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Geneva*

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KGV/184/2023

The Permanent Mission of the Republic of Korea to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to submit, as enclosed, the response of the Government of the Republic of Korea to the joint communication from Special Procedures, dated 2 August 2023 (AL KOR 5/2023)

The Permanent Mission of the Republic of Korea to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (OHCHR) the assurances of its highest consideration.

5 October 2023

Enclosed : as stated

Office of the United Nations High Commissioner for Human Rights (OHCHR)



The Government of the Republic of Korea's Response
to the Joint Communication
from UN Human Rights Council Special Procedures

(October 3, 2023)

1. Please provide any information and comments you may have on the above-mentioned allegations.

- a. Since receiving the petition from the residents on February 16, 2021, the Buk-gu District Office of Daegu City has been trying to resolve the complaints, among others, by holding four mediation meetings and three conflict management consultations with the residents and the building owner.

Furthermore, following the recommendation of the National Human Rights Commission (September 30, 2021), the district office established a maintenance plan to actively redress banners that may have been potentially regarded as human rights violations, such as racial discrimination, and guided the residents to remove the banners voluntarily. As a result, there are no such banners at the time of submission of this response.

- b. The Joint Communication states in the paragraph below that an appeal against the decision taken in the first instance court was filed on April 22, 2022. In fact, the appeal was filed on December 27, 2021, and the decision was delivered on April 22, 2022.

<p>On 1 December, 2021, the Daegu District Court cancelled the order to halt construction given by the Buk-gu District Office. An appeal against this decision was filed on 22 April, 2022, to the Daegu High Court. Finally, the case was brought to the Supreme Court of Korea, which confirmed the decision taken in the first instance court, declaring the order to halt the construction illegal.</p>

2. Please provide precise information as to the measures taken by your Excellency's government to ensure that ongoing construction work of the Mosque is not unduly obstructed, while respecting the right to freedom of expression and peaceful assembly.

- a. Government officials of the Ministry of Culture, Sports and Tourism visited the construction site to meet with local officials of Daegu City and the Buk-gu District Office on January 18, 2023, and with representatives of [REDACTED] on February 7, 2023, to seek a prompt and amicable resolution.

- b. To prevent the obstruction of construction or violent accidents due to friction with residents that may occur during the mosque's construction, the police station in charge deployed police officers several times to maintain order around the construction site.

3. Please provide information on the measures undertaken to foster a domestic environment of tolerance, peace, and respect toward religious or belief minorities in the Republic of Korea to combat denigration and negative religious stereotyping.

- a. The Constitution of the Republic of Korea enshrines the principle of equality and non-discrimination in Article 11. The government endeavors to realize the principle of equality across society by having remedial procedures, such as filing complaints to the National Human Rights Commission of Korea, in cases of discrimination* on various grounds, including religion.

* "Discriminatory act violating the equal right" refers to an act of favorably treating, excluding, discriminating against, or unfavorably treating a particular person regarding employment, the use of goods or services, land and residential facilities, education, and training without reasonable grounds, on the grounds of sex, religion, disability, sexual orientation, etc., or an act of sexual harassment (Article 2, Subparagraph 3 of the National Human Rights Commission of Korea Act).

- b. The Ministry of Culture, Sports, and Tourism operates the "Center for Reporting and Preventing Religious Discrimination among Public Officials" and provides prevention education on religious discrimination to its public officials.

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