

REPUBLIC OF KOREA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for religious freedom and prohibits discrimination based on religion. The constitution mandates separation of religion and state. The law requires 18-21 months of active military service for virtually all male citizens between the ages of 18 and 40, followed by reserve duty training. The law allows conscientious objectors to fulfill their service requirement by working as government employees for 36 months at correctional facilities.

As of December, more than 900 Jehovah's Witnesses conscientious objectors to military service were performing alternative service, and a further 1,609 were waiting to be called for alternative service. In April, an individual refused alternative service, the first refusal of alternative military service since the government enacted the alternative service law in 2020. In April, the government removed many of its COVID-19 prevention measures, including bans on gatherings of more than 300 persons, and limits on eating inside religious facilities. On August 12, the Supreme Court upheld a lower court's acquittal of Lee Man-hee, the founder of Shincheonji Church, of charges that he obstructed the government's response to the COVID-19 pandemic, but it affirmed his prison sentence on separate charges of embezzlement and obstruction of public duty.

While diverse religious groups and many civil society organizations continued to urge the National Assembly to adopt antidiscrimination legislation that would include protections for religious affiliation, some Protestant groups, including the United Christian Churches of Korea, opposed the bill because it would cover discrimination based on sexual orientation. In September, the Supreme Court dismissed an appeal from residents of a district in Daegu to block the construction of a mosque. Residents reportedly continued to try to block the mosque's construction and got in a physical altercation with the mosque's owner. At an October Ministry of Education hearing on revisions to the country's national curriculum, protestors held signs that said the curriculum taught Islam under the pretext of cultural diversity and was "Islamifying" children. In September, the Ministry of Education announced that it received many "opinions" on its public

opinion portal that the national curriculum contained too much content that “protected” or “beautified” Islam.

U.S. embassy officers engaged with government officials on issues related to religious freedom, including the status of religious asylum seekers and the status of alternative service in Korea. Embassy officials discussed religious freedom and underscored the U.S. commitment to religious freedom with Buddhist, Protestant, Catholic, Jehovah’s Witnesses, Muslim, Jewish, Falun Dafa, and other religious and spiritual communities.

Section I. Religious Demography

The U.S. government estimates the total population at 51.8 million (midyear 2022). According to a 2015 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” (including Won Buddhism, Confucianism, Jeongsando, Cheondogyo, Daejonggyo, Daesun Jinrihoe, and Islam). The census counts members of Jehovah’s Witnesses, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), the Seventh-day Adventist Church, and the Family Federation for World Peace and Unification (Unification Church) as Protestants. According to one of the two rabbis 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 150,000, of which approximately 120,000 are migrant workers, mainly from Uzbekistan, Bangladesh, Indonesia, and Pakistan, and 30,000 are expatriate students and businesspeople.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states that all citizens have freedom of religion and that there shall be no discrimination in political, economic, social, or cultural life on the basis of religion. Freedoms provided for in the constitution may be restricted by law only when necessary for national security, law and order, or public welfare, but restrictions may not violate the “essential aspect” of the freedoms. The constitution mandates separation of religion and state.

According to regulation, a religious group that has property valued at over 300 million won (\$239,000) may become a government-recognized religious organization by publishing its internal regulations defining the group's purpose and activities, its meeting minutes of the group's first gathering, and a list of executives and employees.

To obtain tax benefits, including exemption from acquisition or registration taxes when purchasing or selling property to be used for religious purposes, organizations must submit to the 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, but clergy are exempt from taxation on education, food, transportation, and childcare expenses. Individual laypersons are eligible for income tax deductions for contributions to religious organizations upon submission of receipts for the donations.

The law requires 18-21 months of active military service for virtually all male citizens between the ages of 18 and 40, followed by reserve duty training. The law allows conscientious objectors to fulfill their service requirement by working as government employees for 36 months at correctional facilities. Alternative service jobs may involve food service, education, sanitation, and facilities management. Those who refuse to fulfill military service or alternative service face up to three years' imprisonment.

Following military service, there is an eight-year reserve duty obligation involving several exercises per year. Conscientious objectors may fulfill their reserve duties in correctional facilities, with an obligation to work for four days each year for six years. Failure to perform reserve duties or alternative service carries fines and possible imprisonment of up to one year for reserve duties or three years for alternate service. The fines vary depending on jurisdiction but typically average 200,000 won (\$160) for the first conviction and increase for each subsequent violation, up to a maximum of two million won (\$1,600) 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 and instruction. High school students at these schools may opt out of religious instruction, choosing to take ethics or civics courses instead.

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

The government's National Human Rights Commission of Korea (NHRCK) investigates complaints, issues policy recommendations, trains local officials, and conducts public awareness campaigns pertaining to human rights, including religious freedom. The NHRCK may make nonbinding recommendations but does not have authority to implement policies or penalize individuals or entities that violate human rights.

The law on refugees contains a nonrefoulement obligation, under which the government does not forcibly return asylum seekers, including those seeking asylum for religious persecution, whose applications and appeals are pending judicial review.

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

Government Practices

The government continued to accept applications for conscientious objectors to military service to fulfill their mandatory duties through alternative service. Most conscientious objectors applied for alternative service based on religious beliefs.

Nearly all of the conscientious objectors are members of the Jehovah's Witnesses, who opposed military service on religious grounds. Representatives of Jehovah's Witnesses stated that as of December, among the 2,529 Jehovah's Witnesses conscientious objectors who were transferred to alternative service, 920 were performing alternative service and 1,609 were waiting to be called for service. Jehovah's Witnesses leaders said the length of alternative service (three years) seemed punitive compared to the shorter period of 18-21 months for military service and was contrary to international standards.

The Jehovah's Witnesses stated that one member who was serving an 18-month prison sentence was released on parole on November 30, 2022, and three members were awaiting final verdicts in their trials. Two members were awaiting trial for refusing reserve duty training. In April, a member refused alternative service, marking the first case of an individual refusing alternative military service since the government enacted the alternative service law in 2020. The member's criminal trial was ongoing at year's end.

On April 14, the government notified correctional facilities that individuals performing alternative service should be granted leave time to attend in-person religious meetings. The government said that implementation of the new measures would depend on the policy of individual correctional facilities, which Jehovah's Witnesses representatives said led to inconsistent implementation.

As of August, members performing alternative service had filed 60 complaints with the Constitutional Court about the alleged punitive nature of alternative service, according to Jehovah's Witnesses representatives.

On April 18, the government lifted COVID-19 prevention restrictions on private social gatherings, removed bans on gatherings of more than 300 people, and permitted eating inside religious facilities. Prior to the lifting of restrictions, four civil society and religious groups filed a petition with the NHRCK on March 17 alleging that inmates at Seoul Detention Center faced restrictions on religious activities due to COVID-19 quarantine regulations. Authorities lifted the restrictions before acting on the petition.

In September, a Seoul appellate court ruled that the Ministry of Culture, Sports, and Tourism (MCST) had grounds to revoke Kwon Woo-ri's swimming instructor's license because of Kwon's criminal record. Kwon, a Jehovah's Witness, was imprisoned for 18 months from 2013 to 2014 for refusing military service. The MCST revoked Kwon's license in 2020. An administrative court previously had ruled in favor of Kwon in December 2021 and reinstated Kwon's license, which the appellate court overruled. At year's end, Kwon had not filed an appeal of the appellate court decision.

In October, a woman filed a petition with the NHCRK against an undisclosed nongovernmental organization (NGO) for asking the woman during a job

interview whether she would wear a hijab at work. The woman said the interviewer told her that the NGO could not work with people who wear hijabs because it could be a “hindrance.” The NHCRK recommended the chief of the NGO establish measures to prevent such discrimination from reoccurring. The NGO reported it did ask her whether she would wear a hijab at work, and further noted she did not receive a job offer because of a lack of qualifications. The NHCRK also confirmed that the NGO was not religiously affiliated.

Media reported in January that 5,000 monks with the Jogye Order of Korean Buddhism, the largest group of Buddhist monks in the country, rallied in Seoul in protest against what they called the government’s anti-Buddhist bias and discriminatory policies. It was reportedly the first large-scale Buddhist rally in 14 years. The January rally in Seoul, followed by additional nationwide rallies in February, were triggered following public criticisms by a then-ruling party lawmaker over what the lawmaker considered excessive fee increases to enter Buddhist temples. Buddhist leaders countered that the funds were necessary for the upkeep of temples and nearby park areas. In addition, the rallies were also a protest by Buddhists against the government’s decision in December 2021 to urge shop owners to play Christmas carols in their stores and distribute 30,000 coupons to residents to stream carols for free on digital platforms, an action the protesters felt reflected a pro-Christian bias by the government. Media reported about a statement at the January 21 rally by Venerable Wonhaeng, head of the Jogye Order, in which he said, “The government is to preserve cultural heritages, but it now dares to instigate religious conflicts and shift the responsibility.”

On August 12, the Supreme Court upheld a lower court’s acquittal of Lee Man-hee, the founder of Shincheonji Church, of charges of obstructing the government’s response to the COVID-19 pandemic. The church received significant social criticism and media attention during the country’s initial COVID-19 outbreak in Daegu in February 2020 for refusing to comply with prevention requirements and to follow guidelines. Prosecutors had charged Lee and other church officials in 2020 with impeding contact-tracing efforts by providing incomplete or inaccurate membership lists to authorities. On Lee’s separate conviction on charges of embezzlement and obstruction of public duty, the Supreme Court upheld an appellate court’s decision affirming Lee’s sentence of three years in prison, to be suspended if Lee commits no further offense for five years.

The MCST reported that of the 79 private universities in the country run by Christian foundations, 68 required students to take a semester of religious instruction or “chapel class” as a requirement for graduation. In July, a student attending an undisclosed university filed a petition with the NHRCK asserting that the university infringed on the student’s religious freedom by requiring non-Christian students to attend “chapel class” to graduate. The NHRCK recommended that the university president take measures to protect the religious freedom of students, such as offering an alternative class for students who did not wish to participate. On July 27, the United Christian Churches of Korea and the Mission Network (affiliated with the Church of Jesus Christ) issued a statement demanding the withdrawal of the NHRCK’s recommendation. The groups argued that the NHRCK’s recommendation violated the constitutional right of autonomy granted private religious universities and would limit the “right to religious education in private schools.” The university responded that it would not follow NHRCK’s recommendation, after which NHRCK took no further action and closed the case.

During the year, the NHRCK, NGOs, diverse religious groups, and civil society organizations continued to call for the country to adopt comprehensive antidiscrimination legislation whose protected categories would include religious affiliation, race, gender, and sexual orientation, among others. Drafts of the bill, called the Equality Act, would prohibit discrimination based on 23 different protected categories. While the law would not impose penalties for discrimination, proponents stated it would provide a specific basis to challenge discriminatory actions and promote tolerance. In 2021, Protestants and Catholics identifying themselves as progressive, including the National Council of Churches in Korea, had formed a group called “Christians for a World Without Discrimination and Hatred” to support the passage of such a law. Other Protestant groups, including the United Christian Churches of Korea, which represents 30 denominations, opposed including sexual orientation as a protected category in the legislation and opposed the bill. In May, these Protestant groups stated that such legislation would “violate” the constitutional obligation to protect the “human rights of minorities.” The proposed legislation was pending legislative action at year’s end.

The MCST’s Religious Affairs Division continued to engage with the seven members of the NGO Korean Conference of Religions for Peace (KCRP) – the

National Council of Churches in Korea, the Jogye Order of Korean Buddhism, the Catholic Church, Won Buddhism, Confucianism, Cheondogyo, and the Association of Korean Native Religions – on interfaith cooperation, and the MCST was the primary government contact for religious organizations. The MCST disbursed 14.39 billion won (\$11.4 million) – compared with 12.8 billion won (\$10.2 million) in 2021 – supporting religious and traditional cultural events during the year, including Buddhist, Christian, Cheondogyo, and Confucian activities.

A group of 62 Chinese Christians left Jeju Island between August and October for Thailand in hopes of gaining refugee status there, stating publicly that they saw no path toward permanent immigration status in the ROK. The group stated they were fleeing religious persecution in the People’s Republic of China when they arrived in Jeju Island in 2019 and applied for asylum. The immigration office rejected their asylum applications in 2020 and 2021, and members of the group chose to depart rather than pursue further appeals of the rejections.

Section III. Status of Societal Respect for Religious Freedom

According to the most recent Gallup Korea survey on religion (published in April 2021), 54 percent of respondents said the influence of religion in society was “the same as the past,” 28 percent said the influence of religion was decreasing, and 18 percent said it was increasing. In addition, 38 percent of respondents said religion helped society, a 25-point decline from 2014. Sixty-two percent said religion did not help society much or at all, a 24-point increase from 2014.

In September, the Supreme Court dismissed an appeal from residents of the Buk-gu District in Daegu to block the construction of a mosque near Kyungpook National University, stating that the residents had no legal basis to prevent the construction of the mosque. The Buk-gu District Office had issued an administrative order suspending construction of the mosque in February. After the Supreme Court decision, police arrested one of the owners of the mosque and a Buk-gu resident for assault that occurred outside the mosque, stating the mosque owner and the resident fought over a tent the owner installed for conducting meetings outside of the construction site. After an investigation, in December the Daegu District Prosecutor’s Office charged the owner with assault, an offense that carries a KRW 300,000 (\$240) fine.

In August, police arrested a resident for assaulting a documentary film director filming the Buk-gu mosque construction site. Prosecutors charged two other residents with obstruction in September for impeding construction progress by lying on piles of sand at the construction site. The court case was pending at year's end. In December, Daegu residents roasted a pig near the mosque construction site and also held a press conference alleging that a Pakistani student shoved a resident who was attempting to remove one of the construction owner's tents.

At an October Ministry of Education hearing on revisions to the country's national curriculum, protestors outside the ministry's building held signs that said the curriculum taught Islam under the pretext of cultural diversity and was "Islamifying" children. The Ministry of Education in September announced that it received 7,800 "opinions" from individuals commenting on its proposed 2022 revised national curriculum. Among other responses, the ministry said it received many "opinions" that the national curriculum contained too much content that "protected" or "beautified" Islam.

During the year, the KCRP organized several programs to promote interfaith tolerance. For example, in December 2022, the KCRP held a "Korean Religion and Islam Dialogue" seminar, during which participants discussed the historical background of women wearing a hijab and misconceptions of Islam in society.

Section IV. U.S. Government Policy and Engagement

Embassy officers engaged the government – including the Ministry of Foreign Affairs, MCST, and Ministry of Justice – on religious freedom and tolerance issues, including the status of religious asylum seekers.

The Ambassador and other senior embassy officials met with Protestant, Jewish, and Buddhist leaders. A senior embassy official met with Jehovah's Witnesses representatives in December to discuss the country's alternative service system, including prison conditions for members who were conscientious objectors. The Ambassador met with Rabbi Osher Litzman of The Jewish Community of Korea in September to discuss the status of the Jewish community and met with Protestant leaders in August and October. Embassy officials also spoke regularly with religious and spiritual groups, including Protestant, Catholic, Buddhist,

Jehovah's Witnesses, Muslim, Jewish, Falun Dafa, and other communities, to understand issues important to those groups and to underscore the U.S. commitment to freedom of religion or belief. The embassy used social media platforms to highlight meetings of senior officials with religious leaders and attendance at religious festivals.