

REPUBLIC OF KOREA 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. Nevertheless, the government continued to imprison conscientious objectors for refusing to participate in mandatory military service. On June 3, the UN High Commissioner for Human Rights (UNHCHR) released a report stating that 92.5 percent of conscientious objectors worldwide are South Korean nationals, and recommended that conscientious objectors to military service should have an alternative civilian service option to perform social work instead.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

U.S. embassy officials discussed issues related to religious freedom with the government and with leaders and members of religious groups.

Section I. Religious Demography

The U.S. government estimates the total population at 49 million (July 2013 estimate). According to the most recent census (2005), approximately 23 percent of the population is Buddhist, 18 percent is Protestant, 11 percent is Roman Catholic, and 47 percent professes no religious belief. Groups together constituting less than 1 percent of the population include Won Buddhism, Confucianism, Jeongsando, Cheondogyo, Daejonggyo, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventist Church, Daesun Jinrihoe, the Unification Church, and Islam. There is also a small Jewish population consisting almost entirely of expatriates.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies generally protect religious freedom. There is no state religion, and the government does not subsidize or favor any religion. The constitution states that church and state shall be separate.

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The law requires military service for virtually all male citizens between the ages of 20 and 30. Military service lasts between 21 and 24 months, depending on the branch of service. The law does not allow for conscientious objectors, who may receive a maximum three-year prison sentence for refraining from service. Conscientious objectors sentenced to more than 18 months in prison are exempt from further military service and reserve duty obligations, and are not subject to further fines or other punishment.

Those who complete their military service obligation and subsequently become conscientious objectors are subject to fines for not participating in mandatory reserve-duty exercises. Reserve-duty obligation lasts for eight years, and there are several reserve-duty exercises per year. The fines vary depending on jurisdiction, but typically average 200,000 Korean won (KRW) (\$190) for the first conviction. Fines increase by KRW 100,000-300,000 (\$95-284) for each subsequent conviction. The law puts a ceiling on the fine at KRW two million (\$1,895) per conviction. Courts have the option, in lieu of levying fines, to sentence individuals deemed to be habitual offenders to prison terms or suspended prison terms.

The preservation law provides some government subsidies to historic cultural properties, including Buddhist temples, for their preservation and upkeep.

The government does not require religious groups or foreign religious workers to register or obtain licenses.

The government does not permit religious instruction in public schools. Private schools are free to conduct religious activities.

Government Practices

There were reports of imprisonment and detention of conscientious objectors.

The courts sentenced most conscientious objectors to 18 months in prison. While absolved of any additional military commitment, after serving time in prison conscientious objectors have a criminal record that can affect future employment opportunities. Watchtower International, a Jehovah's Witnesses organization, reported that as of July 31, there were 583 members of the Jehovah's Witnesses in prison for conscientious objection to military service, 105 on trial, and 37 under investigation. The total number of cases was fewer than at the end of 2012 (733) but more than 2009 (400-500).

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On June 13, 333 Jehovah's Witnesses submitted a complaint to the Constitutional Court to decriminalize conscientious objection.

On July 10, the Supreme Court upheld a lower court decision to imprison a conscientious objector to military service for 18 months.

On August 26, 488 conscientious objectors submitted a petition to President Park Geun-hye's office, calling for the National Assembly to follow UNHCHR's recommendations to recognize their right to conscientious objection, clear the criminal records of convicted conscientious objectors, and offer compensation to those imprisoned.

On September 6, the Ulsan District Court asked the Constitutional Court to re-examine the constitutionality of the law that penalizes conscientious objectors. As of November the Constitutional Court was considering 28 cases filed by conscientious objectors to military service.

Sources at Watchtower reported that since 1990 courts have sentenced more than twenty conscientious objectors to prison terms or suspended prison terms for failing to participate in reserve duty exercises. Watchtower also estimates that since 1950, more than 17,400 conscientious objectors have served prison time in South Korea.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

According to the International Peace Corps of Religions, an interfaith umbrella organization, in May a mosque in Seoul reported acts of vandalism, threatening phone calls, and increasing anti-Islam protests. Muslims described instances of harassment, lack of appropriate dietary options, and denial of prayer breaks by employers during work hours.

Prominent religious leaders regularly met together privately and under government auspices to promote mutual understanding and tolerance.

Section IV. U.S. Government Policy

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U.S. embassy officials met regularly with the government and with members of various religious groups to discuss religious freedom. The embassy worked with the Ministry of Culture, Sports, and Tourism regarding conscientious objectors to military service in an effort to find an alternate way for them to serve rather than being imprisoned.