

REPUBLIC OF KOREA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for religious freedom and prohibits discrimination based on religion. In December the National Assembly passed legislation outlining alternative service options for conscientious objectors, although individuals who refused to serve or undertake alternative service continued to face up to three years imprisonment. The government ceased detaining, charging, or imprisoning new cases of conscientious objectors, but prosecutors continued to appeal “not guilty” verdicts of some Jehovah’s Witnesses who had been tried previously, and cases against 935 conscientious objectors whose trials began before the court’s decision were still pending at year’s end. Members of Christian groups prevented an initiative to create a comprehensive antidiscrimination bill that would specifically include religious affiliation and sexual orientation as protected classes.

Nongovernmental organizations (NGOs) and human rights attorneys providing assistance to asylum seekers stated immigration officials fabricated statements made by Yemeni Muslim asylum seekers to make it more difficult for them to qualify for refugee status. The Korean Falun Dafa Association said government-affiliated performance venues in Seoul and Busan blocked a Falun Gong-affiliated performance troupe from performing to avoid conflict with the Chinese government.

The National Human Rights Commission of Korea (NHRCK) reported 13 cases alleging religious discrimination during the year, compared with 21 in 2018. According to media, in January 30,000 persons from civil society organizations and religious groups gathered in Seoul to demand the Christian Council of Korea (CCK) be shut down for corruption and for running coercive religious conversion programs. In July a group of NGOs and scholarly organizations sent an open letter to President Moon Jae-in calling on him to put an end to coercive conversion in the country. Muslims, particularly Yemenis who arrived in 2018 as asylum seekers, continued to report incidents of discrimination, including in employment. Some critics of President Moon used derogatory words associated with Islam to denigrate him and his supporters.

The U.S. Ambassador and other embassy officers engaged with senior government officials on issues related to religious freedom, including the treatment of Yemeni Muslim refugees and conscientious objectors and the continuing refusal of government-affiliated venues to book a Falun Gong performance troupe. The

Ambassador and embassy officials met with leaders of the Anglican, Baptist, Buddhist, Jehovah's Witnesses, Muslim, and Jewish communities to discuss areas of concern, including trials of conscientious objectors, anti-Muslim sentiment, and freedom of expression, and to underscore the U.S. commitment to religious freedom. The embassy used social media to highlight the Ambassador's outreach to different religious communities and U.S. support globally for religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 51.6 million (midyear 2019 estimate). According to the 2016 census conducted by the Korea Statistical Information Service, of the 44 percent of the population espousing a religion, 45 percent are Protestant, 35 percent Buddhist, 18 percent Roman Catholic, and 2 percent "other." The census counts members of the Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, the Seventh-day Adventist Church, and the Family Federation for World Peace and Unification (Unification Church) as Protestants. Followers of "other" religious groups, including Won Buddhism, Confucianism, Jeongsando, Cheondogyo, Daejonggyo, Daesun Jinrihoe, and Islam, together constitute less than 2 percent of the population. According to the only rabbi in the country, there is a small Jewish population of approximately 1,000, almost all expatriates. The Korean Muslim Federation estimates the Muslim population at 135,000, of which approximately 100,000 are migrant workers and expatriates mainly from Bangladesh, Indonesia, and Pakistan. One expert on the Muslim diaspora in the country stated the population could be more than 200,000 because many migrant workers enter the country without proper documentation.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states all citizens have freedom of religion, and that there shall be no discrimination in political, economic, social, or cultural life because of religion. Freedoms in the constitution may be restricted by law only when necessary for national security, law and order, or public welfare, and restrictions may not violate the "essential aspect" of the freedom. The constitution states religion and state shall be separate.

According to regulation, a religious group that has property valued at over 300 million won (\$260,000) may become a government-recognized religious organization by making public internal regulations defining the group's purpose

and activities, meeting minutes of the group's first gathering, and a list of executives and employees.

To obtain tax benefits, including exemption of acquisition or registration taxes when purchasing or selling property to be used for religious purposes, organizations must submit to their local government their registration as a religious and nonprofit corporate body, an application for local tax exemption, and a contract showing the acquisition or sale of property. All clergy are taxed on earned yearly income. Clergy are exempt from taxation on education, food, transportation, and childcare expenses. Individual laypersons are eligible for income tax benefits upon submitting receipts of donations made to religious organizations.

The law requires active military service for virtually all male citizens between the ages of 18 and 40 (in the army for 21 months, the navy for 23 months, or the air force for 24 months), followed by reserve duty training. In December the National Assembly amended the law to allow conscientious objectors to fulfill obligatory military service and reserve duties by working as government employees for 36 months at correctional facilities. Those who refuse to fulfill military service or alternative service face up to three years imprisonment. The law is silent regarding soldiers currently on active duty who wish to switch to alternative service due to conscientious objections.

Following military service (or alternative service for conscientious objectors), there is an eight-year reserve duty obligation involving several reserve duty exercises per year. The December law allows those who already completed their military service obligation but subsequently became conscientious objectors to perform their reserve duties in correctional facilities. Previously, these individuals were subject to fines for not participating in mandatory reserve duty exercises. Failure to perform reserve duties or alternative service carries fines and possible imprisonment. The fines vary depending on jurisdiction but typically average 200,000 Korean won (\$170) for the first conviction. Fines increase by 100,000 to 300,000 won (\$87 to \$260) for each subsequent violation. The law puts a ceiling on fines at two million won (\$1,700) per conviction. Civilian courts have the option, in lieu of levying fines, to sentence individuals deemed to be habitual offenders to prison terms or suspended prison terms that range from one day to three years.

The government does not permit religious instruction in public schools. Private schools and religious schools are free to conduct religious activities. Students at these schools may opt out of religious instruction.

The law provides government subsidies for preservation and upkeep of historic cultural properties, including religious sites.

The Ministry of Culture, Sports, and Tourism (MCST) Religious Affairs Division works with the seven members of the NGO Korea Conference of Religions for Peace (KCRP) – the National Council of Churches of Korea (NCCCK), the Jogye Order of Korean Buddhism, the Catholic Church, Won Buddhism, Confucianism, Cheondogyo, and the Association of Korean Native Religions – on interfaith solidarity and is the primary government contact for religious organizations.

The NHRCK's mandate gives it permission to investigate complaints, issue policy recommendations, train local officials, and conduct public awareness campaigns. The NHRCK can make nonbinding recommendations but does not have authority to implement policies or penalize individuals or agencies that violate human rights.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In December the National Assembly passed a law allowing conscientious objectors to work for 36 months as government employees at correctional facilities in lieu of mandatory military service and reserve duties. President Moon then pardoned 1,879 conscientious objectors who had been barred from becoming government officials because they had been convicted of refusing military service. The new law did not address the question of active duty service members wishing to switch to alternative service on the grounds of conscientious objections.

In December 2018 and again in March the NHRCK said the government's then-proposed bill did not meet international human rights standards because it did not offer due process to active duty soldiers and reservists who wished to apply for alternative service on the grounds of conscientious objection. The NHRCK did not release a statement after the passage of the law.

The government ceased detaining, charging, or imprisoning conscientious objectors to military service immediately after the Constitutional Court's decision in June 2018, but prosecutors continued during the year to appeal "not guilty"

verdicts, arguing the beliefs of some Jehovah's Witnesses who had been acquitted were insincere because they played violent video games or did not routinely attend church. According to Watchtower International, in February authorities released from prison the last prisoner detained for conscientious objection; however, 935 conscientious objectors whose trials began before June 2018 were still on trial at year's end, including 63 who fulfilled the mandatory active duty service but refused to participate in reserve duty.

On July 29, the Suwon District Court found Shin Ok-ju, head pastor of the Grace Road Church, and five other church officials guilty on charges of violence, child abuse, and fraud in connection with a 400-member church-owned compound in Fiji. Former members of the church said they were instructed to beat each other to "drive out evil spirits" and were not free to leave the compound. The court sentenced Shin to six years in prison. A district court spokesperson told media the other five officials received penalties ranging from a suspended sentence to 44 months in prison.

According to media reports, in February a government-subsidized social welfare center dismissed a social worker after the individual refused to study the Bible with the director of the center.

According to the Jogye Order of Korean Buddhism, a social worker at one of its government-subsidized welfare centers was forced to read a Buddhist prayer and bow 3,000 times in worship at an annual event. The order stated it was taking steps to prevent recurrence.

In January the Supreme Court ruled that Han Ji-man, a Seventh-day Adventist medical student, could take university exams outside Sabbath hours, overturning a lower court ruling. According to the Seventh-day Adventist Church, when Han began his studies as a first-year medical student, he learned several of his exams were scheduled on Saturday. The Church stated that he filed the lawsuit after speaking with professors and school administrators and after appeals to the NHRCK did not resolve the issue.

Media reported that in October President Moon met with religious leaders – including Archbishop Hyginus Kim Hee-joong of Gwangju, Chairman of the Catholic Bishop's Conference of Korea and the highest ranking Catholic official in the country – and called for them to support the creation of a proposed comprehensive antidiscrimination law that would specifically include religious affiliation and sexual orientation as protected classes. According to media reports,

although the NHRCK, international groups, and many lawmakers in the ruling Democratic Party supported an initiative to create a new law, other parliamentarians, including those in the Liberty Korea Party (LKP), opposed it due to the outspoken objection to LGBTI protections from Christian groups, notably the CCK. The CCK also stated such a law would make the country “a paradise” for Muslims. The NCKK stated it publicly opposed all forms of discrimination, including discrimination based on sexual orientation. An NCKK representative said, however, it did not directly engage on a comprehensive antidiscrimination bill to avoid division among member churches with varying viewpoints. The Jogye Order of Korea Buddhism lobbied the National Assembly to work towards creating an antidiscrimination law.

In November LKP Representative Ahn Sang-soo proposed a revision to the National Human Rights Commission of Korea Act that would remove the NHRCK’s authority to investigate discrimination based on sexual orientation and would define gender as “biological male and female.” According to media, Ahn said the existing law “legally and actively protects and promotes homosexuality” and discriminates against those who oppose homosexuality on religious or other grounds. Forty members of the 300-seat legislature, predominantly LKP representatives but also members of the Bareunmirae Party and the Democratic Party, signed Ahn’s proposed amendment despite criticism and protests from domestic and international human rights groups.

Immigration officials extended by one year the humanitarian stay permits to 412 Yemeni Muslim asylum seekers who were among a group of approximately 500 who arrived in 2018. Extensions for the remaining Yemenis were pending adjudication by ROK immigration officials at year’s end.

In July NGOs providing services to asylum seekers and human rights attorneys accused immigration officials of fabricating statements made by Yemeni Muslims applying for asylum during the second half of 2018. According to the NGOs, immigration officials attributed statements to the Yemenis that would make it easier to dismiss their applications, such as stating that the applicant came to the country in search of better economic prospects. In other instances, the NGOs said immigration officials used interpreters who did not speak Arabic fluently, if at all. Media reported in July that the Ministry of Justice (MOJ) stated three refugee screening officers would face disciplinary action for “rigging” Arabic-speaking refugee interview records as far back as 2017.

The Ministry of Employment and Labor continued to support Muslim laborers by offering Korean language classes and encouraging employers to better accommodate Muslim workers' prayer schedules and dietary requirements.

The Korean Falun Dafa Association said the Falun Gong-affiliated performance troupe Shen Yun was unsuccessful in reserving public venues in January, February, and July in Seoul for commercial performances, including at the government-affiliated Seoul Arts Center and the Seoul city government-affiliated Sejong Center for the Performing Arts. The association indicated the venues said Shen Yun's applications were rejected for scheduling and/or artistic reasons, but the group's representatives stated they believed the venues and their associated government authorities refused these requests to avoid conflict with the Chinese government. The association also said Shen Yun's application to perform in March at the Busan Cultural Center – affiliated with the Busan city government – was rejected apparently for similar reasons, despite the group's having performed at the venue on several previous occasions. Local sources inside and outside the government noted the country's cautious approach toward the Chinese government, especially on sensitive "internal" issues like Falun Gong, and said the government's caution was reinforced in part by the experience of China's economic retaliation against the government for allowing the deployment of a U.S. Terminal High Altitude Area Defense (THAAD) system in 2017, the economic effects of which, the sources said, were still being felt.

Yonhap News Agency reported that in August the Seoul Immigration Office rejected the refugee application of an Iranian man, claiming his conversion to Catholicism was not sincere and therefore he did not qualify under the law. The father arrived in the country with his then-six-year-old son, Kim Min-hyuk, in 2010 and both converted to Catholicism five years later. Kim received refugee status in 2018. In August the MOJ granted the father a one-year extension to his humanitarian stay permit to allow him to remain in the country with his minor son.

The MCST disbursed 75,330,000 won (\$65,300) supporting religious and cultural events during the year, including a March tour for leaders from the country's major religious groups to visit four major Buddhist sacred sites in Nepal and India and experience other religious traditions. The MCST also hosted the World Religious and Cultural Festival in September in North Jeolla Province. The festival included a film screening, a photo exhibition of religious buildings, an exhibition of religious symbols, and a forum on religious coexistence.

Section III. Status of Societal Respect for Religious Freedom

The NHRCK reported 13 cases of alleged religious discrimination during the year, compared with 21 in 2018. The NHRCK did not provide details on cases under investigation.

According to media, on January 27, 30,000 persons from civil society organizations and religious groups gathered in Seoul to protest “unconstitutional actions” by the CCK and demanded the council to be shut down. The Global Citizens’ Human Rights Coalition organized the protest. Protestors accused the CCK – which maintains an alliance relationship with the World Evangelical Alliance – of corruption and of running coercive religious conversion programs. The coalition called for “enactment of a special law against coercive conversion programs to enhance freedom of religion.”

In July a group of NGOs and scholarly organizations specializing in research on religious pluralism sent an open letter to President Moon calling on him to put an end to coercive religious conversions in the country. According to these groups, individuals, often parents, took those they wished to convert against their will to specialized “counselors” or “deprogrammers,” often pastors of established churches. The letter stated the “deprogrammers” then attempted to forcibly convert the children from whatever religion they deemed unorthodox back to the religion of their parents.

Yemeni Muslims who remained on Jeju Island instead of migrating to the mainland (approximately 120 out of the 500 who arrived on the island in 2018) reported increased acceptance by the local community. Those who migrated to the mainland, however, reported ongoing instances of discrimination and a general societal view associating Muslims with terrorism. They said there were instances where employers were unwilling to accommodate dietary needs, breaks for prayer, or other religious observances. NGOs, police, government officials, and asylum seekers accused media of reporting that was untruthful or biased against Muslims, portraying Muslim refugees as violent, potential terrorists, or antifeminist. For example, in June an online newspaper suggested Yemeni refugees may have been to blame for reddish tap water at an apartment complex. The article cited anonymous sources who said Houthi rebels (referring to the refugees) might have poisoned the water.

According to the KCRP, some critics of President Moon, including former main opposition LKP leader Hong Joon-pyo, called Moon “Moonslim,” a word blending Moon and Islam, and his supporters “Moonslims,” as a derogatory insult. Some

critics also called Moon's supporters "Daliban," a play on the Korean word for moon (dal) and Taliban. The KCRP stated this derogatory usage exemplified the negative views of Muslims in the country. The KCRP also stated some Protestant leaders provoked discriminatory attitudes against Muslims on social media platforms such as YouTube by publishing fake news and misinformation.

Prominent religious leaders regularly met on a panel to promote religious freedom, mutual understanding, and tolerance. The panel was funded by the government but functioned independently from it. Throughout the year, the KCRP hosted religious leaders from multiple faiths at religious events including seminars, exhibitions, arts and cultural performances, and interfaith exchanges to promote religious freedom, reconciliation, and coexistence. For example, in October the KCRP held the Religious Festival for Reconciliation in Daegu. The festival invited followers from seven different religions to explore coexistence through sports and visiting a Buddhist temple together. Islam is not one of the seven religious groups represented in the KCRP, which is comprised of the NCKK, the Jogye Order of Korean Buddhism, the Catholic Church, Won Buddhism, Confucianism, Cheondogyo, and the Association of Korean Native Religions, but Muslims were often invited as observers. On September 25-27, the KCRP and the NHRCK cohosted a seminar discussing countermeasures against anti-Muslim sentiment in the country. Ten representatives from the Korea Muslim Federation were among the 80 participants.

In August North Korea's state-controlled Korean Christian Federation's Central Committee and South Korea's NCKK composed their annual joint prayer for peaceful reunification of the peninsula, stating in part, "Lord, hear the prayers of the beloved Christians throughout the world for peace and prosperity of the Korean Peninsula....Let the fervent prayers of Christians all over the world bloom in our hearts, and in every corner of the Korean Peninsula as a flower of hope."

In March the sole rabbi in the country opened the country's first Jewish mikveh (bath used for ritual purification) in Seoul.

Section IV. U.S. Government Policy and Engagement

Embassy officers regularly engaged the government – including the Ministry of Foreign Affairs, MCST, MOJ, and National Assembly members – on religious freedom and tolerance issues, including urging the government to pass legislation providing equitable alternative service options for conscientious objection to military service on religious grounds. Embassy officials also raised the treatment

of Yemeni Muslim refugees with the government. The Ambassador voiced concern at the vice foreign minister level regarding the Korean Falun Dafa Association's allegations that the government was contributing to censorship of Falun Gong by allowing government-funded venues to deny Shen Yun performances under pressure from China.

The Ambassador met with Anglican, Baptist, Buddhist, and Jewish community leaders to discuss religious freedom issues, including anti-Muslim sentiment, the proposed opening of a synagogue in Seoul, and freedom of expression, and to underscore the U.S. commitment to religious freedom.

Embassy officials met with members of various religious groups and NGOs, including Yemeni humanitarian stay permit holders and the imam of the largest mosque in the country, to discuss the state of religious tolerance and concerns about anti-Muslim sentiment. Embassy officials also discussed the status of conscientious objectors facing trial with Jehovah's Witness representatives.

The embassy highlighted the U.S. commitment to religious freedom via social media, including by noting the Ambassador's meetings with U.S. and South Korean military chaplains, and meetings in May with the Jogye Order of Korean Buddhism. The embassy posted to social media information about the Ambassador's meeting with the country's sole rabbi and his attendance at a ribbon cutting ceremony for the country's first Jewish mikveh in March to highlight support for religious pluralism. The embassy also highlighted on Facebook and Twitter the Vice President's speech on September 23 at the United Nations General Assembly calling for the protection of religious freedom worldwide.