

# Conscientious Objection in South Korea

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World Without War

# Conscientious Objection in South Korea

As of today approx.

**700**

COs are in prison

This number represents

**95%**

of COs in prison in the world



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Since 1945, nearly

**20,000** Conscientious Objectors  
were imprisoned for refusing military service in Korea

# **Emergence of CO movement in 2000s**

# Public Appearance of COs



Photo: Feb. 4th 2002

***OH Tae-yang***, first CO who publicly announced his refusal to military service, is speaking at a press conference calling for introduction of alternative service to military service.

# **Changes in the society: after the CO movement**

# Changes in Judiciary

## Article 88 of the Military Service Act

*“Any person who has received a notice of enlistment for active duty service (...) and fails to enlist in the military or to comply with the call (...) without justifiable grounds, shall be punished by **imprisonment for not more than three years** ...”*

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CO can be punished

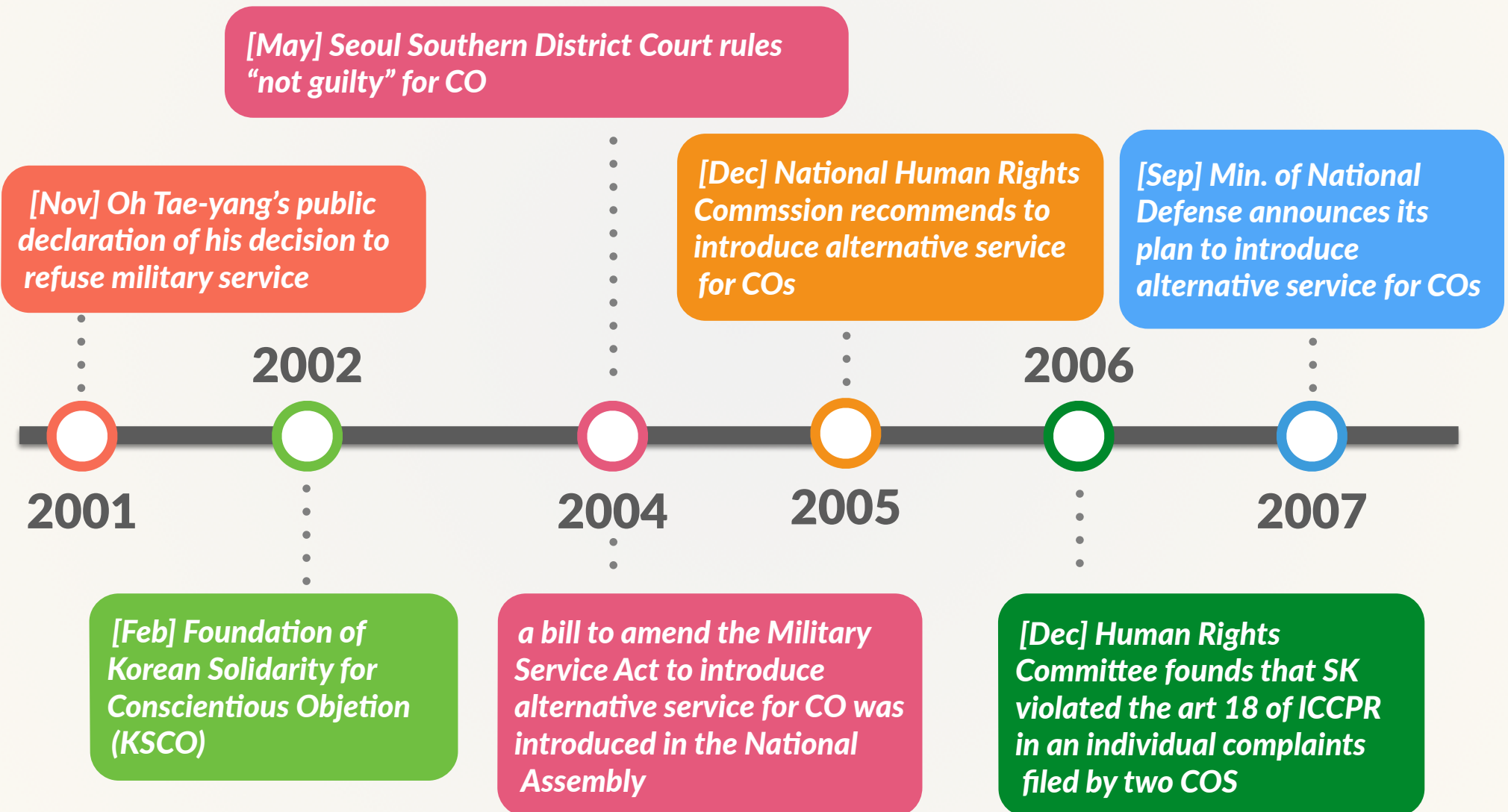
up to **3** yrs.

almost every COs are imprisoned for

**18** months.



# Changes in the society



# Repeated UN Recommendations

- **UN Human Rights Committee**

- ▶ **Views on Individual Communications**

- 8. *The Human Rights Committee (...) concludes that the facts before the Committee reveal, in respect of each author, **violations by the Republic of Korea of article 18, paragraph 1 of the Covenant.***

9. (...) *The State party is under an obligation to avoid similar violations of the Covenant in the future, which includes the adoption of legislative measures guaranteeing the right to conscientious objection. <CCPR/C/101/D/1642-1741/2007>*

- ▶ **Concluding Observation, 2006**

- *The State party should take all necessary measures to **recognize the right of conscientious objectors** to be exempted from military service. It is encouraged to bring legislation into line with Article 18 of the Covenant. <para17, CCPR/C/KOR/CO/3/CRP.1>*

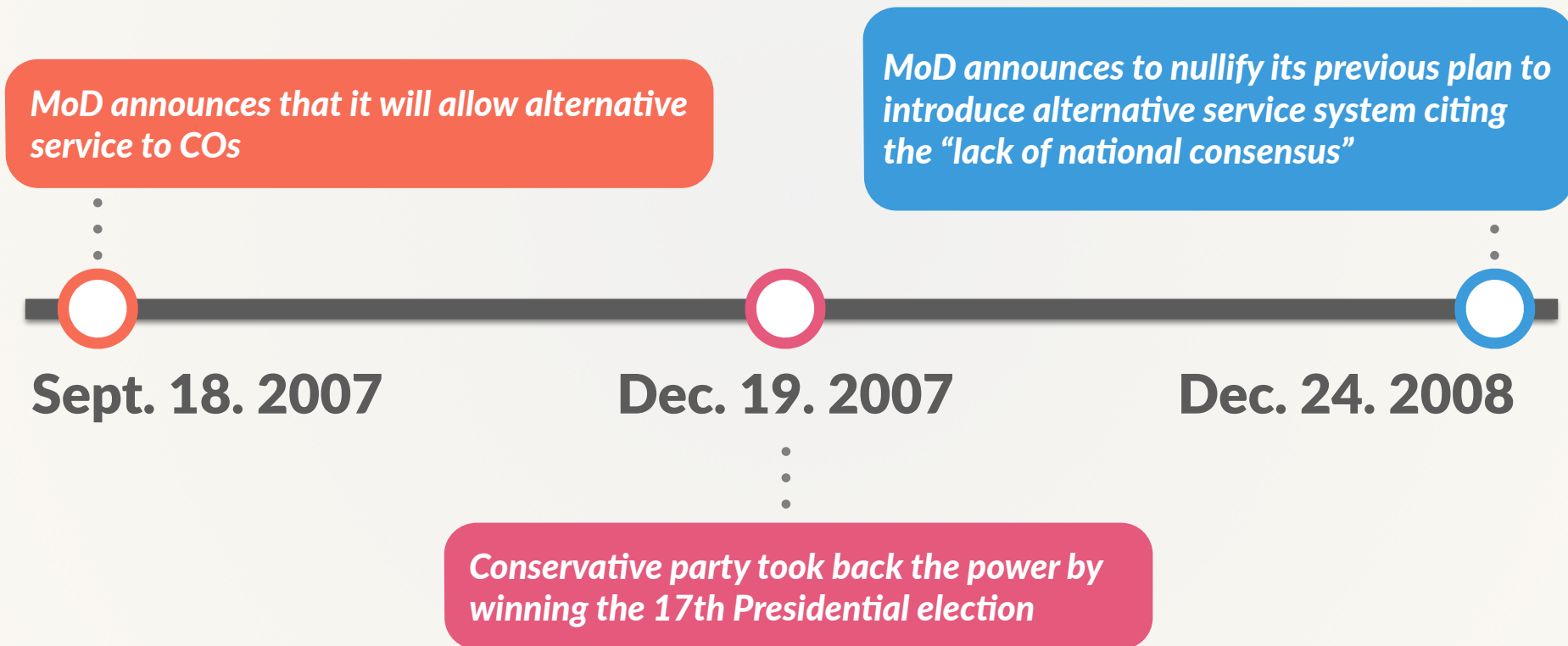


# Repeated UN Recommendations

- **Universal Periodic Review, UN Human Rights Council, 2012**
  - *7 states recommended South Korea to recognize right to conscientious objection and to introduce alternative service*

**MoND announces introduction  
fo alternative service in 2007**

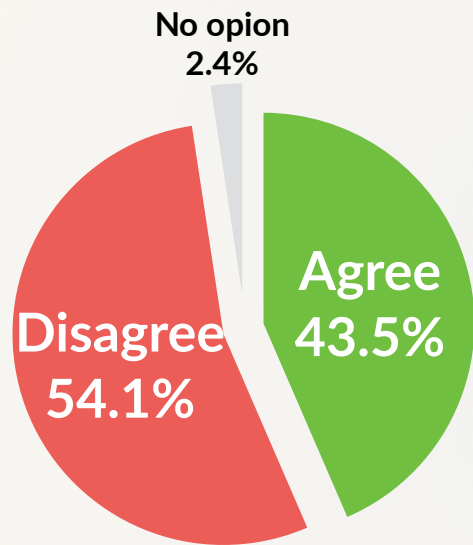
# MoD announces to introduce alternative service system



# Government's position on this issue

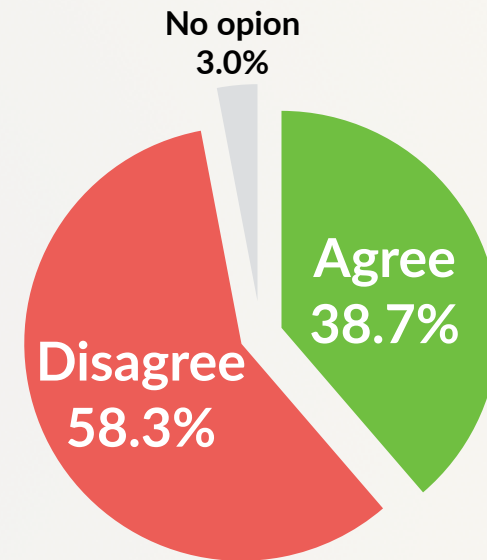
- *The introduction of alternative service is difficult when taking into account factors such as the **special security situation** of the Republic of Korea, the procurement of military resources under a conscription system, the equal burden sharing of military duties, and the **lack of public consensus**. Nevertheless, the Government will examine the issue while taking into consideration the future changes in the security situation and formation of public consensus. <para30, A/HRC/22/10/Add.1>*

# Opinion Poll on the issue 2011/2014



2011

Position on introduction of  
alternative service in South Korea



2014

Position on introduction of  
alternative service in South Korea

# **Current Situation of the CO movement in South Korea**



# current situation regarding right of CO



Judges continues to challenge the constitutionality of the Military Service Act to the Constitutional Court



A bill to amend the Military Service Act is pending in the National Assembly



UN / international pressure keeps mounting up

# some new developments



Some COs began to seek asylum in foreign countries



amendment to the Military Service Act which allows disclosure of personal information of those who evades military service



Refusal to serve in the reserve force