

Human rights questionnaire for South Korea's presidential candidates with answers

| Questions | Lee Jae-myung (DP) | Kim Moon-soo (PPP) | Lee Jun-seok (RP) | Kwon Young-guk (DLP) |
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| 1. Adoption, ratification and implementation of international human rights treaties | | | | |
| 1-1. Optional Protocol to international human rights treaties ratified by South Korea allow individuals to file complaints to relevant United Nations (UN) bodies to claim their rights have been violated. Would you support the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child, which would allow submission of individual complaints to the UN Committee on Economic, Social and Cultural Rights (CESCR) and the UN Committee on the Rights of the Child (CRC) respectively? | No answer | No answer | We agree in the direction of accordance with international human rights standards, and will approach in a balanced manner to avoid the abuse of the complaint procedure. | Yes |
| 1.2. Do you support the adoption of comprehensive domestic legislation for the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance with a view to prevent, sanction, and remedy enforced disappearances? | No answer | No answer | In our view, enforced disappearance is a grave human rights violation, and the overhaul of means of prevention and remedy is necessary. | Yes |
| 1-3. South Korea has not ratified any of the six amendments to the Rome Statute of the International Criminal Court on the crime of aggression, the deletion of Article 124 which allows 7-year exemption from war crimes for new states parties and the addition of acts constituting war crimes. Do you support the ratification of some or all of the six amendments? | No answer | No answer | Partially so. While approaching cautiously in consideration of the Republic of Korea's diplomatic and military reality, we agree in principle to the strengthening of the humanitarian standards. | Yes |
| 2. Promotion of human rights in North Korea | | | | |
| 2-1. The North Korean Human Rights Act, enacted in 2016, provides, inter alia, for the appointment of an Ambassador-at-Large for International Cooperation on North Korean Human Rights and the creation of the North Korean Human Rights Foundation. Will you appoint an Ambassador-at-Large for International Cooperation on North Korean Human Rights? Will your political party nominate members to the board of directors for the North Korean Human Rights Foundation? | The Democratic Party has been making efforts to defend universal values such as freedom, democracy, peace and human rights in South Korea with blood and sweat and tears. | Yes | International cooperation for the improvement of North Korean human rights is necessary, and we will restore the institutional gap. We will of course nominate the members to the board of directors for the North Korean Human Rights Foundation. | Yes |
| 2-2. Will South Korea be a co- | See the answer to question 2-1. | Yes | Solidarity with the international | We think this is a matter that |

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| sponsor or a co-penholder of the North Korean human rights resolutions at the UN General Assembly and Human Rights Council? | | | community on the North Korean human rights issue is important, and we will fulfill the responsibility as a co-sponsor. | should be decided while observing the inter-Korean relations. |
| 2-3. If there is an inter-Korean summit, will you raise the promotion of human rights in North Korea and the immediate resolution of the issues of abductees, detainees, and unrepatriated prisoners of war, in particular missionaries Kim Jung-wook, Kim Kook-kie and Choi Chun-gil? | See the answer to question 2-1. | Yes | If a summit takes place, we will express sufficient intention. We cannot remain silent on the abductee and detainee issues. | Yes |
| 2-4. Will you facilitate and/or support the work of civil society organizations to improve the human rights situation in North Korea, including efforts to document human rights violations and to broadcast accessible information into each country, as recommended by the Commission of Inquiry (COI) in 2014, for example by the creation of a global North Korean human rights fund? | See the answer to question 2-1. | Do not know. | The role of the civil sector is important, and the government will concentrate more on the de-regulation and development of international cooperation platform than financial assistance. | We think this is a matter that should be decided while observing the inter-Korean relations. |
| 2-5. Will you support the creation of an independent accountability mechanism as a body to collect, consolidate, analyze and preserve information and evidence to support judicial and other proceedings? | See the answer to question 2-1. | No answer | We agree in principle as accountability is a prerequisite for future justice. We think this is a matter that requires evidence-based approach. | Yes |
| 3. Death penalty | | | | |
| 3-1. South Korea carried out its last executions in December 1997, but retains the death penalty in the law. Will your government repeal or amend all laws that prescribe the death penalty for various criminal offenses, with a view to abolishing capital punishment for all crimes? | No answer | No answer | We are opposed to this kind of argument. In our view, retaining the death penalty for serious violent crimes is necessary. As [South Korea] is even now classified as a <i>de facto</i> abolitionist state because the death penalty is not carried out despite its existence, the need to insist upon the abolition of the death penalty in its entirety is not great. | Yes |
| 3-2. Will your government ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty? | No answer | No answer | In our view, it must be approached cautiously in consideration of the realistic judicial environment and the national sentiment. | Yes |
| 3-3. Will you consider commuting the sentences of all or some of the 59 persons on the death row, especially those who had been sentenced to death in the 20th century, to life in prison on the occasion of special amnesties on the Liberation Day or New Year or on other occasions? | No answer | No answer | While respecting the progression of individual cases and the judicial decisions, humanitarian consideration is possible. | Yes |
| 3-4. South Korea continues to deport and extradite persons to states and jurisdictions that retain the death penalty even where they may face the risk of being executed in violation of the principle of non-refoulement. Will your government stop the deportation and extradition of persons when they would be in danger of being given a death sentence? | No answer | No answer | The principle of non-refoulement must be observed under international human rights standards, and we will consider restricting extradition if there is a risk of death sentences. | Yes |
| 4. Women's rights and gender equality | | | | |
| 4-1. According to the Organization for Economic Co- | We will introduce the 'employment equality wage | No answer | The principle of equal pay for equal work must be observed, | Yes |

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| operation and Development (OECD), South Korea's gender wage gap, defined as the difference between median earnings of men and women relative to median earnings of men, in 2023 was 29.3%, the highest among the OECD member countries. Will you adopt policies and measures to reduce the gender wage gap and other discriminatory practices in the workplace? | disclosure system' and make improvements in reducing the gender wage gap. We will actively reflect the gender equality index in the public institutions and strengthen tax support for the businesses hiring career-holding women. | | and we will proceed with policies to remove discrimination in accordance with rational standards. | |
| 4-2. Will you adopt measures to ensure equal representation of women in the senior positions in government, businesses, labor unions, and civil society? | No answer | No answer | We are opposed to numerical equality while the equality of opportunity must be fairly upheld. In our view, this is a matter to be achieved on the principle of autonomy and merit-centered selection. | Yes |
| 4-3. Will you adopt policies to combat sexual harassment and assault against women and address technology-facilitated gender-based violence, ensuring the victims' access to justice and psychosocial support and holding the perpetrators accountable? | We will strengthen the punishment for dating violence crimes and improve the system to require the application of the victim protection orders. We will increase the supply of anshim [safe] housing for women to allow single-woman households to reside safely. We will strengthen the punishment for sexual offenses and defamation that misuse cutting-edge technology like AI. We will respond through inter-ministerial consultation for the comprehensive response to digital sex crimes. | No answer | Stern punishment and the protection of victims for sexual crimes are the fundamental principle, and we will strengthen the response to technology-based sexual crimes. | Yes |
| 4-4. In response to growing misogynistic sentiment and societal polarization, will you adopt measures to reduce gender inequity in society by ending sexist attitudes, combat hate speech and discrimination against women, and strengthen the Ministry of Gender Equality & Family? | No answer. | No answer | While the Ministry of Gender Equality and Family will be abolished, we will transfer the relevant functions to the Ministry of Welfare, the National Human Rights Commission, etc. to increase the efficacy. We will take stern actions against hate speech or unlawful acts. | Yes |
| 4-5. Will you promote legislative and administrative measures to guarantee safe, timely, and equitable access to sexual and reproductive health services, including sex education, contraception and abortion, to all women and girls? | No answer. | No answer | Scientific and objective sex education and the guarantee of the basic right to health is necessary, and we will overhaul the relevant institutions. | Yes |
| 5. Sexual orientation and gender identity | | | | |
| 5-1. Article 92-6 of the Military Criminal Code which criminalizes "anal intercourse or any other indecent act" has been used to prosecute consensual sex between adult gay men. Do you support the amendment or repeal of Article 92-6? | No answer | No answer | Sexual acts based on private consent should not be subject to punishment, but we will approach the issue cautiously taking also into consideration military discipline and the reality of barracks life. | Yes |
| 5-2. Will you support the enactment of a comprehensive anti-discrimination law, including the prohibition of discrimination based on sexual orientation and gender identity? | No answer | No answer | While discrimination must be removed, a comprehensive anti-discrimination law cannot be a good alternative. In our view, because of the controversies over the freedom of expression, concerns related to reverse discrimination, etc., it must be preceded by social consensus. | Yes |
| 5-3. Will you support the legalization of same-sex marriages and/or same-sex civil unions? | No answer | No answer | In our view, while homosexuality may be a question of personal preference, same-sex marriage is a question of institution and therefore a matter that must be preceded by much social discussion and cautious | Yes |

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| 5-4. Do you support the lower court rulings that have approved the change of the legal gender status without undergoing gender-affirming surgery? Do you support revising the Supreme Court's "guidance", which still requires such surgery? | No answer | No answer | In our view, while the protection of rights of individuals is important, social consensus and careful legal consideration are necessary with respect to the requirement for the change of the gender status. | We support the lower court rulings. |
| 6. Business and human rights and labor rights | | | | |
| 6-1. In September 2023, a bill on the human rights and environmental protection for the corporate sustainability management was introduced in the South Korean National Assembly, the first legislative bill of its kind in Asia. Do you support requiring corporate sustainability due diligence by law? | No answer | No answer | In our view, while the human rights and environmental standards are important, they must be designed to avoid excessive administrative burden on businesses. | Yes |
| 6-2. The "yellow envelope bills" submitted in the National Assembly will revise the Trade Union and Labor Relations Adjustment Act to broaden the scope of "legal" industrial actions in terms of their participants, aims, procedures and means to include notably strikes against layoffs, and permit independent contractors and other special types of workers who are currently not classified as employees, to join trade unions. Do you support the "yellow envelope bills"? | No answer | No answer | Not so. There is a great concern about the side effects because overly broadening the scope of industrial actions can have an adverse influence on the normal operation of businesses and the national economy. | Yes |
| 6-3. Will you support the ratification of the International Labor Organization (ILO)'s Abolition of Forced Labor Convention, 1957 (No. 105)? | No answer | No answer | Yes. Forced labor must be abolished fundamentally, and we agree in the direction of accordance with international human rights standards. | Yes |
| 6-4. Will you support the adoption of a forced labor import restriction law? | No answer | No answer | We agree in principle with restrictions on forced labor products, but in our view, meticulous standards are necessary to avoid misuse as a means of indiscriminate trade protectionism. | Yes |
| 7. Refugees, asylum-seekers, and other migrants | | | | |
| 7-1. South Korea's asylum recognition rate was only 1.07% (105 out of 9,782 decisions) for 2024 and the recognition rate for the asylum-seekers from China is close to zero. Do you plan to improve the recognition rate both overall and for the asylum-seekers from China? | No answer | No answer | The refugee determination must be conducted fairly in accordance with humanitarian principles, but in our view, minutely detailed and careful institutional improvements are necessary as there is a possibility for misuse. | Yes |
| 7-2. The Ministry of Justice's Refugee Committee, which hears appeals, includes a representative of the National Intelligence Service (NIS) as an ex officio member that assesses the situation in the refugees' countries of origin. Do you support ending the participation of NIS personnel in the Refugee Committee? | No answer | No answer | Partially so. We agree with the direction of elevating the independence and expertise of the Refugee Committee, but in our view, cooperation system is necessary for some national security-sensitive cases. | Yes |
| 7-3. Will you adopt policies and measures to prevent torture and ill-treatment of migrants in the immigration detention centers? | No answer | No answer | We agree with the argument that no human rights violations should occur in immigration detention centers. We will strengthen detailed preventive measures. | Yes |
| 7-4. The UN Human Rights Committee and the UN Committee against Torture recommended that South Korea | No answer | No answer | North Korean escapees are considered our citizens, and in our view, the guarantee of procedural rights and the | Yes |

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| <p>guarantee the principle of non-refoulement, the shortest possible period of detention, and procedural safeguards including the right to legal counsel and judicial review for North Korean refugees newly arriving in South Korea. Will you support the implementation of these recommendations?</p> | | | <p>observance of international standards are the natural responsibility.</p> | |
| 8. Climate justice | | | | |
| <p>8-1. Will you take measures aimed at reducing South Korea's Greenhouse Gases (GHG) emissions by 35% from the 2018 levels by 2030, the stated goal in Article 8(1) of the Framework Act on Carbon Neutrality and Green Growth for Coping with Climate Crisis?</p> | <p>We will implement the 2030 NDC no matter what. We will close early too the coal-fired power stations by 2040. We will reduce greenhouse gases with a massive increase in renewable energy. Also, we will create the safety net against the damages caused by the climate crisis through the strengthening of the state's responsibility for agricultural and fisheries disasters and the compensation for disasters causing serious damages. We will observe just transition principles in the process of responding to the climate crisis to actively draw upon and reflect the voices of the workers and the affected areas. Through this, we will make efforts to establish climate justice as the precondition in responding to the climate crisis.</p> | <p>No answer</p> | <p>The reduction goal is a commitment to the international community, and in our view, it is necessary to observe international standards. But we think sufficient consideration must be made in the process for feasible technology and industrial competitiveness.</p> | <p>Yes</p> |
| <p>8-2. Do you support the Constitutional Court's decision of 29 August 2024, which held that the lack of a quantitative goal in GHG reduction for 2031-2049 in Article 8(1) of the Framework Act on Carbon Neutrality and Green Growth for Coping with Climate Crisis was unconstitutional?</p> | <p>No answer</p> | <p>No answer</p> | <p>Setting mid- and long-term goals is necessary, but in our view, while respecting the legislative obligation in accordance with constitutional decision, they must be designed to avoid excessive regulation or unrealistic standards.</p> | <p>Yes</p> |