



A World of Dignity for All



National Human Rights Commission of Korea

A world of dignity for all

CONTENTS

- 1 UN and National Human Rights Institutions**
 - UN and Human Rights
 - Beginning of International Human Rights / Universal Declaration of Human Rights
 - Principles relating to the Status of National Institutions / Paris Principles
 - Center of Protecting Human Rights / National Human Rights Institutions
 - Status of Major National Human Rights Institutions
- 2 National Human Rights Commission of Korea (NHRCK)**
 - History
 - Characteristics
 - Mandate and Functions
 - Organization
- 3 Human Rights Counseling and Complaint Handling**
 - Introduction of Human Rights Counseling and Complaint Handling
 - Complaint Receipt and Handling Process
 - Status of Human Rights Counseling and Complaint Handling
- 4 Reference**
 - Universal Declaration of Human Rights
 - Paris Principles



To achieve international co-operation in promoting
and encouraging respect for human rights and for fundamental freedoms
for all without distinction as to race, sex, language, or religion.

- Paragraph 3 of article 1 of the Charter of the United Nations -

All human beings are born free and equal in dignity and rights.
They are endowed with reason and conscience and should act towards
one another in a spirit of brotherhood.

- Article 1 of the Universal Declaration of Human Rights -

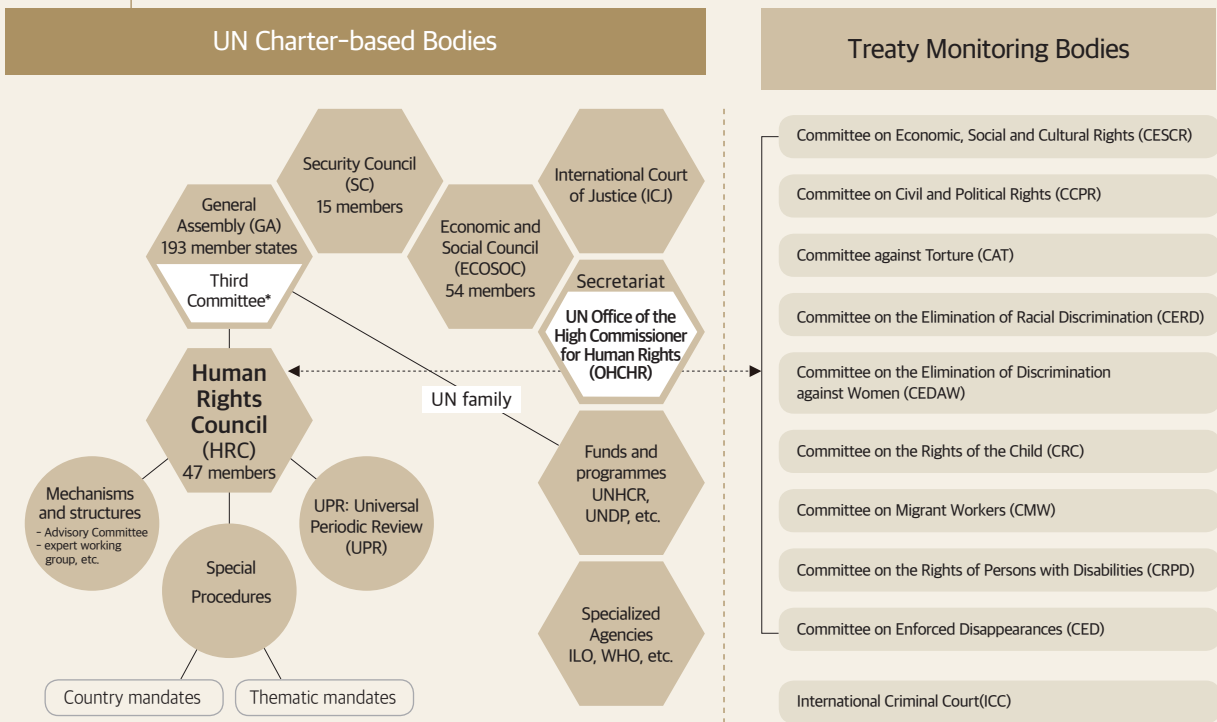
1. UN and National Human Rights Institutions



The Foundation of International Human Rights

UN

Peace and security, sustainable development, and human rights are the three pillars of the United Nations.



[UN human rights protection mechanisms]

* A committee assigned to handle agenda items relating to a range of social, humanitarian affairs, and human rights issues among the six committees under the General Assembly



The Beginning of International Human Rights

Universal Declaration of Human Rights

- The UN held countless discussions and debates considering all political, cultural, social, and religious backgrounds to proclaim human rights as a common standard of the international society.
<Universal Declaration of Human Rights> sets out, for the first time, fundamental human rights to be universally protected for all peoples and all nations
- **A brief history and roles of the Universal Declaration of Human Rights**
 - **Adoption** : UN General Assembly on 10 December 1948
 - **Process** : 187 official meetings and 1,400 discussions
 - **Content** : Preamble and 30 articles (general provisions, civil and political, economic, social and cultural rights)
 - **Roles** : Translated into over 500 languages, serves as the foundation for international human rights laws, and its spirit and content are applied to the Constitutions and laws of many countries
- <Universal Declaration of Human Rights> clearly states individual rights and freedom and declares that human rights and basic freedom shall be applied to all peoples and all places for the first time in the world.



< Drafting Committee of the Universal Declaration of Human Rights, UN (1947)>



< Adoption of the Universal Declaration of Human Rights, UN (1948)>



Paris Principles

The UN strived to establish national human rights institutions (NHRIs) to realize the spirit of the Universal Declaration of Human Rights and support the effort of international society to promote human rights.

Efforts of UN to establish NHRIs

1946 [UN Economic and Social Council]

Recommended to consider establishing dedicated human rights institutions to apply the international human rights law to member states

1978 [UN Commission on Human Rights]

Established 「guidelines for the structure and functioning of national human rights institutions (Geneva principles)」 and it was endorsed by the General Assembly.

1991 [1st International Workshop on National Institutes for the Promotion and Protection of Human Rights]

Drafted 「Paris Principles Relating to the Status of National Institutions」

1993 [Vienna World Conference]

Adopted 「Vienna Declaration and Programme of Action」

1993 [UN General Assembly]

Adopted 「Principles of relating the Status of National institutions」

「Principles relating to the Status of National Institutions」, known as 「Paris Principles」, as its framework was established at the first international workshop on national human rights institutions held in Paris in 1991, sets out the composition, status, and functioning of national human rights institutions.

The participants of the Vienna World Conference on Human Rights, which was held in 1993, strongly supported national human rights institutions through 「Vienna Declaration and Programme of Action」 and 「Paris Principles」 was adopted by the UN General Assembly in the same year.

The World Conference on Human Rights reaffirms the important and constructive role played by national institutions for the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, in the dissemination of human rights information, and education in human rights. The World Conference on Human Rights encourages the establishment and strengthening of national institutions, having regard to the "Principles relating to the status of national institutions" and recognizing that it is the right of each State to choose the framework which is best suited to its particular needs at the national level.

- Excerpt from 「Vienna Declaration and Programme of Action」 -



「Paris Principles」 has played a decisive role to establish national human rights institutions in each country including the Republic of Korea. With the adoption of 「Paris Principles」 by the UN General Assembly, national human rights institutions (NHRIs) began to be recognized globally and regional networks of NHRIs had been formed.

Highlights of 「Paris Principles」

Guarantees of broad competence

A national institution shall be vested with competence to ensure and enhance human rights to give advices on any matters concerning the promotion and protection of human rights, publicize human rights through information and education, cooperate with international organizations, and investigate and remedy for human rights violations.

Guarantees of independence

The national institution shall be independent from the Government including legislative, judiciary, and executive branches and vested with sufficient competence and legal state to conduct its activities and make decisions without interference and disturbance of the Government and other agencies. The national institution shall have an infrastructure which is suited to have an adequate funding in accordance with the Constitution or an official act, and guarantee the independence and stability with regard to the status of its members.

Composition of pluralism

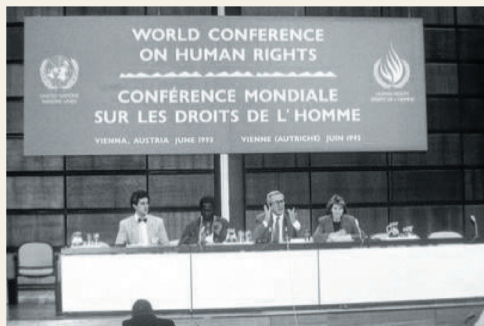
The composition of the national institution shall be established in accordance with a procedure that guarantees the pluralist representation of the social forces with expertise and experience in human rights.

Methods of operation

The national institute shall freely consider any questions and hear any person and obtain any information and any documents necessary for assessing situations falling within its competence, and address public opinion directly or through any press organ, particularly in order to publicize its opinions and recommendations. The national institution shall develop relations with the non-governmental organizations devoted to promoting and protecting human rights.

Quasi-judisdictional competence

The national institution is authorized to hear and consider complaints and petitions concerning individual situations and remedy for human rights violations.



<World Conference on Human Rights (Vienna, 1993)>



<Human Rights Council (2013)>



National Human Rights Institutions

As of April 2022, 119 National Human Rights Institutions (NHRIs) have been established and conducted their duties across all regions of the world with the accreditation of the GANHRI*

Roles of NHRI

- 1 A NHRI is installed with the aim of protecting and promoting human rights and it operates and functions independently from government.
- 2 A NHRI recommends and presents opinions on matters that require reform or improvement including statutes, institutions, policies and practices.
- 3 A NHRI investigates human rights violations and discriminatory acts, and remedies therefor.
- 4 A NHRI educates and promotes human rights.
- 5 A NHRI monitors national implementation of international human rights treaties.
- 6 A NHRI cooperates with human rights organizations and agencies at home and abroad.



< GANHRI Working Group on Ageing Special Session >

* GANHRI : Global Alliance of National Human Rights Institutions



● Status of Major National Human Rights Institutions

Country	Institution name	Established in	Empowered by	Function
Republic of Korea	National Human Rights Commission	2001	National human rights commission act	Statutory body
Australia	Australian Human Rights Commission	1981	Australian human rights commission act	Statutory body
Canada	Canadian Human Rights Commission	1977	Canadian human rights act	Statutory body
Costa Rica	Defensoria de los Habitantes	1993	Constitution	Constitutional body
Denmark	Danish Institute for Human Rights	1987	Act on the Danish institute for human rights - Denmark's national human rights institution	Statutory body
France	Commission nationale consultative des droits de l'homme	1947	National human rights advisory commission act	Advisory body
Germany	German Institute for Human Rights	2001	Act on the status and authority of national human rights institutions	Statutory body
Great Britain	Equality and Human Rights Commission	2007	Equality act	Non-departmental public body
India	National Human Rights Commission	1993	Protection of human rights act	Statutory body
Kenya	National Commission on Human Rights	2002	Constitution	Constitutional body
Malaysia	Human Rights Commission	1999	Human rights commission of Malaysia act	Statutory body
Mexico	Comision Nacional de los Derechos Humanos	1989	Constitution	Constitutional body
Nigeria	National Human Rights Commission	1995	National human rights commission act	Statutory body
Poland	Human Rights Defender	1988	Ombudsman act on the human rights defender	Statutory body
South Africa	Human Rights Commission	1995	Constitution	Constitutional body
Spain	El Defensor del Pueblo	1981	Constitution	Constitutional body
The Philippines	Commission on Human Rights	1987	Constitution	Constitutional body





The purpose of this Act is to contribute to the recognition
of human dignity and worth as well as to the safeguard of the basic
order of democracy to ensure that inalienable fundamental human rights of
all individuals are protected and the standards of human rights are improved.

- Article 1 of the Act on National Human Rights Commission of Korea -

2. National Human Rights Commission of Korea (NHRCK)



History

Jun: Joint task force of non-governmental organizations attended the Vienna World Conference on Human Rights and requested the government to install a national human right institution

Dec: Presidential candidate Kim Dae-jung announced his election pledge to <enact Human Rights Act and establish the 'National Human Rights Commission'>

Mar 10: The new government announced 100 national agendas including <the enactment of Human Rights Act and establishment of the 'National Human Rights Commission'>

Mar 30: The Cabinet meeting approved the Human Rights Act

Apr 29: The "Joint Committee on Establishing an Effective National Human Rights Institution" was established

Aug 21: The Ministry of Justice issued Notice No. 2000-31, pre-announcement of legislation, <Matters concerning the establishment of the National Human Rights Commission as a private organization>

Jan 19: The Democratic Party confirmed a draft Human Rights Act that defined the National Human Rights Commission as a governmental body

Feb 1: The Hannara Party tentatively decided to define the National Human Rights Commission as an independent governmental body

Feb 9: The Democratic Party agreed with the government to confirm the proposed National Human Commission Act

Apr 30: The legislation was approved in the plenary session of National Assembly

May 24: The National Human Commission Act was announced (Act. No. 6481)

Oct 9: Inaugural Chairperson and Commissioners were appointed

Nov 25: The National Human Rights Commission was launched

Feb 9: Enforcement Decree of National Human Commission Act was enacted

Apr 1: The Secretariat of the Commission was established

1993

1997

1998

1999

2000

2001

2002



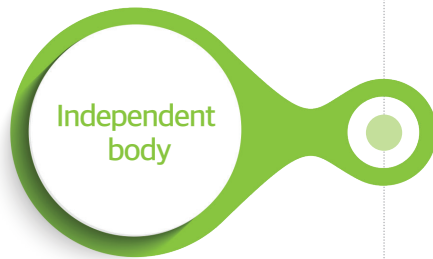
< Signboard hanging ceremony, 2002 >



Characteristics



A governmental body that actively promotes peoples' rights guaranteed by the Constitution and conducts activities to protect and promote human rights defined by the National Human Rights Commission Act



An independent governmental body that does not belong to any of the legislative, judiciary, and executive branches of the government and ensures independence and pluralism in carrying out duties and activities



Investigate individual human rights violations and remedy therefor and recommend on matters that require reform or improvement including statutes, institutions, policies and practices of potential violation of human rights



Recommend on the compliance of domestic laws and systems with international human rights standards, cooperate with the UN and any other international organization. The commission functions as an international body that was established based on the international human rights law and handled its fulfillment, although it was empowered by domestic law



Mandate and Functions

Policy

- Investigate and research laws, institutions, policies, and practices, and recommend and present opinions on their reforms
- Recommend and present opinions on the conclusion of any international treaty on human rights and the implementation of the said treaty.

Investigation & remedy

- Investigate human rights violations and discriminatory acts of government organizations, local governments, various levels of schools, agencies affiliated with public services and remedy therefor
- Investigate discriminatory acts by a juristic person, an organization or a private individual and remedy therefor
- Investigate acts of sexual harassment and remedy therefor
- Investigate and remedy in accordance with 「Act on the Prohibition of Discrimination Against Disabled Persons, Remedy against Infringement of Their Rights, etc.」 and 「Act on Prohibition of Discrimination in Employment and Aged Employment Promotion」
- Investigate on human rights violence and discrimination cases in military and and provide remedies

Education & promotion

- Educate and promote in order to raise public awareness on human rights
- Expand and promote a human rights culture

Domestic & international cooperation


- Cooperate with human-rights related domestic organizations and individuals
- Exchange and cooperate with human rights-related international organizations or foreign human rights institutions


Logo of NHRCK


The logo of NHRCK describing a dove, a sign of peace and inclusion, and hand, indicates diversity and positivity, sun and brightness, harmony, fairness, etc. and it expresses the identity of the Commission that embraces people and values human rights.



Mandate and Functions Policy

- 

The NHRCK investigates and researches on statutes, institutions, policies and practices related to human rights, and provides recommendations or opinions on matters requiring improvement deemed necessary to promote and protect human rights.
- 

The NHRCK presents its opinion on proceedings liable to affect the protection and improvement of human, if requested by a court (or the Constitutional Court) or if deemed necessary by the Commission, with regard to the *de facto* and *de jure* matters to the competent division of the court (or the Constitutional Court).
- 

The NHRCK presents opinions on the conclusion of any international treaty on human rights and the implementation of the said treaty.

Highlights

- Presented its opinion on the Iraq War
- Recommended to abolish 'Social Protection Act,' and prepare an alternative bill related to the medical treatment and custody
- Recommended to abolish 'National Security Act,'
- Submitted its opinion on abolishing the death penalty
- Recommended to acknowledge the right to conscientious objection and adopt alternative civilian service
- Made a policy recommendation for improving human right for Hansen's disease patients
- Recommended measures to ensure human rights of residents upon forced removal
- Recommended to amend the framework ordinance on human rights
- Recommended the government to establish a National Action Plan (NAP) on business and human rights
- Presented its opinion on the establishment of a special law to investigate the Brothers Home compound and recommended to join the International Convention for the Protection of All Persons from Enforced Disappearance
- Recommended preventing child abuse and improving policies to protect children victim of abuse
- Recommended adopting and using the human rights report of psychosocial disabilities
- Policy recommendation to improve the status and the treatment on humanitarian sojourner



Mandate and Functions

Investigation and Remedy

The NHRCK investigates and remedies where any of the human rights guaranteed in Articles 10 through 22 of the Constitution has been violated or a discriminatory act has been committed in connection with the performance of duties by a State agency, a local government, a school established by Article 2 of the 「Elementary and Secondary Education Act」, Article 2 of the 「Higher Education Act」, and other Acts, a public service-related organization pursuant to Article 3-2 (1) of the Public Service Ethics Act, or a confinement or caring facility.

The NHRCK investigates and remedies where a discriminatory act has been committed by a juristic person, an organization or a private individual without reasonable grounds.

- [Grounds of discrimination stated in the National Human Rights Commission Act] Sex, religion, disability, age, social status, region of origin, state of origin, ethnic origin, physical condition such as features, marital status, pregnancy or childbirth, types or forms of family, race, skin color, ideology or political opinion, record of crime whose effect of punishment has been extinguished, sexual orientation, and medical history, etc.
- The NHRCK is in charge of correction of policies and practices for people with disabilities in accordance with 「Act on the Prohibition of Discrimination against Disabled Persons, Remedy against Infringement of Their Rights, Etc.」 and 「Act on Prohibition of Age Discrimination in Employment and Aged Employment Promotion」.

The NHRCK is also responsible for the investigation and remedy against an act of sexual harassment in business and employment.

The NHRCK investigates on the cases of human rights violence and discrimination and provides remedy

Highlights

- Recommended concerning the excessive use of force by the police to put down the farmers' protest in Yeuido
- Recommended improvements to gender-discriminative hiring of female KTX attendants of the Korea Railroad Corporation (KORAIL)
- Recommended to eliminate age discrimination in applying for national public officials
- Recommended concerning human rights violations regarding overnight investigation
- Developed a national report on the protection and promotion of human rights of mentally disabled persons and provided policy recommendations
- ex officio investigation on an act as torture during investigation
- Recommended to amend 「Remuneration Regulations on Local Public Employees」 to include the career of non-regular workers in the salary class
- Recommended concerning human rights violations regarding the prohibition of suspects from writing notes while being examined by the prosecution
- Developed guidelines on human rights of migrants and provided policy recommendations
- Provided guidelines on improvement of disability discrimination in insurance and recommended on the need of medical and statistical researches
- Recommended to improve policy restricting attire and appearance of female attendants
- Presented opinions on the amendment of laws pertaining to politics regarding age including suffrage
- Recommended on human rights violations including physical abuse and harsh treatment in residential facilities for people with disabilities
- Recommended institutional improvements to promote the human rights of female migrant workers



Mandate and Functions

Education and Promotion

The NHRCK conducts education and promotional activities necessary to awaken and enhance people's awareness of human rights.

- The NHRCK has provided human rights education to public employees, the prosecution, the police, teachers, facilities workers, journalists, citizens, etc. The NHRCK strives to include human rights contents to the curriculum of elementary, middle, and high schools, colleges and universities, and all other educational institutions and has been engaging in various educational activities in order to make human rights as the basis for education in all parts of our society.

The NHRCK is expanding a human right culture in various methods such as publication of textbooks and creating video contents on human rights.

- We are developing and distributing diverse contents on human rights culture including textbooks, movies, cartoons, posters, and photobooks.

The NHRCK establishes and operates a human rights library, providing various information on human rights.

The NHRCK provides human rights education for the Commanders, military personnel and army civilian employees

Highlights

- Established human rights courses in educational and training institutes and ran a human rights education council
- Established a system of human rights education at kindergarten, elementary, middle, high schools, and university according to the development stage
- Recommended to improve monitoring on elementary, middle, and high school textbooks
- Supported the operation of human rights instructor training programs in each area such as the disability multicultural family, elderly, and child and creation of teams of instructors
- Operated programs to enhance human rights sensitivity for public employees (including teachers), local council members, corporates, journalists, etc.
- Conducted human rights education on multicultural family, the elderly, the disabled, and other social minority and vulnerable groups
- Provided educational services according to mandatory education on human rights for employees working for mental health improvement and homeless people
- Increased access to human rights education by operating e-human rights learning center (smart learning service)
- Produced and distributed movies and animations which deal with human rights issues such as <4th Place>, <If You Were Me 6>, <Maggie> and <If you were me: anima vision>
- Released human rights cartoons such as <Sip-si-il-ban>, <Sa-i-si-ott>, <Eo-kkae-dong-mu>
- Publish bi-monthly magazine <Human Rights> and newsletter (human letter) service
- Jointly established and promoted the standards for human rights reports with Journalists Association of Korea
- Provide Human Rights Reporting Awards
- Provide Human Rights Contest Awards





< Human Rights > magazine



E-human rights learning center



Human rights textbooks



Human rights management manual for state owned enterprises



Movie < If you were me 2016 >



Movie < 4th Place >



< If you were me: anima vision >



Promotional contents < This is my family >



Mandate and Functions

Domestic and International Cooperation

The NHRCK cooperates with human-rights related domestic organizations and individuals

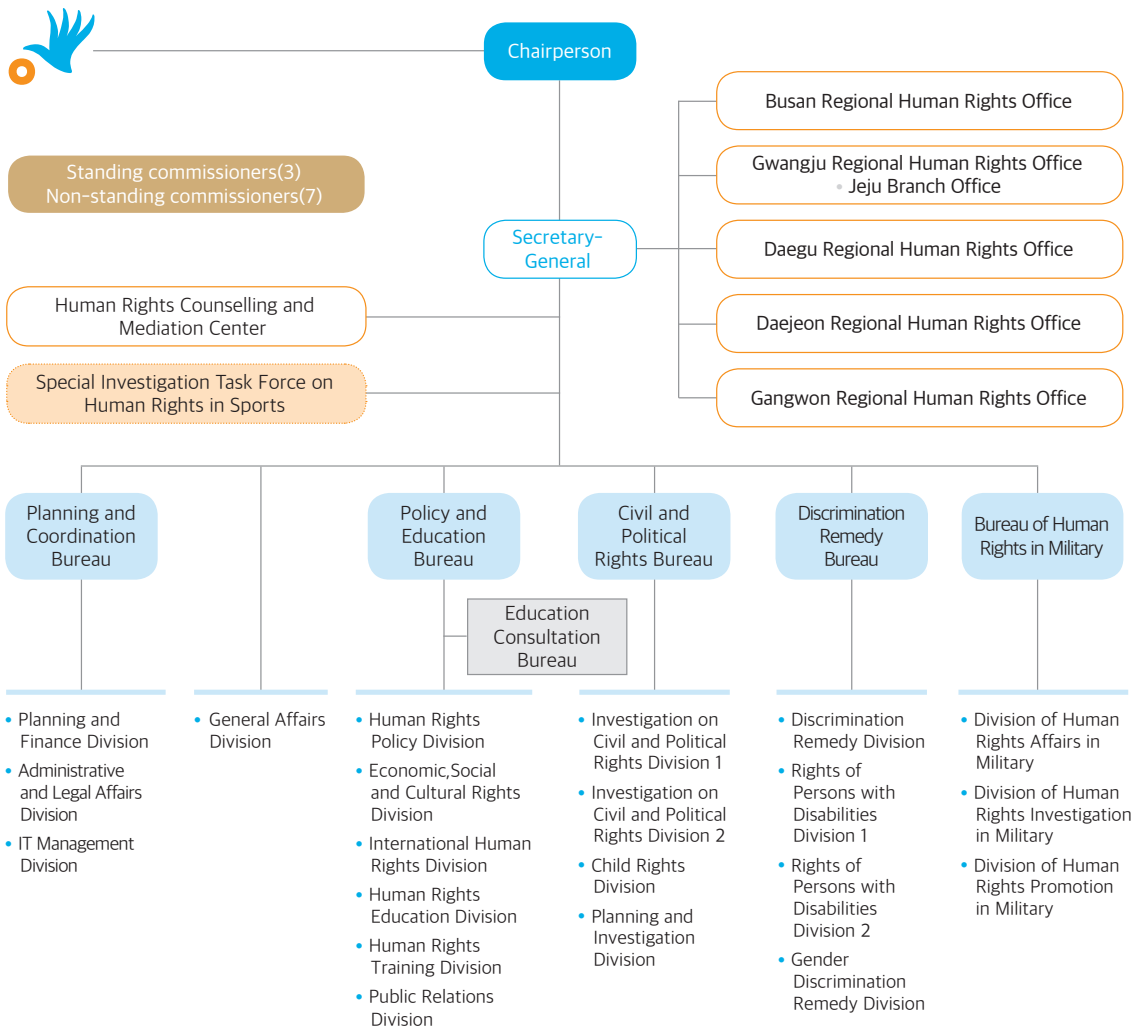
- The NHRCK closely cooperates with domestic human rights organizations to identify the human rights situations that require remedies and take their counsel while conducting cooperative projects with them.
- Operate and support local human rights networks
- Multifaceted cooperation including joint operation of cooperative projects with civil rights groups

The NHRCK exchanges and closely cooperates with the UN, human rights-related international organizations or foreign human rights institutions.

- The NHRCK is committed to enhance human rights of the international society based on exchange and cooperation with the UN Office of High Commissioner for Human Rights (OHCHR) and other international organizations as well as NHRIs.



Organization



< Plenary Committee >



3. Human Rights Counseling and Complaint Handling

Call 1331

for complaints without
an area code



Introduction of human rights counseling and complaint handling

1. Anyone can receive human rights counseling and make a complaint.

- You can decide to receive the counseling only or request to investigate the case.
- A third party, who knows of human rights violations, can make a complaint.

2. Non-disclosure of complaint and investigation.

- All information related to the petitioner is confidential in accordance with the National Human Rights Commission Act.
- Complaint letters of inmates in a confinement or caring facility should not be disclosed within such facilities and opening letters without permission are punished by the law.
- An investigator of the NHRCK visits a confinement or caring facility to make an investigation at the request of inmates in such facilities.

3. The complainant is protected by the NHRCK.

- The NHRCK protects the complainant so that he or she is not subject to unfavorable treatment and other disadvantages on account of his/her petition, statement, testimony, submission of materials, etc., and investigation.
- Obstructing any complaint by abusing his or her authority should be prohibited by the law.

4. You can visit regional human rights offices for counseling and making a complaint.

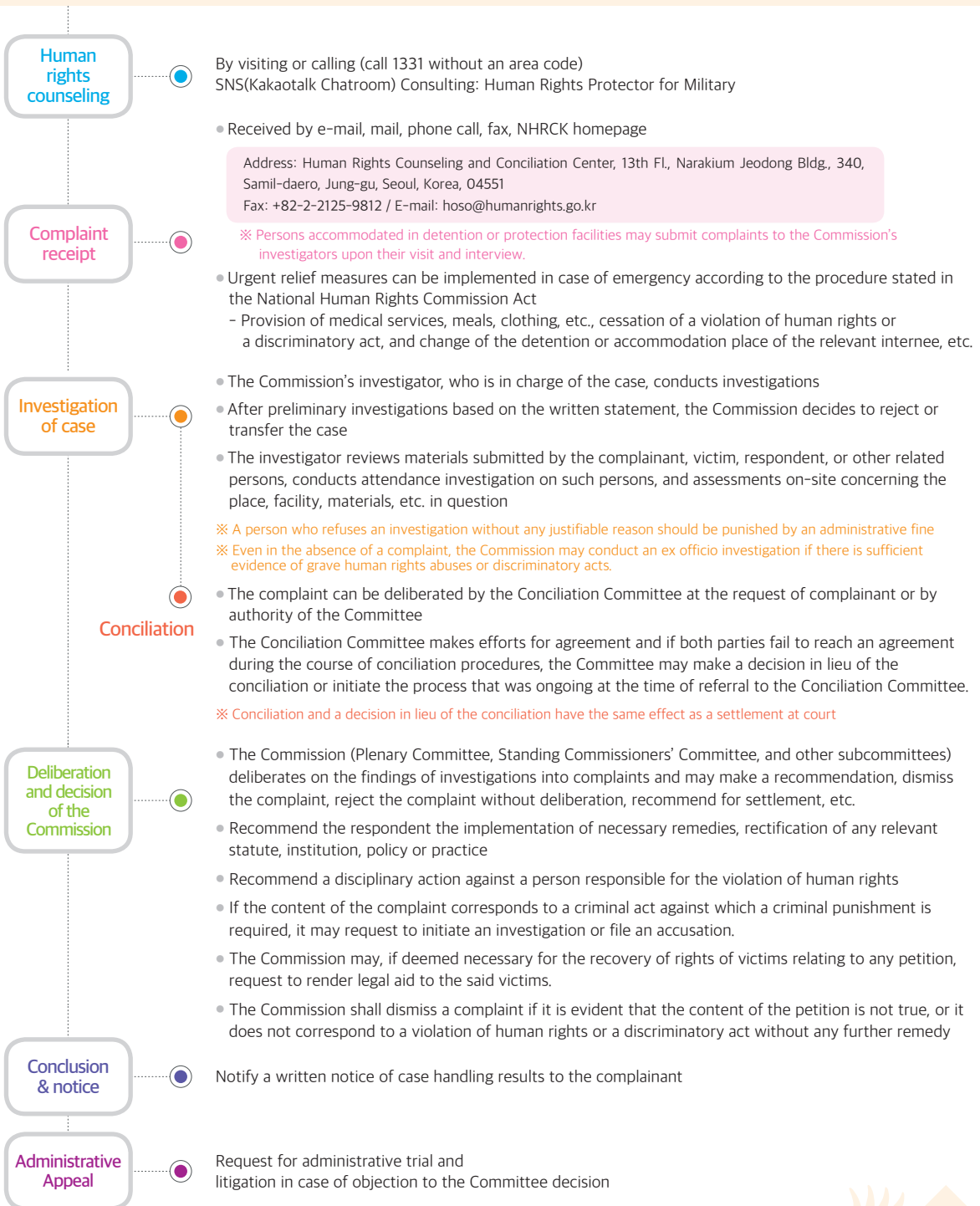
- You can receive human rights counseling and make a complaint easily and promptly through regional human rights offices installed in Busan, Gwangju, Daegu, Daejeon, Gangwon (Wonju) for better access of the complainant.

5. The NHRCK provides various options to receive counseling or make a complaint.

- You can receive human rights counseling and file a complaint by calling, mail, visiting, fax, e-mail, and NHRCK homepage.
- SNS(kakaotalk chat) Consulting available for cases in military



Complaint receipt and handling process

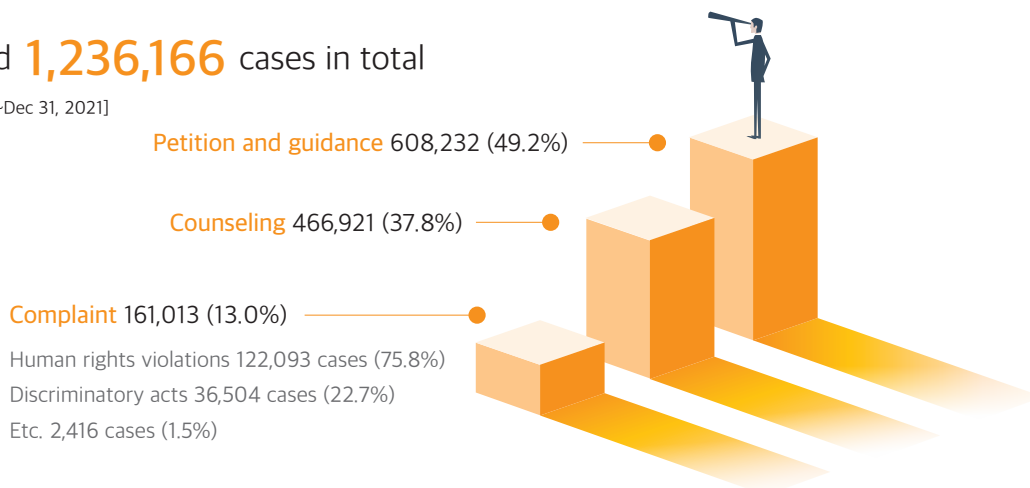


Status of human rights counseling and complaint handling

Complaints including petitions, etc. has increased steadily since the establishment of the Commission along with growing human rights sensitivity and various demands in South Korean society.

Received **1,236,166** cases in total

[Nov 25, 2001~Dec 31, 2021]



The NHRCK has provided human rights standards in various areas. As a result, policies of the government and local governments are reviewed from human rights perspective. Continuous recommendations and expressions of opinions of the NHRCK helped to correct numerous human rights violations and discriminatory acts as evidenced by the fact that its recommendation acceptance rate for the last 17 years amounted to 90%.

Recommendation acceptance rate

(As of Dec 31, 2021)

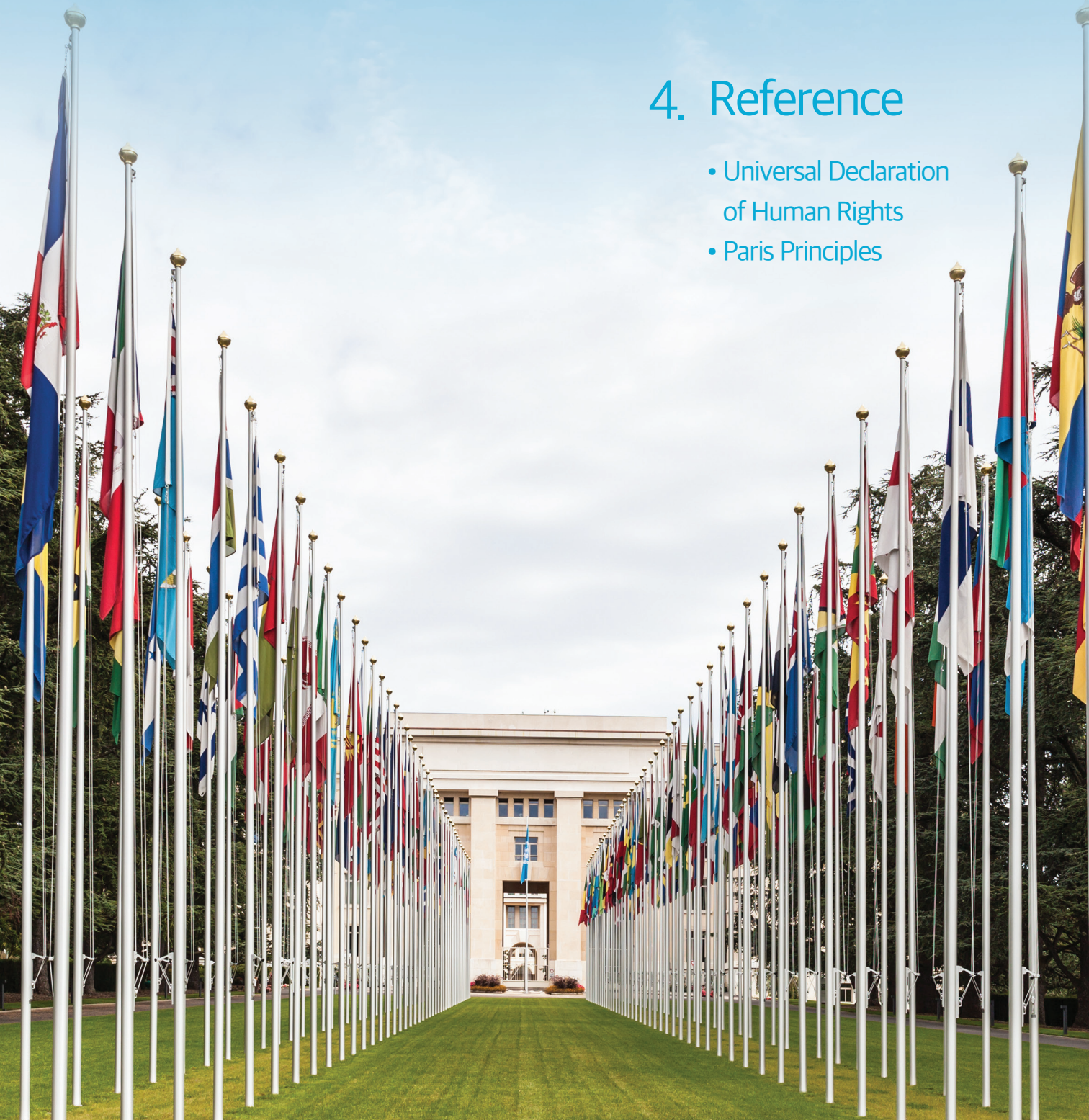
Classification		Total	Acceptance	Partial acceptance	Non-acceptance	Under deliberation	Etc.	Acceptance rate
Total		6,994	4,426	873	516	522	657	89.9%
Policy Recommendation and Opinions		1,096	210	156	54	19	657	87.1%
Complaints	Human rights violation	3,455	2,700	352	184	219	0	94.3%
	Discriminatory act	2,421	1,498	363	276	284	0	87.1%
	Etc.	22	18	2	2	0	0	90.9%

※Etc. includes presentation and submission of opinions, request for investigation, accusation, and request for legal aid for victims



4. Reference

- Universal Declaration of Human Rights
- Paris Principles



Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore, The General Assembly, Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.



Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



Paris Principles

Principles relating to the Status of National Institutions

A. Competence and responsibilities

1. A national institution shall be vested with competence to promote and protect human rights.
2. A national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text, specifying its composition and its sphere of competence.
3. A national institution shall, inter alia, have the following responsibilities:
 - (a) To submit to the Government, Parliament and any other competent body, on an advisory basis either at the request of the authorities concerned or through the exercise of its power to hear a matter without higher referral, opinions, recommendations, proposals and reports on any matters concerning the promotion and protection of human rights; the national institution may decide to publicize them; these opinions, recommendations, proposals and reports, as well as any prerogative of the national institution, shall relate to the following areas:
 - (i) Any legislative or administrative provisions, as well as provisions relating to judicial organizations, intended to preserve and extend the protection of human rights; in that connection, the national institution shall examine the legislation and administrative provisions in force, as well as bills and proposals, and shall make such recommendations as it deems appropriate in order to ensure that these provisions conform to the fundamental principles of human rights; it shall, if necessary, recommend the adoption of new legislation, the amendment of legislation in force and the adoption or amendment of administrative measures;
 - (ii) Any situation of violation of human rights which it decides to take up;
 - (iii) The preparation of reports on the national situation with regard to human rights in general, and on more specific matters;
 - (iv) Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations and, where necessary, expressing an opinion on the positions and reactions of the Government;
 - (b) To promote and ensure the harmonization of national legislation regulations and practices with the international human rights instruments to which the State is a party, and their effective implementation;
 - (c) To encourage ratification of the above-mentioned instruments or accession to those instruments, and to ensure their implementation;
 - (d) To contribute to the reports which States are required to submit to United Nations bodies and committees, and to regional institutions, pursuant to their treaty obligations and, where necessary, to express an opinion on the subject, with due respect for their independence;
 - (e) To cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the promotion and protection of human rights;
 - (f) To assist in the formulation of programmes for the teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles;
 - (g) To publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

B. Composition and guarantees of independence and pluralism

1. The composition of the national institution and the appointment of its members, whether by means of an election or otherwise, shall be established in accordance with a procedure which affords all necessary guarantees to ensure the pluralist representation of the social forces (of civilian society) involved in the promotion and protection of human rights, particularly by powers which will enable effective cooperation to be established with, or through the presence of, representatives of:
 - (a) Non-governmental organizations responsible for human rights and efforts to combat racial discrimination, trade unions, concerned social and professional organizations, for example, associations of lawyers, doctors, journalists and eminent scientists;
 - (b) Trends in philosophical or religious thought;
 - (c) Universities and qualified experts;
 - (d) Parliament;
 - (e) Government departments (if these are included, their representatives should participate in the deliberations only in an advisory capacity).



2. The national institution shall have an infrastructure which is suited to the smooth conduct of its activities, in particular adequate funding. The purpose of this funding should be to enable it to have its own staff and premises, in order to be independent of the Government and not be subject to financial control which might affect its independence.
3. In order to ensure a stable mandate for the members of the national institution, without which there can be no real independence, their appointment shall be effected by an official act which shall establish the specific duration of the mandate. This mandate may be renewable, provided that the pluralism of the institution's membership is ensured.

C. Methods of operation

Within the framework of its operation, the national institution shall:

- (a) Freely consider any questions falling within its competence, whether they are submitted by the Government or taken up by it without referral to a higher authority, on the proposal of its members or of any petitioner;
- (b) Hear any person and obtain any information and any documents necessary for assessing situations falling within its competence;
- (c) Address public opinion directly or through any press organ, particularly in order to publicize its opinions and recommendations;
- (d) Meet on a regular basis and whenever necessary in the presence of all its members after they have been duly convened;
- (e) Establish working groups from among its members as necessary, and set up local or regional sections to assist it in discharging its functions;
- (f) Maintain consultation with the other bodies, whether jurisdictional or otherwise, responsible for the promotion and protection of human rights (in particular ombudsmen, mediators and similar institutions);

- (g) In view of the fundamental role played by the non-governmental organizations in expanding the work of the national institutions, develop relations with the non-governmental organizations devoted to promoting and protecting human rights, to economic and social development, to combating racism, to protecting particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or to specialized areas.

D. Additional principles concerning the status of commissions with quasi-jurisdictional competence

A national institution may be authorized to hear and consider complaints and petitions concerning individual situations. Cases may be brought before it by individuals, their representatives, third parties, non-governmental organizations, associations of trade unions or any other representative organizations. In such circumstances, and without prejudice to the principles stated above concerning the other powers of the commissions, the functions entrusted to them may be based on the following principles:

- (a) Seeking an amicable settlement through conciliation or, within the limits prescribed by the law, through binding decisions or, where necessary, on the basis of confidentiality;
- (b) Informing the party who filed the petition of his rights, in particular the remedies available to him, and promoting his access to them;
- (c) Hearing any complaints or petitions or transmitting them to any other competent authority within the limits prescribed by the law;
- (d) Making recommendations to the competent authorities, especially by proposing amendments or reforms of the laws, regulations and administrative practices, especially if they have created the difficulties encountered by the persons filing the petitions in order to assert their rights.





National Human Rights Commission of Korea

Add Public Relations Division, 13/F., Narakium Jeodong Bldg., 340,
Samil-daero, Jung-gu, Seoul, 04551, Republic of Korea
Tel +82-2-2125-9870~5 / Complaints Hotline **1331**
Fax +82-2-2125-0920
Homepage www.humanrights.go.kr
E-mail public@humanrights.go.kr

- **Busan Regional Human Rights Office** 8th Fl., Kukminyeongeum Busanhoegwan Bldg., 1000, Jungangno, Yeonje-gu, Busan, Korea 47606
Tel.+82-51-710-9710~6 Fax.+82-51-710-9717
- **Gwangju Regional Human Rights Office** 5th Fl., Amore Pacific LTD. 154-1, Geumnamro, Dong-gu, Gwangju Korea, 61476
Tel.+82-62-710-9710~6 Fax.+82-62-710-9717
- **Daegu Regional Human Rights Office** 15th Fl., Hosu Bldg., 648, Gukchaebosang-ro (#50-3, Dongindong2-ga), Jung-gu, Daegu, Korea, 41939
Tel.+82-53-212-7000~6 Fax.+82-53-212-7007
- **Daejeon Regional Human Rights Office** 13th Fl., KT Tanbang Tower, 30, Munjeong-ro 48beon-gil (649, Tanbang-dong), Seo-gu, Daejeon, Korea, 35262
Tel.+82-42-472-9038~45 Fax.+82-42-472-9046
- **Gangwon Regional Human Rights Office** 4th Fl., 73, Neungnadong-gil, Wonju-si, Gangwon-do, Korea, 26392
Tel.+82-33-813-9930~7 Fax.+82-33-813-9945
- **Jeju Branch Office** 2nd Fl., 273, Jungang-ro, Jeju-si, Jeju-do, Republic of Korea
Tel. +82-64-758-6080~2 Fax +82-64-726-1331

Issue date August, 2022