

United Nations Study on Violence against Children

Response to questionnaire received from the
Government of the Republic of KOREA



United Nations Secretary-General's Study on Violence against Children

Questionnaire to Governments

Republic of Korea

I. LEGAL FRAMEWORK

This part of the questionnaire aims to determine how your country's legal framework addresses violence against children, including prevention of violence, protection of children from violence, redress for victims of violence, penalties for perpetrators and reintegration and rehabilitation of victims.

International human rights instruments

1. Describe any developments with respect to violence against children which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.

Since the ratification of the Convention on the Rights of the Child in 1991, the Government has strengthened its efforts to promote the human rights of children and youth; it adopted the issue of human rights of children and youth as an important policy agenda and brought the issue into relief. More legislation was introduced to promote the human rights of children and youth, including the revision of the Youth's Charter (1998), and the creation of legal basis for preventing child abuse (2000).

Legal provisions on violence against children

2. Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.

While the [Child Welfare Act](#) is the main legal framework addressing child abuse and covers physical, mental and sexual violence against children, the [Act on Punishment of Sexual Violence and Protection of Victims](#), the [Special Act on Punishment of Domestic Violence and etc.](#), the [Act on Prevention of Domestic Violence and Victim Protection](#) and the [Penal Code \(Criminal Act\)](#) also have provisions, both general and specific that apply to violence against children. The [Act on Protection of Youth from Sexual Exploitation](#) and the [Youth Protection Act](#) deal with violence against youth, covering violence against children.¹ The [Act on Elimination of Prostitution and Protection of Victims](#), the [Act on Prohibition of Arrangement of Prostitution and etc.](#) and the [Act on Prevention of School Violence](#) are the newest legislations applicable to violence against children.

3. Provide details of any specific legislative provisions on:
 - **Prevention** of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse;

¹ The legal definition of children, youths and minors are as follows: children are those under 18 years of age, youths are those under 19 years of age and minors are those under 20 years of age.

The [Penal Code](#) is the most comprehensive legislation dealing with violence and abuse. It has provisions criminalizing murder, injury and violence, abandonment, neglect, abuse, illegal confinement, kidnapping and sexual violence.

The [Act on Punishment of Sexual Violence and Protection of Victims](#) stipulates government responsibility to prevent sexual violence, including education for youth against sexual violence. The government shall operate counselling centres on sexual violence, whose mandates include awareness raising for prevention of sexual violence and research on sexual violence.

The [Act on Prevention of Domestic Violence and Victim Protection](#) obligates the government to frame and carry out preventive policies against domestic violence and to conduct research, education and awareness-raising programs for preventing domestic violence.² Counselling centres, established or supported by the government, are also tasked with raising awareness of and conducting research on domestic violence.

The [Act on Prohibition of Arrangement of Prostitution and etc.](#), which will be in effect from September 2004, criminalizes forced prostitution and trafficking of persons for prostitution and obligates the government to take necessary measures toward preventing those prohibited acts with education and awareness-raising. The [Act on Elimination of Prostitution and Protection of Victims](#), which will also be effective from September 2004, stipulates that the government shall conduct research and education, and awareness-raising programmes for preventing forced prostitution and trafficking for prostitution.

The [Child Welfare Act](#) prohibits child abuse and prescribes the establishment of child protection centres whose mandates include awareness raising to prevent child abuse.

The [Act on Prevention of School Violence](#) stipulates that the government shall take necessary measure to prevent school violence, including drawing up a plan on school violence prevention every five years and creating a committee to monitor the implementation of the plan. All primary and secondary schools are obliged to make and carry out their own action plan to prevent school violence and to hold regular sessions on the prevention of school violence.

The [Act on Protection of Youth from Sexual Exploitation](#) addresses forced prostitution of youth, trafficking of youth for sexual exploitation, and sexual violence against youth. Under the Act, the government is responsible for taking necessary measures toward preventing such exploitation and violence against youth. Statements with information on the illegality and harm of sexual exploitation of youth have also been issued biannually by the government. Personal information on some perpetrators of the crimes prohibited by the Act is included in the statements for the purpose of preventing those crimes. The [Youth Protection Act](#) prohibits abuse of youths.

- **Protection** of children from all forms of violence;

As mentioned earlier, the [Child Welfare Act](#), the [Act on Prevention of School Violence](#), the [Youth Protection Act](#) and the [Act on Protection of Youth from Sexual Exploitation](#) have provisions for protecting children from violence. Acts prohibited by the [Child Welfare Act](#) include physical, sexual and mental abuse, neglect, and the sale and sexual exploitation of children. The [Penal Code](#) provides special protections for children in some cases of violence.

- **Redress**, including compensation, for child victims of violence;

Child victims of violence, as other victims of crimes, may file a complaint against perpetrators and/or demand compensation from them. In particular, victims of domestic or sexual violence and sexual exploitation may receive legal aid from the Korea Legal Aid Corporation. The [Act on Prevention of School Violence](#) provides that victims of school violence may receive a written apology from perpetrators and that a committee against school violence may arbitrate between victim(s) and perpetrator(s) for compensation. If a child victim of violence is

² Domestic violence means physical and mental violence occurring within the family, including violence against children perpetrated by family members.

seriously injured as described in article 2, paragraphs 2 and 4 of the [Crime Victims Aid Act](#), the child shall receive fair compensation.

- **Penalties** for perpetrators of violence against children;

Violence against children, as for crimes of violence generally, are punishable with imprisonment and/or fines.

According to the [Child Welfare Act](#), perpetrators of child abuse and other crimes penalized by the Act may be punished with imprisonment and/or fines, with extra penalties imposed for recidivists. Attempting to sell or sexually exploit children is also punishable under the Act.

The [Act on Prevention of School Violence](#) stipulates that a student who commits violence against another student may be required to issue a written apology to the victim(s), and may be subject to such penalties as class or school transfer, school service, special education or therapy, and suspension or expulsion from school. The last penalty, expulsion, is not applied to student perpetrators enrolled in compulsory education (art. 15).

(With regard to disclosure of personal information on offenders of sexual crimes against youth under the [Act on Protection of Youth from Sexual Violence](#), please refer to Part III, 1. b. of the Enactment of the [Act on Protection of Youth from Sexual Exploitation](#) of the "Written responses to the list of issues raised by the Committee on the Rights of the Child for the consideration of the periodic reports under the Convention on the Rights of the Child" <http://www.unhchr.ch/html/menu2/6/crc/doc/replies/wr-rkorea-1.pdf>.)

- **Reintegration and rehabilitation** of child victims of violence.

Under the [Act on Prevention of Domestic Violence and Victim Protection](#), children victims of domestic violence may be accommodated in shelters, which also offer therapy programmes upon request by the victim(s) or their family.

The [Act on Prevention of School Violence](#) stipulates that school violence prevention measures are to be drawn up every five years, and shall include support for reintegration and rehabilitation of victims of school violence. If deemed necessary for a student victim, such measures as counselling/therapy, placement under temporary protection, leave for medical treatment, and class or school transfer may be taken upon the agreement by the victim and his/her parent(s) or guardian(s).

4. Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:
 - The family/ home;
The [Penal Code](#) stipulates that crimes of abandonment and maltreatment shall be punished by imprisonment and/or fines (art. 271- 273). The [Special Act on Punishment of Domestic Violence and etc.](#), the [Act on Prevention of Domestic Violence and Victim Protection](#), and the [Act on Punishment of Sexual Violence and Protection of Victims](#) have applicable provisions as well.
 - Schools and pre-school care and education (both formal and non-formal, state and private);
The [Act on Prevention of School Violence](#) applies to violence occurring among students of primary and secondary schools.
 - Military schools;
No specific provisions.
 - Institutions including care, residential, health and mental health;
No specific provisions.
 - The context of law and public order enforcement including in detention facilities or prisons;
The [Training School Act \(Juvenile Reformatory Act\)](#) stipulates that the head of a training school (juvenile reformatory) shall take necessary measures to prevent possible occurrences of disturbances or violence (art. 14).
 - The neighbourhood, street and the community, including in rural areas;

No specific provisions.

- The workplace (informal and formal);
The [Labour Standard Act](#) prohibits the use of violence in the workplace (art. 7).
- Sports and sporting facilities.
No specific provisions.

5. Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.

Corporal punishment of children is not explicitly prohibited by law.

In schools, the head of a primary or secondary school may punish students according to relevant legislations and school regulations, if it is necessary for educational purposes (art.18(1) [Act on Primary and Secondary Education](#)). Unless it is inevitable, such punishment should not inflict physical pain according to regulations under the [Act on Primary and Secondary Education](#).

In training schools for juvenile delinquents (juvenile reformatories), corporal punishment is not allowed. (Measures of punishment for violations of regulations are admonition, school service, giving demerit marks on correctional record, and confinement for a period not exceeding 20 days for trainees over 16 years of age (art. 15, [Training School Act](#) (Juvenile Reformatory Act)).

Excessive corporal punishment to the extent of physical abuse or violence is punishable under the [Special Act on Punishment of Domestic Violence and etc.](#), and in case where such punishment is administered by family members, the [Penal Code](#), or the [Child Welfare Act](#).

6. Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.

The Republic of Korea does not employ corporal punishment as a sentence for crimes. Children who are under 18 years old of age as defined by the [Child Welfare Act](#) are not subject to capital punishment (See the Periodic Report of the Republic of Korea submitted under the Convention on the Rights of the Child: CRC/C/70/Add.14, para. 52). Capital punishment or life imprisonment sentences are reduced to 15-year imprisonment sentences for offenders who were under 18 years of age at the time of their offences ([Juvenile Act](#), art. 59).

7. Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.

Bullying and indecent acts are explicitly termed as forms of violence and addressed accordingly by the [Act on Prevention of School Violence](#) and its regulations.

The [Gender Discrimination Prevention and Relief Act](#) is the main legal framework dealing with sexual harassment (See the Fifth periodic report of the Republic of Korea under the Convention on the Elimination of All Forms of Discrimination against Women: CEDAW/C/KOR/5, para. 67-72).

8. Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.

No forms of commonly-known harmful or violent traditional practices exist in the Republic of Korea.

9. Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.

There is no discrimination in the application of laws against children to non-citizens and stateless children.

10. Provide information on any difference in the definition of violence and the applicable legal framework according to:

- The sex or sexual orientation of the victim and/or of the perpetrator;

In legal terms, rape and forced intercourse are defined as crimes committed by male perpetrators against female victims. In some forms of sexual violence, such as indecent acts with coercion, victims may include either males or females.

- The age of the victim and /or of the perpetrator;

The Penal Code has a specific provision on the kidnapping of minors(art.287). Sexual intercourses or indecent acts with a minor through fraudulent means or influence is punishable under the Penal Code art 302. The Code also stipulates that sexual intercourse with a girl under 13 years of age shall be treated as rape and that indecent acts committed with a child under 13 years of age is punishable without condition of violence or intimidation (art. 305).

By the Act on Protection of Youth from Sexual Exploitation, crimes of sexual violence against females under 19 years of age are more severely punished.

Offenders under 14 years of age are exempt from punishment. Offenders between 12 and 20 years of age are subject to special protective measures under the Juvenile Act. Sentences for offenders deemed to receive capital punishment or life imprisonment are reduced to 15-year imprisonments if the offenders were under 18 years of age at the time of their offence.

- The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.

While the Penal Code deals with violence generally, domestic violence is specifically addressed by two laws, the Special Act on Punishment of Domestic Violence and the Act on Prevention of Domestic Violence and Victim Protection.

Infanticide or abandonment of infants by parents or grandparents under certain circumstances may be subject to less severe punishment compared with murder or abandonment of other family members (Penal Code, art. 251 and 272). Violence against parents or grandparents, including in-laws, may be punished more severely than other kinds of violence (Penal Code, art. 259, 260, etc.).

Sexual violence in marriage is not established in the legal framework. Punishments for sexual violence within the family, including rape and sexual abuse, is more severely punishable by the Act on Punishment of Sexual Violence and Protection of Victims and/or by the Act on Protection of Youth from Sexual Exploitation than by other crimes of sexual violence punishable under the Penal Code.

11. Provide information on any recent comprehensive review of the legal framework to address violence against children.

Not available.

12. Provide information on any studies and surveys which have been undertaken to assess the impact of legal measures to address violence against children.

In February 2004, the Government convened a seminar on protecting human rights of children in criminal procedures, which was attended by judges, prosecutors and experts in relevant fields. The seminar gave all an opportunity to identify failures of investigative practices to address the special needs of children victims of sexual violence, and to discuss how to solve such problems and protect their rights in criminal procedures while not hampering securing of evidences.

Courts tasked with addressing violence against children

13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.

The Family Court may be responsible for hearing cases on violence against children within the family. The Family Court may impose a separation between offender(s) and victim(s), restraining orders, consignment to a hospital or sanatorium and detention on perpetrators of domestic violence, and other temporary measures. The conclusions made by the Family Court with regard to cases of domestic violence may include a restraining order, limitation of parental rights, community service,

probation, or other punishments. Judges of the Family Court shall take into consideration the best interest of the concerned child/children and shall be assisted by special investigators on domestic violence. Cases addressed by laws other than the Special Act fall within the realm of responsibility of the criminal courts.

Minimum age for sexual activity

14. Provide information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?

Under the Penal Code, 13 years is considered the age of consent, and sexual relations with children under 13 years of age is considered a crime of violence and punished as such..

15. Provide information on the minimum age of marriage for women and men.

The minimum age for marriage is 16 for women and 18 for men (Civil Act, art. 807), and marriage of those less than 20 years of age, regardless of gender, requires the consent of the parent(s) or guardian(s) (Civil Act, art. 808).

Sexual exploitation of children

16. Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.

The Penal Code (art. 242) criminalizes facilitating in the prostitution of minors for profit and the Child Welfare Act (art. 29) criminalizes facilitating in the prostitution of children. The Act on Protection of Youth from Sexual Exploitation also addresses the problem of commercial sexual exploitation of children. (Please refer to Part III, 1. b. Enactment of the Act on Protection of Youth from Sexual Exploitation of the "Written responses to the list of issues raised by the Committee on the Rights of the Child for the consideration of the periodic reports under the Convention on the Rights of the Child" (<http://www.unhchr.ch/html/menu2/6/crc/doc/replies/wr-rkorea-1.pdf>.)

According to the Act on Protection of Youth from Sexual Exploitation, youths involved with commercial sexual activities are not criminalized (art.13).

The sale of or trafficking in children is punishable by the Penal Code (art. 287), the Child Welfare Act (art. 29), and the Act on Protection of Youth from Sexual Exploitation (art. 9).

According to the Act on Elimination of Prostitution and Protection of Victims, education shall be provided to school children on the harm of prostitution.

Pornography and harmful information

17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.

Child Pornography is prohibited and punishable by the Penal Code and the Act on Protection of Youth from Sexual Exploitation. The Act on Protection of Youth from Sexual Exploitation explicitly addresses child pornography in electronic games and occurring on the Internet.

18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.

The Act on Protection of Youth prescribes the protection of youth from harmful information or material, including records, videos, electronic games, performances, publications, Internet content, advertisements, and broadcasting programs. The Commission on Youth Protection administers

necessary measures to implement the Act. (See the Periodic Report of the Republic of Korea submitted under the Convention on the Rights of the Child (CRC/C/70/Add.14), para. 28, 77.)

Reporting obligations relating to violence against children

19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.

While anyone can report cases of child abuse to centres on the prevention of child abuse or to the police, the Child Welfare Act stipulates that persons working with children, including teachers, social workers, medical professionals, and staff of childcare facilities or counselling centres for victims of domestic or sexual violence, shall report cases of child abuse of which they become aware while carrying out their professional duties (art. 26). However, no punitive action is stipulated for non-reporting.

The Special Act on Punishment of Domestic Violence has similar provisions on reporting, which require that individuals in professional groups such as teachers, medical professionals and staff of childcare facilities, counselling centres and shelters for victims of domestic violence report to relevant authorities cases of suspected domestic violence against children of which they become aware while carrying out their professional duties, without sanction for non-reporting.

The Act on Prevention of School Violence stipulates that anyone who witnesses or notices school violence shall report it to relevant school or local authorities, without sanction for non-reporting.

The Act on Protection of Youth from Sexual Exploitation allows counselling centres and shelters dealing with the protection of youth from sexual exploitation to receive reports on acts prohibited by the Act.

Complaints procedures

20. Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:

The Commission on Youth Protection is operating the Centre for Participation and Rights of Youth, known as the “Siso Centre”, which handles complaint with regard to some forms of violence against youth. Incidents of violence against youth occurring in schools, including bullying, sexual violence, domestic violence and violence occurring in workplaces, , may be brought up with the Centre. Complaints are received by telephone through a hotline and via the Internet. All complaints received by the Centre are treated as confidential.

- The family/ home;
The Special Act on Punishment of Domestic Violence stipulates procedures relative to addressing domestic violence, including violence against children. It covers reporting of cases of domestic violence, emergency measures to be taken by the police on the spot, including the separation of victims and perpetrators, and temporary and protective measures imposed by the courts. The Act allows victims or their legal representative(s) to file a complaint against the perpetrators, even in cases where a perpetrator is an ascendant of the victim, which is not allowed in ordinary criminal cases.
- Schools and pre-school care and education (both formal and non-formal, state and private);
Committees on Fighting School Violence, which shall be established by the Act on Prevention of School Violence at all primary and secondary schools, may act as arbitrators in cases of disputes with regard to school violence.
- Military schools;
No specific complaint procedure concerning military schools. One may follow the general complaint procedures.
- Institutions, state and private, including care, residential, health and mental health;

No specific complaint procedures.

- The context of law and public order enforcement including in detention facilities or prisons; Under the [Training School Act \(Juvenile Reformatory Act\)](#), a trainee of training schools (juvenile reformatories) may submit written complaints to the Minister of Justice when he/she objects to his/her own treatment.
- The neighbourhood, street and the community, including in rural areas; No specific complaint procedures.
- The workplace (informal and formal); No specific complaint procedures.
- Sports and sporting facilities. No specific complaint procedures.

21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.

The [Special Act on Punishment of Domestic Violence](#) and the [Training School Act \(Juvenile Reformatory Act\)](#) provide complaint procedures for children trainees of juvenile reformatories (art. 11).

Children or persons acting on behalf of a child can access the above-mentioned Siso Centre using a telephone hotline or via Internet.

Children victims of sexual violence may receive legal aid with assistance of counselling centres on sexual violence operated in accordance with the [Act on Punishment of Sexual Violence and Protection of Victims](#) (art.24).

The [Criminal Procedure Act](#) stipulates that a parent of a child victim may act as legal representative or assistant for purposes of accusation and litigation, and may use the complaint procedures as well.

22. Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.

Notices on the submission of petitions under article 11 of the [Training School Act \(Juvenile Reformatory Act\)](#) shall be posted at relevant training schools and conveniences for the submission of petitions shall be provided.

The Commission on Youth Protection is running a youth-friendly website, which provides information on reporting and counselling services with regard to violence against children.

23. Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.

While witnesses are required to take an oath before the court, the [Criminal Procedures Act](#) makes children under 16 years of age exempt (art. 159). The Act also allows the examination of witnesses at places other than the court, taking into consideration the age and health condition of a witness, and other special circumstances (art. 165). Under the [Act on Punishment of Sexual Violence and Protection of Victims](#), videotaped testimony of a child under 13 years of age may be utilized at a trial in lieu of testimony in open court (art. 21-2).

24. Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy):

Taking the child's best interest into consideration and according to the Penal Code, the court may impose appropriate punishment on the perpetrator of violence against a child, rehabilitation courses for perpetrators, or family therapy.

25. Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).

Please refer to Part I, A, 6. b of the “Written responses to the list of issues raised by the Committee on the Rights of the Child for the consideration of the periodic reports under the Convention on the Rights of the Child”(http://www.unhcr.ch/html/menu2/6/crc/doc/replies/wr-korea-1.pdf).

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

The aim of this section is to establish if your country has an institution coordinating multi-sectoral activities concerning violence against children, which include prevention, protection, redress, reintegration and rehabilitation.

26. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children? If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.

The Government of the Republic of Korea recently established an inter-ministerial committee to coordinate governmental policies on children for the promotion of the rights of children and their sound development. Authorities as well as civil experts related with children’s issues participate in the committee. It is likely that the committee will take up a coordination role in the field of violence against children.

At the level of individual ministries and agencies, the Ministry of Health and Welfare is the main governmental body responsible for children’s affairs, including administering the Child Welfare Act and overseeing the work of centres on the prevention of child abuse. The Commission on Youth Protection is in charge of ensuring the healthy development of youth by protecting youth from harmful materials, activities and places through the administration of the Act on Youth Protection and the Act on Protection of Youth from Sexual Exploitation.

27. Is there a lead Government authority tasked with responsibility for addressing violence against children? If YES, provide details.

No.

28. Are specific financial and/or human resources allocated by your country to address violence generally? If YES, indicate the extent of these allocations.

No.

29. Does your country allocate specific financial and/or human resources to activities to address violence against children? If YES, provide details.

The Ministry of Justice has allocated two hundred million Korean won to support “Safe School Initiatives”, which were implemented starting in September 1997. The initiatives, which include juvenile guidance and protection and regulation of environments harmful to juveniles are funded by an annual allocation from the Ministry.

30. Do international or bilateral donors provide resources to your country for activities to address violence against children? If YES, indicate the extent of these resources and the way in which they are used.

No.

31. Does your country provide any assistance to other countries’ efforts to respond to the problem of violence against children? If YES, provide details.

No.

32. If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints? If YES, provide details.

The National Human Rights Commission of the Republic of Korea (NHRC) has conducted research on the human rights situation of children as stipulated in article 19, paragraph 4 of the National Human Rights Commission Act. The research covered topics on the human rights situation of children in Korea including: “Children and youth-related law review (2002)”, “The Rights of Children and Youth Protection Plan in Juvenile Justice System (2002)”, “The Situation of Children of Migrant Workers in Korea (2004)”, and “The Situation of Children of Mixed Ancestry born at *Gijichon* (red-light districts near US military installations) (2004)”.

The NHRC grants subsidies for human rights programs conducted by NGOs, including programs related to violence against children. One example is the “Research of People’s Consciousness and Public Awareness of the UN Convention on the Rights of the Child (CRC): Focusing on Sexual Violence against Children”, conducted this year by the Neil Women’s Centre for Youth. Other programs include the “Strengthening Human Rights Consciousness and Training Human Rights Activities by Human Rights Education to Staffers of Local Children’s Centres” conducted by Cooperation Leftovers Love Sharing Community in 2003. (Local Children’s Centres are centres that support children in poor conditions by providing education assistance, counselling, meals, etc.)

Also, as part of its Civic Action Program, the NHRC offers grants and forms agreements with citizens who establish human rights programs. In 2003, there were 4 programs related to children’s rights: “Improvement of rights of the child and Restore of family function (Ansan YMCA)”, “Development of on-line child rights education program (Korea Council of Children’s Organizations)”, “Campaign to make good friends (Korea Youth Centre)”, and “1318! What’s your name? (Ulsan YMCA)”.

The granting of subsidies to human rights NGOs and the formation of agreements with citizens for human rights programs are based on article 19, paragraph 8 of the National Human Rights Commission Act.

The NHCR has the power to investigate and suggest remedies for cases of violence against children that are related to the performance of official duties of state organs, local governments or detention or protective facilities. However, the NHRC has not yet received any cases related to violence against children.

33. Are there any particular parliamentary structures (for example special committees) to address violence against children? If YES, provide details.

No.

34. Have there been any recent parliamentary initiatives to address violence against children? If YES, please give details.

No.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

The aim of this section is to elicit information on civil society activities relating to violence against children.

35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, professional associations, women’s associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer’s organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).

Many civil organizations are conducting activities relating to violence against children such as the following:

“Safe School”: The rehabilitation of youth subject to protective measures, including those who have committed sexual crimes or are addicted to drugs. This effort includes advocacy and awareness raising through publications, organisation of seminars, providing educational programs for parents and youth, Research on peer violence in schools;

“Tacteen”: Providing counselling services to children and dissemination of information on sexual violence, in a broader context of education on reproductive health and rights;

“Victims of Child Abuse Protection Unit”: Medical professionals’ initiative, formed within major hospitals.

“Sexual education for rural youths”: Providing educational programs to prevent juvenile prostitution, including showing documentary films to the youths in rural areas.

“Healthy Sexual Culture for Youths”: Presenting plays in schools related to issues of healthy sexuality.

36. Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and government initiatives.

The Commission on Youth Protection has a consultative committee, whose members are experts and professionals. The consultative committee is composed of nine sub-committees grouped in thematic categories, such as media, sexual culture, violence, drug, internet, youth abstinence, civil participation, youth participation, and policy planning.

37. Describe the role played by the media in addressing violence against children.

The media has, in some cases, dealt with violence against children. For example, in 2003, the Seoul Broadcasting Services (SBS), one of main broadcasting companies in the ROK, allocated two sessions of its weekly current affairs TV programme to violence against children. One addressed children victims of sexual violence, focusing on the protection of their rights during the criminal procedure and the other looked at child abuse perpetrated by a parent, drawing attention to the seriousness of violence against children. In particular, the former contributed to the effort to ensure the interest and needs of children victims of sexual violence during the criminal procedure.

IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE

This section is designed to extract information on children’s activities to address violence.

38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.

Not available.

39. Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.

Not available.

40. Describe the amount and type of resources made available to support children’s participation in activities to address violence against children.

Not available.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

A comprehensive policy for dealing with violence against children is one that addresses multiple forms of violence against children, that works across the different settings in which violence occurs, and which includes components for prevention, protection, victim medical, psychological, legal and social assistance, victim rehabilitation and reintegration, and perpetrator interventions. Such policy is distinguished from specific programmes that address selected sub-types of violence against children or its effects in specific populations and settings.

41. Does your Government have a comprehensive policy concerning violence against children? If YES, provide details and describe any gender-specific provisions included in the policy.

No.

42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?

If YES, please provide available summary reports, or URLs, of these programmes, and indicate, using the table below, which settings and types of violence are addressed by these programmes:

Under the [Child Welfare Act](#), the government has supported Centre for the Prevention of Child Abuse since 2000. (Please refer to the website of the National Centre for the Prevention of Child Abuse, <http://www.korea1391.org>.)

	Physical	Sexual	Psychological	Neglect	HTPs	Other
Family/Home	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Schools	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Institutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Neighbourhood/ Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Workplace	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Law enforcement						
Other						

43. Does your Government monitor the impact of these policies and programmes directed towards violence against children? If YES, describe the monitoring systems and provide a URL or other reference where the system and outcomes are described in greater details.

Policies to prevent child abuse have been monitored through the Annual Report on Child Abuse, which analyzes child abuse cases reported to the Centre for the Prevention of Child Abuse in terms of the types and characteristics of perpetrators of child abuse, the ages of victims, services provided to victims and perpetrators, and suggestions of ways to improve policies to prevent child abuse.

44. Does your Government participate in any internationally coordinated activities concerning violence against children? If YES, please provide details.

No.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

This section aims to provide an overview of information systems and information about violence against children that may be used to inform, plan and monitor policy, legal and programmatic interventions concerning violence against children.

45. Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country? If YES, provide details or references, or attach.

The Annual Report on Child Abuse, which analyzes child abuse cases reported to Centres for the Prevention of Child abuse and the police, has been published since 2002. (The Report is published only in Korean.)

The Prosecution publishes the Annual Crimes Analysis Report, which covers domestic and school violence, as well as juvenile delinquencies. (The Report is published only in Korean.)

In 2003, the National Centre for the Prevention of Child Abuse conducted a survey via the Internet on the awareness level of the general public on child abuse, in which total number of 5,250 persons took part. The survey showed that the awareness level of the general public on child abuse was still relatively low.

46. Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children? If so, please give details.

Not available.

47. Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children? If YES, indicate the subject of this research and where the findings of these projects may be consulted in more detail.

Since 2000, the Government (Ministry of Health and Welfare) has commissioned such studies on child abuse as the study on development of child abuse assessment and rehabilitation programs for perpetrators of child abuse. Those studies were used to improve measures to prevent child abuse.

48. Have studies or surveys been undertaken into the impact of legal measures to address violence against children? If YES, provide details or references, or attach.

After the amendment of the Child Welfare Act in 2000, a panel discussion was held in June 2000 to evaluate the initiatives relating to the prevention of violence against children. Various studies have been conducted on the disclosure of youth sex offender's identities over the past several years.

49. Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part? Provide details.

No.

50. Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system? If YES, what proportion of all homicide deaths are under the age 18?

.....%

	Total number of murder victims	Victims under 12 years of age	Victims under 15 years of age	Victims under 20 years of age
2003	681	24 (3.5)	5 (0.7)	14 (2.1)
2002	615	42(6.8)	5 (0.8)	20 (3.3)
2001	693	42 (6.1)	4 (0.6)	21 (3.0)
2000	632	43 (6.8)	4 (0.6)	25 (4.0)

51. If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):

Sex	<input type="radio"/>
Age	<input type="radio"/>
Ethnicity	
Manner of death (homicide, suicide, undetermined)	<input type="radio"/>
External causes of death (firearm, strangulation, etc.)	<input type="radio"/>
Geographical location of incident (address)	<input type="radio"/>
Scene of occurrence (home, school, etc.)	<input type="radio"/>
Time and date of incident	<input type="radio"/>
Victim-perpetrator relationship	<input type="radio"/>
Other:	

52. Provide the total number of reported cases of violence against children in 2000, 2001, 2002 and 2003.

Not available.

53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.

Not available.

VII. AWARENESS, ADVOCACY AND TRAINING

This section is aimed at gathering information on any awareness-raising, advocacy and training activities relating to violence against children which may have been conducted by your Government.

54. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

If YES, please describe any recent campaigns, including the settings and types of violence that were the subjects of the campaigns and the target audience (general public, caregivers, teachers, etc.).

Prior to the amendment of the [Child Welfare Act](#) in 2000, the Government produced a video to raise awareness on child abuse, which was distributed to child welfare facilities, elementary schools, police stations, and medical facilities. In 2002, a popular baseball player and an actor were appointed as Child Abuse Prevention Ambassadors, and participated in various awareness raising activities such as public campaigns, adding the banner of Centres on Prevention of Child Abuse to their web sites. Video materials and brochures relating to prevention of child abuse are available at the Centres on Prevention of Child Abuse. The Government also provide adequate training for persons who are engaged in child welfare on their duties to report on child abuse through the Ministry of Education and Human Resources Development, the Korean Medical Association, the Korean Nurses Association, and the Korean Federation of Child Welfare.

55. How were the campaign messages and information disseminated (check all that apply)?

Print media	<input type="radio"/>
Radio	
Television	<input type="radio"/>
Theatre	
Schools	<input type="radio"/>
Others	<input type="radio"/> (Internet)

56. Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?

If YES, indicate which of the following areas were addressed by the last such training programmes and which provider groups received training (check all that apply).

	Prevention	Protection	Redress	Rehabilitation	Penalties
Medical Professionals (including paediatricians, nurses, psychiatrists and dentists)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Public health practitioners					
Social workers and Psychologists	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Teachers and other educators					
Court officials (including judges)		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Police	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>
Prison officers					
Juvenile offenders personnel					
Institution personnel					
Parents/guardians					
Other (please specify)					