

Supplementary report on
“Sexual Exploitation of Children in the Republic of Korea”

to the fifth and sixth periodic reports of the Republic of Korea on the implementation of the Convention on the Rights of the Child and the Optional Protocol on the sale of children, child prostitution and child pornography.

Submitted by
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ECPAT Affiliate Group in the Republic of Korea (Tacteen Naeil) was established in 1995 and focuses on ending overseas child sex tourism by Koreans; promoting the reporting of sex offenders; providing education and training for caregivers and counselling for child victims; campaigns and awareness raising on the Code of Conduct for the Protection of Children in Travel and Tourism; and preventive programmes for the commercial sexual exploitation of children.



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ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 28 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 104 network members operating in 93 countries.

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Context of this supplementary report

1. In 2004, the Government of the Republic of Korea (GoRK) ratified the Optional Protocol on the sale of children, child prostitution and child pornography (OPSC) and thus committed explicitly to combat sexual exploitation of children (**SEC**). In September 2015, through the adoption of the 2030 agenda for Sustainable Development, the GoRK re-committed explicitly to eliminate all forms of violence against children, including sexual abuse and exploitation.¹
2. The present report is supplementary to the fifth and sixth periodic reports of the Republic of Korea on the implementation of the Convention on the Rights of the Child and the OPSC, and is based on ECPAT International's and Tacteen Naeil/ECPAT Korea's research for the period 2012-2018.
3. The scope of this submission is limited to **SEC** and its different manifestations, including exploitation of children in prostitution,² online child sexual exploitation (**OCSE**), child sexual abuse materials (**CSAM**),³ child trafficking for sexual purposes, sexual exploitation of children in the context of travel and tourism (**SECTT**)⁴ and child, early and forced marriage (**CEFM**).

Status and developments regarding sexual exploitation of children in the Republic of Korea

4. The Republic of Korea is a presidential representative democratic republic. Executive power is exercised by the President and the government; while legislative power is held by a unicameral National Assembly. In 2017, the country's population reached 51,466,201 inhabitants,⁵ of which around 8.678 million are under 18.⁶ The Republic of Korea is the world's 12th largest economy,⁷ and it enjoys a very high human development rate (0.903 as of 2017).⁸ The country also has one of the lowest relative child poverty rates among the OECD member States (7%).⁹ However, children are heavily affected by consumerism and the pressure of money, which makes them vulnerable to both sexual exploitation in prostitution and OCSE.¹⁰
5. Upon the enactment of the Prevention of Prostitution Act in 2004, there was a massive crackdown on brothels and the sex industry quickly went underground, which made it more difficult to eradicate. It is now presumed to have spread into a variety of forms and establishments, such as bars, karaokes, or massage parlours.¹¹ **The most common manifestation of the exploitation of children in prostitution is found in *jogeon mannam* ('dating on a condition')**. In 2016, the Ministry of Gender Equality and Family conducted a survey of 198 respondents who had run away or been involved in the sex trade. It revealed that 61.8% of them had engaged in *jogeon mannam*. Among them, 87.9% received money in return, and 39.3% received items they desired. The survey also revealed that this form of exploitation was mostly arranged through online networking websites or chat applications. Furthermore, 84.4% of the interviewees who experienced sexual exploitation also had runaway experiences, and 48.6% replied that they entered the sex trade as a way to earn money for survival.¹² The National Police Agency reported that, from 2014 to 2016, 619 persons had been arrested for purchasing sex from children. Over the same period, 27 persons were arrested for procuring children for sexual purposes, along with 212 intermediaries involved in the exploitation of children in prostitution.¹³
6. The Republic of Korea is known as a world leader in information and communications technologies, and its Internet coverage further expanded over the reporting period. The Ministry of Science and ICT revealed that 99.5% of the households had access to the Internet in 2017, compared to 97.4% in 2012. Overall, 90.3% of the population was using the Internet in 2017, versus 78.4% in 2012. The rate of child Internet users is particularly high, as it reaches 83.9% of children aged 3 to 9 and 99.9% of persons

aged 10 to 19 – a total of over 7.9 million individuals.¹⁴ Among Internet users aged 6 to 19, 84.8% are using instant messaging apps, and 61% are on social networks.¹⁵ **This situation increases the risks associated with online grooming and CSAM, including its self-production by children.**¹⁶ Applications such as KakaoTalk (which is used by 99.4% of instant messaging apps users aged 6 to 19),¹⁷ deep web websites and blogging platforms such as Tumblr are reportedly used to exchange, distribute and view CSAM.¹⁸ According to the National Police Agency, the number of registered offences linked to the production and possession of CSAM increased from 693 in 2014 to 1,198 in 2016.¹⁹

7. **The Republic of Korea is a source, transit and destination country for children subjected to trafficking for the purpose of sexual exploitation.** Children remain particularly vulnerable to sex trafficking through online recruitment, as traffickers reportedly use smartphone applications to recruit and exploit victims. In addition, some runaway girls in need of money for living expenses and shelter are subjected to sex trafficking.²⁰ ECPAT's Global Study on SECTT 2016 revealed that girls were also being trafficked to perform sexual services for some elements of the United States Forces Korea (USFK).²¹ The GoRK reported investigating 1,431 cases of human trafficking from 2015 to 2017, as follows: 421 in 2015, 562 in 2016 and 448 in 2017. Overall, 1,100 suspects were indicted for crimes related to human trafficking from 2015 to 2017, and 404 of them ended up being convicted.²²
8. **South Korean men remain a source of demand for SECTT in Southeast Asia and the Pacific Islands,** and some of them reportedly travel specifically to engage in SECTT-related offences in Vietnam, Cambodia, Mongolia, and the Philippines.²³ It seems that this phenomenon is fuelled by a lack of awareness regarding the criminal nature of sexual exploitation in travel and tourism among the general population.²⁴ In March 2017, nine Korean citizens were arrested in the Philippines and extradited to the Republic of Korea for engaging in sexual exploitation, but seven of them ultimately walked away without charges.²⁵ Four stakeholders from the international tourism industry with operations in the country signed ECPAT's *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*; but no local company has.²⁶
9. The GoRK does not provide statistics on **CEFM** to UNICEF,²⁷ nor does it regularly release disaggregated data that would allow to assess its scope precisely. However, some Korean men reportedly go to Southeast Asia, particularly Vietnam, to seek young brides who are often trafficking victims and with the continued risk of them being children.²⁸ In that respect, the Ministry of Gender Equality and Family reported that 29 illegal cases of arranged marriage through international brokers involved children in 2015.²⁹

General measures of implementation

Policy and overall strategy

10. The GoRK did not adopt specific National Action Plans to tackle SEC and/or human trafficking, but its National Action Plan for the Promotion and Protection of Human Rights (2012-2016) included some anti-trafficking efforts. In August 2018, the Cabinet approved a new National Action Plan for the period 2018-2022.
11. In 2012, the GoKR adopted the Measures for the Eradication of Sexual Violence against Children and Women, as well as the Comprehensive Measures for the Prevention of Sexual Violence (2013-2017). The First Basic Plan for Gender Equality (2015-2017) also contained measures to enhance the protection of child victims of sexual violence, and notably to improve medical and psychological support for male victims. Moreover, the First Basic Plan featured efforts to develop support for SEC

victims, including foreign victims and victims of human trafficking. It also mentioned the need to crack down on CSAM and to apply strict punishments to businesses involved in SEC.³⁰ The GoKR adopted a Second Basic Plan for Gender Equality for the period 2018-2022.

12. In March 2018, the Ministry of Gender Equality and Family (MGEF) adopted the Sixth Youth Policy Basic Plan (2018-2022), which features strengthening support for youth self-reliance and protection as one of its fourth main policy areas. It also stated that it would improve its data collection system to be able to provide tailored support to children in crisis. As part of the Basic Plan, the MGEF further committed to strengthen cooperation among relevant organisations to promote the early detection of children in crisis, and to offer them continuous and comprehensive support. Finally, it will also expand customised support for children at risk, including individuals facing school dropout or runaway experiences, in partnership with the Ministry of Education, the Ministry of Employment and Labour and the National Police Agency.³¹

Coordination and evaluation

13. The GoKR does not have a dedicated body that coordinates efforts against SEC. However, various institutions are in charge of designing and monitoring the implementation of child policies. The MGEF, through its Child Policy Coordination Committee, is responsible for initiating, coordinating and implementing plans and programmes concerning children. It also publishes a Comprehensive Survey on Status of Youth every three years, as well as a White Paper on Youth every year, based on the data gathered by different ministries. The 2016 White Paper included information regarding sexual education and protection from harmful materials and sex trade.³² The Ministry of Health and Welfare is also involved in monitoring the enjoyment of children's rights through its Division of Child and Youth Welfare, and conducts a Comprehensive Survey on the Conditions of Children every five years.³³
14. The National Human Rights Commission of Korea, which has a mandate to review and monitor legislation, policy and practice of relevant institutions, has set advancing the rights of children as one of its top priorities.³⁴ To fulfil this mission, it set up a Child Rights Focus Group to assist and advise on the implementation of the Convention on the Rights of the Child. Moreover, in 2016, it established a Child Rights Committee to conduct independent monitoring on matters pertaining to child and youth's rights. Still in 2016, the National Human Rights Commission published a research report on the context of sexual exploitation against children and juveniles in the country.³⁵ The country established an Ombudsman for Children's Rights in 2004, but it discontinued it in 2006.³⁶
15. The National Youth Policy Institute was established in 1989 with the aim of developing policies closely related to children and young people's rights. In 2013, it conducted research on comprehensive measures for protecting children and juveniles from sexual exploitation.³⁷ In addition, in 2016, it carried out a situational analysis on child rights in the Republic of Korea, which addressed the sexual exploitation of children by referring to preventive measures, statistics, punishments, and rehabilitation facilities.³⁸
16. The Inspection Team for the Implementation of the National Action Plan for the Promotion and Protection of Human Rights is the body responsible for coordinating governmental efforts to tackle sex trafficking. However, it reportedly did not meet in 2017.³⁹

Prevention of the sale of children, child prostitution and child pornography (art. 9 (para. 1 and 2) OPSC)

17. Article 31 (1) of the Child Welfare Act explicitly instructs child-related welfare facilities to formulate annual education plans on the 'prevention of sexual violence and child abuse'. In addition, article 5 (1) of the Act on the Prevention of Commercial Sex Acts and Protection of Victims imposes a duty on relevant actors to implement educational programmes to prevent commercial sex acts. In 2017, the AHA! Sexuality Education and Counselling Centre for Youth, along with several other NGOs, including ECPAT Korea, initiated a campaign called 'Puberty Party' for primary school students to better understand sexuality and to prevent sexual exploitation.⁴⁰
18. As part of its efforts to prevent SEC, the MGEF was running 58 local and regional Sex Education Centres for children (48 in buildings and 10 on educational buses) in early 2018. Some of them provided a programme on 'Understanding Cross Border SEC' to intermediate and high school students, while educational buses conducted a prevention campaign on SEC with the public sector in Seoul. In addition, to raise awareness among the general public, especially children, parents, and relevant institutions, the MGEF has set up an 'eradication period of domestic violence, sexual violence and sex trade' from November to December 2017. The authorities also operate 202 'Out-of-School Juvenile Support Centres', notably to assist children at risk of entering the sex trade.⁴¹
19. In March 2017, the MGEF committed to enhance preventive education on overseas sex trade through the '47th Committee on the Countermeasures to Overseas Sex Trade'.⁴² The GoRK also publicised the illegality of child sex tourism in airports, train stations, and travel agencies,⁴³ and launched a campaign targeting government employees and certain private companies to prevent Korean citizens from engaging in "sex tourism" abroad.⁴⁴ Furthermore, it distributed, in collaboration with the Philippine embassy in Seoul, leaflets to inform Korean travellers about the Filipino legal framework on sexual exploitation and trafficking.⁴⁵
20. The Korea Communications Standards Commission (KCSC) is responsible for requesting the labelling of and/or the deletion of harmful online content to children, such as sexual violence, nudity or pornography.⁴⁶ It sent 30,200 requests to internet service providers to delete posts related to prostitution and porn from January to June 2017. Requests to Tumblr accounted for over two-thirds, totalling 22,468. In June 2018, the KCSC announced that it would work actively with Tumblr to tackle the distribution of CSAM through the platform. To that end, the company has already placed links for users to report illegal content.⁴⁷ In addition, several applications such as 'Green I-Net' and 'Cyber Security Zone', which was supported by the GoRK after being temporarily banned from the market due to security flaws in 2015, help to prevent children from being exposed to harmful online materials, including CSAM and CSEM.⁴⁸ In 2017, the authorities also began to require chatting websites and mobile applications to display a notice about sex trafficking and prostitution laws.⁴⁹
21. The Act on the Protection of Children and Juveniles against Sexual Abuse provides accessory penalties for individuals convicted of sexual offences against children that can potentially prevent recidivism. Its article 49 states that their personal information shall be released publicly, while article 50 allows courts to order offenders to notify authorities when moving or changing residence. Even though article 49 might help preventing SEC, such a measure does not seem to comply with international standards on the protection of personal data and privacy. Furthermore, according to article 9 of the Act on Probation and Attachment of Electronic Monitoring Device against Specific Criminal Offenders, courts may request that the offender wears an ankle bracelet for tracking purposes. In addition, under the Act on the Use and Protection of DNA Identification Information, public prosecutors are entitled to collect DNA samples from child sex offenders to help future investigations and prevent further

offences. Finally, certain sex offenders can be sentenced to chemical castration for up to 15 years under the Act on Pharmacologic Treatment of Sex Offenders Sexual Impulses. This legal provision is of particular concern, as the United Nations Country Team in Turkey and Amnesty International regarded forced chemical castrations as a violation of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment under international law.⁵⁰ Such a wide range of measures may have contributed to prevent convicted perpetrators from committing other sexual offences against children, as the recidivism rate dropped from 8.1% in 2011 to 4.4% in 2016.⁵¹ In 2018, the MGEF also initiated an educational project to prevent recidivism of sexual offenders against children and juveniles.⁵²

22. Even though there are no legal provisions establishing specific international travel restrictions for convicted child sex offenders, the GoRK reportedly denied passport issuance to 30 nationals for “*engagement in sex tourism*” from 2015 to 2017.⁵³ Article 12 of the 1961 Passport Act, as amended by Act No. 11690 in 2013, states that the Ministry of Foreign Affairs may refuse to issue a passport to persons under indictment for or convicted of an offence punished with at least two years in prison, provided that the execution of the sentence has yet to be fulfilled. However, this is not mandatory and can only cover alleged or convicted child sex offenders whose trial or imprisonment is still pending. In the same vein, the Ministry can refuse to issue a passport to a person whose unlawful acts conducted in foreign countries have substantially compromised national dignity (article 12 (3)-2).

Prohibition on the sale of children, child prostitution and child pornography (arts. 3, 4 (2) and (3) and 5-7 OPSC)

23. The Convention on the Rights of the Child (CRC) and its Protocol are directly applicable in the Korean legal system. Article 6 (1) of the Constitution stipulates that treaties duly concluded and promulgated shall have the same effect as the domestic laws. However, when domestic and international laws are in conflict, national legislation takes precedence. Legal instruments on SEC mostly comply with international standards, but a lack of uniformity in the definitions, scope of application and penalties can potentially create prejudicial normative conflicts, notably when it comes to child sex trafficking.
24. Article 12 of the Act on the Protection of Children and Juveniles against Sexual Abuse punishes child trafficking for the purpose of sexual exploitation with at least five years in prison, provided that the offence has a transitional character. In parallel, article 2 of the Act on the Punishment of Arrangement of Commercial Sex Acts defines sex trafficking, including of juveniles, as any acts that allow the transferral of a targeted person under the control of an individual to another for the purpose of engaging in sexual acts. However, and even though they are stricter when the offence was committed by force or for the purpose of brokering or arranging business, the penalties associated with this offence are significantly weak: imprisonment with labour for not more than one year, a fine not exceeding three million won, misdemeanour imprisonment or a minor fine (article 21). Trading a child is also punished with up to 10 years in prison under the Child Welfare Act, while whoever traffics a minor for sex trade, sexual trafficking or sexual exploitation can be sentenced to up to 15 years in prison under the Criminal Act.⁵⁴ Due to these numerous provisions and insufficient training, prosecutors and law enforcement officials reportedly have limited understanding of the offence of human trafficking and its characteristics. As a result, they pursue most trafficking offences under the legal provisions with less severe penalties. Out of the 127 persons condemned for offences related to human trafficking in 2017, 42 received suspended sentences and three were sentenced to a fine.⁵⁵

25. Article 13 of the Act on the Protection of Children and Juveniles against Sexual Abuse punishes whoever purchases sex from a child with prison sentences from one to ten years or with a fine from 20 to 50 million won. Moreover, under Article 15, any person who provides a premise for or arranges the exploitation in prostitution of a child shall be punished with at least seven years in prison. Article 302 of the Criminal Act also punishes having sexual intercourse or committing an indecent act on a minor with up to five years in prison, while article 305 punishes whoever has sexual intercourse with a child under 13 with up to life in prison. ECPAT International remains concerned by the fact that a Korean language version of article 38 of the Act on the Protection of Children and Juveniles against Sexual Abuse seem to take a punitive approach towards SEC victims.⁵⁶
26. Even though SECTT is not explicitly criminalised, it can be combatted through the legal provisions on sexual exploitation of children in prostitution, extraterritorial jurisdiction and child sex trafficking (see above). However, turning it into a separate legal offence would help to assess its actual incidence, as there are currently no cases tracked. In the same vein, the GoRK did not adopt specific legal provisions to define and criminalise online grooming.⁵⁷
27. Legal provisions on OCSE are very comprehensive and in compliance with the OPSC. Article 2 (5) of the Act on the Protection of Children and Juveniles Against Sexual Abuse defines CSAM as the “depiction of children or juveniles, or persons or representations that can be obviously perceived as children or juveniles, doing any act such as engaging in any other sexual act, in the form of a film, video, game software, picture or image, displayed on computers or other communications media.” Article 11 of the Act prohibits the production, import, export, sale, loan, distribution and provision of CSAM for commercial purposes, as well as download and possession of such material. In addition, the Seoul Western District Court ruled, in 2015, that viewing CSAM amounts to possession under the Act.⁵⁸ Its article 17 also requires online service providers to post warnings against perpetrators on their servers, and punishes those who fail to take appropriate measures against CSAM. Furthermore, the Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes punishes whoever takes or distributes photos or sexually explicit materials of another person, with or without his/her consent.
28. Article 807 of the Civil Act establishes 18 as the legal age of marriage. In addition, article 12-2 of the Marriage Brokers Business Management Act prohibits arranging marriages with persons under 18.

Extraterritorial jurisdiction and extradition

29. Article 3 of the Criminal Act includes a provision for extraterritorial jurisdiction, as it states that the Act shall apply to all Korean nationals who commit crimes outside the territory of the Republic of Korea. In addition, article 33 of the Act on the Protection of Children and Juveniles from Sexual Abuse explicitly states that the general provision laid down in the Criminal Act applies to nationals who commit sex offences against children or juveniles abroad. However, these provisions do not apply to permanent residents. Foreigners can be prosecuted for offences committed in the Republic of Korea, on board a Korean ship/aircraft (articles 2 and 4 of the Criminal Act) or against Korean nationals (article 6).

30. The 1988 Extradition Act lacks a specific reference to the possibility of extraditing individuals for offences covered by the OPSC. Its article 6 states that an offence can only qualify as extraditable if the requirements of double criminality and minimum gravity (at least one year in prison) are met. In addition, extradition can be denied if the offender is a citizen of the Republic of Korea (article 9). The provisions of international treaties to which the Republic of Korea is party also make extradition conditional on the double criminality and minimum gravity requirements, as is the case of extradition treaties with Chile (1994), the United States (1998), Thailand (1999), and Japan (2002).

Protection of the rights of child victims (art .8 and 9 (3) and (4) OPSC)

Measures adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol

31. There are various legal mechanisms to ensure access to justice for child victims. According to article 55 the Civil Procedure Act, a child may conduct litigation only through his/her legal representative (often his/her parents), unless he/she is able to independently conduct legal acts. The legal representatives must give priority to the welfare of the child when exercising his/her authority (article 912 of the Civil Act). In cases where parents are not present, a court shall appoint a guardian as a legal representative for a child according to article 928 of the Civil Act, and he/she shall have the same rights and duties as a person of parental authority (article 945). In addition, article 19 of the Child Welfare Act provides that, if certain persons in authority, such as heads of child welfare facilities or heads of schools, consider it necessary, they may request the appointment of a legal guardian. Such application must respect the child's opinion, and the guardian shall be replaced if he abuses the child. Another option for a child is to file a petition to the National Human Rights Commission, which can initiate an investigation on its own. Although it has no judicial authority, it can refer a case to the Prosecutor General if it amounts to a criminal offence.
32. The Criminal Procedure Act features several child-sensitive measures. Its article 165 it allows the court to hear a witness outside the courtroom depending on his/her age, vocation, health condition, and other special circumstances. Moreover, according to article 165-2, a child victim of human trafficking and sex crimes can testify via video or other transmission systems. In terms of protecting the privacy of child victims of sexual offences, article 55 of the Act on the Protection of Children and Juveniles against Sexual Abuse prohibits the publication of any information or material on the victims.
33. Any child may be granted a litigation aid under the Civil Procedure Act, and article 7 of the Legal Aid Act explicitly prescribes the prohibition of legal service fees for children. According to the Korea Legal Aid Corporation's website, victims of sexual violence are eligible for legal aid.⁵⁹ Additionally, the Korean Bar Association and the Korea Legal Aid Centre for Family Relations also offer free or subsidised legal assistance to children. Even though there are no explicit provisions to guarantee the right of SEC victims to seek compensation, various legal instruments allow victims to benefit from it. Article 750 of the Civil Act states that any person who inflicts injuries on another person by an unlawful act, intentionally or negligently, shall be bound to make compensation for damages arising therefrom. While no law provides for punitive damages to be granted to child victims in the Republic of Korea, the Sexual Violence Prevention and Victims Protection Act, as well as the Act on the Protection of Children and Juveniles from Sexual Abuse, allow counselling centres to lodge complaints against child sex offenders and claim compensation for damage.⁶⁰

34. Several legal provisions focus on child victims' access to recovery and reintegration. Article 3 of the Sexual Violence Prevention and Victims Protection Act states that the authorities must provide support for the rehabilitation of victims of sexual violence; while article 46 of the Child Welfare Act contains specific provisions on the obligation to provide assistance to abused children. As of 2016, the GoRK was running 37 centres that offer integrated services to victims of sexual violence, including 24/7 counselling, medical attention, investigation and legal support. Among them, only eight were specialised for child victims.⁶¹ In 2015, the GoRK eased the requirements for victims of crime to receive better housing support, including access to short/long-term care shelters and livelihood protection.⁶²
35. The MGEF is supporting 96 facilities that provide counselling services, shelter, education, and rehabilitation support to female sex trafficking victims. The government made some services offered through these facilities available to male victims, such as counselling, medical, and legal assistance. Nonetheless, local civil society reported that the quality of these services was not adequate for male, disabled, foreign, or juvenile victims. Local NGOs also pointed out that government officials lacked awareness on trafficking issues and did not use a victim-centred approach. In addition, law enforcement agencies did not have dedicated anti-trafficking teams. Because of ineffective identification procedures, police and other government officials often treated female South Korean and foreign sex trafficking victims as criminals, and authorities reportedly arrested, detained, and deported sex trafficking victims. In 2016, the National Human Rights Commission issued updated identification guidelines, but no agency had implemented them as of the end of 2017.⁶³

Recommendations to the GoRK

General measures of implementation

- Adopt a specific national action plan to end **SEC** and allocate sufficient budget for its implementation, monitoring and evaluation; or at least make sure to include all manifestations of SEC in the National Action Plan for the Promotion and Protection of Human Rights and other policies pertaining to children;
- Adopt a dedicated national action plan against human trafficking, and make sure that it fully covers the issue of child trafficking for sexual purposes; and allocate sufficient budget for its implementation, monitoring and evaluation;
- Establish a dedicated multi-sectoral body to coordinate, in cooperation with relevant civil society organisations, the prevention efforts and the fight against SEC;
- Ensure that the Inspection Team for the Implementation of the National Action Plan for the Promotion and Protection of Human Rights meets on a regular basis to coordinate public actions against human trafficking;
- Re-establish the Office of the Ombudsperson for Children's Rights.

Prevention

- Allocate enough funding to raise public awareness about all **SEC** manifestations, specifically among vulnerable groups, citizens and visitors;
- Invest in child empowering prevention programmes to address the root causes and multiple vulnerabilities that place children, families and communities at risk;
- Put in place mechanisms to evaluate the effectiveness of awareness-raising and prevention operations;
- Take the appropriate steps to put in place systematic international travel restrictions for convicted child

sex offenders, including by amending the Passport Act;

- Make sure that all the measures and legal provisions aiming at preventing convicted child sex offenders from reoffending are consistent with the Republic of Korea's international obligations, including by creating a child sex offenders registry that complies with international standards on data protection and privacy; and by abolishing forced chemical castration.

Prohibition

- Adopt specific legal provisions to define and criminalise **SECTT**;
- Amend article 13 of the Act on the Protection of Children and Juveniles against Sexual Abuse to make sure that clients at or above the minimum age of criminal responsibility are not condemned to a mere fine in the context of sexual exploitation of children in prostitution;
- Adopt specific provisions to define and criminalise online grooming;
- Harmonise the legal framework on human trafficking, notably by adopting consistent definitions and sufficiently stringent penalties; and make sure that prosecutors and law enforcement officials receive adequate training on the characteristics of the offence;
- Amend article 3 of the Criminal Act to expand extraterritorial jurisdiction to **SEC** offences committed abroad by permanent residents;
- Amend the 1988 Extradition Act to specifically include **SEC**-related crimes as extraditable offences and remove the dual criminality requirement;
- Make sure to explicitly include **SEC**-related crimes as extraditable offences and to remove the dual criminality requirement when negotiating new extradition treaties.

Protection

- Establish dedicated units in all the law enforcement agencies and prosecution offices to investigate and prosecute **SEC**; as well as dedicated child-friendly hotlines to report **SEC**-related crimes;
- Ensure that law enforcement agencies have the funds, resources and skills to identify, investigate and respond to **SEC** and are able to use adapted protocols when dealing with **SEC** victims;
- Fully implement the 2016 guidelines for the identification of victims of human trafficking, and take the appropriate measures to make sure that child victims are not treated as offenders;
- Ensure that enough shelters for children victims of **SEC** are available, properly funded, staffed by well-trained personnel and able to offer integrated services (psychological, legal, medical, etc.).

¹ Sustainable Development Goal Targets 5.2, 8.7 and 16.2

² ECPAT prefers the term '*exploitation of children in prostitution*' instead of '*child prostitution*' in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), "*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, Adopted by the Interagency Working Group in Luxembourg, 28 January 2016*", Bangkok: ECPAT, 29, accessed on 27 March 2018, <http://luxembourgguidelines.org/>.

³ ECPAT prefers the term 'child sexual exploitation material' or 'child sexual abuse material' over the often in legal context still used 'child pornography' in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), "*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016*", 39.

⁴ ECPAT International (2016), "*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, Adopted by the Interagency Working Group in Luxembourg, 28 January 2016*", Bangkok: ECPAT, 54, accessed on 27 March 2018, <http://luxembourgguidelines.org/>.

⁵ The World Bank, "*Population, total – Korea, Rep.*", accessed on 10 October 2018, <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=KR>.

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- ⁷ The World Bank, *GDP (current US\$); All countries and Economies*, accessed on 31 August 2018, <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.
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- ¹¹ Ibid, 9.
- ¹² Ministry of Gender Equality and Family (2017), “Survey on sex trade 2016” in ECPAT International (2018), “Country Overview: South Korea”, 9.
- ¹³ Data from the Korean National Police Agency in ECPAT International (2018), “Country Overview: South Korea”, 9.
- ¹⁴ Ministry of Science and ICT & Korea Internet and Security Agency (2018), “2017 Survey on the Internet Usage”, 20, 21 & 24, accessed on 4 September 2018, <https://k-erc.eu/wp-content/uploads/2018/07/2017-Survey-on-the-Internet-Usage.pdf>.
- ¹⁵ Ibid, 57 & 61.
- ¹⁶ ECPAT International (2018), *Op. Cit.*, 3.
- ¹⁷ Ministry of Science and ICT & Korea Internet and Security Agency (2018), *Op. Cit.*, 59.
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