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## Korea, Republic of

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 38,023 square miles and a population of 49 million. According to the most recent census (2005), the percentages of adherents to the predominant religious communities are: Buddhist, 22.8 percent; Protestant, 18.3 percent; and Roman Catholic, 10.9 percent.

No official figures were available on membership of other religious groups, which include Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventist Church, Daesun Jinrihoe, Unification Church, and Islam.

The Korean Muslim Federation reported there are an estimated 100,000 Muslims in the country of whom approximately 25,000 are ethnic Koreans.

According to Gallup Korea's 2004 survey on the state of religion in the country, 36 percent of those who practiced a faith reported they attended religious services or rituals at a church or temple more than once a week, 10.6 percent attended

two to three times per month, 20.6 percent attended once or twice a year, and 4.9 percent did not attend services. Of those who attended more than once a week, Protestants had the highest attendance rate at 71 percent, followed by Catholics at 42.9 percent, and Buddhists at 3.5 percent.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

There is no state religion, and the government does not subsidize or otherwise favor a particular religion. The constitution says church and state shall be separated.

The government observes the following religious holidays as national holidays: Buddha's Birthday and Christmas.

The law requires military service for virtually all male citizens. Military service lasts between 24 and 27 months, depending on the branch of service. By 2014 the military service period will be reduced to between 18 and 21 months. However, the law does not allow for conscientious objectors, who can receive a maximum three-year prison sentence. Conscientious objectors who are sentenced to more than one year and six months in prison are exempt from further military service and reserve duty obligations and are not subject to further fines or other punishment. Most conscientious objectors are sentenced to one year and six months in prison.

Persons who have completed 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 three reserve duty exercises per year. The fine varies depending on jurisdiction, but typically individuals are fined \$166 (200,000 Korean won (KRW)) for the first conviction. Fines are increased by \$83 (100,000 KRW) for each subsequent conviction. The law puts a ceiling on the fine at \$1,660 (2,000,000 KRW) per conviction. Courts have the option, instead of levying fines, to sentence habitual offenders to prison terms or suspended prison terms.

In 2009 the Ministry of National Defense (MND) reversed its earlier position and announced it would not pursue the introduction of an alternative service for conscientious objectors. The ministry cited lack of public support as the primary reason for its decision; an MND-sponsored poll found that 68.1 percent of respondents opposed instituting alternative service, but an independent poll taken at approximately the same time found that only 38.7 percent were opposed with slightly fewer than half of respondents in favor.

Watchtower International, a Jehovah's Witnesses organization, reported that the courts were increasingly sympathetic to the situation of conscientious objectors. As of April 2010, Watchtower had 15 cases on appeal in the Supreme Court and seven cases before the Constitutional Court, two of which involved reservists. The last constitutional court rulings on the issue in 2002 and 2004 upheld the law.

The Traditional Temples Preservation Law protects historic cultural properties including Buddhist temples, which receive some subsidies from the government for their preservation and upkeep.

The government does not require that religious groups be licensed or registered.

There is no specific licensing or registration requirement for foreign religious workers.

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

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#### Restrictions on Religious Freedom

The government generally respected religious freedom in practice; however, military service requirements restricted the freedom of some minority groups. There was no change in the status of respect for religious freedom by the government during the reporting period.

#### Abuses of Religious Freedom

Watchtower International reported that as of April 2010 there were approximately 800 members of the Jehovah's Witnesses imprisoned for refusing to serve active duty and approximately 80 others serving an average of 18 months in prison for conscientious objection to military service. This number is nearly double that of the last reporting period. Watchtower attributes the rise to the number of conscientious objectors who had delayed beginning prison terms in hopes that the MND would introduce an alternative service system for conscientious objectors. MND recently decided not to pursue the introduction of an alternative service system for conscientious objectors.

Watchtower also reports that since 1990 courts have sentenced 18 conscientious objectors to prison terms or suspended prison terms for failing to participate in reserve duty exercises. An additional 65 Jehovah's Witnesses were in litigation related to being conscientious objectors.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

Prominent religious leaders regularly met both privately and under government auspices to promote mutual understanding and tolerance. For example, the Korean Council of Religious Leaders holds an annual event, the Republic of Korea Religious Culture Festival, which aims to promote reconciliation and mutual understanding among religious groups. The media gave public meetings wide and favorable coverage.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials also met regularly with members of various religious communities to discuss issues related to religious freedom. Officials met with the local Muslim community, much of which is composed of foreign migrant workers, to better understand the community.

During the reporting period, embassy officials met several times with representatives of Jehovah's Witnesses to discuss the imprisonment of conscientious objectors to military service. Embassy officials also engaged the MND and Ministry of Culture on this issue.

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