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2014 Report on International Religious Freedom - Republic of Korea

Executive Summary

The constitution provides for religious freedom and prohibits discrimination based on religion. Nevertheless, the government continued to imprison approximately 600 conscientious objectors for refusing to participate in mandatory military service. In July the Supreme Court upheld a lower court decision imprisoning a conscientious objector for 18 months. In January President Park Geun-hye reduced sentences by one to four months for approximately 100 Jehovah's Witnesses in prison for conscientious objection.

Religious leaders met regularly to promote inter-religious harmony. Some Protestant groups attacked Muslims in cyberspace and conducted activities against Catholics during the pope's visit to Seoul in August.

U.S. embassy officials discussed issues related to religious freedom, including the jailing of conscientious objectors, with the government and religious leaders.

Section I. Religious Demography

The U.S. government estimates the total population is 49 million (July 2014 estimate). According to a 2010 survey, approximately 24 percent of the population is Buddhist; 24 percent, Protestant; 8 percent, Roman Catholic; and 43 percent professes no religious belief. Groups together constituting less than 1 percent of the population include Won Buddhism, Confucianism, Jeongsando, Cheondogyo, Daejonggyo, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventist Church, Daesun Jinrihoe, the Unification Church, and Islam. There is also a small Jewish population consisting almost entirely of expatriates. The Muslim population is estimated at 135,000, with 100,000 consisting of expatriates and migrant workers.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution and other laws state that all citizens shall enjoy freedom of religion and that there shall be no discrimination in political, economic, social, or cultural life on account of religion. There is no state religion, and the government does not subsidize or favor any religion. The constitution states that church and state shall be separate. The Religious Affairs Bureau of the Ministry of Culture and Tourism promotes interfaith dialogue and understanding by supporting collaborative activities across various religions.

The law requires military service for virtually all male citizens between the ages of 20 and 30. Military service lasts between 21 and 24 months, depending on the branch of service. The law does not allow for alternative service or conscientious objectors, who may receive a maximum three-year prison sentence for refraining from service. Conscientious objectors sentenced to more than 18 months in prison are exempt from further military service and reserve duty obligations, and are not subject to further fines or other punishment.

Those who complete their military service obligation and subsequently become conscientious objectors are subject to fines for not participating in mandatory reserve-duty exercises. Reserve-duty obligation lasts for eight years, and there are several reserve-duty exercises per year. The fines vary depending on jurisdiction, but typically average 200,000 Korean won (KRW) (\$184) for the first conviction. Fines increase by KRW 100,000-300,000 (\$92-276) for each subsequent conviction. The law puts a ceiling on the fine at KRW two million (\$1,840) per conviction. 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 preservation law provides some government subsidies to historic cultural properties, including Buddhist temples, for their preservation and upkeep.

The government does not require religious groups or foreign religious workers to register or obtain licenses.

The government does not permit religious instruction in public schools. Private schools are free to conduct religious activities.

Government Practices

The government detained and imprisoned conscientious objectors to military service. The courts sentenced most conscientious objectors to 18 months in prison. While absolved of any additional military commitment, after serving time in prison conscientious objectors had a criminal record that could affect future employment opportunities, including limitations on holding public office or working as a public servant. Watchtower International, a Jehovah's Witnesses organization, reported that as of September 30, there were 576 Jehovah's Witnesses in prison for conscientious objection to military service, including 16 pending trial, with an additional 197 persons on trial without detention. The total number of cases was higher than the 583 cases in 2013.

On June 11, the Seoul Central District Court rejected a December 2013 complaint filed by 50 individuals who were imprisoned as conscientious objectors and sought compensation. The case was under appeal with the Seoul High Court as of the end of the year.

On June 13, 333 Jehovah's Witnesses submitted a complaint to the Constitutional Court to decriminalize conscientious objection.

In August a coalition of 15 civil and human rights groups called on President Park Geun-hye to issue pardons to hundreds of prisoners of conscience. One NGO noted that in January the president moved up the release date by one to four months for approximately 100 Jehovah's Witnesses in prison for conscientious objection.

In June the Constitutional Court ruled that detained and convicted prisoners should be given equal opportunity to take part in religious assemblies, after a prisoner awaiting trial filed a case in April 2012 stating that a detention center in Busan restricted the number of times he could participate in religious assemblies to once a month, while allowing convicted prisoners to attend religious assemblies multiple times a week.

The NGO Watchtower International estimated that since 1950, 18,060 conscientious objectors have served prison time in South Korea.

The Pew Research Center reported in August that there were low levels of government restrictions on religious freedom.

Section III. Status of Societal Respect for Religious Freedom

A November 2013 Gallup Survey showed a shift from 29 to 68 percent in public support for adopting an alternative service system over imprisoning conscientious objectors, compared to a similar survey conducted in 2008.

According to the Korea Conference of Religions for Peace, some Protestant groups verbally attacked Muslims' religious freedom in cyberspace and conducted rallies and published internet articles against Catholics and the pope during his visit in August.

As of October the National Human Rights Commission reported 11 cases alleging religious discrimination in the workplace. In one case, an employee was required by his employer to provide a certificate of religious affiliation. In another case, an employee was required by his employer to participate in a religious event.

A Muslim group described instances of a grocery store in Busan misusing halal labels on pork.

Prominent religious leaders regularly met together privately and under government auspices to promote mutual understanding and tolerance. From August 25-29, more than 1,700 religious leaders from 15 Asian nations met in Incheon to promote interreligious harmony and peace in Asia, including by calling for religious freedom.

Section IV. U.S. Government Policy

U.S. embassy officials met regularly with the government, including the Ministry of Foreign Affairs, the Ministry of Culture and Tourism, the Ministry of Justice, and National Assembly members, to discuss religious freedom and conscientious objectors.

Embassy officers also met with members of various religious groups to discuss the state of religious freedom and concerns over the imprisonment of conscientious objectors. In an August meeting with embassy officials, a range of religious leaders expressed support for the creation of an alternative service system for conscientious objectors. In July the embassy sent outreach emails on international religious freedom to opinion leaders, professors, and government officials.