



# REPUBLIC OF KOREA

## UPDATED ASSESSMENT OF R2P IMPLEMENTATION 2023



Asia-Pacific Centre for the  
Responsibility to Protect



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# REPUBLIC OF KOREA

The Republic of Korea (ROK or South Korea) continues to perform strongly on R2P-implementation and human rights protections.

The ROK, as one of few countries in the region, has a R2P-focal point. It has a robust and diverse civil society, protected by multiple governments of different persuasions, and supported by strong and well-attended education.

Discrimination based on gender, sexuality and ethnicity is banned. Women have recently been experiencing digital discrimination, which is an unaddressed problem. Rights of the LGBT+ community have historically not been well-enforced, but in the recent years the ROK has hosted Pride Parades.

The relationship to the DPRK does inform some of ROK's human rights mechanisms, as it has banned media from the DPRK as well as allowing special protection to those fleeing the DPRK.

Internationally, the ROK is party to all twelve of the human rights instruments most relevant to R2P, has a strong voting record in favour of R2P at the UN, and is an active participant in human rights review processes. It is a supporter of the norm.

The ROK makes contributions to peacekeeping missions.

Its index score is unchanged from 2022.

Republic of Korea (ROK or South Korea)  
 South Korea: Updated Assessment of R2P Implementation 2023

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Very Strong Unchanged	South Korean citizens remain adequately protected from atrocity crimes.
	Reduction of atrocity crime risks.	Very Strong Unchanged	South Korea has strong institutions, access to education and a government committed to R2P. All of this keeps the risk of atrocity crime low.
	Dealing with past atrocities.	Fair Unchanged	South Korea continues to deny its troops committed war crimes while deployed during the Vietnam War. However, there are lawsuits from Vietnamese survivors, and some have won their cases in the courts, indicating some change underway in society. <sup>1</sup>
Policy Mechanisms	Appoint national R2P Focal Point.	Very Strong Unchanged	South Korea maintains a national Focal Point on R2P. <sup>2</sup>
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Fair Unchanged	South Korea's principal instrument of atrocity prevention comes from the <i>North Korean Human Rights Act</i> of 2016, which as the name suggests is targeted at North Korean citizens. It is an ambition of the government to establish an institution to support the ambassador of the act, but this is yet to be done. <sup>3</sup>
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak Unchanged	No new evidence could be found of South Korea establishing domestic mechanisms related to R2P.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Very Strong Unchanged	South Korea has fully ratified all twelve instruments of international human rights law most relevant to R2P.
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Strong Unchanged	South Korea remains a member State of the <i>Rome Statute of the International Criminal Court</i> .
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Very Strong Unchanged	South Korea's National Human Rights Commission maintains its 'A' rating with GANHRI, <sup>4</sup> due to its full compliance with the Paris Principles.
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.	Strong Unchanged	South Korea has strong protections of civil, social, political and economic rights. However, there is a lack of a comprehensive anti-discrimination bill, and discrimination against women, asylum-seekers, LGBTIQ+ community, and minorities. However, the Supreme Court overturned two previous rulings, increasing LGBTIQ+ rights in the military and transgender rights to dignity and recognition. <sup>5</sup>

<sup>1</sup> Dung, Phan Xuan, ISEAS Perspective 2023, n.d, *Forgiving Without Forgetting: Vietnam's Peace Diplomacy over South Korean Atrocities in the Vietnam War*, <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2023-33-forgiving-without-forgetting-vietnams-peace-diplomacy-over-south-korean-atrocities-in-the-vietnam-war-by-phan-xuan-dung/>; Summers, John, 2023, 'The biggest Vietnam War story that Americans don't talk about', *The Boston Globe*, 11th August. Available at: <https://www.bostonglobe.com/2023/08/11/opinion/south-korean-mercenaries-vietnam-war-phong-nhi-massacre/>

<sup>2</sup> Global Centre for the Responsibility to Protect (GCR2P), 2022. *Members of the Global Network of R2P Focal Points*, <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>.

<sup>3</sup> HRW, 2023. *South Korea: Events of 2022*. <https://www.hrw.org/world-report/2023/country-chapters/south-korea>

<sup>4</sup> Global Alliance of National Human Rights Institutions, 2022. *Members*, <https://ganhri.org/membership/>

<sup>5</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, 'Section 2. Respect for Civil Liberties, Including: a. Freedom of Expression, Including for Members of the Press and Other Media; Section 6. Discrimination and Societal Abuses', <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/south-korea/>; Amnesty International, 2023. *South Korea 2022* <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/south-korea/report-korea-republic-of/>; HRW, 2023. *South Korea: Events of 2022* <https://www.hrw.org/world-report/2023/country-chapters/south-korea>

	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.	Very Strong Unchanged	South Korea partakes in the UPR and was reviewed in 2023. It received 263 recommendations and accepted 159 of them. The accepted recommendations were largely in creating legal frameworks for human rights and humanitarian law. <sup>6</sup>  South Korea maintains its record of no overdue reports, and is party to ten treaties that require reports. <sup>7</sup>
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Very Strong Unchanged	South Korea maintains an open invitation for UN mandate holders to visit the country. The majority of visits have been completed and reported upon. Several visits are scheduled for 2024 and 2025. <sup>8</sup>
	Ensure equal access to justice.	Strong Unchanged	The courts are generally free from political interference. However, corruption is reported at all political levels in South Korea, and this may impact members of the judiciary. Asylum seekers, including those from North Korea, do not always have access to basic services. <sup>9</sup>
	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Strong Unchanged	South Korea has criminalized genocide, crimes against humanity and war crimes domestically through the <i>Act on Punishment of Crimes Under Jurisdiction Of The International Criminal Court</i> . <sup>10</sup> Ethnic cleansing and the crime of aggression are not specifically referenced in any legislation.
	Take measures to counter and prevent violent extremism.	Strong Unchanged	Despite not having experienced a terrorist attack, South Korea has remained strongly committed to international counter terrorism activities <sup>11</sup> It is a member of Financial Action Taskforce (FAFT) and has received praise for particularly its money-laundering laws preventing the financing of terrorism. <sup>12</sup>
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.	Very strong Increase	South Korea has criminalized rape, domestic violence and sexual assault, and police react promptly to these complaints. However, the legal definitions are narrow, leading to less convictions and lower punishments overall. Digital sexual crime is an increasing problem that lacks regulation. <sup>13</sup>  In 2022, South Korea had its first Pride Parade. It was almost as well-attended as the protest parade

<sup>6</sup> UNHRC, Office of the High Commissioner, 2023, *Republic of Korea*, <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/kr/Infographics-4thcycle-Republic%20of%20Korea.pdf>

<sup>7</sup> United Nations Human Rights Treaty Bodies, n.d. *List of States parties without overdue reports*, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/LateReporting.aspx](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx).

<sup>8</sup> United Nations Human Rights Office of the High Commissioner (UNOHCHR), n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=KOR&Lang=en>.

<sup>9</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, ‘Section 2. Respect for Civil Liberties, Including: f. Protection of Refugees; Section 4. Corruption and Lack of Transparency in Government’ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/south-korea/>; Freedom House, 2024 *Freedom in the World 2023: South Korea*, ‘F. Rule of Law’, <https://freedomhouse.org/country/south-korea/freedom-world/2022>.

<sup>10</sup> International Criminal Court Project, 2022. South Korea: Overview, <https://www.aba-icc.org/country/south-korea/>. See also: Republic of Korea. ‘Act on the Punishment of Crime within Jurisdiction of the International Criminal Court’. (12 April 2011). *Korea Law Translation Center*. Chapter 2, Articles 8 – 14. [https://elaw.klri.re.kr/eng\\_mobile/viewer.do?hseq=24229&type=part&key=9](https://elaw.klri.re.kr/eng_mobile/viewer.do?hseq=24229&type=part&key=9).

<sup>11</sup> United Nations, 2020. *Statement by Ms. Hyunseung Lee (1<sup>st</sup> Secretary) Permanent Mission of the Republic of Korea to the United Nations: Measures to Eliminate International Terrorism (Agenda 114)*, [https://www.un.org/en/ga/sixth/75/pdfs/statements/int\\_terrorism/03mtg\\_reporfokorea.pdf](https://www.un.org/en/ga/sixth/75/pdfs/statements/int_terrorism/03mtg_reporfokorea.pdf).

<sup>12</sup> Financial Action Taskforce (FAFT), n.d., *Korea*, <https://www.fatf-gafi.org/en/countries/detail/Korea.html>

<sup>13</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, ‘Section 6. Discrimination and Societal Abuses: Women’ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/south-korea/>

	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Fair Unchanged	happening at the same time. There is discrimination in the laws against LGBTIQ+ people, impacting levels of SGBV, although recent developments like decriminalization of same-sex couples in the military suggest an emerging change of attitudes. <sup>14</sup> There is an asylum-seeking process in place in South Korea, however the country accepts very few of its asylum-seekers as refugees. The process can take up to five years, during which asylum-seekers often do not have access to basic services and afterwards have difficulty remaining in South Korea. South Korea maintains its long-standing policy of granting automatic citizenship to defectors from North Korea. <sup>15</sup>
Domestic Implementation	Conduct a national assessment of risk and resilience.	Very Weak Unchanged	No evidence could be found of such an assessment being conducted.
	Cultivate and protect an active, diverse and robust civil society.	Very Strong Unchanged	The civil society sector remains strong in South Korea, and it is widely considered a liberal democracy that respects the rights of its people and has robust institutions. While North Korean media is inaccessible, the diversity of media is generally good. Journalists report lack of protection against online harassment, but working conditions are generally satisfactory. <sup>16</sup>
	Ensure a legitimate, effective and civilian controlled security sector.	Very Strong Unchanged	Civilian authorities maintain control over the armed forces, and abuses are addressed through effective mechanisms. <sup>17</sup>
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.	Very strong Increase	South Korea maintains an effective education system, with compulsory education from ages 6 to 14. 90% of the population is enrolled in education beyond this. The enrolment is similar across regions. <sup>18</sup> The gender balance in education has evened, an improvement from previous years. <sup>19</sup>
	Prevent nationals committing atrocity crimes overseas.	Strong Unchanged	No new evidence could be found regarding this Indicator.
Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Strong Unchanged	South Korea is part of the Group of Friends of R2P, and statements made as part of the collation are frequent. <sup>20</sup>
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage	Strong Unchanged	South Korea has been in favour of all General Assembly resolutions referencing atrocity crimes.  <b>UN General Assembly Resolutions:</b> <sup>21</sup>

<sup>14</sup> HRW, 2023. *South Korea: Events of 2022* <https://www.hrw.org/world-report/2023/country-chapters/south-korea>

<sup>15</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, ‘Section 2 Respect for Civil Liberties, e. Protection of Refugees’ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/south-korea/>; Amnesty International, 2023. *South Korea 2022* <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/south-korea/report-korea-republic-of/>

<sup>16</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, ‘Section 2. Respect for Civil Liberties, Including: A. Freedom of Expression, Including for Members of the Press and Other Media’; Freedom House, 2023, *Freedom in the World 2022: South Korea*, ‘Civil Liberties D. Freedom of Expression and Belief’; Reporters Without Borders, 2022. *South Korea*, <https://rsf.org/en/country/south-korea>

<sup>17</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: South Korea*, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/south-korea/>

<sup>18</sup> OECD iLibrary, n.d. *Education at a Glance 2022L OECD Indicators – Korea*, <https://www.oecd-ilibrary.org/sites/f5245c28-en/index.html?itemId=/content/component/f5245c28-en#section-d1e12644>

<sup>19</sup> Statista, 20<sup>th</sup> January 2023, *Share of female students South Korea 2022, by school level*, <https://www.statista.com/statistics/1037174/south-korea-share-of-female-students-by-school-level/#:~:text=In%202022%2C%20about%2064.6%20percent,rollment%20of%20about%2055.3%20percent.>

<sup>20</sup> GCR2P, n.d., Group of Friends of the Responsibility to Protect, <https://www.globalr2p.org/group-of-friends-of-the-responsibility-to-protect/>

<sup>21</sup> GCR2P, 2023. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for each resolution were accessed using the UN’s Digital Library: General Assembly of the United Nations, n.d. *Voting Records*, <https://www.un.org/en/ga/documents/voting.asp>.)

States to fulfil their responsibility to protect.

- 2018: Extrajudicial, summary or arbitrary executions A/RES/73/172: **yes**.
- 2018: Situation of human rights in the Democratic People’s Republic of Korea A/RES/73/180: **adopted without vote**.
- 2018: Situation of human rights in the Syrian Arab Republic A/RES/73/182: **yes**.
- 2019: Situation of human rights in the Democratic People’s Republic of Korea A/RES/74/166: **adopted without vote**.
- 2019: Situation of human rights in the Syrian Arab Republic A/RES/74/169: **yes**.
- 2020: Situation of human rights in the Democratic People’s Republic of Korea A/RES/75/190: **adopted without vote**.
- 2020: Extrajudicial, summary or arbitrary executions A/RES/75/189: **yes**.
- 2020: Situation of human rights in the Syrian Arab Republic A/RES/75/193: **yes**.
- 2021: Promoting a culture of peace and tolerance to safeguard religious sites A/RES/75/258: **adopted without vote**.
- 2021: The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity A/RES/75/277: **yes**.
- 2022: Extrajudicial, summary or arbitrary executions, A/RES/77/218: **yes**
- 2022: Democratic Peoples Republic of Korea, A/RES/77/226: **adopted without a vote**
- 2022: Myanmar/Burma, A/RES/77/227: **adopted without a vote**
- 2022: Syria A/RES/77/230: **yes**

From 2019-2022, under Moon Jae-in’s Presidency, South Korea broke its decade-long policy of co-sponsoring human rights resolutions on North Korea. This policy has been re-instated under President Yoon Suk-yool. The South Korean Ministry for Unification have also published a report on human rights abuses in North Korea despite nuclear tensions between the two countries.<sup>22</sup>

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.

Strong  
Unchanged

South Korea has condemned the Tatmadaw’s coup in Myanmar, extended the visas of thousands of Myanmar nationals in the wake of the violence, and imposed an arms embargo to Myanmar. There have been calls for South Korea to do more due to its economic status.<sup>23</sup>

Strengthen regional and international networks for atrocity crime prevention.

Fair  
Unchanged

For the first time, in December 2022, it has launched an Indo-Pacific strategy. This is focused on human rights, but also has a call for North Korean de-nuclearization.<sup>24</sup>

<sup>22</sup> Hyungjin, Kim and Lee, Christy, 2023, ‘Seoul Prioritizes Pyongyang’s Human Rights Abuses Amid Growing Nuclear Tensions, Voa News’, 5<sup>th</sup> April. Available at: <https://www.voanews.com/a/seoul-prioritizes-pyongyang-s-human-rights-abuses-amid-growing-nuclear-tensions/7038576.html> ; Wonju, Yi, 2023, , ‘S. Korea co-sponsors UNHRC draft resolution on N.K. human rights after 5 yrs,’ *Yonhap News Agency*, 23rd March. Available at: <https://en.yna.co.kr/view/AEN20230323000952325>

<sup>23</sup> UN News, 21<sup>st</sup> November 2022, Myanmar crisis: Rights expert urges Korea to play ‘enhanced leadership role’ <https://news.un.org/en/story/2022/11/1130882>

<sup>24</sup> Klinger, Bruce, 2023, ‘South Korea’s Vows Expanded Regional Role in Indo-Pacific Strategy’, *The Heritage Foundation*, 4<sup>th</sup> January. Available at: <https://www.heritage.org/asia/commentary/south-koreas-vows-expanded-regional-role-indo-pacific-strategy#:~:text=The%20South%20Korean%20military%20has,compared%20with%20other%20regional%20militaries>

	Strengthen the role and capacity of regional organisations.	Fair Unchanged	South Korea has, as part of its Indo-Pacific strategy, increased its involvement in regional organizations. This involvement takes a broad scope, but has included holding a summit with Pacific Island states. <sup>25</sup>
	Support the development and work of regional human rights and other preventive capacities.	Fair Unchanged	Much of South Korea's regional human rights work and attention is directed at North Korea. It also engages itself through the ASEAN-Korea Cooperation Fund, aiming to provide a more prosperous, peaceful and environmental-friendly region. Currently, there are 14 ongoing programs and 423 programs have been supported under this initiative. <sup>26</sup>
	Support atrocity prevention through development and assistance partnerships.	Fair Unchanged	South Korea is the 16th highest donor of development assistance in the world, which is especially remarkable given its own recent history of being in need of aid. Its current priorities include health, environment and economic infrastructure, which despite not being explicitly orientated to R2P contribute to building resilience. <sup>27</sup>
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Strong Unchanged	South Korea is supportive of R2P and genocide prevention and published a statement with other R2P Focal Point States urging increased support for the norm. <sup>28</sup>
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system.	Strong Unchanged	South Korea has under Yoon Suk-yeol taken a stronger stance on human rights abuses in North Korea than seen in previous years, as addressed in another Indicator. South Korea has, also under the former government, remained supportive of R2P and human rights more generally. This is unchanged.
	Support preventive actions on atrocity crimes.	Very Strong Unchanged	South Korea does, despite not often engaging in R2P discussions, indicate support for atrocity prevention in other ways, such as by delivering development assistance designed to increase systematic resilience in societies. <sup>29</sup>
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Fair Unchanged	South Korea contributes 545 personnel to UN peacekeeping missions, primarily to UNMISS in South Sudan and UNIFI in Lebanon. <sup>30</sup>
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Very Strong Unchanged	South Korea held the 2021 UN Peacekeeping Ministerial in Seoul, where they amongst 63 other nations pledged increased support to peacekeeping missions in the forms such as funding, capabilities and training. ROK pledged especially technological

<sup>25</sup> Wallis, Joanna and Kim, Jiye, 2023, 'Why did South Korea invite Pacific leaders to a summit, and why did they go?', *ASPI* 31st May. Available at: <https://www.aspistrategist.org.au/why-did-south-korea-invite-pacific-leaders-to-a-summit-and-why-did-they-go/>;

<sup>26</sup> AKCF, n.d. *Our Works*, <https://www.aseanrocfund.com/our-works>

<sup>27</sup> Hill, Cameron 2023, 'Aiming for the top ten – Korea's aid', *Dev. Policy Blog* 1st June. Available at: <https://devpolicy.org/aiming-for-the-top-ten-koreas-aid-20230601/>

<sup>28</sup> GCR2P 7<sup>th</sup> December 2023, *Statement by members of the Global Network of R2P Focal Points regarding the commemoration of the 75th anniversary of the Genocide Convention*, <https://www.globalr2p.org/resources/statement-by-members-of-the-global-network-of-r2p-focal-points-regarding-the-commemoration-of-the-75th-anniversary-of-the-genocide-convention/>

<sup>29</sup> Hill, Cameron, 1<sup>st</sup> June 2023, *Dev. Policy Blog*, *Aiming for the top ten – Korea's aid*, <https://devpolicy.org/aiming-for-the-top-ten-koreas-aid-20230601/>; OECD, 25<sup>th</sup> October 2021, *12 ways Korea is changing the world: From emerging donor to global development partner*, <https://www.oecd.org/country/korea/thematic-focus/from-emerging-donor-to-global-development-partner-66044045/>

<sup>30</sup> United Nations Peacekeeping, n.d., *Troops and Police Contributors*, <https://peacekeeping.un.org/en/troop-and-police-contributors> (Republic of Korea can be chosen from the drop-down menu)



Support the Kigali Principles.	Very Weak Unchanged	and medical capacities. <sup>31</sup> These pledges are currently being implemented. South Korea has not expressed support for the Kigali Principles.
Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong Unchanged	South Korea continues to support the French/Mexican initiative on suspending veto in the case of mass atrocities, <sup>32</sup> as well as the ACT Code of Conduct regarding atrocity crimes. <sup>33</sup>

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<sup>31</sup> Forti, Daniel and Wood, Mark J. 2022, ‘Analysing Member State Pledges from the 2021 Peacekeeping Ministerial’. *IPI Global Observatory*, 9th February. Available at: <https://theglobalobservatory.org/2022/02/analyzing-member-state-pledges-from-the-2021-un-peacekeeping-ministerial/>

<sup>32</sup> GCR2P, 2022. *List of Supporters of the Political Declaration on Suspension of Veto*, <https://www.globalr2p.org/resources/list-of-supporters-of-the-political-declaration-on-suspension-of-veto/>.

<sup>33</sup> GCR2P, 2022. *List of Signatories to the ACT Code of Conduct*, <https://www.globalr2p.org/resources/list-of-signatories-to-the-act-code-of-conduct/>.