in a tone as if the suspected crimes of others were of the complainant.

Although it might have been necessary to publicize the case, the respondents disclosed more

information than required, practically revealing the identity of the complainant. In addition, they wrote in a way that seemingly proved the complainant guilty.

Considering the unacceptable behaviors mentioned above, the Commission decided that the respondents' action infringed on the complainant's personal right and privacy guaranteed in Article 10 and 17 in the Constitution.

Therefore, the Commission issued a recommendation on November 11th to the competent authority to have his staff go through an occupational education program on publicizing the fact of suspected crimes.

■ Prohibiting the subject of an investigation to take notes during investigation

When the complainant was under police investigation, he took out a pen and paper to take notes. The investigator (the respondent) stopped him, saying "You are not allowed to take notes during investigation." The Commission decided that the respondent's action goes against the principle of statutory reservation and restricted the complainant from exercising his right to self-defense.

To remind the police that such practices in investigation should be eliminated, the Commission issued a recommendation on December 2nd to the police chief in charge to have his staff go through an occupational education program regarding the issue.

■ Human rights violation due to a police officer who gave the finger

The complainant filed a complaint against a police officer (the respondent) for flipping his middle finger at him: while the complainant was sitting on a chair after being arrested to the police station, the respondent raised his middle finger upwards to insult him.

Through an investigation, the Commission confirmed that the respondent actually gave the middle finger three times with a smile at the complainant. Although the respondent's action was in response to the drunken complainant's behavior, yelling and swearing at the police officers for arresting him, it was not acceptable considering the position and duty as a police officer. In addition, it was a clear violation of Article 8.2 of the Code of Conduct as a Police Officer to Protect Human Rights. Also, the Commission decided that it was violating the complainant's personal rights guaranteed by Article 10 of the Constitution.

Therefore, the Commission issued a recommendation on December 22nd to the police chief, the respondent's supervisor, to issue a disciplinary warning to the respondent and have him go through a human rights education program.

■ Spreading the unverified private information of a victim

Through an investigation, the Commission confirmed that the respondent, a police officer, mentioned unverified private information about the victim during a press conference on live TV: when the respondent was on TV to give a briefing on the hostage case, he quoted unverified information from the hostage-taker who claimed that he and the victim used to be lovers with marriage in mind, and that he lent his money to the victim.

The Commission decided that the respondent's action violated the personal rights and privacy of the complainant's family, and therefore issued a recommendation on December 22nd to the NPA Commissioner General to reprimand the respondent and to order the personnel involved in investigation and promotional affairs at the local police station to go through an education program on human rights.

C. Detention and Caring Facilities

■ Re-hospitalizing a patient under voluntary hospitalization against his will with consent from his legal guardian

Suffering from bipolar disorder, the complainant voluntarily hospitalized himself in a mental hospital and requested for discharge a few days later. But the director of the hospital refused his request, by changing his status into a patient under hospitalization at the consent from his legal guardian. This prompted the complainant to file a complaint to the Commission.

On his part, the director claimed that it was unacceptable to give up on his duty of care, which should never be avoided considering his predictions on the potential risk. He explained that it was against his consciousness as a doctor to allow the complainant to discharge himself out of the hospital. In his opinion, the complainant was: (1) very likely to inflict injury on himself or others due to the maniacal nature of his symptoms, (2) at risk of a psychological emergency with which it was difficult to see that he could make a sane decision at all, and (3) a physically healthy man with a predictably compulsive behavior, making it impossible for his older parents to protect him.

However, the Commission found that the complainant was not in such a grim state, without an ability to discern the circumstances and what it meant to be discharged. In fact, he did not show any aggressive behavior without a good reason, besides when he expressed his complaint and demanded the hospital personnel to lessen the dose of his medicine or to move his ward to another location. Also, the Commission deemed that it is difficult to see that the complainant

was in a state for others to restrict his right to self-decision. Although it was true that people with bipolar disorder are likely to resort to violence depending on their mood in general, it was only a potential risk in the unpredictable future, and the complainant was not in an apparent, urgent risk.

Therefore, the Commission decided that the respondent action (changing the hospitalization status of the patient despite his demand) was actually a refusal to the patient's request to be discharged, and that there was no appropriate reason for the refusal, which suggests that the action was an infringement on the complainant's right to self-decision and personal freedom.

As a result, the Commission issued a recommendation on May 11th to the director to conduct human rights education for all employees to promote patient rights and better understanding the purpose of the related rules as a part of preventive measures.

The case was closed as the director agreed to accept the directions in the recommendations.

■ **Suo motu investigation on human rights abuse in a residential facility for the disabled**

The MOHW received a tip-off that alerted the potential violation of human rights in a residential facility for the disabled against its residents in a city surnamed A. Based on the details, the ministry requested the Commission to launch an investigation.

After a basic investigation, the Commission found a probable cause that suggested actual physical violence, forced labor, and exploitation of subsidies against the residents. Confirming the seriousness of the status quo, the Commission decided to launch a suo motu investigation on November 17th, 2014.

Through the investigation, the Commission confirmed the evidence of embezzlement and exploitation against the residents, including the inappropriate redirection of subsidies, excessive labor, accounting fraud, and unduly operation of the facility. Therefore, the Commission requested the Prosecutor General to launch a full-fledged investigation, and issued a recommendation on June 5th to:

1. the head of the metropolitan government in charge to dismiss the executives responsible for the situation and to clawback the subsidies offered;
2. the head of the local government in charge to launch a special correctional inspection, take administrative measures, and formulate a comprehensive plan to protect the human rights of the disabled people in residential facilities.

The case was closed as the head of the local government in charge accepted the directions in the recommendation and put them into action.

■ Human rights violation by overcrowding an interrogation room

The complainant filed against the correctional facility, where he was being interned for cruel and insulting treatment, for the following reason: when he was confined in an interrogation room (where inmates are interned as they go through an investigation to decide whether they are put in solitary confinement as a punishment) in the middle of summer in August, 2014, the facility officers forced him to share the cell with two others on purpose, when there was a vacancy in the room next to it. And the officers would not allow the inmates to undress themselves to fight the heat, forcing them to suffer in such a hot temperature.

Through an investigation, the Commission confirmed the following:

1. According to the Guidelines on Accommodations and Transfer Records (MOJ Regulation No. 979), a group room has to offer 2.58m² per person. However, the group room, where the complainant was, was only 6.48m² in size, allowing only 2.16m² for each of the three inmates.
2. Average temperature when the complainant was confined in the interrogation room was 26.8°C, which rose up to 34.8°C at maximum.
3. Other interrogation rooms either housed just one inmate or was left empty during the period in the overcrowded interrogation room.

It was cruel to force three inmates to stay in a small room for five days without allowing them to undress their tops in the middle of summer, considering the inmates were still in the process of interrogation and did not have their punishment confirmed. Therefore, the Commission found that what facility officers did to the complainant violated his human worth and dignity guaranteed in Article 10 of the Constitution.

The Commission issued a recommendation on July 1st to the head of the correctional facility in charge to take preventive measures and have his personnel go through an occupational education program on how they should treat inmates.

The case was closed as the director agreed to accept the directions in the recommendation.

■ Human rights violation due to lack of emergency system in residential facility for the disabled

The Commission received a complaint involving the case where a resident died due to belated transport to the hospital in a residential facility for the disabled located in a remote town.

Through an investigation, the Commission confirmed what happened: the victim went to

the hospital in the morning from when he began to report symptoms, and he displayed unusual behavior in the evening, screaming with a pallid face or hugging the rehabilitation instructor. Therefore, there was enough evidence to think of the situation as an emergency. However, the facility personnel did not contact the 119 rescue center or transport the patient with two or more staff members. The rehabilitation instructor was on her own to take the patient to the hospital, and she ended up arriving late at the hospital. In addition, the facility had no guidelines for emergency response and never had its personnel go through the necessary education for the situation.

The Commission decided that it is the operator's duty to protect the residents by having an emergency response system in place and have the staff go through first-aid education. Therefore, regarding the lack of emergency systems that resulted in the belated transport of the patient which cost his last chance to get timely medical treatment, the Commission issued a recommendation on August 20th to:

1. the operator of the facility to come up with emergency response manuals and educate the facility staff for emergency situations; and
2. the head of the local government in charge to issue a disciplinary warning to the operator.

The case was closed as the head of the local government agreed to accept the directions in the recommendation.

■ Death of a patient due to lack of emergency medical care at a mental hospital

The Commission received a complaint involving a case where a patient who was hospitalized in a mental hospital died due to lack of emergency medical treatment.

Through an investigation, the Commission confirmed what happened: when the emergency began, fellow patients tried to inform the hospital personnel of the situation by yelling outside the window. But the hospital could not make a timely response to the emergency, being unable to contact the doctor and nurse on duty. The ward carer was outside her post to do her job to dispose of leftover food, which resulted in a temporary but total absence of hospital staff in an emergency.

The Commission found that having a poor emergency response system that could not offer timely medical protection for the patient was a violation of rights to access the medical services guaranteed by Article 10 of the Constitution.

Therefore, the Commission issued a recommendation on September 18th to the director of

the hospital to come up with a set of guidelines to ensure swift and appropriate response in an emergency and have the hospital personnel go through a more dedicated occupational education program.

The case was closed as the director agreed to accept the directions in the recommendation.

■ **Human rights violation involved in compulsory patient transport due to the connivance of a mental hospital**

At the request of mental hospital personnel, a private patient transporter forcefully tied up the complainant who was at home and took him to the hospital without an in-advance diagnosis by a psychiatrist. Receiving a complaint regarding the matter, the Commission launched an investigation.

Through the investigation, the Commission confirmed what had happened: at the request of mental hospital personnel, a private patient transporter forcefully tied up the complainant who was at home resisting hospitalization and took him to the hospital. The Commission also found that the personnel involved in the illegal transport was more than just involved in the intermediation; he even advised on the ways to perform the illegal transport and made the payment by proxy, repeating the same conduct on more than 10 occasions.

Therefore, the Commission issued a recommendation on October 20th to the head of the local government in charge to punish the said personnel and issue a disciplinary warning to the director of the hospital, and requested the Prosecution to begin an investigation on the transporter.

■ **Human rights abuse involved in forced labor in a residential facility for the disabled**

The Commission received a complaint that suggested human rights violation in a residential facility for the disabled located in a city surnamed B.

Through a basic investigation, the Commission found that there were enough clues on human rights violation against the residents through forced labor and exploiting their money as well as embezzlement of subsidies and redirection of donation funds. As a result, the Commission decided to launch a suo motu investigation on June 30th on the said facility.

The investigation confirmed that the operator of the facility had been forcing the residents to do all kinds of labor, including: collecting and separating the trash for recycling, disposal of the leftovers in the cafeteria, cleaning the playground in the facility, trash incineration, repairing the

fence, and sewage work. In addition, the operator and facility personnel elicited money from the residents for an overseas trip, redirecting government subsidies for clothing and fuel for the residents as well.

Therefore, the Commission issued a recommendation on November 19th to the head of the local government in charge to conduct a special correctional inspection, clawback the subsidies that were misused, reprimand and take administrative measures against the operator and others involved.

■ Sexual violence due to lack of supervision in a residential facility for the disabled

The Commission received a complaint that suggested on-going sexual violence among the residents due to lack of supervision in a residential facility for the disabled.

Before the Commission launched an investigation, it was confirmed that the head of the local government in charge already took administrative orders to the facility operator in 2014, to isolate the offenders involved in sexual violation from the victims and others, and to expel or transfer them if such unacceptable conduct continues. In 2015, the local government head had the operator go through a special education program to prevent sexual violence and gave an order to run a personnel-oriented surveillance program against sexual violence.

However, following the investigation efforts by the Commission, it turned out that some residents were still being victimized by the offenders. In addition, the operator was not in fact isolating the offenders, and was therefore exposing the victims to continued threat; the offenders' room was just across the aisle from the victims' room. Worse, the operator did not separate the minors from adults, leaving room for another case of sexual violence within the facility.

Therefore, the Commission issued a recommendation on November 19th to the heads of the metropolitan government and local government in charge to shut down the facility or transfer all residents to other facilities one by one, separated from each other.

D. Local Governments and Public Service-related Organizations

■ Recommendation to stop forced entries to a residence for an inspection on undocumented private education

The complainant filed a complaint against the public workers of the local office of education (the respondent) claiming that their action was a violation of his personal rights: when his daughter, in the 5th grade, was at home alone, the respondents came to the door and requested her to open the door threatening that they would call the police if she would not do as they say. So she gave in and let them inside, allowing them to take pictures and do their duty.

After an investigation, the Commission made its decision and confirmed what had happened: On behalf of the Illegal Private Education Report Center, the respondents were on their duty to confirm the tip-off on possible undocumented private lessons taking place at the complainant's home. Since it was his daughter who opened the door and let them in, they claimed that there was no problem in serving their duty. However, as soon as they found out that there was only a child at home, they were supposed to stop their investigation and had to wait until they could start their inspection with the consent from or in the presence of the complainant or his spouse. But they carried on, which prompted the Commission to decide that their action was violating the individual freedom of residence and privacy guaranteed by Article 16 and 17 of the Constitution.

Therefore, the Commission issued a recommendation on January 28th to:

1. the director of the commissioner of the local office of education to issue a disciplinary warning to the respondents and to have the personnel go through an occupational education program to prevent human rights violation upon their inspection on undocumented private lesson sites; and
2. the superintendent of the local office of education to come up with preventive measures against possible human rights violation upon inspection on undocumented private lesson sites and to strengthen supervision on affiliated agencies.

As a result, the Commission was notified by:

1. the commissioner who agreed to accept the directions in the recommendation; and
2. the superintendent who consulted to the local district police agency to arrange a police officer upon inspection of undocumented private lessons, and had the public workers in charge go through an occupational training, which included studying actual examples of human rights violation and related regulations regarding the matter.

■ Recommendation to stop personal rights violation by disclosing premium in arrears

The complainant received a notice from a public insurance management corporation, the respondent in this case, that he was in arrears of a premium. However, what was written on the envelope of the written notice was allowing others to know how the receiver is in arrears with the insurance premium: on the top part of the envelope, it was written, “If you made a full payment of the overdue premium, please discard the bill on medical services due to default.” And in the middle was a small table to notify the period of voluntary settlement of defaulted premiums.

Tax, pension, and insurance contribution are considered bonds that enjoy preferential payment. According to a provision in Article 12.5 of the Fair Debt Collection Practices Act, “Making the fact of indebtedness known to any person other than the debtor by demanding the repayment of a debt by postcard or in any other way” is prohibited as an unfair conduct of debt collection. Therefore, the respondent should not allow any person other than the debtor to know the fact of indebtedness. And the Commission decided that what the respondent did, mentioning the arrears on a premium on the envelope of the notice, may have a negative influence on the complainant’s social reputation, violating the complainant’s personal rights guaranteed in the Constitution.

Therefore, the Commission issued a recommendation on March 18th to the respondent to make sure not to disclose the fact of the receiver’s indebtedness when sending bills and notices.

The case was closed as the respondent accepted the directions in the recommendation, and stopped mentioning the fact of indebtedness as well as its promotion of the period of voluntary settlement of a premium in arrears.

■ Recommendation to stop human rights violation by forcing inmates to right a written apology

Receiving a complaint from an inmate, the Commission decided that the ill-practices of employees (the respondents), who work for a detention facility controlled by a public service-related organization, violated the human rights of inmates in the facility as follows:

1. When the respondents were going around individual cells doing the roll call, they would just break in without knocking the door or giving inmates any time to prepare. This prompted an inmate (the complainant) to show his naked body, which was clearly violating the complainant’s personal rights and freedom of privacy guaranteed by Article 10 and 17 of the Constitution.

2. The respondents demanded the complainant to submit a written apology for disobeying the internal rules of the facility or the directions of the facility officers without going through a disciplinary committee. This obviously went against the rule that requires the review of the committee before requesting a written apology from an inmate, violating the principle of lawful procedures stipulated in Article 12 of the Constitution.
3. Also, the said rule to demand a written apology from an inmate as a type of punishment may be deemed as forcing him to admit his fault in written form. This may have room for violation of the freedom of conscience specified in Article 19 of the Constitution, requiring a review on the legitimacy of the said rule.

Therefore, the Commission issued a recommendation on March 18th to:

1. the head of the facility to order all facility personnel to take an extra care not to violate the privacy of inmates during the roll call, and have them go through an occupational education program to obey the procedures of punishment set forth by the internal rules;
2. the chairperson of the board of the public service-related organization to strengthen supervision on affiliated facilities to prevent the recurrence of similar cases, and consider revising the article of the internal rules that may leave room for the violation of the freedom of conscience.

The case was closed as they agreed to accept the directions in the recommendation.

■ Recommendation to stop practices that result in the leakage of personal information by public organizations

A group of victims filed a complaint at a public organization. Therefore, the officers who handled the complaint were legally responsible to keep the details of the complaint and information of the complainants in secrecy. However, the officers revealed the personal information of the complaints in the process of giving directions to a business surnamed A, the employer of the complainees, to launch an investigation on the matter.

The Commission decided that the respondents' conduct violated Article 26 of the Civil Petitions Treatment Act as well as Article 15 and 17 of the Personal Information Protection Act, infringing on the complainant's right to informational self-decision guaranteed by the Constitution.

Therefore, the Commission issued a recommendation on August 17th to the public organization concerned to have all its employees handling petitions go through an occupational education program.

The case was closed as the organization agreed to accept the directions in the recommendation.

■ Recommendation to stop human rights violation due to restricting restroom use during an NTQ exam

While the complainant was taking a National Technical Qualifications (NTQ) exam, he asked the inspector if he could go to the restroom. But the inspector turned down his request, saying that anyone who left the room during an exam may not re-enter the room. The complainant ended up relieving himself in a trash can at the backside of the exam room after the inspector asked others for their understanding.

The Commission acknowledged that the inspector (the respondent) was responsible to prevent all possible cheating and keep everything fair and just during the exam on behalf of the organization that is in charge of the NTQ. However, it was also true that the respondent made the complainant feel humiliated in the way the issue was handled, violating his personal rights guaranteed by Article 10 of the Constitution.

Therefore, the Commission issued a recommendation on September 16th to the organization concerned to consider revising the rules to prevent human rights violation to examinees during NTQ exams.

E. Schools

■ Human rights violation due to forcing people to sign a statement

The complainants filed a complaint against a university surnamed A for forcing professors to sign a statement that protests the activity of the council of professors, violating the individual freedom of conscience.

As a result of the investigation, the Commission confirmed the following:

1. The statement was written on the spot immediately after the official meeting presided by the vice president took place.
2. Provosts of all colleges called a dean meeting to order on the same day, April 15th of 2013, to demand each dean to have their professors sign the statement and submit them to their supervisors, prompting quite a few professors to sign it.
3. The complainants acknowledged the demand to force professors to sign the statement, and posted an article that protests the unfair demand on the council's online community.
4. The victims signed the statement due to the potential consequences (e.g. disadvantages in

their promotion and employment) that might follow if they refused to do so, admitting that they heard, “It was an order from the management.”

5. Court rulings regarding the case already acknowledged or assumed that the someone forced the professors to sign the statement.

Considering the above facts, the Commission decided that it is quite safe to say that University A collectively forced the victims to sign the statement through provosts and deans (though it does not necessarily mean that there had been a direct order from the respondent). Therefore, it was clear that such conduct obviously violated the victim’s general rights to freedom, conscience, and association guaranteed by Article 10, 19, and 21 of the Constitution.

So the Commission issued a recommendation on January 28th to:

1. the respondent, the president of University A, to come up with measures to prevent the recurrence of such an attempt; and
2. the MOE, the supervisor of universities across the country, to strengthen its supervision and inspection on University A as part of its preventive measures.

While the respondent refused to accept the directions in the recommendation, the ministry took preventive measures to the university, issued an official statement that MOE will do its best to prevent the recurrence of similar conduct, and requested an active cooperation for the supervision and inspection on the university by sharing its decision.

■ Human rights violation due to implementation of fingerprint readers to manage overtime

The respondent, a principal of a high school, announced that he would only approve overtime work from employees who have registered their fingerprint, after all these years when employees had the liberty to choose either fingerprint readers or handwriting for overtime.

Fingerprint, as with other types of bio-information, is a sensitive type of information due to its absolutely personal nature. Therefore, collection and management of fingerprint information requires strict standards and much attention. To make use of such information, it requires the approval of the information source pursuant to Article 15 of the Personal Information Protection Act. As for this case, in order to make the approval a real and valid one, he should have came up with an alternative for employees who would not approve the use of their bio-information.

Therefore, the Commission found that the respondent’s decision (to allow overtime exclusively for employees who had registered their fingerprint) was in fact forcing the faculty to register their fingerprints. This prompted the Commission to decide that it was a violation of not

only the provisions of Article 15 of the Personal Information Protection Act, but also the right to informational self-determination guaranteed by Article 10 and 17 of the Constitution.

Therefore, the Commission issued a recommendation on January 28th to:

1. the respondent to observe the provisions and purpose of the Personal Information Protection Act by providing an alternative for those who are not willing to provide their fingerprint information for overtime management, and to come up with measures to ensure security in managing the information collected; and
2. the superintendent of the local office of education in charge to come up with a solution that observes the provisions and purpose of the Personal Information Protection Act when any school implements a fingerprint reader to manage overtime, and to put them into practice with strict standards and much attention.

The case was closed as the said school began to allow the faculty to choose either a fingerprint reader or password keys to gain access to overtime records. The local office of education accepted the directions in the recommendations as well.

■ Human rights violations by asking something not related to lecture in class

The respondent, a professor in a graduate school surnamed A, said to the complainant in class, “Can I ask you how old you are? What was your major? I must admit I am very concerned about you.”

Regarding the comments, the respondent explained that he asked those questions only to offer advice on the future career of the complainant as a professor, without an intention to insult her.

However, it was not convincing at all considering the context of the conversation between the complainant and the respondent. On the complainant’s part, however, what the respondent asked and said to her (which was obviously not related to the lecture at the moment) must have been quite humiliating for her since she was older than most of the students in class.

That was the Commission’s decision, and it followed up with issuing a recommendation on March 18th to the president of Graduate School A to have the respondent go through a human rights education program to prevent the recurrence of the same conduct.

The case was closed as the president accepted the directions in the recommendations.

■ Human rights violation due to the insulting speech of a teacher

An assistant teacher (the complainant) filed a complaint against a teacher with vision impairment (the respondent) for continued unacceptable behavior and speech that seriously insulted the complainant as follows:

1. The respondent screamed and expressed anger in the presence of other teachers at the complainant for introducing herself as a teacher for team-teaching. In this case, she could have (and should have) discussed with the complainant in a place with more privacy.
2. When the respondent did not come to her class, the complainant had to be there alone at the direction of the vice principal. So the complainant was having the students engage in self-directed studying, answering their questions. Hearing about what happened, the respondent screamed at the complainant, claiming that it was an infringement on the teacher's right.
3. When the respondent found her computer was not working, she hurled her headset on the ground and kicked the desk in front of the complainant.

The Commission found such conduct of the respondent much beyond the limits of common sense and understanding, and acknowledged that it seriously humiliated and insulted the complainant.

Therefore, the Commission decided that it violated the complainant's personal rights, which are naturally granted by human worth and dignity as prescribed in Article 10 of the Constitution.

Although the Commission understood that the nature of this case was partly inevitable for the respondent in the process of adjusting herself as a teacher with vision impairment, it issued a recommendation to the principal in charge of her conduct to take preventive measures on November 10th.

■ Inappropriate response against a case of school violence

Regarding a case of school violence, the victim's father paid a visit to the principle of the school and reported on the case to the police. As a result, police officers came and summoned the assailant who was in class at the moment for an investigation, thereby making the assailant (hereafter "victim") fall victim to a humiliating experience.

Although it was not an emergency since the school violence case took place on site, the officers pushed ahead with the investigation on the victim, a 13-year-old boy, without his legal guardian. Therefore, the Commission decided that such conduct by the officers clearly violated the Code of Conduct as a Police Officer to Protect Human Rights, providing a mentally painful

experience to the victim, and that it led to the violation of personal rights guaranteed in Article 10 of the Constitution.

In addition, teachers' behavior was inappropriate as they are the ones with the biggest responsibilities to protect the personal rights of students: although the school violence case was no emergency, they were indifferent to fetch the victim in class at the request of the officers and let the investigation begin. Therefore, the Commission decided that such conduct by the teachers clearly violated Article 1 of the Framework Act on education, Article 18.4 of the Elementary and Secondary Education Act, and Article 10 of the Constitution.

However, the Commission also considered that there was no guideline to protect the rights of students regarding police investigation on school violence at the moment. Therefore, instead of questioning the responsibilities of individual teachers, the Commission issued a recommendation on November 10th to the superintendent of the local office of education to come up with a guideline to protect the rights of students regarding police investigations on school violence.

As for the respondents from the police, the local police station already took the necessary measures, including conducting a human rights education program, formulating guidelines related to the issue, and issuing a disciplinary warning to the respondents. Therefore, the Commission decided to dismiss the case to request for further remedies.

Section 3. Investigations and Remedies: Discriminatory Acts

1. Reception and Processing of Complaints

A. Reception by Category

Among a total of 20,971 complaints on discrimination received by the Commission since its foundation until the end of December 2015, 8,191 cases (39%) were about the supply or use of goods, and 6,464 (30.8%) about employment, and 1,198 (5.7%) about the use of education facilities and others.

For the year 2015 only, 945 cases (43.3%) were about the supply or use of goods, 594 cases (27.2%) about employment, and 93 cases (4.2%) about the use of education facilities.

Among the 594 complaints in employment, 182 cases (30.6%) were about recruitment

and hiring; 168 cases (28.2%) about wage and non-wage payment; 76 cases (12.8%) about retirement age, retirement, and termination; and 64 cases (10.8%) about education, assignment, and promotion. For the 945 complaints in the supply or use of goods, 485 cases (51.3%) were about goods, 296 cases (31.3%) about service, 146 cases (15.4%) about transportation and commercial facilities. These statistics show a change of trends, considering that the number of reported cases about goods were 287 (32.2%) versus 401 (45.1%) in the previous year. For education or vocational training facility use, the education facility-related complaints accounted for the majority, with 90 (96.8%) out of a total of 93 cases. Meanwhile, the complaints classified as 'Others' reached up to 548 cases or 25.1% in 2015.

[Table 2-2-5] Complaints on Discrimination by Category and Year

(Unit: case)

Category		Employment													Supply or Use of Goods							Use of Educational Facilities			Others
Year	Total	Recruitment	Hiring	Education	Assignment	Promotion	Wage	Non-wage Payment	Loan	Retirement Age	Retirement	Termination	Others	Subtotal	Goods	Service	Transportation	Commercial Facilities	Land	Residential Facilities	Subtotal	Education Facilities	Vocational Training Facilities	Subtotal	Others
Cumul.	20,971	1,152	1,357	93	354	234	814	231	6	227	187	615	1,192	6,462	3,768	2,938	684	575	24	202	8,191	1,125	73	1,198	5,120
2015	2,180	57	125	14	35	15	141	27	-	9	19	48	104	594	485	296	104	42	2	16	945	90	3	93	548
2014	2,197	65	123	14	47	27	72	41	1	14	15	70	86	575	287	401	101	81	2	18	890	106	3	109	623
2013	2,496	56	158	9	41	15	46	27	2	30	11	53	169	617	449	377	40	83	-	20	969	98	8	106	804
2012	2,549	125	138	11	27	21	112	35	1	58	23	44	178	774	420	473	56	107	1	37	1094	170	9	179	503
2011	1,803	75	114	7	28	14	57	16	-	14	16	49	90	480	180	440	64	57	4	23	768	76	6	82	473

※ Cumulative Total: November 25th, 2001 - December 31st, 2015

B. Reasons of Complaints

The analysis of the complaints on discriminatory acts, received since the Commission's foundation until December of 2015, revealed that disability-based discrimination amounted for 45% or 9,462 cases among a total of 20,981 cases, while 2,923 (13.9%) cases were about other, unclassified types of discrimination. 1,983 (9.5%) cases were about sexual harassment and 1,814 (8.7%) were about social status.

The complaint trend of 2015 by reason shows a similar distribution to that of the previous year. Disability occupied the biggest share with 1,143 cases (52.4%), climbing slightly from 50% in the year before. 376 cases (17.2%) were classified as other, 201 cases (9.2%) were about sexual harassment, 117 cases (5.4%) were about social status, 98 cases (4.5%) were about age, 65 (3%) cases were about gender, and 23 cases (1.1% respectively) were about appearance, country of origin, and academic background. Overall, some major reasons for discrimination experienced a modest decrease while pregnancy/delivery, marital status, appearance, and skin color-related complaints increased.

[Table 2-2-6] Complaints on Discrimination by Reason and Year

(Unit: case)

Year	Total	Gender	Pregnancy/Delivery	Marital Status	Appearance	Family Status	Sexual Harassment	Disability	Age	Social Status	Country of Origin	Ethnicity	Race	Skin Color	Religion	Place of Origin	Ideology	Criminal Record	Sexual Orientation	Academic Background	Medical History	Others
Cumul.	20,971	643	217	95	284	151	1,983	9,462	1,402	1,814	347	15	99	15	147	127	36	189	78	562	362	2,923
2015	2,180	65	21	9	23	13	201	1,143	98	117	23	-	10	4	6	8	2	10	11	23	17	376
2014	2,197	64	14	6	21	15	235	1,139	103	158	48	3	18	2	15	19	-	13	11	36	28	249
2013	2,496	64	18	5	31	23	240	1,312	142	146	35	-	18	1	11	13	4	19	8	124	39	243
2012	2,549	45	27	6	40	8	228	1,340	166	185	9	1	1	1	12	6	2	20	15	47	34	356
2011	1,803	35	19	5	19	17	216	886	146	127	27	1	4	-	10	10	1	17	3	52	30	178

※ Cumulative Total: November 25th, 2001 - December 31st, 2015

※ Mental disorder cases were classified as human rights violations (3,348 cases were reported in 2015)

C. Complaints by Resolution Type

A total of 20,971 complaints of discrimination were filed to the Commission since its foundation until the end of December 2015, of which 20,217 cases (96.4%) were closed.

Among the 20,217 cases closed, 1,869 cases (9.2%) were admitted and 18,384 cases (90.8%) were not admitted.

Among the admitted cases, 1,177 cases (5.8%) were resolved by making a recommendation on institutional improvement, human rights education, or disciplinary actions after being acknowledged as discriminatory acts. Out of the cases, 655 (3.2%) were settled by consensual agreement during the process of investigation, and 25 cases reached a settlement through the mediation procedure prescribed by Article 42 of the NHRC Act, while for 12 cases the

Commission requested a criminal investigation or reported criminal charges, finding that criminal punishment should be imposed.

6,131 cases (30,3%) were dismissed due to the lack of objective evidence supporting the complaint, or if it was deemed not to fall under the category of matters subject to the investigation of the Commission, or if it did not require special remedies. Also, 11,942 cases (59%) were rejected because their remedial actions were underway by different statutes or were voluntarily withdrawn by the complaints. It is notable that among the dismissed and rejected cases, a total of 3,557 cases (17.6%) were labeled as ‘a case resolved during investigation’ because reparation for the complaints, or the victims, was provided by the active effort of investigators.

To categorize the closed cases in 2015 by resolution type, for 40 cases, recommendations or institutional improvements, human rights education or disciplinary actions were made. Among the 40 recommendations, 17 cases were about disability, seven (7) about sexual harassment, five (5) about other forms of abuse, three (3) about social status, two (2) about gender, and two (2) about medical history.

It is noteworthy that a total of 36 cases, including 19 disability and 12 sexual harassment cases, were settled by the parties concerned as a result of the Commission's effort to seek practical remedies for complaints.

[Table 2-2-7] Complaints on Discrimination by Resolution Types and Year

(Unit: case)

Cat.			Admitted					Not admitted			
	Received	Closed	Recommendation	Recommendation for Disciplinary Action	Accusation or Criminal Charge	Consensual Settlement	Mediation	Dismissed	Rejected	Transferred	Suspended
Cumul.	20,971	20,217	1,164	13	12	655	25	6,131	11,942	117	158
2015	2,180	2,013	35	5	-	36	1	584	1,336	7	9
2014	2,197	2,223	62	2	2	95	1	754	1,273	7	27
2013	2,496	2,858	101	1	1	111	2	979	1,631	11	21
2012	2,549	2,559	170	2	1	41	2	1,007	1,312	2	22
2011	1,803	1,898	187	-	5	79	1	737	872	5	12

※ Recommendation: Recommendation on rectification or improvement of institutions, policies and practices; prevention of recurrence; or human rights education

※ The number of closed cases: the number of cases received and closed in the year + the number of cases carried over from the previous year and closed in this year

※ Cumulative Total: November 25th, 2001 - December 31st, 2015

[Table 2-2-8] Complaints on Discrimination by Reason and Resolution in 2015

(Unit: case)

Reason	Total	Recommendation	Recommendation for Disciplinary Action	Accusation	Mediation	Consensual Settlement	Dismissed	Transferred	Suspended
Gender	52	2	-	-	-	18	32	-	-
Pregnancy/ Delivery	19	-	-	-	-	3	16	-	-
Marital Status	3	-	-	-	-	-	3	-	-
Appearance	23	-	-	1	-	5	16	-	1
Family Status	10	1	-	-	-	4	5	-	-
Sexual Harassment	191	5	2	12	-	33	135	-	4
Disability	1,084	14	3	19	-	380	663	6	-
Age	88	1	-	-	-	25	60	1	1
Social Status	103	3	-	-	-	22	77	-	1
Country of Origin	19	-	-	1	-	7	11	-	-
Ethnicity	1	-	-	-	-	1	-	-	-
Race	4	-	-	1	1	1	1	-	-
Skin Color	2	-	-	-	-	-	2	-	-
Religion	7	1	-	1	-	1	4	-	-
Place of Origin	16	-	-	-	-	13	3	-	-
Ideology	1	-	-	-	-	-	1	-	-
Criminal Record	11	-	-	-	-	3	8	-	-
Sexual Orientation	8	-	-	-	-	1	7	-	-
Academic Background	19	1	-	-	-	6	12	-	-
Medical Record	13	2	-	-	-	1	9	-	1
Others	338	5	-	1	-	60	271	-	1
Total	2,013	35	5	36	1	584	1,336	7	9

2. Highlights of Complaints on Discriminatory Acts

A. Gender

■ Exclusion of male applicants to flight operation department

The male petitioner applied to A college to enter the flight operation department for air crew training and education but was rejected as the college only accepted female applications. The complainant found it to be gender discrimination and filed a complaint.

The respondent argued that one of the missions of the college is to nurture professional workers that are in high demand. Considering most airlines prefer to hire female cabin crew, the department also primarily aims to cultivate female flight attendants, said the college.

The Commission ruled against the respondent, because cabin crew members are responsible for providing in-flight services and helping passengers evacuate in case of emergency and the biological difference between a man and woman does not preclude any gender from executing these duties. Thus, excluding males from cabin crew jobs is merely a social prejudice of the gender role; contradictory to the basic rules on equal rights written in Article 11 of the Constitution; and falls into the category of discriminatory action violating the equal rights articulated on Article 2.3 of the NHRC Act.

The Commission, on March 23rd, recommended that the college correct its admission procedures and not exclude male applicants from the flight operation department, and the respondent accepted the recommendation and decided to accept male students starting from 2018.

■ Request to improve street cleaner employment tests unfavorable to female workers

City A applied the same physical fitness test rules for both male and female candidates based on the open competition principle, because giving leniency to females may appear as reverse discrimination to males, holding a large majority among the test-takers.

Against the complainant, the city argued that the existing test only measures basic physical strength, not advanced techniques; that one female passed the same test in 2014; and that the test score of the two females exceed the average in 2015.

The Commission on the other hand judged that strong physical strength is not a qualification of absolute necessity for street cleaners in City A as their main job is to clean the roadsides in the designated areas, although they need basic physical strength to perform their duties.

Also, the test may seem neutral on the surface as both men and women have to meet the same criteria; however, the test and its criteria are simply an imitation of those of other cities and neither had gone through an objective verification process to prove its properness nor had offered any evidence whether the biological difference was aptly considered for the testing method. Therefore, the Commission found the city's arguments ungrounded.

As physical strength varies among individuals, some women can outperform others, but they are exceptional cases. Also, other than the two women whose score was a bit higher than the male average (32 points), the female average (25) was far below the total average (31.8) in 2015. On top of that, the women's paper application scores were more or less the same with those of their male counterparts while their physical test scores were significantly lower. Given that, the Commission concluded that the test lacks legitimacy.

The following verdict said the test failed to take the biological difference into consideration and misjudged the qualification as an absolute necessity, leading to a competitive disadvantage for women; thus, it is a discriminatory act without good cause.

The Commission consequently recommended City A on December 24th to improve the street cleaner selection process by considering the inherent difference in physical strength between men and women, in order not to cause any disadvantage to female applicants. City A is currently reviewing whether to accept the recommendation or not.

B. Family Status

■ Restriction on elective right to join parents' association for step-parents

The MOE restricted step-parents from exercising their elective right to join a parents' association because parents in the school context refer to those with the legal guardianship of their child, and a mother's child born from the previous marriage and her new husband has no legal father-child relation unless they had gone through proper legal procedures such as adoption. Also, a school steering committee as a legal body must set strict rules on qualifications needed to join the committee and on the official resident registration of a re-married couple, a child from the previous marriage is recorded as a cohabitant. Therefore, the claim of legal guardianship from the step-parent may cause confusion.

The Commission however stated that many step-parents work as a guardian just like one's biological parents after divorce or re-marriage and the family composition in our society has been diversified due to the increase of re-married, single-parent, and grandparent-only families.

Therefore, instead of restricting the meaning of school parents to those with legal guardianship of their child, it is better to consider who has actually raised the child, said the Commission.

Also, the association members do not have to be capable of exercising the legal parental rights or the right of legal representation in performing their duties, and even if one's real and step parents run for election at the same time, the school can add a special clause to the relevant school manual book and prevent any confusion in advance, so that the child can get the most benefit out of the various options.

Accordingly, the Commission concluded: allowing real parents to join the association and restricting step-parents from participating in the association is a discriminatory act without proper reason, especially when step-parents are living with their child and fulfilling their responsibility of providing their child with the necessities of life just like other real parents. The recommendation was made on June 17th and the Ministry accepted it.

C. Sexual Harassment

■ Sexual harassment by a team leader in a foreign company

The complainant and her boss exchanged messages on the mobile messenger KakaoTalk regarding such issues as job assignment and instruction. At the end of the trip, the boss started to send inappropriate phrases like 'I am going to hug and carry you on my back,' or 'be my girlfriend' persistently. He also sent messages like '(my wife is) just one of family members,' 'committing an incest,' or 'I want to enjoy with you either physically or psychologically.'

It was understandable that the messages were sexually humiliating and aversive to the complainant and the Commission on March 4th recommended the respondent to take the Commission's special human rights lecture and told his company to take disciplinary action against him and the both agreed to the decision.

■ Male professor's sexual harassment to female colleagues

The complainants were university professors. In June 2014 of the summer session, they happened to join a get-together and the respondent made an indecent joke to one of the complainants and her female colleague, holding two pieces of bread and compare them to a specific body part of a woman. The female colleague tried to stop him but the respondent put a plastic bottle on his chest, rambling and acting in a sexually harassing way. As a result, the complainants as a group filed an accusation. An investigation revealed that at the gathering,

where the professors drank and enjoyed together, the respondent cracked a joke about a woman's private parts and acted as if he was squeezing something from his chest holding bread and a plastic bottle in hands. His behavior was sexually harassing enough to cause humiliation and unpleasant feeling not only from the perspective of the complainants but from an ordinary woman. The Commission advised the university president to take a disciplinary action against the respondent and recommended the respondent to take the Commission's special human rights lecture on June 17th. All the recommendations were accepted.

D. Medical History

■ Exclusion from employment due to type B hepatitis virus

The complainant received a letter of acceptance from a company but soon the offer was withdrawn because he carried the type B hepatitis virus.

The respondent argued that the complainant with hepatitis B would not be able to endure the working environment and the physical labor required and other workers may have a hygiene concern as they eat and share meals together. Also, other employees might be reluctant to work with the hepatitis carrier.

In contrast, the Commission found such argument irrational and subjective as it is based on a negative prejudice and rough assumption. The infection of hepatitis B does not occur just because some people share a space together according to the official statements of scholars in various associations; and therefore, the decision not to hire the complainant due to possible infection or reluctance of other workers cannot be seen as rational.

The Commission accordingly recommended the respondent not to repeat the same or similar discriminatory act on October 7th and the recommendation was accepted.

E. Social Status

■ Discrimination against students with Korean GED for non-scheduled university admission

In line with the ongoing public education normalization effort, the respondents (universities in Korea) deem students' high school scores and completion rate as the most important factor for a non-scheduled admission. Hence, those who passed the Korean General Equivalency Diploma (GED) cannot be assessed as they have no student record to refer to, and this is why they are limited to the non-scheduled admission, said the respondent.

The Commission acknowledged the need to prioritize students' high school scores and

completion rate when evaluating them for the non-scheduled admission, in order to contribute to the normalization of public education. Still, the argument was deemed ill founded because of the following reasons: first, people with economic difficulties, the elderly, defectors, those who were born and raised outside Korea for a longtime, and others who had unavoidable situations or who lived in an unfavorable environment have no option but to take a school qualification exam, and every university has to give an equal opportunity to them to join the unscheduled admission by making an equivalent or a similar evaluation criteria to those for ordinary high school graduates; second, discriminating against students with a GED for the reason that it is hard to find out an alternative for, or design something new comparable to, a school record cannot be justified; and third, some universities have already made an equivalent selection criteria or have offered conditional admission if an applier's KSAT score is higher than the minimum required standards. Given that, it is not impossible to replace a school record with others or create a new equivalent standard for students with a GED.

Students currently enter a university or college either through a scheduled or unscheduled admission; and for the latter, colleges and universities are allowed to select candidates in an autonomous manner. Nonetheless, if they prohibit students with proper aptitude, personality, and qualification required for the major they applied for due to applying for the unscheduled admission just because they have a GED, it is against the purpose of the school qualification examination policy and also is an act of discrimination without proper reason, mentioned the Commission.

The university presidents concerned were recommended on June 17th not to limit the application from students with a GED and also the Chairperson of the Korean Council for University Education was advised to improve the system and reflect the change on "the Basic Guide to University and College Admission" to give an equal opportunity to those students during the non-scheduled admission period.

Accepting the recommendation, the presidents concerned designed and announced the revised admission plan to prevent such exclusion from 2017. The Chairperson of the Council also plans to add a clause of providing students with GED with an equal chance for unscheduled admission to the 2019 Basic Guide to University and College Admission.

■ Exclusion of indefinite contract workers from allowances

The Commission judged that not giving any incentive and hazard pay at all to contract workers of indefinite duration is an act of discrimination violating equal rights, especially when their duties involve physical risk and hardship. Regular and contract workers may differ in terms of occupation type, wage structure, or work scope. However, 1) provision of incentive and hazard pay has little thing to do with one's work scope or degree of responsibility; 2) the purpose of the payments is to compensate the workers' direct and regular involvement in risky and harmful tasks in sewage and excreta treatment facilities; 3) the assigned tasks are as dangerous and hazardous to the complainant as they are to other regular public officials, and the complainant is therefore eligible for such payments, regardless of differences in obligation, task difficulty, and hierarchy; 4) the government employees and the police assigned for special guard in the department concerned receives the payments regardless of the jobs assigned; 5) and the complainant and other indefinite contract employees work in the same enthrone, just like the government employees in the department concerned.

The Commission on October 7th recommended that the mayor of City A offer a special allowance to indefinite contract workers by taking their risky and hazardous duties into account and the mayor accepted the suggestion.

F. Academic Background

■ Limitation on application to special recruitment of Police Administration Department

The complainant filed a complaint against the unfair discrimination of the special recruitment system of the police administration department, an examination to be a police officer (policeman). This recruitment system did not allow those who earn his or her credits from an academic credit bank system (ACBS) to apply for the department.

According to the investigation, one of the most significant qualifications for the department is professional knowledge related to each job position and whether the applicant graduated from the universities or the colleges listed in Article 2 of the Higher Education Act is of little importance.

Also, the respondent re-verifies professional knowledge of the applicants who earned more than 45 credits in a police administration major through a special paper exam. Therefore, the institution already has a tool to select the most qualified candidates and whether the applicant graduated from the universities and the colleges listed in the Higher Education Act or from

an ACBS institution is of no importance, as long as they earned enough credits in the police administration major.

Currently, only candidates who earned their credits in the police administration major from the universities and the colleges listed on the Higher Education Act can apply for the special recruitment of the police administration department, and those who studied in and earned their credits from an ACBS institution are excluded from special recruitment. This qualification, decided by the chief of the National Police Agency, was deemed as an act of discrimination without proper reason, and the Commission recommended him to revise Article 16.4.2 of the Decree on the Appointment of Police Officers to prevent such unfair exclusion.

The chief took an action to revise Article 16.4.2 and notified that candidates from an ACBS institution will be able to apply for special recruitment from the second selection period of 2016.

G. Religion

■ Special privilege to a certain religion in the process of teacher recruitment at a private school

The complainant was not able to apply for High School A, the respondent in this case, because one of the required documents was a 'certificate of baptism', and failed to pass the application phase after applying for the short-term teaching position without the certificate. The complainant filed a complaint against this as a possible form of religious discrimination.

The Commission first acknowledged that in accordance to Article 20 of the Korean Constitution about freedom of religion, the respondent can establish a school based on a certain religious faith and operate the school and design the curriculum following its creed.

However, the Constitution also stipulates the rights not to be religiously discriminated against in the Article 11 and in the Article 15 about freedom of occupation. When Articles contradict each other, the most proper solution must be sought in order to realize all the conflicting rights to the fullest possible extent. Freedom of religion therefore cannot be a reason to violate one's fundamental right to choose the job he or she wants.

Also, the required documents part of the job advertisement, posted by the respondent, specifically tells which documents must be submitted and which documents should be prepared 'if available.' The school argued that they requested the certificate of baptism only if it is available; however, it is hard to read or guess such an intention in the advertisement. In reality, it may have caused damage to some job seekers by discouraging them from applying for the

position as they could not prepare the certificate at all.

Accordingly, the recommendation was made not to give a special privilege to a certain religion by requesting a certificate of a faith when hiring teachers or school staff, and the chairperson of the respondent soon notified that the certificate of baptism will not be a required document but an optional document.

H. Disability

■ Discrimination against people with disability due to absence of crosswalk

On the main street of Busan, between Seomyeon Station and Kwangmu Bridge, there is no crosswalk and people with disability in a wheelchair cannot cross the street. The petition was made in July 2014, and an investigation found that pedestrians usually go down the stairs to the underground shopping area and then go up again to cross the main street as there is no crosswalk on the ground. People with disability in a wheelchair therefore have no option but to use the elevator installed in Seomyeon Station or to walk 700m from Seomyon Intersection to Kwangmu Bridge and use the crosswalk near the Bridge.

Since 2008, the same petitions have been filed for four times to the district police agency; however, the respondent refused to accept it because a new crosswalk may increase traffic congestion due to the increase in waiting time for a signal and also the owners of the underground market filed a counter-petition. The respondent instead proposed the idea of installing an elevator by the local government in charge of the underground market or by the private shop owners.

However, the Commission judged that instead of focusing on reducing traffic signal waiting time, creating a pedestrian-centered environment through traffic dispersion or reduction can be a more effective, fundamental countermeasure for congestion. Also, individuals who run a shop near roads with or without a crosswalk cannot claim the right to guarantee its profits or interests regarding crosswalk installation, because there is no legal basis for such a claim.

Lastly, even if a new elevator is built, the purpose of this facility should be to provide a better shopping environment for the underground market, not to replace a crosswalk.

Therefore, the respondent obviously failed to build a crosswalk on the main street concerned for no good reason, and it is a discriminatory act against people with disability and a violation of the equal right stipulated in Article 11 of the Constitution. The Commission on March 30th recommended the respondent to draw a new crosswalk on the main street between the crossroad

at Seomyeon Station and Kwangmu Bridge, and advised the city mayor to offer administrative and financial support to improve the pedestrian environment nearby and help people with disability and those in need of help to cross the street without difficulty.

■ **Refusal of writing notes for people with brain disorder taking a tax account civil service exam**

The complainant, who had a grade 1 brain disorder, applied in 2015 for a special public service examination for grade 7 (principal clerk level), a position reserved for people with disability. During the paper exam, the respondent asked the supervisor Ministry of Personal Management to offer a person who can write down notes for the petitioner, as the accounting exam has a lot of calculation questions and it is necessary to write down numbers and formulas for that. Being refused, the complainant sought an urgent mediation on July 29th, 2015.

The MPM argued that test-takers can use an assistant writer only when filling in an OMR answer sheet because any other intervention of the third party might undermine the original purpose of the exam; the personality, calculating skills or communication ability of an assistant may have a distortive influence on the exam outcome; and the exam is highly competitive and any unnecessary help can be a relative disadvantage to people with other kinds of disability.

In contrast, the Commission believed that those who cannot write notes themselves have to rely on mental calculation when solving accounting questions, and this is a significant disadvantage when compared to other test-takers without such difficulty. Also, an assistant simply writes down numbers or symbols told by the petitioner, and this assistance does not provide a more favorable condition when compared to others who write down notes on a blank space themselves. The respondent can even personally select an assistant among exam supervisors and instruct how and to what degree an assistance can be made, and the concern regarding an unnecessary intervention can be resolved by doing so.

Therefore, it is necessary to provide such a convenience to the complainant in accordance with Article 10 and 11 of the Anti-Disability Discrimination Act enacted to realize the substantive equal right prescribed in Article 11 of the Constitution, said the Commission. The Minister was advised on August 20th to offer an assistant writer for people with writing difficulty during the next open competition-based accounting exam for a grade 7 public officer job to be held on August 29th, 2015 and to provide any necessary convenience to others considering the nature of each exam and a taker's disability in the future. The respondent accepted the recommendation and offered the service to the complainant thereafter.

■ Discrimination against teachers with disability when evaluating employee performance

During the ‘employee performance evaluation’ for performance pay, teachers with disability experienced disadvantage because they took sick leave for rehabilitation treatment. Considering it as a discrimination against people with disability, the Commission on August 20th recommended education offices for each city and province as well as each school to put an end to such discrimination by enhancing supervision and giving the proper instruction.

Under Article 11.1.2 of the Anti-Disability Discrimination Act, an employer has a responsibility of giving more consideration to people with disability, for example, by allowing them to change their working time to receive rehabilitation services, functional evaluations or treatments. Yet, A elementary school imposed penalty points to the teacher with disability for using sick leave and this is a breach of Article 4.1.2 and Article 10.1 of the Anti-Disability Discrimination Act, which prohibits discriminatory acts against people with disability.

The MOE, the respondent in this case, on March 2016 accepted the recommendation and now plans to notify the education offices of each city and province as well as each school not to repeat such discriminatory acts against teachers with disability when evaluating their performance. The Ministry also pledged not to include any discriminatory performance evaluation criteria in its 2016 guideline for performance-based pay for teachers, to be written in March of 2016.

■ Indirect discrimination against hearing-impaired people while hiring civil officers

The complainant with a grade 2 hearing impairment applied for a public librarian with experience position at A library, but felt being indirectly discriminated because the director of the library applied the same evaluation standards to people with a serious hearing deficiency, instead of preparing another set of criteria for them.

After an investigation, the Commission decided that such recruitment and hiring procedures are discriminatory against people with a hearing difficulty and is a violation of Article 10.1 of the Anti-Disability Discrimination Act. A library requires every applicant to have a listening ability as a basic qualification without exception, but a listening ability might not be a qualification of absolute necessity depending on the position they applied for and thus applicants with hearing disorder can be exempted from such qualification.

Consequently, the recommendation was made to the director on September 18th to improve its hiring procedures in order not to require a listening ability test to people with hearing

difficulty, unless it is absolutely necessary for the duties to be assigned to them.

I. Age

■ Age restriction to be a culture and tour guide

The complainant filed a complaint in August 2015 against 'the Tourism Promotion Ordinance for City A' designed by the city mayor. The law in principle set an age limit on culture and tour guides, less than 70 years old.

The respondent argued that the duties of a culture and tour guide often include much physical hardship including walking around vast areas for a long time and thus the age limit is unavoidable for the sake of employees' health. However, the Commission contradicted that giving a physical fitness test or receiving a medical report seems like more reasonable way of evaluating an applicant's health status, instead of setting an irrational limit such as age. Another reason for the age limit suggested by the respondent was the travelers' general preference for younger guides. However, if it means that older guides are less capable of explaining cultures and heritages and thus are not preferred by travelers, this argument is also unfounded and lacks a concrete rationale as it is only based on an inappropriate prejudice against the aged, said the Commission.

It looked unreasonable to set an age limit and constrain a specific group from applying for the job, instead of giving them a chance to take the exam for the culture and tour guide. Accordingly, the recommendation was made on December 24th to abolish the age limit.

J. Others

■ Exclusion of Korean nationals living abroad from child care subsidies

The petition was made that it is unfair to exclude Korean nationals living abroad with a valid citizenship and a resident registration number from receiving child care subsidies.

Along with child care subsidies, the Commission also studied the preschooler education subsidy managed by the MOE and found out that there was no specific clause that excludes Korean nationals living abroad from receiving the subsidies for their child in Korea based on the relevant laws, including the Infant Care Act and the Early Childhood Education Act, which are both a legal basis for such subsidies and for free child care and educational service. Also, it turned out that the subsidies are paid based on the use or the attendance of a child at a daycare

center or a kindergarten, regardless of the receiver's income or wealth level.

The subsidies are an investment in the nation's future human resources and demonstrate the enhanced responsibility of the nation for child education. Therefore, a child who has a valid nationality and lives in Korea must be able to enjoy the same benefit, and whether to give such benefit to Korean nationals living abroad too does not require a separate social consensus, stated the Commission.

Hence, excluding Korean nationals living abroad from receiving the child care and education subsidies for their children in Korea is an ungrounded discriminatory act. As long as their child lives in Korea continuously, any exclusion from child care or from education benefits enjoyed by other children of the same age is a breach of Article 26 of the Convention on the Rights of the Child and of the nation's responsibility to be faithful to such a convention.

The Commission on October 7th recommended the Minister of Health and Welfare and the Minister of Education to allow a child of a Korean national living abroad to receive the child care and education subsidy as long as their children currently live in Korea and attend to a kindergarten established in accordance with the Early Childhood Education Act or a daycare center founded on the basis of the Infant Care Act.

■ Discriminatory restriction of candidacy for class election on punished students

The complainant, as a high school student, ran for a class election and was elected as a vice class president, but the election was nullified because the complainant was previously disciplined, punished and required to do in-school voluntary works. Shortly thereafter, the complaint was made.

The Commission commented that it is understandable to limit the participation of students with a disciplinary history in the school election, as a student council and its members need to set an example for others. However, those members must be selected by the hands of students and the election is already a proper tool to verify their capability and qualification. The school could have come up with a better alternative, less invasive to student basic rights, by considering the seriousness and background of the disciplinary action imposed, whether the misdemeanor was repeated, how much he or she repent for the wrongdoing, and how much time has passed since the punishment. Nonetheless, the school uniformly disqualified punished students from the class election and this violated the principle of proportionality.

From the educational point of view, a student should not be restrained from joining the

election if he or she received just a minor punishment or expressed signs of regret or if a considerable time has passed without showing any additional wrongful behavior.

Given that, it is an unreasonable discrimination if all students with disciplinary history cannot be a member of a school council, regardless of type of the misdemeanor, seriousness of the punishment, the amount of time passed, or signs of regret.

The Commission on October 7th recommended the principle to revise its 'regulation on school life' while taking the nature of each discipline into consideration when disqualifying some students from running for a school election.

■ Union A's retirement age discrimination

At Union A, the respondent in this case, managers retire at the age of 60 and other employees leave the company at 55. Some employees found it discriminatory and filed a petition.

The previous rulings of the Commission all show that determining an employees' retirement age based on their rank and position is an act of discrimination violating equal rights. This is because 1) the boundary between the duties of the lower rank and the duties of the higher rank is vague; 2) changes of rank often occur through such as promotion; 3) employees at a higher rank do not uniformly need to stay at the company longer than those at a lower position; 4) it is unclear whether the change of retirement age would lead to a promotion bottleneck or to an oversized organization; and 5) retirement age has little to do with the difficulty of duties or the necessity of seasoned experience or managerial ability.

Also, the respondent was not able to prove the correlation among the company's financial difficulty, the promotion bottleneck, and the retirement age. Even if the complainant failed to get a certain license or displayed an improper behavior, they are a matter of performance or personal management, not of retirement age. Therefore, none of the reasons above are sufficient to differentiate retirement age between managerial and other positions. Also, all employees start from the same starting point at the time of hiring and the difference appears when some of them get promotions. Their promotion into a managerial position can be a basis for giving better employment conditions, such as a higher salary, since they have more responsibility with greater authority and deal with more difficult tasks. However, these cannot be reasons to additionally put off their retirement.

Another argument of the respondent was that ordinary workers meet clients in person and have to provide various face-to-face services while executing other relevant tasks, and

therefore the aged employees are significantly less capable of performing such duties. Yet, the Commission believed that such an argument is nothing more than a negative bias against aged employees and lacks rationality.

The Commission therefore on December 24th recommended the respondent to revise its Personal Policy Guideline as Article 27 (Retirement Age) of the Guideline treats managerial positions differently from other positions and it is 'an act of discrimination violating equal rights.'

Section 4. Human Rights Counseling and Complaint Filing

In 2015, the NHRCK received 10,687 complaints, 32,028 counseling cases, and 37,957 civil petitions and inquiries (including information provision about subjects of investigations, the filing procedures, and other institutions). Compared to the previous year, complaints decreased by 2.1% (229 cases) and counseling cases by 2.1% (2,519 cases) while civil petitions and inquiries increased by 3.7% (1,335 cases).

[Table 2-2-9] Complaints, Counseling Cases, Inquiries, and Civil Petitions by Year

(Unit: case)

Year	Complaints	Counseling Cases	Civil Petitions / Inquiries	Total
Cumulative	99,914	268,658	344,553	713,125
2015	10,687	32,028	37,957	80,672
2014	10,916	34,547	36,622	82,085
2013	10,056	35,508	36,670	82,234
2012	9,582	29,267	30,943	69,792
2011	7,357	25,303	26,068	58,728

※ Cumulative Total: November 2011 - December 31st, 2015 (Counseling cases include closed cases after in-person counseling), the statistics above are possibly different from previous ones as a result of error and data correction.

1. Human Rights Counseling

A. Counseling

Since the establishment until December of 2015, the Commission has taken care of 268,658 counseling cases, a modest decrease from 32,028 cases of the previous year. In 2015, counseling on human rights violation accounted for 44%, discriminatory acts for 8.3%, others for 44.1%, and closed cases after in-person counseling for 3.6%. Other cases include cases on the infringement on property rights, disputes among individuals, legislation by the National Assembly, or court rulings.

[Table 2-2-10] Counseling by Year

(Unit: case, %)

Year \ Cat.	Cumulative		Human Rights Violation		Discriminatory Acts		Others		Closed Case after In-person Counseling	
Cumulative	268,658	100.0	101,173	37.7	23,489	8.7	120,647	44.9	23,349	8.7
2015	32,028	100.0	14,081	44.0	2,660	8.3	14,130	44.1	1,157	3.6
2014	34,547	100.0	13,859	40.1	2,974	8.6	16,531	47.9	1,183	3.4
2013	35,508	100.0	13,787	38.8	2,978	8.4	17,421	49.1	1,322	3.7
2012	29,267	100.0	11,823	40.4	2,529	8.6	13,549	46.3	1,366	4.7
2011	25,303	100.0	8,957	35.4	2,293	9.1	12,692	50.1	1,361	5.4

※ Cumulative Total: November 2011 - December 31st, 2015, the statistics above are possibly different from previous ones as a result of error and data correction.

※ Closed cases after in-person counseling are neither classified as human rights violations nor discriminatory acts.

B. Counseling on Human Rights Violations

The analysis of counseling on human rights violations by organization revealed that counseling about facilities that care for many persons took up the largest share of the 7,861 cases (55.8%). This type of counseling has been on the rise since 2010. Followed by a slight short-term decrease in 2014, it increased again by 5.4% with a total of 7,861 cases in 2015.

One of the reasons for the rise in counseling cases on facilities for caring for many persons is that the Commission has expanded its human rights education for staff working in such facilities while monitoring each facility's operation and installing more petition boxes on the premises. The Commission has visited mental health and other facilities regularly to investigate whether petition boxes have been installed or not and substantive improvement has been made in many facilities, mainly in the places visited by the Commission.

Police-related counseling, which occupied the largest share until 2007, has held second place after 2008, outpaced by facilities for caring for many persons, and recording 2,113 cases in 2015. Other major categories include the counseling on schools with 821 cases, local governments with 602 cases, other national institutions with 584 cases, public-service-related organizations with 376 cases, and military with 350 cases.

The number of counseling on detention facilities is relatively lower, as people in detention cannot make a call easily and usually rely on a paper or face-to-face petition.

[Table 2-2-11] Counseling on Human Rights Violations by Organization and Year

(Unit: case)

Year	2011	2012	2013	2014	2015
Total	8,957	11,823	13,787	13,859	14,081
Prosecution	291	339	323	282	271
Police	1,849	2,021	2,236	2,236	2,113
National Intelligence Service	12	15	26	6	13
Special Judicial Police	-	-	-	-	-
Local Government	679	666	573	673	602
Judicial Institution	140	194	180	154	128
Legislative Institution	1	1	4	5	11
Other National Institutions	568	565	583	630	584
Detention Facilities	219	232	325	266	335
Facilities for caring for many persons	4,119	5,774	7,591	7,463	7,861
Protective Facilities	-	-	-	-	-
Military	337	366	337	502	350
Schools	453	868	815	931	821
Public Service-related Organizations	-	300	350	378	376
Immigration Office	53	65	48	38	70
Others	236	417	396	295	546

※ These statistics show accepted cases only, excluding closed cases after in-person counseling. The data above can be different from previous ones as a result of error and data correction.

C. Counseling on Discriminatory Acts

The analysis of counseling on discriminatory acts by reason shows that the counseling on disability like the previous year came in first with the share of 37.4%. The second was about sexual harrasment with the share of 27.3%. The counseling on social status came in third (7.2%), followed by age-related discrimination (4.7%).

[Table 2-2-12] Counseling on Discrimination by Reason and Year

(Unit: case)

Category	2011	2012	2013	2014	2015
Total	2,293	2,529	2,978	2,974	2,660
Age	61	68	78	72	64
Religion	22	15	11	17	24
Disability	833	937	1,112	1,072	994
Age	142	158	197	155	126
Social Status	157	198	231	213	192
Place of Origin	8	14	10	18	10
Country of Origin	55	42	64	69	54
Ethnicity	3	2	5	3	4
Appearance	27	27	39	55	33
Marital Status	16	8	11	12	15
Pregnancy/Delivery	31	45	45	47	54
Family Status	15	16	17	23	25
Race	2	4	8	5	6
Skin Color	-	2	4	2	2
Ideological, Political Opinion	5	4	3	6	1
Criminal Record	22	42	44	39	29
Sexual Orientation	4	4	5	12	8
Medical History	67	71	75	83	61
Academic Background	28	30	38	24	24
Sexual Harrassment	661	602	764	819	726
Others	134	240	217	228	208

※ These statistics show accepted cases only, excluding closed cases after in-person counseling. The data above can be different from previous ones as a result of error and data correction.

[Table 2-2-13] Counseling on Others by Year

(Unit: case)

Category	2011	2012	2013	2014	2015
Total	12,692	13,549	17,421	16,531	14,130
Dispute among Individuals	2,733	2,367	3,126	2,482	2,018
Company	1,375	1,456	1,789	1,804	1,726
Other Organizations	301	227	255	300	247
Property Rights	452	467	615	390	382
Improvement to Legal System	95	209	252	211	193
Legislation/Lawsuit	466	375	451	316	263
National Institution	615	851	913	439	366
Inquiry to Commission	985	2,081	3,061	3,525	3,179
Complaint to Commission	327	388	473	424	345
Legal Inquiries	453	659	898	859	770
Suggestion to Commission	106	110	93	69	39
Non-discriminatory	211	121	107	39	53
Private School	122	19	-	-	-
Others	4,451	4,219	5,388	5,673	4,549

※ These statistics show accepted cases only, excluding closed cases after in-person counseling. The data above can be different from previous ones as a result of error and data correction.

2. Reception of Complaints

Since the foundation in November 2001, a total of 99,914 complaints have been filed. Among them, 76,761 cases (76.8%) were about human rights violation, 20,974 (21%) were about discriminatory acts, and 2,179 (2.2%) were about others. In 2015, 8,496 (79.5%) human rights violation cases were reported, along with 2,183 cases (20.4%) of discrimination. Private schools and public-service-related organizations started to be included from 2012, and this change contributed to a continuous rise in the number of total complaints. However, domestic and overseas situations in 2015, including the MERS outbreak, led to a modest decrease by 229 cases, compared to the year before.

[Table 2-2-14] Received Complaints by Year

(Unit: case)

Year \ Cat.	Cumulative		Human Rights Violation		Discriminatory Acts		Others	
Cumulative	99,914	100.0	76,761	76.8	20,974	21.0	2,179	2.2
2015	10,687	100.0	8,496	79.5	2,183	20.4	8	0.1
2014	10,916	100.0	8,701	79.7	2,197	20.1	18	0.2
2013	10,056	100.0	7,457	74.2	2,496	24.8	103	1.0
2012	9,582	100.0	6,946	72.5	2,549	26.6	87	0.9
2011	7,357	100.0	5,425	73.7	1,803	24.5	129	1.8

※ Cumulative Total: November 2001 - December 31st, 2015. The data above can be different from previous ones as a result of error and data correction.

※ The total number can be increased if the case is divided into several parts after the reception.

3. Circuit Counseling

The Commission in 2015 conducted 10 rounds of door-to-door circuit counseling for socially disadvantaged people and vulnerable social groups. The door-to-door circuit counseling offers an effective, practical one-stop counseling service on site and collects petitions, if needed, for a near-term remedy. Starting from the first counseling for people affected by AIDS on March 26th at Mapo, Seoul, the Commission visited the Sorokdo National Hospital at Goheung, Jeollanamdo Province and other relevant organizations at Wonju in Gangwon Province, Ansan in Gyeonggi-do Province, and Taebaek and Sabuk in Gangwon-do Province. Building on these exchanges, the Commission has expanded and strengthened the network of continuous, mutual cooperation and has reinforced its position as a leading human rights safeguard.

Going forward, more circuit counseling services will be provided to actively collect petitions and refer some of them to other proper institutions if necessary, so that the petitioners can get practical help. Moreover, the Commission will actively help those who have little knowledge about the Commission's roles and activities receive the necessary information. These plans will enable the circuit counseling program to be more constructive and useful.

4. Face-to-face Complaints

In accordance with Article 31 of the NHRC Act, a member or a staff of the Commission must visit a detention or a facility for caring for may people if a petitioner in such facilities requested

a face-to-face talk. The dispatched officer can receive the petition either by paper or by an oral statement. This system aims to guarantee the right to make a petition for a person in a detention or protective facility.

From November 2001 to December 2015, 48,635 cases were closed out of a total 48,779 complaints. The remaining 144 is still ongoing. Among the closed cases, 12,913 (26.6%) cases were accepted as a complaint, 23,349 cases (48%) were closed through counseling, and 12,373 cases were withdrawn by the complainant. The cases closed through counseling were mostly about simple inquiries into the complaint already accepted, or investigations or lawsuits that cannot be intervened upon according to the Commission's rules and regulations.

Thanks to the promotion of filing by mail, which started from 2010, petitioners in facilities began to submit petitions by mail more and more often, contributing to a continuous drop in face-to-face complaints from 3,117 cases in 2011 to 2,658 in 2015. This change improved the efficiency of the face-to-face channel.

It seems necessary to set a clear division of roles, for example, the Commission deals with human rights violation and discrimination complaints, including physical assault cases; Korean Legal Aid Corporation takes care of counseling service related to litigation; the Ministry of justice takes charge of improving facility accommodation systems and relevant environments; and each facility handles personal grievances.

[Table 2-2-15] Face-to-face Complaints by Year

(Unit: case, %)

Cat. Year	Carried -over	Sub mission	Closed								Average Days
			Subtotal		Withdrawn		Complaints		Closed through Counseling		
Cumulative.		48,779	48,635	100.0	12,373	25.4	12,913	26.6	23,349	48.0	
2015	213	2,658	2,727	100.0	916	33.6	654	24.0	1,157	42.4	22.4d
2014	218	2,874	2,836	100.0	966	34.1	687	24.2	1,183	41.7	20.9d
2013	202	3,068	3,095	100.0	992	32.0	781	25.3	1,322	42.7	22.3d
2012	201	3,070	3,069	100.0	989	32.2	714	23.3	1,366	44.5	27.9d
2011	139	3,117	3,055	100.0	1,019	33.4	675	22.1	1,361	44.5	20.9d

※ Cumulative Total: November 2001 - December 31st, 2015. The data above is possibly different from previous ones as a result of error and data correction.

5. Civil Petitions and Inquiries

The Commission as an exclusive public agency on human rights processes various civil petitions besides the receipt of complaint and investigation works. Even when the petition does not fall under the duties stated in the NHRC Act, the Commission works hard to solve the complainant's inconvenience by seeking other forms of remedy, referring the case to other relevant institutions or organizations, or getting legal advisory from other agencies on its behalf. The Committee also offers information about the institutions under investigation or filing procedures as well as major recommendations made by the Commission.

In 2015, a total of 14,673 civil petitions were made and this increased number evidences growing awareness of the Commission. In terms of the tools used for filing, internet was the primary means as 4,673 cases (49.3%) out of a total of 14,673 were filed on the internet (official webpage or email). 4,747 cases (32.4%) were received by mail or fax and 2,552 cases (17.4%) by e-People (online civil participation portal service).

[Table 2-2-16] Complaint Resolution by Channel and Year

(Unit: case, %)

Year \ Cat.	Total		Mail/Fax		Internet		Presidential Secretariat		e-People		Others	
Cumulative	128,766	100.0	35,503	27.6	76,358	59.3	614	0.5	15,901	12.3	390	0.3
2015	14,673	100.0	4,747	32.4	7,234	49.3	30	0.2	2,552	17.4	110	0.7
2014	14,292	100.0	4,940	34.6	7,275	50.9	14	0.1	2,036	14.2	27	0.2
2013	13,222	100.0	3,321	25.1	7,018	53.1	15	0.1	2,839	21.5	29	0.2
2012	12,213	100.0	3,017	24.7	6,845	56.0	57	0.5	2,263	18.5	31	0.3
2011	10,974	100.0	2,809	25.6	6,575	59.9	26	0.2	1,536	14.0	28	0.3

※ Cumulative Total: November 2001 - December 31st, 2015. The data above is possibly different from previous ones as a result of error and data correction.

Chapter 3. Education and Publicity for the Promotion of Human Rights Culture

Section 1. Overview

Based on Article 19.5 and Article 26 of the NHRC Act, the Commission offers human rights education and carries out related promotion activities to raise and enhance people's awareness about human rights. Recognition is a prerequisite to enjoy human rights and thus human rights education and promotion activities for the purposes above lay a foundation of building an equal society where human rights are properly respected. One of the noteworthy features of 2015 is the increasing interest in how to see and resolve the human rights situation in infant care facilities and military. In order to efficiently respond to this growing interest, the Commission has conducted various programs through education and promotion activities.

Human Rights Education

Unfortunately, the Support for the Human Rights Education Act intended to build an institutional basis for human rights education but soon foundered due to the opposition of various groups. The Commission, however, will make another effort to initiate the legislation. On the other hand, enhancing the training programs for human rights teachers turned out to be highly meaningful as it consolidated the foundation of supplying high-quality instructors in a stable manner, responding to the soaring demand for human rights education.

Another major strive was the cooperation network establishment. For this network, the Commission developed human rights education content by area, co-designed the curriculums with relevant institutions, and organized the Experts Committee as well as the education conferences. Also from 2015, the four local human rights education centers newly opened to improve educational accessibility and convenience, and to upgrade work efficiency and education quality.

Promotion

Along with the education, the Commission has engaged in a wide range of promotion

activities to improve human rights sensitivity as well as awareness. According to the recommendations and investigations made by the Commission, a total of 182 news materials were released to the press and on the official webpage regarding major works, activities, and current issues. Also, the Commission provided the public with information through 800 rounds of media and press interviews so that the public can better understand the Commission's opinions and ongoing programs.

Moreover, the 4th Human Rights Press Award in 2015 was held, showing the Commission's will to continue the award. Also, Insooni, a legendary biracial Korean singer, as a public human rights ambassador introduced the Commission and joined the radio campaign for human rights-friendly language promotion in November on KBS FM and CBS FM. Other major tools used for the promotion include internet, publication, and videos.

The 'Human Rights Contest' was a chance to enhance human rights sensitivity and forge a human rights-friendly culture by appreciating related papers, essays, and advertisement together. Celebrating the 13th birthday, the three influential directors jointly planned and produced the movie in omnibus format while trying to discover a new subject matter.

Section 2. Major Achievements

1. Institutional Foundation for Human Rights Education

A. Institutionalized Human Rights Education in School, Public, and Civil Areas

Human rights education is one of the main missions of the Commission, as the only national agency specialized in human rights education, based on Article 26 of the NHRC Act. The Commission has been monitoring society to ensure systemic human rights education on various areas including public, education, and protective institutions while analyzing the relevant laws and regulations to enhance its planning and policy recommendation function. As part of the institutionalization effort, the Commission expressed its opinions on how to provide better education for daycare center teachers, migrant sailors, and social workers through legislative improvement. This helped the Commission enhance its policy recommendation function and contributed to the institutionalization of human rights education through legislative improvement.

On the other hand, the ‘debate on the current status of human rights education in higher institutions and its desirable future direction’ on June 25th and the experts’ meeting on September 22nd were held to offer a chance to discuss how to promote human rights education at higher institutions, the 2nd World Program for Human Rights Education aimed for better education at colleges and universities as its main target. In particular, the human rights education materials about social welfare designed by the Commission were distributed to encourage the higher institutions nurturing social workers to open human rights-related subjects, and some institutions have started such courses.

The United Nations on December 10th, 2014, adopted the World Program for Human Rights Education through the resolution 59/113 at the General Assembly and urged journalists and media workers to enhance their human rights education during the third World Program for Human Rights Education period (2015-2019). The Commission, in order to contribute to the third program’s success, concluded a research contract to develop the textbook entitled “Journalism and Human Rights.”

In 2015, four rounds of legislative consulting meetings on the Support for Human Rights Education Act took place to evaluate past progress and talk about the future actions to be taken, and collected advises from the outside three times for an in-depth review on the current status of, and controversial issues regarding, the enactment of the Act.

B. Improving Human Rights Education in Primary and Secondary Schools through Text-book Monitoring

Through a contracted basic research, the Commission has developed human right education textbooks for primary and secondary schools and has looked into the discrimination or human rights violation-related cases in the current textbooks. The 2015 curriculum revision (combined curriculum) decided to integrate the liberal arts with the natural sciences tracks for a more integrated education while adjusting the burden of study to a proper level, opening a variety of new optional subjects, and offering more debate-based lectures. Against this background, the research aimed to reflect human rights elements into the entire curriculum as much as possible by monitoring whether human rights-related content has reduced in the revision process or not. This textbook monitoring has been the primary activity of the textbook development project for primary and secondary schools, and it forged a basis to convene the publisher's workshops for human rights-friendly textbooks to be held in 2016 and to author a guidebook for such textbooks.

Also, the Commission concluded the 'agreement for human rights promotion' with 11 universities to further invigorate human rights education in college and university, and designated and nurtured some of them as a center for human rights education research and as a hub for human rights education, research, and regional network building. The Commission operates the summer and winter internship programs at law schools, mainly in the universities signed on the agreement, to cultivate human rights experts and the two internship programs were provided in 2015 accordingly.

2. Building Domestic and International Cooperation System for Human Rights Education

The Commission is working on building a domestic and international cooperation system to

spread human rights education and make it widely available. To create a stronger coordination network with relevant institutions, the Commission organized the Human Rights Education Councils for military, schools, homeless people, senior citizens, and infants and discussed training plans for field workers in each council. The Council for senior citizens strengthened its cooperation among council members to monitor the education situation in welfare facilities and to resolve the shortage in the supply of lecturers. The Council for infants went through consultations with relevant local government officers to implement the mandatory human rights education for infants program initiated as a result of the revision of the Infant Care Act this year.

The Commission held two rounds of the Experts Committee meeting on June 10th and November 26th, respectively, to collect advises from its members regarding the things that must be considered and the future direction.

Local governments have expressed their growing interest in human rights by for example, making new human rights ordinances, and the Commission therefore has focused on giving them the right direction by opening the workshop for the program operators of each local government. Moreover, the agreement was made with provincial and metropolitan city education offices to make school environments more human right-friendly. As Gangwondo Province, Gyeongsangnamdo Province, and Daejeon Metropolitan City joined the agreement in 2015, the Commission has signed an MOU with six local education offices so far.

The Commission also participated in the 6th Annual International Human Rights Education Conference held in Middelburg, Netherlands from December 17th to the 19th, 2015, and shared its current situation with others and contributed to forging a stronger international network.

3. Spreading Human Rights Education through Centers

A. Efficient Operation of Centers and Current Status of Human Rights Education

The Commission in 2015 opened four human rights education centers in Busan, Gwangju, Daegu, and Daejeon. Along with Seoul and Chungju center, a total of six centers are in operation and have been working to create the standards and systems for various education centers and ensure the overall stability. In particular, starting from 2015, the centers will offer the training programs for human rights lecturers by region in four areas – immigration, children, disability, and mental health – to promote localized education.

Also in 2015, 2,509 rounds of human rights education activities, including internships, door-to-door programs, online forms of education, and special lectures, were provided for 145,322

participants. Compared to the previous year, the number of education activities went up by 7.5%, but the number of participants went down by 11.5%.

[Table 2-3-1] Human Rights Education by Year (2011-2015)

Cate.	Total		Internship		Door-to-door Program		Online Education		Special Lecture	
	Session	Person	Session	Person	Session	Person	Session	Person	Session	Person
Cumul.	12,846	1,031,479	1,826	82,140	1,276	36,517	1,117	192,319	8,627	720,503
2015	2,509	145,322	438	18,468	239	9,194	353	34,635	1,479	83,025
2014	2,334	164,075	334	14,325	206	4,926	288	34,744	1,506	110,080
2013	1,834	168,580	245	11,382	159	4,588	150	39,654	1,280	112,956
2012	1,300	124,937	214	10,456	119	2,204	109	21,550	858	90,727
2011	1,167	114,097	166	7,064	153	3,019	71	14,681	777	89,333

※ Cumulative Total: November 2001 - December 31st, 2014.

The Commission in particular offered the statutory human rights education for workers in mental health and homeless facilities to promote the rights of socially and economically vulnerable homeless people and of those living in mental health facilities while cultivating infant human rights education professionals to provide a systemic education by age. Also, the programs for higher human rights sensitivity were given to public officers by region including Seoul, Gwangju, and Gangwon. Moreover, the ‘door-to-door human rights special lectures’ were organized to create a better environment to children with disability and immigrants and to prevent school violence under the various themes: school violence prevention (233 rounds, 16,945 participants), disability (63 rounds, 3,955 participants), immigration (44 rounds, 2,086 participants), sports (38 rounds, 1,373 participants), infant (39 rounds, 725 participants), and others (2 rounds, 160 participants).

B. Operation of Various Human Rights Programs

In 2015, the Commission completely reformed and expanded its human rights programs for expert training and education in order to be a leading training institution. The training program lasts for eight days - three days for basic education, three for intermediate, and two for advanced. The online education and evaluation followed by a teaching practice were also provided in-between. The Commission appointed those who completed the course as a certified human rights lecturer and they formed the human rights education group.

The Commission carried out offline education programs about school, public, and civil areas 438 times (18,468 participants) in 2015 to respond to society's demand and spread a culture of respect towards human rights, including training for instructors and programs for higher human rights sensitivity.

[Table 2-3-2] Details of Human Rights Programs in 2015

Cate.	Direct Education			Support		Total
	Offline		Online	Special Lecture	Door-to-door Special Lecture	
	Training	Visiting Program	Cyberspace			
Session	438	239	353	1,060	419	2,509
Person	18,468	9,194	34,635	57,781	25,244	145,322
Total	1,030 rounds, 62,297 participants			1,479 rounds, 83,025 participants		

The operation history shows that a total of 72 rounds of training were provided in 2015 in 10 areas high in demand (military, disability, mental health, children, infants, senior citizens, homeless people, migrants, sports), contributing to the quantitative and qualitative growth of human rights education. Also, the curriculum has become more systemic thanks to the level-based structure – basic, intermediate, advanced.

To promote human rights sensitivity, human rights recovery and right-to-information programs were offered to public officers, police, local assemblymen, school operators, teachers, infant care givers, businessmen, defectors, journalists and school inspectors. The mandatory training for workers in mental health institutions were given 105 times (5,636 participants) and 35 times (1,520 participants) for those working in homeless facilities.

1) Programs on Higher Human Rights Sensitivity for Public Officers

From 2010, the Commission started its human rights education for public officers so that they can better reflect human rights elements when they design and execute various policies. In 2015, local public officers and police officers took the programs for higher human rights sensitivity, and policemen and fire-fighters joined the newly-opened human rights recovery programs.

2) Military Human Rights Education Programs

The Korean military has experienced a series of shooting spree accidents and suicides and the Commission thus has been operating the programs for higher human rights sensitivity for professional human rights instructors and for military officers in the Army, the Navy, and the Air Force to build a more human rights-friendly culture and prevent future violation in military.

In 2015, total 18 sessions (653 participants) were given to train military human rights officers. Each army, navy, and air force battalion has military human rights officers comprising one company-grade officer and two non-commissioned officers, and they are in charge of organizing human rights education for soldiers for each quarter.

3) Human Rights Education Programs on Disability, including Mental Health

In accordance with Article 6 of the Mental Health Act about mandatory human rights education, the Commission has provided the statutory human rights education since 2009 for over 20,000 relevant workers, including founders, operators, and staff in 1,778 mental health facilities (1,402 for mental treatment, 59 for nursing, and 317 for rehabilitation). Considering the different level of human rights understanding, such as between medical and non-medical staff, the Commission broke down the education curriculum into several, more targeted sessions and gave a detailed presentation regarding this new curriculum structure in four major regions.

Also, the Commission in tandem with the regional human rights offices designated every Tuesday as ‘the Education Day for Mental Health Human Rights’ for a more systematic and coordinated form of education, while executing a total of 105 rounds of sessions in 2015 for 5,636 participants (29% share among 30 institutions that provide such education).

On top of that, the Commission gave supplementary education for instructors in the human rights education institutions newly appointed by the Ministry of Health and Welfare so that every instructor across the country can be on the same page.

For a stable supply of and education for mental health human rights instructors, the Commission significantly upgraded the education quality. To be selected as a professional instructor, the participant must take the basic training on understanding human rights for three days, the intermediate training on technical aspects, on-the-ground knowledge training about mental health facilities, and the advanced training on capability building for two days, and pass an additional teaching review.

The disability instructors received expanded supplementary education in 2015 and new instructors, as mentioned above, took the eight-day classroom instruction (basic for three days, intermediate for three days, and advanced for two days) to learn ‘the understanding of human rights’ as well as the professional knowledge and teaching methodology needed to take care of people with disability.

4) Human Rights Education Programs on Homeless People

The workers in homeless facilities must take human rights education more than four hours according to Article 20 of the Act on Supporting the Welfare and Self-reliance of the Homeless established in July 2011 (effectuated on June 8, 2012), and the Commission is in charge of providing such education exclusively. For this reason, the Commission set a mid-term plan for a systemic curriculum and founded a human rights education council for homeless people. In 2015, the group of instructors who completed the Commission's training program and the appointed experts in the homeless field jointly conducted 35 rounds of education (1,520 participants) for the workers in homeless facilities.

Following the Human Rights Education Road Map, the Commission revamped the training program for homeless human rights experts, which first started in 2013. The newly-created advanced course - consisting of basic education for higher human rights sensitivity, professional knowledge on homeless human rights, teaching methodology, and advice for humane ways of teaching - produced two new instructors officially appointed by the Commission.

5) Human Rights Education Programs on Immigrants

To create a human rights-friendly multicultural society, the Commission has upgraded human rights education programs on migrants, consulted and worked with relevant institutions to make the programs more practical, provided additional education through the newly-opened classes, and ran the program for higher human rights sensitivity for those in charge of immigrants' work.

Also, the Commission offered a course for higher human rights sensitivity to the working-level staff in the government-designated facility for North Korean defectors (1 round, 16 participants) so that they can better protect defector rights. Those who already completed the program on immigrant human rights took the advanced course to enhance their basic understanding about human rights as well as about professionalism.

6) Human Rights Education Programs on Senior Citizens

The Commission since 2011 has operated human rights education programs on senior citizens to further safeguard senior citizens' human rights in the society, change people's perception toward the rights, and prevent human rights violation in welfare facilities for senior citizens, while also organizing the human rights education council for senior citizens that began in 2013. A total of six rounds of the instructor training sessions were held jointly with relevant agencies, including the Korea Elder Protection Agency, Korean Senior Human Rights Association, and Korean Association of Senior Welfare Centers.

7) Human Rights Education Programs for Infants and Primary and Secondary Schools

The Commission ran six rounds of human rights instructor training programs on infants (132 participants) to secure a large enough on-the-ground instructor pool, and 40 of them were designated as a certified teacher. Also, the programs for higher human rights sensitivity on infants were given (three rounds, 74 participants) for the teachers and workers in kindergartens, daycare centers, and infant caring facilities, to create a more human rights-friendly caring environment. Discovering the unmet demand for regional higher human rights sensitivity education during 2014, the Commission in 2015 operated the regional programs in Seoul, Gwangju, and Gangwon. While producing human rights instructors intensively, the Commission worked hard to identify and resolve the blind spots with little education opportunity and expanded the 'door-to-door' special human rights lectures on infants to help the instructors produced in 2014 build greater capacity.

On the other hand, the Commission enabled sports human rights instructors to build their capacity through supplementary education and the monthly Commission's workshops, and produced 10 more teachers via the human rights education program on sports in 2015, contributing to the practical implementation of the 'Guideline on Human Rights in Sports' published in 2011.

Together with the Seoul Metropolitan Office of Education, 1,374 students in 52 events at 57 athletic clubs in elementary, middle, and high schools received the door-to-door human rights special lecture with the content brought down to the students' level, in order to create a human rights-friendly sports culture.

8) Human Rights Education Programs on Right to Information

The Commission offered the program for higher human rights sensitivity (12 participants) for public officers in charge of managing personal information with an aim to create an information-driven society where the right to self-determination on personal information for privacy protection is respected and where all other rights and fundamental freedoms strike a balance.

9) Human Rights Education for Journalists

The Commission starting from 2010 has been organizing the annual human rights workshop for journalists to catalyze social changes through investigative coverages on human rights and feature stories, and to raise awareness of the journalist's role as a human rights guardian.

In 2015, the workshop was held for city desk investigative reporters (team leader level), the backbone of human rights-related media reports, helping them better understand the role of journalism as a defender of human rights and urging a faithful compliance to the reporting principle on human right stories, which covers the role of journalism as well as the field-by-field manuals (democracy and human rights, personal rights, disability rights, gender equality, rights for immigrants and non-Koreans, rights for senior citizens, children rights, and rights for sexual minorities).

Joined by the Journalists Association of Korea and the Korea Suicide Prevention Center, the Commission amplified the education effect and built a stronger cooperation network.

10) Human Rights Education for Public Institutions

After the revision of the NHRC Act in 2010, public institutions became one of the investigation targets of the Commission. Therefore, the Commission has consulted with the targeted institutions and opened the course for higher human rights sensitivity for the executive officers in relevant institutions and agencies, to invigorate the human rights education within public institutions. In particular, large-sized companies actively requested human rights education in 2015, and the Commission thus provided 30 rounds of the program for higher human rights sensitivity for executive officers, office clerks and engineers.

11) Human Rights Education for Local Assemblymen

The Commission in 2005 worked hard to make local assemblymen identify and share problems occurring in the process of protecting local people's human rights and of legislating

human rights ordinances through the program for higher human rights sensitivity, so that they can serve as a local human rights advocate and a human rights leader.

C. Door-to-door Programs

The Commission has been operating the door-to-door programs to make more people feel familiar to human rights education through an enhanced understanding on human rights and relevant works, and to upgrade the human rights sensitivity of the entire society through experience-based education. In 2015, a total of 239 door-to-door programs (9,194 participants) were given mainly to schools, public institutions, social welfare facilities, and social groups.

[Table 2-3-3] Door-to-door Program Operation by Year (2011-2015)

Year	Total		School		Public Institution		Civil Group	
	Session	Person	Session	Person	Session	Person	Session	Person
2015	239	9,194	175	7,916	16	420	48	858
2014	206	4,926	169	4,178	1	8	36	743
2013	159	4,588	126	4,060	5	82	28	446
2012	119	2,204	102	1,905	4	99	13	200
2011	153	3,019	105	2,097	15	318	33	604

D. Ubiquitous Education System with Upgraded Online Education

The Commission has ran online human rights education in full gear to enhance the education accessibility, strengthen the human rights sensitivity and relevant capabilities through independent online study, and offer basic and advanced training to the public. A total of 34,635 participants took part in 353 rounds of the online education in 2015.

In 2015, public institutions including Korea Electrical Safety Corporation added the Commission's human rights education to their three existing online human rights courses for executives and staff members ('Understanding of Human Rights,' 'Administration and Human Rights,' and 'Prevention Education on Sexual Harrassment'), and a total of 8,997 officers completed the course. Also, the number of local public officers who took the program increased by 19%, as it is a mandate for them to take 'social welfare-related education' according to the

Guideline on Education and Training for Local Officers (Regulation No.7 of the Ministry of Government Affairs and Home Affairs).

[Table 2-3-4] Online Human Rights Education by Year (2011-2015)

Year	Number of Completed Participants					Completion Rate (%)			
	Officer	Citizen	Teacher	Others	Total	Officer	Citizen	Teacher	Others
2015	9,022	4,143	12,194	9,276*	34,635	76	40	87	95
2014	7,578	2,175	24,863	128**	34,744	84.2	36.5	86.4	56.1
2013	9,944	5,338	24,372	-	39,654	90.6	69.4	90.0	-
2012	10,776	2,027	8,747	-	21,550	90.6	66.3	87.4	-
2011	8,511	-	6,139	31**	14,681	91.9	-	88.3	100

* Workers at Korea Electrical Safety Corporation and Seoul Metropolitan Rapid Transit

** (Training for Instructors) Unclassified courses connected to the offline education

On the other hand, the administrative agencies at every level are utilizing online human rights education content developed by the Commission along with their programs through the Cyber Human Rights Education Center for Public Officers (managed by the Central Officials Training Institute)' from 2008, and the number of users has been on the rise since then. A total of 16,110 officers in 24 institutions completed the human rights education in 2015 by using content designed by the Commission: the capacity building for military human rights, the capacity building for human rights on investigation processes, the prevention of discriminations in daily life, the understanding of human rights, the advanced course on understanding human rights, the prevention process of disability discriminations, the prevention process of gender discriminations, the administration of human rights.

E. Support for Special Lectures on Human Rights

The Commission opened the new human rights education subjects in education and training centers (including in-office courses) for higher human rights sensitivity for public officers as they can create a significant ripple effect across the society while providing the special lectures on human rights for the requested institutions and groups, as part of an effort to enlarge the human rights education territory and raise the awareness. A total of 1,060 rounds of lectures (57,781 participants) were given to public workers in schools and public and civil institutions in 2015.

Moreover, the Commission started the 'door-to-door human rights education for schools' across the country in response to the growing attention to human rights situations in schools with multiple aims: prevention of school violations based on mutual respect, change to discriminatory perceptions towards migrants and people with disability, creation of human rights-friendly school environments, including the right to information, expansion of local human rights education bases, and promotion of human rights education. Notably in 2015, the basic teaching plan was designed for major areas, which are critical for the door-to-door programs such as human rights sensitivity, school violation, immigration, and disability, and will be used in schools from 2016.

4. Development and Distribution of Education and Promotion Contents

A. Development and Distribution of Education Content

Developing human rights education content constitutes a tangible infrastructure and serves as a foundation for every type of human rights education, and the education outcome changes depending on the composition of the education content or the teaching methods used. Against this background, the Commission from 2002 has developed and distributed the education content to further spread human rights awareness and promote the relevant education.

The Commission published four books in 2015: "A Guide to Human Rights Administration (Part 1. Government Institution and Part 2. Local Government)," "First Step towards Human Rights," and "Human Rights and Social Welfare." The newly-designed textbooks dedicated to a specific topic include "Journalism and Human Rights," "Sports and Human Rights," "Teaching based on Human Rights (for daycare center workers)". Also, a new online human rights content series was created for areas such as social welfare and human rights, the Universal Declaration for Human Rights for children, and the prevention of discrimination against people with disability.

B. Development and Distribution of Promotion Content

1) Movie Production and Distribution

The movie made by the Commission's 13th project in 2015 is "Gaze, Restless (Sisun, Mian)".

The word Mian (未安) in Korean means “not comfortable yet,” and it implies that “the human rights situation in Korea seems not comfortable yet.” This omnibus film is a trilogy (Insanity of Grandeur, We have a Right to Eat Tteok-bokki, and Soju and Ice Cream). The Commission in 2015 worked hard to create new movie materials, an undertaking that it had not yet attempted.

Usually, the number of screens for these movies is pretty low and local people cannot easily access them. Thus, the Commission organized the ‘Movie Theaters in your Neighborhood’ initiative so that local people can listen to the introduction of the Commission and enjoy human rights movies while improving the accessibility. In Daejeon, Daegu, Gwangju, Busan, and Jeju, where the Commission's regional offices are located, some theaters were selected for the program and played “The Golden Chariot in the Sky” (87 minutes, produced by the Commission and directed by Oh Muel). Befitting the theme of the movie, members of the human rights association for senior citizens and other local people were invited on five separate occasions. After the screening, the actors and the production team appeared on stage and talked with the audiences about the human rights perspectives described in the movie, as well as some other questions.

Also, the Commission, Changbi Publishers, and the humanities portal Aladin, worked together for the quantitative growth of human rights films and jointly offered 'Life, Human Rights', a project to watch movies together with citizens. In the project, the most beloved films were played (The Golden Chariot in the Sky, Juvenile Offender, and Ice River) and the directors and the actors had discussion time with the audience after the viewing.

2) Human Rights Work Contests (Papers, Ads, Essays)

The Commission has been hosting various contests under the theme of human rights in everyday life in order to vitalize research on human rights protection and promotion, spread the culture of respect for human rights, and form the knowledge base in and outside Korea. The official contest webpage was renewed so that users can submit the application or check the application status online while carrying out various activities to increase participation, such as running a post advertisement in the subway station or sending a notification to schools and institutions fitting the contest theme.

In 2015, a total of 896 pieces were submitted: 35 papers, 516 essays, and 345 ads. Among them, a total of 43 works were selected after the review, and were awarded nomination by the

Chairperson of the Commission. The nominated papers on human rights later were published as a collection and handed them out to the National Assembly Library, the National Archive of Korea, the National Central Library, local Commission offices, and other education institutions who signed an MOU with the Commission. The awarded ads (both paper and video) were shared in exhibitions and screening events, and were posted on the human rights work contest webpage (www.humangongmo.kr) and on the Commission's blog entitled "All Sorts of Human Rights Stories" along with the nominated essays. They are all used as material and reference for various human rights education and promotion activities.

5. Promotion for Greater Human Rights Awareness

A. Promotion via Media Reports

The Commission released 182 press materials in 2015 through its official webpage and directly to the press. The press releases about policy recommendations and various affairs recorded in the process of investigation and remedy were delivered by newspaper, broadcasting, and online channels and they contributed to improvement in people's interest in and understanding of human rights, and to forging a social consensus. As the most reliable official data, the press releases are five times more influential than commercials in terms of building reliability and drawing public attention. They produced a satisfactory outcome both in quality and quantity. By actively using this trustworthy method, the Commission improved people's awareness on human rights and encouraged people to regard human rights consideration as part of their daily life. Major constituents of the releases include the Commission's recommendations, the investigations and recommendations on human rights violations and discriminatory acts, the columns and statements about social human rights issues, the survey on human rights situations, and the main activities for human rights promotion at home and abroad.

The Commission also has actively engaged in press interviews and news coverages. The number of such engagements in 2015 alone exceeded 800 cases. It was one of the main outlets for the Commission to publicize its policies and investigation and remedy result effectively. Especially, the press released feature stories on major human rights cases helped by the Commission.

The Commission has supported a close cooperation and communication among the departments so that they can use media more effectively and share ideas and thoughts together. The leadership education for promotion using media was held for the heads of each department to enhance their risk and issue management ability as well as their communication capability with other stakeholders in- and outside the Commission.

To better understand and work with journalists, the regular and irregular discussions and brown bag meetings were held for the press corps accredited to the Commission. The Commission also has worked hard to upgrade the human rights awareness and draw public attention to human rights issues by offering pre-notifications and briefings to the press and encouraging them to cover relevant major human rights cases.

B. Promotion via Other Media

The Commission promoted the importance of human rights in everyday life by using various media and tools, and released information about the Commission's reputation and its roles as well as the major policies and achievements. These activities led to the enhanced public understanding and awareness on human rights issues. Moreover, the Commission moved strategically by using various channels, such as publication, broadcasting, internet, and video materials.

At the beginning, the Commission focused on studying the promotion demand in each department and establishing a detailed promotion road map to ensure a systemic and stable promotion work flow. Building on the road map, various promotion activities were conducted. For starter, the Commission successfully delivered the radio advertisement regarding the Commission introduction and the messages for human rights campaign on KBS FM and CBS FM. The much beloved advertisement narrated by human rights ambassador Insooni was aired 173 times in six KBS FM programs and 60 times in two CBS programs, explaining the missions and jobs of the Commission and contributing to human rights-friendly language use.

The online and mobile new media promotions induced active public participation in 2015, in a way to help the public better understand human rights and have higher human rights sensitivity.

First, the Commission continued to run the existing blog and the Human Letter to promote its activities. The online newsletters, the "Human Letter," were delivered to 30,000 subscribers monthly with information about major press releases and activities of the month. On the blog entitled "All Sorts of Human Rights Stories," the Commission posted 249 promotional articles such as the contribution by citizen reporters as well as easy-to-understand stories about human rights issues in everyday life and how the Commission has dealt with such issues.

On the Commission's Facebook page, 164 interesting and diverse articles about human rights were posted along with the recommendations issued and the current human right issues, and the number of subscribers went up by over 5,000, up to 26,000, thanks to this active communication effort. For the better use of mobile tools, the Commission opened its Kakao Story Channel with the 100 articles worth reading and earned 1,227 new subscribers.

"Manager Kim's Human Rights Manual," a webtoon (online cartoon) and an online promotion tool which humorously depicted various human rights issues in everyday life, finished its publication, and was replaced with the "Assistant Manager Cha's Human Rights Manual". Moreover, all the previous comic series was published in the form of a cartoon collection on human rights.

After the relocation of the office building, a wide color billboard was installed with the picture of the human rights ambassador at the nearby Euljiro 3-ga Station to let the public know its change location and to introduce the Commission. Along with the notification on the official webpage and social media, a banner was installed near the previous and the relocated building so that people can know the new address. Meanwhile, human rights ambassador Insooni and Kim Hojin jointly made the promotion video and images as part of their ambassador activity and Insooni also recorded narrations for the radio advertisement and the promotion video to be use in the event celebrating the Universal Declaration of Human Rights, showing her strong will to actively involve in human rights events.

C. Promotion through "Human Rights" Journal

The Journal "Human Rights" founded in August 2003 and transformed into a bimonthly

journal from 2007. It published its 95th issue in December 2015. A total of six journals were published in 2015.

The Journal prints out 20,000 copies for every issue and is distributed to national agencies, local government offices, the National Assembly, prosecutors' offices, police agencies, education offices, and other public institutions as well as to facilities for caring for many persons, libraries, human rights groups' offices. The online version of the Journal called "Human Rights Webzine (online magazine)" is also available for those who cannot access the paper Journal. The Webzine is both available on PC and mobile as well as on the Commission's application. The Commission earned a web accessibility certification for people with disability and is still working to improve the web's design for them.

D. Human Right Press Award and Reporting Principles on Human Rights Stories

On the 23rd of September, 2011, the Commission set the reporting principles on human rights stories jointly with the Journalists Association of Korea to spread the right attitude towards human rights journalism and put it into practice. Both institutions began to host the Human Rights Press Award in 2012 to establish a culture respecting the principles as early as possible and awarded those who deserved it. Being favorably reviewed, the award has become an annual event and celebrated its 4th anniversary in 2015.

A total of 25 reports were nominated in the 4th Award - 11 daily paper, 12 television, and two news agency reports. The five nominations were selected and awarded after two rounds of the review process.

On top of that, a smartphone application dedicated to the reporting principles was made, along with the publication and the distribution of relevant books. The Commission further promoted the spread of the principles by introducing them during the education program for junior and local journalists with the help of the Korea Press Foundation.

E. Video Production and Distribution on Precedents

Followed by the previous year, the dramas were made based on the written precedents in 2015 so that watchers can understand the role of the Commission and feel empathy towards human

rights stories. The six precedents were selected by field and turned into a drama, including gender discrimination as well as human rights for suspects and senior citizens. Also, a collection of the videos made in 2014 and 2015 were released in DVD and the Commission has distributed it in- and outside the Commission so that people can use them as an education material.

Chapter 4. Domestic and International Exchange and Cooperation

Section 1. Overview

The NHRCK, in accordance with Article 19.8 of the Principles Relating to the Status of National Institutions and Article 19.9 of the NHRC Act, is committed to protecting and promoting human rights through exchange and cooperation with individuals, human rights-related groups in and out of Korea, international human rights organizations, and national human rights organizations.

Exchange and Cooperation with Domestic Human Rights Groups

In 2015, the Commission performed the cooperation programs with human rights groups to install human rights offices in Gangwon and Jeju where there is currently no office. Regional human rights programs were promoted through meetings and cooperation projects with the promotion committees on regional office establishment. Human rights groups in Gangwon also joined the Commission's workshop for human rights activists to strengthen the regional network and seek for higher human rights sensitivity. The Commission is going to be fully committed to invigorating the human rights protection activities of each region through continuous engagement in cooperation projects.

Also, the Commission convened a meeting with human rights groups at law schools to let them understand the duties of the Commission and share its opinion on major human right issues, as part of an effort to expand the cooperation base.

The joint cooperation projects with human rights groups continued to catalyze human rights programs, expecting positive outcomes such as a more vibrant network with human rights groups and the discovery of new human rights issues. The 16 projects were selected and received a grant of KRW 115 million, including protecting the rights for Syrian refugees in Korea and securing the right to self-determination of patients.

After the inauguration of Chairperson Lee Sung-ho, the Commission visited major human rights groups or had meetings with them to communicate and work with civil society, and collected suggestions on promising tasks to innovate the Commission. The suggestions were aptly considered on the Commission's works.

Exchange and Cooperation with Overseas Human Rights Groups

The Commission also actively involved in cooperation and exchange with international and overseas human rights institutions. As a Asia-Pacific representative of the ICC Bureau at the International Coordinating Commission of National Institutions for the Protection and Promotion of Human Rights (ICC), the Commission attended the 28th annual meeting and the ICC Bureau meeting to make a decision on major issues and present exemplary cases of the Commission.

The host of the ICC special conference for the protection and promotion of senior citizens' human rights resulted in the revival of the Open-ended Working Group on Aging, and the nomination as a representative of the Asia-Pacific Working Groups enabled the Commission be ready to be a leader in protecting senior citizens' human rights. Regarding the review of the Sub-Committee on Accreditation (SCA), the Commission executed the ICC recommendation issued in the first half of 2015 by preparing the revision draft for the NHRC Act and continuously communicating with relevant departments, in order to be ready for the ICC-SCA re-accreditation review in 2016.

Meanwhile, the Commission in 2015 convened the ASEM Conference on Global Ageing and Human Rights of Older Persons as part of the human rights promotion project for senior citizens selected at the 2014 ASEM Summit. The 2015 ASEM Conference was joined by 240 participants from 42 countries, including ministers and vice ministers from 7 countries and chairpersons and vice-chairpersons of national human rights institutions from 8 countries. The participants discussed ways to promote senior citizen human rights and cooperation among the ASEM members, and the Chairperson of the Commission announced a statement about the worthwhile agendas to discuss in seeking solutions for senior human right issues, showing its global leadership in advancing senior citizen human rights issues.

The Commission also took a part in the 20th Asia-Pacific APF Annual Meeting in September to strengthen the network among national human rights institutions and discussed the regional human rights situations and set forth its views during the major decision-making processes. At the APF Secretary General's meeting, the Commission exchanged ideas with others about the role of the Secretary General in the process of operating national human rights institutions and visited the Office of the United Nations High Commissioner for Human Rights (OHCHR). As such, the Commission reinforced its cooperation ties with the international society regarding domestic and overseas human rights issues.

For domestic implementation of the International Human Rights Treaties, the Commission attended the 59th Commission of the Status of Women (CSW) to monitor the debate and the meeting of the UN ICCPR Committee to express its opinion on the national report drafted in compliance with the International Covenant on Civil and Political Rights.

Also, workers of the Commission visited the Indonesian human rights institution in June and October to advance mutual people-to-people exchange and cooperation and invited five employees from the Polish, Indonesian, Mongol, Filipino human rights institution for overseas training session to enhance the international cooperation network. These activities contributed to the Korean Commission's faithful implementation of an MOU concluded with its Polish and Indonesian counterparts.

The Commission is operating the overseas training program for employees' capacity and higher human rights sensitivity building; and in 2015, they participated in the on-site human rights training in Myanmar, the inter-department cooperation training in Canada, and the intra-department cooperation training in Australia.

Section 2. Major Achievements

1. Exchange and Cooperation with Domestic Human Rights Groups

A. Routine Cooperation with Human Rights Groups

In 2015, the Commission performed the cooperation programs with human rights groups to support and reinforce cooperation human rights organizations. For this reason, one of the main focuses of the year 2015 was the Gangwon and Jeju region where there is currently no office. The Commission fulfilled its duties as a national human rights institution by having discussions with regional human rights groups and listening to their suggestions and feedbacks while actively responding to the requests by regional human rights groups regarding their activities to build a regional human rights office. Another examples of practical supports and cooperative activities of the Commission include discussions with human rights clubs in law schools and workshops for human rights activists in the Gangwon area.

Moreover, the Chairperson and the executives visited refugee shelters, houses of sharing, and disability organizations, 11 times in person to listen to the voice of people regarding major human rights issues. It was a chance for them to hear the stories of human rights violation by Syrian refugees, surviving comfort women, and other victims. They sent words of consolation to the surviving comfort women and praised the victims' courageous testimonies and efforts to redeem their pride and dignity, and sought ways to reflect the victims' stories into the human rights education content.

Also, the Commission reviewed 28 requests throughout the year such as invitations to an event of a human rights organization or sponsorship, and provided support as much as possible. The Learning Center (Baeumteo) allowed the human rights organizations to hold human rights seminars, discussions, and other events (100 times) to support their activities.

B. Joint Cooperation Projects with Human Rights Groups

The Commission since 2003 has operated joint cooperation projects with human rights groups every year to facilitate human rights campaigns within civil society, and to discover various human rights promotion projects and execute them.

The projects are selected depending on their novelty, urgency, and potential influence, and the nominated organizations receive a grant. The Commission aimed to catalyze the human rights protection movement for minorities and selected the project on refugees sojourning in Korea and on the patients' right to self-determination accordingly. The statistics on the reception and selection are as below.

[Table 2-4-1] Reception and Selection of Joint Cooperation Projects in 2015

Cat.	Total	Disability	Immigrant and Multi-culture	Child and Youth	North Korea	Female	Minority	Others
Received	40	7	3	7	7	4	4	8
Selected	16	3	1	2	1	1	4	4

A total of 16 projects above produced tasks on major human rights issues in each area: monitoring on multi-cultural policies for marriage migrant women, monitoring on human rights issues around the world, transforming Wonju into a healthy human rights city, providing settlement support to defector women through human rights improvement works, and monitoring on domestic implementation of the UN Convention on the Rights of Persons with Disabilities.

To spread the success cases, six cooperation projects out of the 16 were awarded as an exemplary project at the end.

C. Exchanges including On-site Visits

The on-site visits are a chance for the Commission to listen to the voices of minorities and vulnerable people in the society in person and to understand their difficulties, aiming to improve the society's human rights sensitivity level and discover new human rights-related tasks after identifying the current situation.

The Chairperson visited 11 sites in 2015, including the Center for Multi-cultural Families in Jeongeup, the sanatorium for people with Hansen's disease, the center for migrants in Hongseong. Hearing what the social workers and activists working there have to say, the Chairperson shared their comments and suggestions with each department to reflect them into the future policies and projects.

D. Dinner with Employees

The Commission prepared a dinner for the employees from May 29th, 2015, to the 30th in Mungyeong Saejae, to let them build a closer colleagueship, and to create a culture of consideration and caring within the institution while seeking ways to offer better services to the public by sharing the Commission's visions together.

Joined by the entire employees, the dinner party gave a chance to exchange their ideas and thoughts together with the Chairperson and other events, such as intra-department small talks; and the special lecture on mutual respect by the invited guest entertained the participants. During the party, the colleagues walked along the old path of Mungyeong Saejae, sharing their visions together and strengthening solidarity.

E. Workshop for Commissioners

The workshop for Commissioners took place for two days in the Yangpyeong Hill House in February 2015 to define the desirable roles of the Commission and seek solutions responding to the fast-changing environment in- and outside Korea as well as to increasing human rights issues. Participated by eight Commissioners out of 11, the workshop gave an opportunity to communicate to each other and listen to the speeches of the renowned invited lecturers. They talked to each other to discover new human rights agendas and exchanged the necessary information.

The special lectures turned out to be highly informative and fruitful, and the in-depth discussion, questions, and answers soon followed. Mr. O-Gon Kwon, a judge of the International Criminal Tribunal for the former Yugoslavia gave the first speech entitled 'Legal Basis for International Criminal Tribunals and Its Practical Issues from the Perspective of International Human Rights Protection Mechanism,' followed by the Danish Ambassador Thomas to Korea's speech called 'Human Rights Protection Policies in Europe (Denmark).'

2. Exchange and Cooperation with International Human Rights Institutions and Groups

A. ICC and APF

1) ICC

The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) is an international coordinating body of national human rights institutions dedicated to leadership building in human rights protection and promotion and established in order to comply with, advance, and strengthen the Paris Principles adopted in 1993 at the UN General Assembly, as well as the UN Commission on Human Rights' resolution adopted on March 3rd, 1992.

The ICC as of December 2015 has a total 108 members with 72 full members (grade A national human rights institutions fully comply with the Paris Principles) and 26 associate members. This top decision-making body nominates four members from each regional group and instructs them to create an ICC Bureau consisting of 16 members.

The Commission served as a three-year-term Asia-Pacific representative of the ICC Bureau from 2012 and attended the annual meeting and the ICC Bureau meeting every year to reinforce multilateral exchange and cooperation led by the ICC. The agendas discussed at the 28th annual meeting include the ICC accreditation procedures, the Post-2015 Development Agenda, domestic investigations by a national human right commission, the violation against females, and the rights for people with disability. Also, the Commission joined various decision-making processes on the ICC operation as an Asia-Pacific representative of the ICC Bureau, in relation to the tasks of the ICC Sub-Committee on Accreditation, the ICC Committee on Finance, and the ICC Working group on Business and Human Rights.

Also, the host of the ICC special conference for the protection and promotion of senior citizens' human rights resulted in the revival of the Open-ended Working Group on Aging, which once failed to produce tangible outcomes. The Commission on top of that laid a foundation of being a leader in protecting human rights for senior citizens on the global stage, being elected as a representative of the Asia-Pacific Working Group.

On the other hand, the Commission continued to engage in the revision of the NHRC Act and the talks with the relevant government departments regarding how to improve the selection and nomination procedures of the Commissioners, as recommended by the ICC Sub-Committee on Accreditation in the first half of 2015.

The Commission is preparing for the re-review of the ICC Sub-Committee in 2016 through a series of consultations with the institutions in charge of selecting and designating the Commissioners, with an aim to design transparent and participatory selection procedures.

2) APF

The Asia-Pacific Forum of National Human Rights Institutions (APF) is a regional coordinating body of national human rights institutions in the Asia-Pacific region established to advance exchange and cooperation among members as well as with other international organizations and governments, and to help other nations establish and operate human rights institutions.

The APF has 15 full members - Republic of Korea, Afghanistan, Australia, India, Indonesia, Malaysia, Mongolia, Nepal, the New Zealand, the Philippines, Thailand, East Timor, Jordan, Palestine, and Qatar - and seven associate members consisting of Sri Lanka, Maldives, Bangladesh, Myanmar, Oman, Samoa, and newly accredited Kazakhstan. However, one of the qualifications to become a full member is getting an A grade from the ICC Sub-Committee on Accreditation, and therefore Thailand can be de-listed if the nation cannot improve their grade B status in 2016.

The Commission attended the 20th APF Annual Meeting held in Ulaanbaatar, Mongolia in October and the 3rd Biennial Conference. The agendas discussed and voted on at the annual meeting include: the election of the Mongol Commission as a Chair Country, and Qatar and the Afghanistan as a Vice-chair; the venue selection for the 22nd Annual Conference in 2017 and the 4th Biennial Conference (Afghanistan); the replacement of the representative body for the ICC Sub-Committee on Accreditation and the Open-ended Working Group on Aging; and the adoption of the APF Strategic Plan 2015-2020.

Chairperson Lee Sung-ho in October joined and made a presentation at the ASEM Conference on Global Ageing and Human Rights of Older Persons, actively promoting international

conferences on the human rights of older persons.

At the concurrent Biennial Meeting, the participants discussed under the theme of 'The Role of National Human Rights Institutions In Preventing Torture and Other Forms of Ill-Treatment,' and Ms. Young-Hye Kim as a Torture Prevention Ambassador and a National Human Rights Commission of Korea briefed the progress of the Commission's torture prevention project.

Also, the Commission participated in the Secretary General's Meeting held in November 2015 in Kuala Lumpur, Malaysia and talked about the role of Secretary General in managing national human rights institutions and about understanding the financial, economic, and cultural rights, as well as the right to water and the intervention of national human rights institutions.

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

1) Cooperation Building through MOUs

The Commission signed an MOU with various national human rights institutions to form a strategic cooperative relation. The conclusions enabled the Commission's to expand its scope of activity and build a foundation to deal with major human rights issues effectively, by working with various human rights institutions around the world and forging strategic cooperation ties with major national human rights institutions. The countries signed on the MOU in 2015 are Indonesia, Poland, Denmark, and Mongolia.

The Commission signed an MOU with the National Human Rights Commission of Indonesia, a Chair of ASEAN and a country which has a diplomatic relation with North Korea, to advance one of the most important tasks of the Commission: North Korean human rights. This conclusion is expected to help the Commission seek cooperation with other ASEAN members in a much easier way, if necessary.

The Polish human rights institution, designated as a National Preventive Mechanism against torture (NPM), concluded an MOU with Korea on March 9th, 2015, to share their know-how on joining the Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and on the role of the NPM.

The Danish human rights institution is actively studying and researching on business and human rights, one of the main targets of the Korean Commission. For effective implementation and cooperation in the business and human rights field, the Commission concluded an MOU on May 12th, 2015.

Lastly, another MOU was concluded with Mongolia, the AFT Chair Country, with an aim to flesh the mutual cooperation out and receive support in the process of performing various duties within the APT.

2) National Human Rights Institutions in East Europe and Southeast Asia: Poland and Indonesia

The Commission, as described in the MOU, visited the Polish and the Indonesia national human rights institution in June and in October to improve mutual people-to-people exchange and cooperation and to strengthen the employees' capacity. The Commission observed the activities of the Polish Human Right Defender as an NPM to learn their mandates, composition, and investigation methods, and to seek ways to advance the Commission by comparing the characteristics of each institution.

Also, the visit to the Indonesian human rights promotion and protection institutions was a chance to understand their roles and how they are to work together, if necessary.

The Commission also figured out how to advance Korea's victim and witness protection program after watching the activities of the Indonesian victim and witness protection body: issuing a new identification card and changing the address, offering temporary shelter and basic support, and providing treatment for medical and psychological damage.

3) International Human Rights Institutions

The Commission went to the OHCHR, the ICC Geneva permanent representative, and APF to discuss the cooperation between national and international human rights institutions and the progress made in the ICC and APF. On the global stage, activities of national human right institutions are getting more and more important and there are lots of ways to be involved in such activities. Taking this change into account, the three institutions above discussed how

to better support national human rights institutions and in what way national human rights institutions can contribute to the global human rights promotion effort. Also, the Commission was asked to present at the international conference organized by the Council of Europe under the theme of equality and social integration as a panel member, and spoke about aged women and multi-discrimination, establishing the foundation for human rights promotion with the Council and various European human rights institutions.

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

1) Participation in the CSW

At the 59th Commission on the Status of Women (CSW) held in March 2015 in New York, the Commission debated on the 'Priorities of Action Plans for Gender Equality, Women's Empowerment, and Human Rights for Women and Girls,' and adopted the 'Political Declaration Celebrating the 20th Anniversary of the Adoption of the Beijing Declaration and Platform for Action at the 4th World Conference on Women in 1995.' The political declaration contained the means to realize gender equality and women's empowerment: a stronger implementation of laws, policies, and strategies; greater institutional mechanisms for gender equality; change to discriminatory norms and gender stereotypes; more investment in gender equality and a higher responsibility for implementation; and capacity building, data collection, monitoring, and evaluation. Acknowledging that the faithful implementation of the Beijing Declaration and Platform for Action is critical to achieve the Millenium Development Goals, the participants made clear about the importance of cooperation among relevant institutions to bring gender equality and women's empowerment into people's life by 2030.

D. Partnership Program for Human Rights Defenders

The Commission ran the 2015 Partnership Program for Human Rights Defenders from May 18th, 2015 to the 22nd. This annual program invites national human rights institution employees from ICC or APF to share best practices. The purposes of the program are to maintain the cooperative relation with other human rights institutions, forge an information sharing network, respond to regional and global human rights issues together, and lift the Commission's reputation on the global stage.

For this year, the program was joined by NHRIs from four countries: the Director and the two staff members from Indonesia, one staff member from Mongolia, one from the Philippines, and the Vice Secretary-General from Poland. A special lecture was given about 'Development and Human Rights,' a topic drawing much attention from the global community recently. Also, all the participants discussed and made a presentation at the workshop, with the themes of human rights status and tasks of each country, institution introduction, status of global and regional cooperation, and future cooperation among national human rights institutions. It was an opportunity for them to reinforce their capacity and form a stronger network, not just in Asia-Pacific but also globally.

3. International Conferences

A. ASEM Conference on Global Ageing and Human Rights

At the 10th ASEM Summit, human rights promotion project for senior citizens suggested by the Commission was adopted and accordingly the Commission hosted the ASEM Conference on Global Ageing and Human Rights from October 26th, 2015 to the 28th.

The conference was attended by 239 government officers, national human rights institution officers, international institution officers, scholars, and NGO workers from 43 countries, including Korean Prime Minister Hwang Kyo-Ahn and ministers and vice ministers from six different countries, and ways to promote human rights for senior citizens were discussed.

The main focuses of the talk were the right to health and the right to social security; prohibition of age-based discrimination and the right to work and the right to accessibility for senior citizens; and the right to be free from social isolation, violation, and abuse. The participants shared the current situation in Europe and Asia as well as specific case studies for each topic, and tried to find out practical measures for human rights promotion for senior citizens.

For this year's conference, a consensus was made that it is necessary to approach to the human rights promotion issues based on human dignity and national human rights institutions are a critical part of all the promotion activities. Also, the participants shared relevant laws and

policies, and expressed their hope to continue the talk and further spread the effort. Accordingly, the Commission decided to host an expert forum on human rights promotion for senior citizens during the first held of 2016.

<Summary of the Chairperson's Statement at the ASEM Conference>

- The problems of the aged are an urgent, global matter.
- For human rights promotion, critical activities include: 1) making the aged the subject of rights during the policy-making processes, 2) providing more support to experts and relevant organizations to let more people know about the importance, 3) raising awareness through education, 4) re-confirming the importance of national human rights institutions and its roles for the promotion, 5) encouraging international, intra-national cooperation for the promotion, and 6) continuously creating a venue for discussion.

4. Overseas Employee Training

A. On-site Human Rights Training

The Commission conducted an overseas on-site human rights training from July 15th, 2015 to the 22nd. This annual training aims to allow the employees to visit the sites critical to human rights activities and human rights institutions, enhance their human rights sensitivity about international human rights issues through exchange, study overseas cases to be in sync with the globalization trend of human rights issues, and enhance their capability by reviewing various cases. For this year's training, the employees freely submitted an entry with the topic and the team members they chose, and this voluntary-based entry allowed them to be more active and enthusiastic in discovering urgent human rights matters.

The six employees were selected at the end and they worked with the non-governmental organization at the Myanmar National Human Rights Commission to build a stronger tie while researching on the recent Myanmar cases and what is the most important issue in this multiethnic, multicultural society. For the study, the team members visited national human rights institutions, UN refugee agencies, women's organizations, and committees for people with

disability. They also interviewed with relevant activists and it helped the team members raise their human rights awareness and tell others about the Commission's major projects on raising human rights awareness at the same time.

B. Inter-department Cooperation Training

The commission performed an inter-department cooperation training from October 4th, 2015 to 18th. Led by the Commission, the MOJ and the Anti-Corruption and Civil Rights Commission engaged in the joint research projects. A total of six were chosen for the training program and they attended the seminar organized by a law professor in Ottawa, Canada and visited the Canadian Human Rights Commission and the Royal Canadian Mounted Police to study their human rights policies in terms of cyber bullying prevention. This was a chance to share human rights policies on bullying prevention and the outcome of the training was provided to each institution so that it can be used for future case investigation and policy development or used as an education material. Also, the Commission plans to use the outcome as a basis for future policies about the right to be forgotten, including how to collect and save information online.

C. Intra-department Cooperation Training

The Commission carried out an inter-department cooperation training from October 24th, 2015 to November 7th. Led by the Disability Right Division I, this year's training focused on how to secure safety for people with disability in case of an emergency, such as disaster. The participants visited the human rights clinic for people with disability at the University of Melbourne and the Australian Commission for case study, and drafted a guideline and a set of standards of judgement on discrimination to secure safety for people with disability in case of an urgency and emergency after doing interviews with field workers. The Commission plans to publish a manual on investigation methodology based on the training outcome so that investigators can easily refer to them during investigation.

Chapter 5. Activities of Regional Human Rights Offices

Section 1. Overview

The Commission has operated four regional human rights offices in Busan, Gwangju, Daegu and Daejeon to protect and promote the human rights of local residents and provide swift remedies in case of human rights violations. The Busan Regional Human Rights Office and the Gwangju Regional Human Rights Office were launched in October 2005, while the Daegu Regional Human Rights Office opened in July 2007 and the Daejeon Office in October 2014. The jurisdiction of each regional human rights office is as follows:

[Table 2-5-1] Location and Jurisdiction of Regional Human Rights Offices

Name	Location	Jurisdiction
The Busan Office	Busan	Busan City · Ulsan City · South Gyeongsang Province
The Gwangju Office	Gwangju	Gwangju City · North and South Jeolla Provinces · Jeju Special Self-Governing Province
The Daegu Office	Daegu	Daegu City · North Gyeongsang Province
The Daejeon Office	Daejeon	Daejeon City · Sejong Special Self-Governing City · North and South Chungcheong Provinces

The regional human rights offices have been providing various human rights protection and promotion services for local residents under their jurisdictions, including i) human rights counseling ii) investigations and remedies for human rights violations and discriminatory acts concerning detention facilities, mental health facilities and local authorities¹⁵⁾ iii) human rights education iv) exchange and cooperation with human rights-related agencies and organizations, and public relations activities. The regional offices also develop and promote unique human rights projects tailored to local needs such as operating a human rights experience hall.

¹⁵⁾The regional offices investigate human rights violation complaints from national institutions, local government offices, schools, detention facilities, government-service-related organizations, as well as discrimination from private citizens and sexual harassment. Among the total complaints made in 2015, the office processed 27.1% of them.

[Table 2-5-2] Complaints Received and Processed by Regional Human Rights Offices in 2015

(Unit: case)

Region	Total No. of Complaints, Counseling, Civil Petition, and Inquiries Received	In-person Counseling		Complaints		Human Rights Education	
		Received	Resolved	Received	Resolved	Number	Participants
Total	17,964	1,780	1,802	2,899	2,771	1,221	60,254
Busan	4,501	557	565	729	785	387	21,385
Gwangju	6,988	372	366	779	735	280	10,250
Daegu	4,271	548	550	694	695	402	20,738
Daejeon	2,204	303	321	697	556	152	7,881

Section 2. The Busan Regional Human Rights Office

The Busan regional human rights office in 2015 initiated various human rights protection and promotion projects, including human rights-friendly culture festivals and vibrant communication with human rights education organizations, local government agencies, and human rights groups, to prevent human rights violation, offer remedies, and enhance local people's human rights sensitivity.

Celebrating the 10th anniversary of its foundation, the Busan Office opened the '100 Minutes Debate: Past and Future Decades of Local Human Rights' with the theme of 'People (人) Walking Together, Rights (權) Enjoying Together.' The debate was a precious opportunity to look back the past decade of complaint reception, human rights education, and cooperation activities, and reflect them onto future projects for higher human rights sensitivity and awareness. The participants also reviewed their roles as a local human rights defender and whether they were faithful enough, and discussed future tasks.

The number of face-to-face complaints reported to the Busan Office had been on the rise, but then started to decrease from 2015. The total number of face-to-face complaints were 557 cases, accounting for 21% of a total of 2,658 complaints received by the Commission.

[Table 2-5-3] Total Number of Complaints, Counseling, Petition, Inquiry Received by Busan Office

(Unit: case)

Year	Complaint	Counseling	Civil Petition / Inquiry	Total
Cumulative	5,635	22,189	14,299	42,123
2015	605	1,793	2,103	4,501
2014	681	1,948	845	3,474
2013	753	2,656	687	4,096
2012	786	3,172	548	4,506

※ Cumulative Total: October 11th, 2005 - December 31st, 2015 (Counseling includes closed face-to-face complaints)

The Office processed a total of 785 cases in 2015, and 67 cases out them were admitted (22 recommendations, one criminal charge, and 44 consensual settlements), showing improvement compared to the 52 cases in 2013 and 65 cases in 2014.

[Table 2-5-4] Complaint Process Status of Busan Office

(Unit: case)

Cat.	Received	Closed	Accepted						Not Accepted				
			Sub total	Recommendation/ Settlement Recommendation	Recommendation for Disciplinary Action	Accusation or Criminal Charge	Legal Aid Request	Consensual Settlement	Sub total	Dismissed	Rejected	Transferred	Suspended
Total	4,472	4,368	340	146	2	5	-	187	4,028	1,729	2,279	11	9
2015	729	785	67	22	-	1	-	44	718	259	458	1	-
2014	765	710	65	18	-	1	-	46	645	265	378	1	1
2013	692	691	52	13	1	-	-	38	639	315	320	1	3
2012	723	733	51	18	-	-	-	33	682	284	397	-	1
2011	469	430	28	17	-	3	-	8	402	181	220	1	-

※ Cumulative Total: October 11th, 2005 - December 31st, 2015

※ The number of closed cases: the number of cases received and closed in the year + the number of cases carried over from the previous year and closed in this year.

Responding to the increasing demand in human rights education in the jurisdiction, the Office opened the Human Rights Education Center (April 21st, 2015) to produce professional teachers in disability, mental health, immigration, and children. A total of 387 rounds of special lectures, door-to-door educations were given to 21,000 people.

[Table 2-5-5] Education Statistics of Busan Office by Area in 2015

(Unit: case/number of people)

Category	Special Lecture	Teacher Training	Mandatory Education	Door-to-door Education	Others	Total
Session	331	12	19	25	0	387
Person	19,832	270	948	335	0	21,385

[Table 2-5-6] Yearly Education Statistics of Busan Office

(Unit: number of people)

Category	2011	2012	2013	2014	2015	Total
Correctional/ Prosecutor/ Police Public Officers	488	545	555	43	1,883	8,085
Administration/ Education Public Officer	747	1,365	2,654	1,460	3,003	11,002
Facility for Caring for Many Persons (Including mental health)	2,322	2,714	2,016	3,161	2,131	18,570
School/Student	6,047	2,964	6,162	8,905	9,134	42,811
Immigration/ Multiculturalism	-	5,240	6,028	332	155	12,433
Senior Citizen	495	645	425	10,623	1,527	14,170
Others	2,117	2,108	2,313	5,917	3,552	26,131
Total	12,216	15,581	20,153	30,441	21,385	133,202

※ Cumulative Total: October 11th, 2005 - December 31st, 2015

The Office signed an MOU with the Gyeongsangnamdo Office of Education for the first time in the region (December 2nd, 2015) and offered a 'door-to-door human rights special lecture' for students, teachers, and parents to create a human rights-friendly school environment and laid a foundation to find out ways to promote student human rights in tandem with the Busan Metropolitan Office of Education and the Ulsan Metropolitan Office of Education.

The Office also operated the human rights gallery (experience zone) and held nine rounds of thematic exhibitions in areas such as disability, North Korean children, developmental disorder, and hearing-impairment, and used the venue as an education zone, an exhibition hall, and an experience zone where visitors can raise their human rights awareness.

Also, various human rights events and projects were jointly held with regional human rights organizations and local people: the human rights campaign with Gyeongnam Changwon NC Dinos baseball team; 'the Ulsan Human Rights Marathon' for locals; 'Human Rights Talk Concert' joined with activists; human rights circuit counseling; door-to-door human rights cultural event in celebration of the Declaration of Human Rights; the construction of the Busan human rights library; implementation of the Anti-Disability Discrimination Act and monitoring the human rights defender group for senior citizens; monitoring regional human right issues; the capacity-building workshop for human rights activists; and the human rights workshop with local governments.

Section 3. The Gwangju Regional Human Rights Office

The Gwangju regional human rights office received a total of 6,988 cases of complaint, counseling, civil petition, and inquiry in 2015. Among them, 2,326 cases were about counseling and 1,982 cases (85%) were applied by phone and 236 cases (10%) by personal visit. The number of face-to-face visits to a detention facility or a facility for caring for many persons by investigators was 108 cases (5%).

[Table 2-5-7] Total Number of Complaints, Counseling, Petition, Inquiry Received by the Gwangju Office

(Unit: case)

Year	Complaint	Counseling	Civil Petition / Inquiry	Total
Cumulative	5,698	18,880	27,570	52,152
2015	771	2,326	3,891	6,988
2014	787	2,411	3,406	6,604
2013	670	2,245	3,412	6,327
2012	731	2,178	4,155	7,064
2011	684	2,159	3,437	6,280

※ The complaints only received by Gwangju Office were calculated, excluding the transferred cases.

※ Cumulative Total: October 11th, 2005 - December 31st, 2015

The number of complaints processed in the Gwangju Office has shown a modest growth and increased by 11% in 2015 with 749 cases.

[Table 2-5-8] Complaint Process Status of Gwangju Office

(Unit: case)

Cat.	Received	Closed	Accepted						Not Accepted				
			Sub total	Recommendation	Criminal Charge	Disciplinary Action	Legal Aid	Consensual Settlement	Sub total	Dismissed	Transferred	Rejected	Suspended
Total	3,507	3,417	236	82	1	2	1	152	3,179	1,798	12	1,366	3
2015	771	735	57	16	-	-	-	41	678	449	-	227	2
2014	749	713	40	10	1	-	-	29	673	390	5	277	1
2013	675	720	56	13	-	-	-	43	664	336	4	324	-
2012	750	718	46	28	-	-	-	20	670	392	2	276	-
2011	562	531	37	15	-	2	1	19	494	231	1	262	-

※ Cumulative Total: October 11th, 2005 - December 31st, 2015

The Gwangju Office in 2005 opened its human rights education center. The programs ran in the center include 131 human rights special lectures (5,136 participants), human rights teacher training sessions (70 participants), 49 door-to-door special lectures (2,217 participants), 15 human rights education sessions for workers in mental health facilities (806 participants), 5 human rights education sessions for workers in homeless facilities (222 participants), 50 on-site programs (1,150 participants).

[Table 2-5-9] Education Statistics of Gwangju Office by Area in 2015

(unit: number of people)

Category	Special Lecture	Mandatory Education (mental health, homeless)	Door-to-door School Education	On-site Program	Others	Total
Session	131	20	49	50	30	280
Person	5,136	1,028	2,217	1,150	719	10,250

[Table 2-5-10] Yearly Education Statistics of Gwangju Office by Area in 2015

(unit: number of people)

Category	2010	2011	2012	2013	2014	2015	Total
Police/National Institution	320	825	3,454	1,270	2,497	163	9,763
Public Officer/ Servicemen/Local Government	990	300	691	1,751	534	235	5,316
Facility for Caring for Many Persons (including mental health)	400	685	1,159	1,227	1,585	1,280	8,161
Social Worker	327	3115	1,674	1,554	930	-	11,515
School (children and youth)	582	5712	1,716	1,043	6,023	5,494	21,971
Disability	435	180	-	1,671	200	119	3,171
Immigration / Multiculturalism	1335	1,250	2,203	2,352	1,770	244	9,264
Senior Citizen	529	100	20	160	1,654	40	2,503
College / University	-	-	100	110	-	-	210
Homeless Facility	-	-	-	-	220	222	442
Civil Society Group	-	-	125	70	-	560	755
Others	200	465	40	172	452	743	2,582
On-site Experience	-	-	1,362	1,468	1,813	1,150	5,793
Total	5,118	12,632	12,544	12,848	17,678	10,250	81,446

※ Cumulative Total: Jan 1st, 2008 - December 31st, 2015

The Office after opening the education center in 2015 convened a series of meetings with local media to communicate with them better. Celebrating the 10th anniversary, the Office offered an additional meeting with journalists to look back at the past decade and discuss what needs to be done during the next decade.

The thematic subway station of human rights remodelled its worn-out facilities in celebration of the 7th birthday and replaced the old equipment with a new one to greet guests with a neat appearance. A total of 1,494 guests from 63 organizations in 2015 visited the site and were able to enhance their human rights sensitivity.

From 2011, the Office has faithfully ran the 'human rights policy roundtable' for human rights institution workers and activists in the region to help them build their capacity and to find more mutual interest every month, not to mention the 'human rights policy joint meeting' to realize human rights governance through joint projects among major institutions based on mutual coordination and cooperation.

Marking the 10th anniversary of the foundation, the Office hosted the commemoration event, the policy debate with the theme of 'Human Rights as a Path Finder: Looking Back over the Past Decade,' the human rights golden bell quiz show joined by 100 youths, the human rights forum for immigrants, and the activists' workshop for Jeju island. These events were a chance for the office to be closer to local people and communicate with them.

Moreover, in commemoration of the 67th anniversary of the Declaration of Human Rights, the celebration and cultural events took place on December 10th at the Bitgoeul Community Center with the theme of 'Graceful Promises, Graceful People,' attended by major local human rights institutions and 45 human rights groups.

Section 4. The Daegu Regional Human Rights Office

The Daegu regional human rights office embarked on its first investigation in April 2008 and a total of 644 cases out of 665 were processed in 2014. Among the processed cases, 94 cases were accepted, and it took 49 days to handle one case on average. In 2015, total 694 cases were received and 695 cases were processed, including the carry-overs. The number of accepted cases in 2015 was 56, and two of them were charged with a crime.

[Table 2-5-11] Total Number of Complaints, Counseling, Petition, Inquiry Received by Daegu Office

(Unit: case)

Year	Complaint	Counseling	Civil Complaint / Inquiry	Total
Total	2,910	10,659	5,763	19,332
2015	643	1,718	1,910	4,271
2014	665	2,265	2,083	5,013
2013	703	2,330	878	3,911
2012	533	2,249	457	2,888
2011	366	2,097	435	2,585

※ Total: July 1st, 2008 - December 31st, 2015 (Counseling includes closed face-to-face complaints)

[Table 2-5-12] Complaint Process Status of Daegu Office

(Unit: case)

Cat.	Received	Closed	Accepted						Not Accepted					Under Investigation
			Sub total	Recommendation/ Settlement Recommendation	Recommendation for Disciplinary Action	Criminal Charge/ Investigation Request	Legal Aid Request	Consensual Settlement	Sub total	Dismissed	Rejected	Transferred	Suspended	
Cumul.	4,141	4,040	244	93	-	6	-	145	3,800	1,197	2,492	83	28	97
2015	694	695	56	22	-	2	-	32	639	159	473	7	-	97
2014	665	644	49	6	-	4	-	39	595	122	461	11	1	-
2013	668	651	62	22	-	-	-	40	589	194	394	1	-	-
2012	494	508	32	24	-	-	-	8	476	159	312	3	2	-
2011	440	492	32	12	-	-	-	20	460	144	305	10	1	-

※ Total: July 1st, 2008 - December 31st, 2015

※ The number of closed cases: the number of cases received and closed in the year + the number of cases carried over from the previous year and closed in this year

Due to the increasing demand in human rights education, the Office focused on small-scale, participatory lectures to improve the education quality, instead of offering large-size classes often delivered in the auditorium or through broadcasting. A total 402 rounds of education sessions were given in 2015 for 20,738 students, 51 participants per each session on average (this figure was 72 in 2014). This change reflects the Office's will to improve the education quality and put the value of interaction into each program.

[Table 2-5-13] Education Statistics of Daegu Office by Area in 2015

(Unit: number of sessions and people)

Cat.	Total	Special Lecture	Online Education (Course)	In-office Education
Session	402	229	48	125
Person	20,738	11,085	2,981	6,672

[Table 2-5-14] Yearly Education Statistics of Daegu Office by Area in 2015

(Unit: number of people)

Cat.	Correc tional /Prose cutor/ Police	Public Officer/ Servi cemen	Facility for Caring for Many Persons (including mental health)	Social Workers	Child / Youth	Disa bility	Immi gration / Multicul turalism	Senior Citizen	Others	Total
Cumul.	15,989	10,138	10,107	5,959	99,755	4,490	651	821	10,799	158,709
2015	1,058	1,341	1,729	1,796	12,541	1,381	130	150	612	20,738
2014	4,356	3,260	2,515	1,297	24,295	863	40	119	2,979	39,724
2013	5,105	1,933	1,966	1,276	25,285	648	211	150	386	36,960
2012	4,315	2,152	1,621	676	24,499	574	-	45	957	34,839
2011	315	526	1,356	384	12,605	-	20	159	1,364	16,729

※ Total: July 1st, 2008 - December 31st, 2015

The Office opened the human rights education center on May 1st, 2015 and established its human rights library on September 15th to diversify the communication channel with local people. Considering that the Office has to look into local government-related complaints more

broadly from September 2014, the Office worked hard to enhance its investigators capability while continuously conducting a number of circuit counseling sessions and various promotion activities for greater remedy accessibility among the locals.

To build a stronger tie with the Daegu Metropolitan Office of Education, the Daegu Metropolitan Police Agency, and other institutions signed onto the cooperation agreement, the Office hosted the creative speech contest for human rights-friendly schools, the youth short poem contest, and the human rights sensitivity improvement program for newly appointed police officers. Also, the office tried to reinforce exchange and cooperation with local human rights groups through various events, such as the Daegu Civil Society Forum.

Blog, social network, local radio broadcasting, online newspaper, and other interactive media were actively utilized to further spread the value of human rights and increase the transparency of the Office. Moreover, the Office worked hard to enlarge the human rights community through vibrant communication, such as the operation of a civil press corps and monthly human rights movie screening.

Section 5. The Daejeon Regional Human Rights Office

Opening its door for the first in 2015, the Daejeon Human Rights Office concentrated on public relations and exchange and cooperation with relevant institutions and groups. The Office also worked hard to let more people know the roles and functions of the Commission, and to successfully take root within the community. Its major businesses are complaint investigation, human rights education, human rights promotion activities, joint programs with the Commission, exchange and cooperation with relevant groups.

The number of received complaints and counseling in 2015 is as below. Since the establishment in October 15th, 2014, the Office publicized the roles of the Commission via various media and at the end of December, the number of counseling reached 1,135 cases, along with 478 complaints.

[Table 2-5-15] Total Number of Complaints, Counseling, Petition, Inquiry Received by Daejeon Office

(Unit: case)

Year	Complaint	Counseling	Civil Petition / Inquiry	Total
Cumulative	558	1,354	74/581	2,567
2015	478	1,135	68/523	2,204
2014	80	219	6/58	363

※ Recorded statistics as of December 13th, 2015.

Also, a total of 683 complaints were received in 2015, and 554 cases were processed. In detail, 290 cases (52.3%) were about facilities for caring for many persons, 232 cases (41.8%) about correctional facilities, and 32 cases (0.5%) about local governments. This proportion is identical to that among the total cases.

[Table 2-5-16] Complaint Process Status of Daejeon Office

(Unit: case)

Cat.	Received	Closed	Accepted						Not Accepted					Under Investigation
			Sub total	Recommendation / Settlement Recommendation	Recommendation for Disciplinary Action	Criminal Charge/ Investigation Request	Legal Aid Request	Consensual Settlement	Sub total	Dismissed	Rejected	Transferred	Suspended	
Cumul.	825	586	35	10	-	2	-	23	551	128	420	3	-	239
2015	683	554	35	10	-	2	-	23	519	128	388	3	-	129
2014	142	32	-	-	-	-	-	-	32	-	32	-	-	110

In 2015, the Office conducted a total of 152 rounds of human rights education for 7,881 students. In detail, a total of 79 special lectures were given to 4,851 participants: legally mandatory education sessions (19 rounds, 811 participants who work in mental health or homeless facilities), four-staged human rights teacher trainings (nine rounds, 223 participants), programs for higher human rights sensitivity for undergraduates and public officers (two rounds), a human rights policy workshop (one round), and a special invited lecture celebrating the opening of the Office. The door-to-door human rights classes were offered 33 times for 1,371 students as well as nine rounds of the on-site education programs for 380 participants, including infants (four to six years old), high school students, and policemen.

[Table 2-5-17] Education Statistics of daejeon Office by Area in 2015

(Unit: number of sessions and people)

Cat.	Special Lecture	Teacher Training	Mandatory Education	Door-to-door Education	Others	Total
Session	79	9	19	9	33	152
Person	4,851	223	811	380	1,371	7,881

Considering the growing demand in human rights education, the Office worked hard to provide a systemic, localized education for locals. After the opening of the human rights education center on April 28th, the Office started to produce high-quality teachers and delivered

tailored education content, for example, giving different education between infants and senior citizens based on age, or among people with disability, immigrants, children and youths, undergraduates, local government officers, and policemen, based on occupation type. At the same time, the common education programs were provided. These activities helped the Office improve the human rights awareness level in the region and create a more human rights-friendly environment.

Other major missions of the Office are cooperation with other institutions and promotion activities. The Office first utilized on- and offline tools to let local people know about the opening of the Office and major missions of the Commission. Moreover, the Office ran several rounds of circuit counseling and opened a promotion booth at the Daejeon Youth University Theatre Festival, as part of an effort to make local people be more participatory. Also, human rights works were exhibited at public offices, libraries, and subway stations and a "Human Rights" Journal was distributed. Another example of the Office's promotion activity is broadcasting the Commission advertisement on the Daejeon subway announcement. The Office strived to increase overall human rights accessibility and create a venue where people can talk about and share recent human rights matters in various areas by introducing the current complaint status and the missions of the Office through interviews with main broadcasters (KBS or MBS).

One of the noteworthy projects in 2015 is the Youth Human Rights Forum, joined by members of the 10 human rights groups, including the Office, Daejeon YMCA, the Daejeon-Chungnam Human Rights Alliance, and Conscience and Human Rights - Trees. Through eight rounds of debate and discussion, the participants talked about how to advance human rights for children and youths, review the achievements and limitations discovered within the areas with human rights ordinances (Seoul, Jeonbuk, et cetera). The discussion outcome was delivered to the Daejeon City Council so that it can be reflected on the future human rights ordinance for students. On top of that, the Office studied local people (1,700 people) to understand their student human rights awareness level and published the findings. The Office, armed with enthusiasm and a strong drive, sought for a detailed solution for youth human rights improvement and forged a number of sustainable groups as a firm foundation for cooperation with other relevant institutions.



Appendix

National Human Rights Commission of Korea
Annual Report 2015

1. Commissioners, Senior Executive Officers and Former Commissioners
2. Organization and Statistics on Major Businesses
3. The 4th Plan for the Promotion of Human Rights (2015 - 2017)



1. Commissioners, Senior Executive Officers and Former Commissioners

(as of December 31st, 2015)

A. Commissioners and Senior Executive Officers

■ Commissioners

Position/Name	Profile	Remarks
 Chairperson Lee, Sung-Ho	- Passed the 22nd Bar Exam - 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	Nominated by the President (Aug. 13, 2015 – Aug. 12, 2018)
 Standing Commissioner Kim, Young-Hye	- Senior Judge, Incheon District Court and Seoul Central District Court - Vice President, International Association of Women Judges 18th Guest Editorial Writer, DongA Ilbo - Co-Representative, the Lawyers for Citizens - Member, Presidential Council for Future & Vision - Managing Partner, C&B-Lee Law Firm	Nominated by the President (Nov. 15, 2010 - Nov. 27, 2016) * Consecutive Nomination: Nov. 28, 2013
 Standing Commissioner Yoo, Yeong-Ha	- Passed the 34th Judicial Examination - Prosecutor, Changwon, Gwangju (Suncheon), Cheongju, Incheon, and Seoul (North) Regional Prosecutor's Office - Human Rights Ombudsman, Ministry of Justice - Human Rights Commissioner, Seoul Bar Association - Board member, Hansei University - Lawyer, Woojin LLC, Saebit LLC	Elected by the National Assembly (Mar. 7, 2014 - Mar. 6, 2017)
 Standing Commissioner Lee, Kyung-Suk	- Secretary General, Vice President, Standing Representative, and Co-representative, Korea Women Link - Director of Policy and Planning, Standing Representative, Co-Representative, the United Korea Women's Association - Member, Press Arbitration Commission Committee - Member, Korean Broadcasting Commission - Head, Support Team for Women escaped from Prostitution, Uri Party; - Head, Policy Planning Team on Child Support - Chairperson, the 6 Policy Coordination Committee, United New Democratic Party - Member of 17th National Assembly (Culture and Tourism Committee, Education Committee)	Elected by the National Assembly (Mar. 16, 2015~ Mar. 15, 2018)

Position/Name	Profile	Remarks
 Commissioner Han, Tae-Sik	• Dean, Buddhism School, Dongguk University • President, International Electronic Buddhist Text Society • President, Jungto Academy • Professor of Zen Buddhism, Dongguk University • Member, 14th Central Council of Jogye Order of Korean Buddhism • Chief Priest, Mt. Chunggae Jungtosa Temple of Jogye Order	Nominated by the President (Feb. 8, 2010 - Apr. 17, 2016) * Consecutive nomination: Apr. 18, 2013
 Commissioner Yoon, Nam-Geun	• Judge, Daejeon District Court and Seoul High Court; Senior Judge, Seoul Eastern District Court • Vice President, Korea Dosan Jurisprudence Society • Chairperson, Subcontract Conflicts Mediation Committee, Fair Trade Commission • Arbitrator, Korean Commercial Arbitration Board and executive director, Korean Arbitrators Association • Member, Legal Ethics and Professional Conduct Council • Member, Judge Personnel System Improvement Committee of the Supreme Court • Professor, School of Law, Korea University	Nominated by the Chief Justice of the Supreme Court (Jan. 19, 2011 - Jan. 18, 2014) * Consecutive nomination: Jan. 19, 2014
 Commissioner Han, Wee-Soo	• Judge, Seoul District Criminal Court, Seoul District Civil Court and Masan District Court • Judge, Seoul High Court and Busan High Court • Professor, Judicial Research & Training Institute; Research Director, the Constitutional Court • Senior Judge, Seoul High Court and Daegu High Court • 5th President, Korean Society for Media Law, Ethics and Policy Research • Member, Central Environmental Disputes Mediation Committee • Member, Human Rights Commission, Korean Bar Association • Lawyer, Bae, Kim & Lee LLC	Nominated by the Chief Justice of the Supreme Court (Aug. 10, 2012 - Aug. 9, 2015) * Consecutive nomination: Aug. 10, 2015
 Commissioner Kang, Myeong-Deok	• Director, Human Rights Violation Investigation Division; Director-General, Human Rights Violation Investigation Bureau; Director-General, Human Rights Policy Bureau; Acting Secretary-General, the NHRCK • Director-General, Immigration Control Bureau, Ministry of Justice • Lawyer, Kang Myeong-deok Law Office • Standing Commissioner, Korea Medical Dispute Mediation and Arbitration Agency	Elected by the National Assembly (Aug. 13, 2012 - Aug. 12, 2015) * Continuously serve the term until the next nomination

Position/Name	Profile	Remarks
 Commissioner Lee, Seon-Ae	• Judge, Seoul District Court; Seoul Administrative Court; Seoul High Court • Legal Researcher, the Constitutional Court • Member, Society on Constitutional Practices • Editor, the Law Times • Member, Korean Statutory Interpretation Deliberation Committee, Ministry of Government Legislation • Member, Special Committee for the Enactment of Anti-Discrimination Act, Ministry of Justice • Lawyer, Yoon & Yang LLC	Nominated by the Chief Justice of the Supreme Court (Jan. 19, 2014 - Jan. 18, 2017)
 Commissioner Choi, E-Woo	• Chaplain, Korean Army • Senior Pastor, Ansan Gwanglim Methodist Church and Wangsimni Church • Director, Childfund Korea • Standing President, Korean Church Volunteers • Advisory Commissioner, Presidential Committee for National Cohesion • Senior Pastor, Chongkyo Methodist Church	Nominated by the President (Nov. 3, 2014 - Nov. 2, 2017)
 Commissioner Lee, Eun-Kyung	• Judge, Seoul Southern, Central, Eastern District Court • Visiting Professor, Judicial Research and Training Institute • Member, Victim Protection Committee, Ministry of Justice • Vice President, Korea Women Lawyers Association • Auditor, Korean Women's Development Institute • Member, Press Arbitration Commission • Managing Partner, Sanju Law Firm	Elected by the National Assembly (Feb. 5, 2015 - Feb. 4, 2018)

■ Former Commissioners

Name	Profile	Term
 1st Chairperson Kim, Chang-Guk	• Chief Prosecutor, Jeonju and Gwangju District Prosecutors' Office • 82th President, Seoul Bar Association • 40th President, Korean Bar Association • Co-representative, People's Solidarity for Participatory Democracy • Chair, the Committee for the Inspection of Property of Japan Collaborators	Nov. 25, 2001 - Dec. 23, 2004
 2nd Chairperson Choi, Young-Do	• 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	Dec. 24, 2004 - Mar. 22, 2005
 3rd Chairperson Cho, Young-Hwang	• Standing Director, Seoul Bar Association • Lawyer in Charge of Maintaining Public Prosecution against Sexual Torture Occurred at Bucheon Police Station • Director, Anti-Corruption Committee, the Citizens' Coalition for Economic Justice • Judge, Goheunggun Court, Suncheon Branch of Gwangju District Court • Chairperson, the Ombudsman of Korea	Apr. 4, 2005 - Oct. 1, 2006
 4th Chairperson Ahn, Kyong-Whan	• Professor and Dean, College of Law, Seoul National University • Visiting Professor, College of Law, University of Illinois • 8th President, Korean Constitutional Law Association • Vice-chairman, Asia-Pacific Forum of National Human Rights Institutions (APF) • Vice-chairman, International Coordinating Commission (ICC)	Oct. 30, 2006 - Jul. 5, 2009
 5th and 6th Chairperson Hyun, Byung-Chul	• Dean, College of Law, Hanyang University • Director, Administration Department, Hanyang University • Secretary General and Vice-president, the Korea Law Professors Association • President, Korea Association of Comparative Private Law • Director, Graduate School of Public Administration, Hanyang University • Dean, Hanyang Cyber University	(Jul. 17, 2009 - Aug. 12, 2015) * Consecutive nomination: Aug. 13, 2012

■ Former Commissioners

Name / Title	Profile	Remarks
Standing Commissioner Park, Kyung Seo	· First Human Rights Ambassador of Korea	Nov. 25, 2001 - December 23, 2004
Standing Commissioner Yoo, Hyun	· Presiding Judge, Seoul High Court	Nov. 25, 2001 - Jul. 20, 2004
Standing Commissioner Rhyu, See Chun	· Standing Director, Council of National Literature Writers	Nov. 25, 2001 - Mar. 12, 2004
Commissioner Kwak, No Hyun	· Professor of Law, Korea National Open University	Nov. 25, 2001 - Feb. 23, 2003
Commissioner Kim, Duk Hyun	· Judge, Seoul District Civil Court	Nov. 25, 2001 - Mar. 14, 2005
Commissioner Kim, O Sup	· Presiding Judge, Seoul High Court	Nov. 25, 2001 - December 23, 2004
Commissioner Shin, Dong Woon	· Professor of Law, Seoul National University	Nov. 25, 2001 - December 23, 2004
Commissioner Lee, Jin Kang	· President, Korean Bar Association	Nov. 25, 2001 - Nov. 29, 2002
Commissioner Cho, Mi Kyung	· Professor of Law, Aju University	Nov. 25, 2001 - December 23, 2004
Commissioner Jung, Kang Ja	· Co-Chair, Korea Women Link	Nov. 25, 2001 - December 23, 2004
Commissioner Ryu, Guk Hyun	· Chief Prosecutor, Gangneung Office, Chuncheon Regional Prosecutor's Office	Dec. 12, 2002 - Feb. 23, 2003
Commissioner Lee, Heung Rok	· Lawyer and Chairperson of Human Rights Policy Research Association	May 1, 2003 - Apr. 18, 2005
Commissioner Kim, Man Heum	· Professor, Asia-Pacific Research Center, Catholic University	Aug. 1, 2003 - Oct. 24, 2006
Standing Commissioner Choi, Young Ae	· Director, Korea Counseling Center on Sexual Violence	Jul. 23, 2004 - Sep. 20, 2007
Standing Commissioner Kim, Ho Joon	· Chief Editor and Commentator, Seoul Daily	December 24, 2004 - Feb. 3, 2008
Standing Commissioner Jung, Kang Ja	· Co-Chair, Korea Women Link	December 24, 2004 - December 23, 2007
Commissioner Ra, Cheon Soo	· Senior Judge, Seoul Central District Court	December 24, 2004 - Jun. 28, 2006
Commissioner Lee, Hae Hak	· Co-Chair, National Association of Democratic Reform	December 24, 2004 - December 31, 2006
Commissioner Chung, In Seop	· Professor of Law, Seoul National University	December 24, 2004 - December 23, 2007
Commissioner Choi, Keum Sook	· Professor of Law, Ewha Womans University	December 24, 2004 - December 23, 2007
Commissioner Shin, Hei-Soo	· Professor of Social Welfare, Hanil Presbyterian Theological Seminary	Mar. 15, 2005 - Mar. 19, 2008

Name / Title	Profile	Remarks
Commissioner Won, Hyung-Eun	· Chairperson, Christianity Association in Busan	Jun. 1, 2005 - Sep. 9, 2008
Commissioner Yoon, Ki-Won	· Managing Partner, The One Law Firm	Oct. 25, 2006 - Dec. 28, 2009
Commissioner Chung, Jae-Geun	· Chief Priest, Mt. Bukhan Geumseonsa Temple of Jogye Order	Feb. 8, 2007 - Feb. 7, 2010
Standing Commissioner Choi, Kyung-Suk	· Co-Chair, Korea Differently Abled Women United	Sep. 21, 2007 - Oct. 10, 2010
Standing Commissioner Yoo, Nam-Young	· Vice President, Lawyers for a Democratic Society	Dec. 24, 2007 - Nov. 4, 2010
Commissioner Cho, Kuk	· Professor of Law, Seoul National University	Dec. 24, 2007 - Nov. 15, 2010
Commissioner Hwang, Deok-Nam	· Public Interest Commissioner on Adjudication, National Labor Relations Commission	Dec. 24, 2007 - Jan. 18, 2011
Standing Commissioner Moon, Kyung-Ran	· Editorial Writer, JoongAng Daily	Feb. 4, 2008 - Nov. 4, 2010
Commissioner Kim, Yang-Won	· President, ELIEL Welfare Foundation	Sep. 10, 2008 - Sep. 27, 2011
Commissioner Choi, Uni	· Dean, College of Law, Konkuk University; President, Konkuk University Law School	Sep. 4, 2008 - Jan. 2, 2012
Commissioner Chang, Chu-Young	· Managing Partner, Sangrok Law Firm	Dec. 29, 2009 - Jun. 27, 2012
Standing Commissioner Jang, Hyang-Suk	· Member of Executive Committee, International Paralympics Committee	Oct. 11, 2010 - Jan. 12, 2012
Commissioner Kim, Tae-Hoon	· Lawyer, Yoon & Yang Law Firm	Aug. 10, 2006 - Aug. 9, 2012
Commissioner Yang, Hyun-Ah	· Professor of Law, Seoul National University Law School	Jan. 19, 2011 - Jan. 18, 2014
Standing Commissioner Hong, Jin-Pyo	· Director and Editor, quarterly Zeitgeist	Feb. 21, 2011 - Mar. 6, 2014
Commissioner Kim, Sung-Young	· Chair Professor, Baekseok University	Sep. 28, 2011 - Nov. 2, 2014
Commissioner Kwak, Ran-Joo	· Lawyer, Min Law Firm	Jan. 3, 2012 - Feb. 4, 2015
Standing Commissioner Jang, Myung-Sook	· Standing Chair, Korean Differently Abled Women United	Mar. 8, 2012 - Mar. 15, 2015

■ Secretary General and Senior Executive Officers

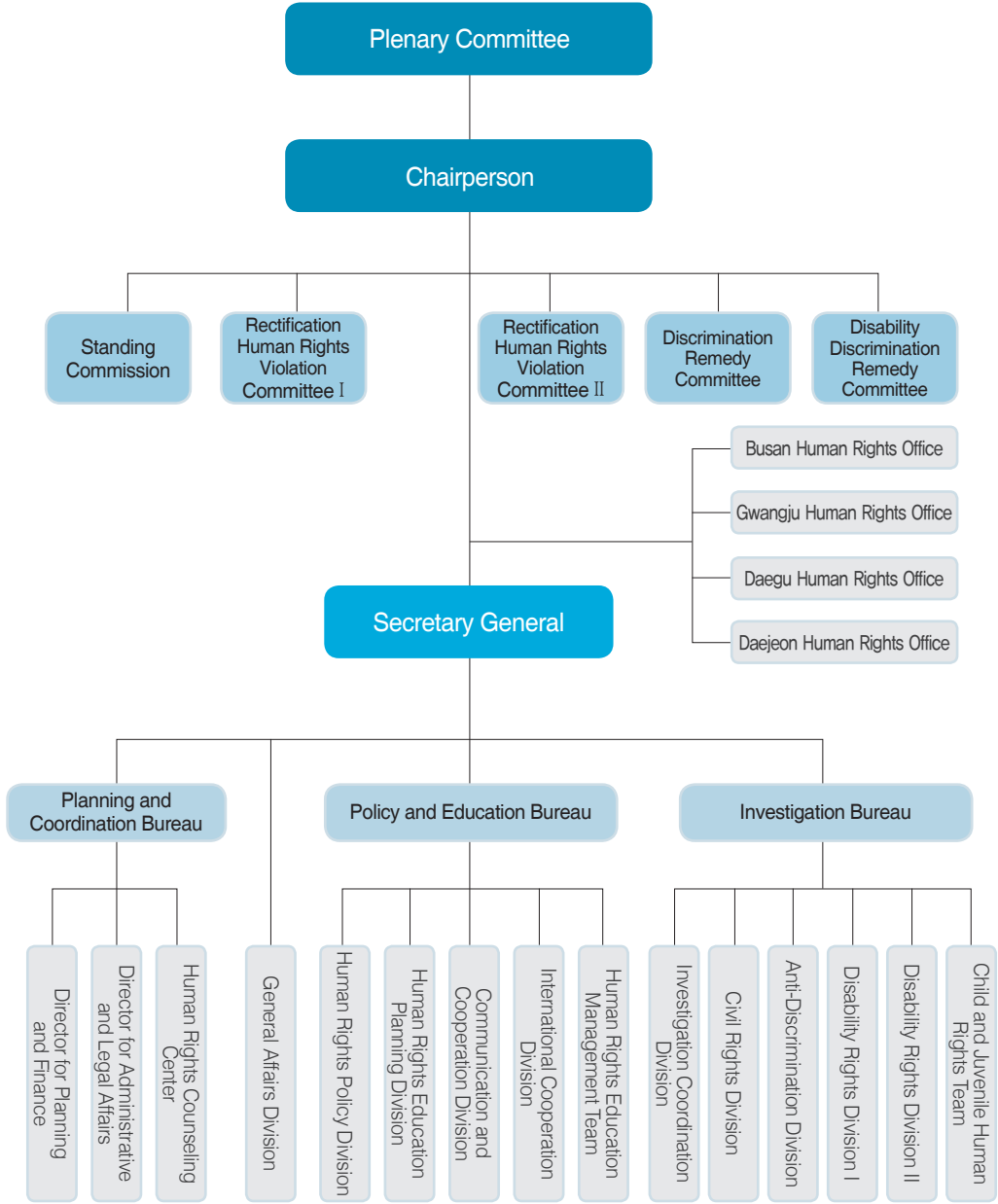
Name	Profile	Name	Profile
 Secretary General Ahn, Suk-Mo	• Director-General, Planning & Coordination, NHRCK • Director-General, Policy and Education Bureau, NHRCK • Director, General Affairs, NHRCK • Director, Violation Investigations, NHRCK • Director, Remedial Actions III, NHRCK • Director, Budget & Administration, NHRCK • Office of Inspector General, Ministry of Defense	 Director-General Investigation Bureau Kim, Seong-Jun	• Director, Planning & Coordination, NHRCK • Director, Disabilities Discrimination Investigations II, NHRCK • Director, Violation Investigations, NHRCK • Director, Administration & Legal Affairs, NHRCK • Director, Remedial Actions I, NHRCK • Director, Policy Coordination, NHRCK • Director, Legal and Audit Affairs, NHRCK
		 Director-General Policy and Education Bureau Shim, Sang-Don	
			Director-General Planning & Coordination (Vacant)

2. Organization and Statistics on Major Businesses in 2015

A. Organization Structure and Quota

- **Commission:** Total of 11 Commissioners including the Chairperson, three Standing Commissioners, and seven Non-Standing Commissioners
 - Four Commissioners shall be nominated by the President of Korea; four shall be elected by the National Assembly; and three shall be nominated by the Chief Justice of the Supreme Court and then approved by the President of Korea.
 - Three-year term (only one consecutive term is allowed)
- **Secretariat:** Led by the Secretary General, and comprised of three Bureaus, 12 Divisions, three Teams, four Regional Offices
 - Number of personnel: 190 (as of December 12th, 2015)

B. Organizational Chart



C. Statistics on Counseling, Complaints, Policy Recommendation, and Education

1) Yearly Reception History of Complaint, Counseling, Civil Petition, and Inquiry

(Unit: case)

Year	Complaint	Counseling	Civil Petition / Inquiry	Total
Cumulative.	99,914	268,658	344,553	713,125
2015	10,687	32,028	37,957	80,672
2014	10,916	34,547	36,622	82,085
2013	10,056	35,508	36,670	82,234
2012	9,582	29,267	30,943	69,792
2011	7,357	25,303	26,068	58,728

※ Cumulative Total: November 25th, 2001 - December 12th, 2015 (Counseling includes closed face-to-face complaints)

2) Policy Recommendation and Expression of Opinion

(Case: unit)

Category	Total	Recommendation	Expression of Opinion	Submission of Opinion
Cumulative.	575	261	292	22
2015	36	12	23	1
2014	47	27	19	1
2013	43	27	16	0
2012	42	24	18	0
2011	40	18	20	2

※ Cumulative Total: November 25th, 2001 - December 31st, 2015

3) Reception and Process Status of Complaints in 2015

(Unit: case)

Cat.	Received	Total	Accepted								Not Accepted			
			Sub total	Criminal Charge/ Investigation Request	Recommendation for Disciplinary Action	Urgent Remedy	Recommendation or Settlement Recommendation	Consensual Settlement	Legal Aid Request	Adjustment/ Resolution through Basic Investigation	Dismissed	Transferred	Rejected	Suspended
Total	10,687	10,898	495	8	8	0	165	313	0	1	6,766	87	3,414	136
Violation	8,496	8,800	418	8	3	0	130	277	0	0	5,417	79	2,830	56
Discrimination	2,183	2,015	77	0	5	0	35	36	0	1	1,338	7	584	9
Others	8	83	0	0	0	0	0	0	0	0	11	1	0	71

4) Human Rights Education History

Cat.	Total		Training Course		On-site Program		Online Education		Special Lecture	
	Session	Person	Session	Person	Session	Person	Session	Person	Session	Person
Cumulative.	12,846	1,031,479	1,826	82,140	1,276	36,517	1,117	192,319	8,627	720,503
2015	2,509	145,322	438	18,468	239	9,194	353	34,635	1,479	83,025
2014	2,334	164,075	334	14,325	206	4,926	288	34,744	1,506	110,080
2013	1,834	168,580	245	11,382	159	4,588	150	39,654	1,280	112,956
2012	1,300	124,937	214	10,456	119	2,204	109	21,550	858	90,727
2011	1,167	114,097	166	7,064	153	3,019	71	14,681	777	89,333

※ Cumulative Total: November 25th, 2001 - December 12th, 2015

3. The 4th Plan for the Promotion of Human Rights (2015~2017)

Vision

World of Dignity for All

Mission

Ensuring and upgrading basic human rights for everyone to safeguard their dignity and value as a human being and consolidate the basis of a democratic society

Four Strategic Targets	Goals
I . Laying a foundation to promote human rights	1. Ensuring freedoms, including personal freedom, freedom of speech 2. Protecting social rights through a stronger social safety net 3. Implementing and monitoring National Action Plan for the Promotion and Protection of Human Rights (NAP) recommendations 4. Bringing international human rights norms into the society 5. Introducing human rights evaluation system
II . Protecting human rights of the vulnerable and marginalized	1. Improving human rights for children, youths, and senior citizens 2. Rectifying discrimination against people with disability and improving their human rights 3. Correcting gender discrimination and sexual harassment and reinforcing women's human rights 4. Guaranteeing human rights for immigrants and Korean nationals abroad 5. Strengthening remedies for those in human rights blind spots
III . Spreading the values of human rights in society	1. Reinforcing local people's accessibility and spreading the values of human rights across the country 2. Expanding human rights policies, including the enactment of the Human Rights Education Support Act 3. Developing, distributing, and utilizing human rights education contents 4. Operating human rights education in a systemic way 5. Raising human rights awareness through vibrant promotion activities
IV . Highlighting human rights issues and strengthening cooperation	1. Resolving labor market polarization and isolation 2. Spreading and upgrading human right-friendly business operation culture 3. Strengthening the right to information with the emergency of an information-driven society 4. Studying and researching new human rights agendas 5. Upgrading exchange and cooperation with human rights institutions and groups in- and outside Korea
<Special Task>	1. Improving the North Korea human rights situation
<Feature Projects>	1. Publishing book about the past 15 years of the Commission
Prerequisites (Strengthening the capacity of NHRCK)	1. Bolstering the independence of the Commission 2. Enabling everyone in the Commission to build a greater professionalism

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