



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: Follow-up/CAT

20 August 2018

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the combined third to fifth periodic reports of the Republic of Korea (CAT/C/KOR/3-5) by this Committee, at its 60th session, held from 18 April to 12 May 2017. At the end of that session, the Committee's concluding observations (CAT/C/KOR/CO/3-5) were transmitted to your Permanent Mission. In paragraph 49 of those concluding observations, the Committee requested, pursuant to its rules of procedure, that the State party provide, within one year, by 12 May 2018, further information regarding areas of particular concern identified by the Committee in paragraphs 14(d)(e), 26 and 36(b). It also invited the State party to provide information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective (see, doc. CAT/C/55/3).

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's concluding observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. A Word electronic version of the reply should be sent to the Secretariat of the Committee against Torture (cat@ohchr.org). Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of the Republic of Korea on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Excellency, the assurances of my highest consideration.

Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture

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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

**Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/KOR/CO/3-5)**

REPUBLIC OF KOREA

(...)

C. Principal subjects of concern and recommendations

(...)

Excessive use of force by law enforcement officials

(...)

14. The State party should:

(d) Provide information on the outcome of the investigations undertaken by the Prosecutor's Office and the National Police Agency against seven police officers for violating the Act on the Performance of Duties by Police Officers in relation to the death of Mr. Baek and inform the Committee about the outcome of any judicial proceedings;

(e) Investigate cases of excessive use of force against the families bereaved by the Sewol Ferry accident, prosecute those responsible and inform the Committee about the outcome of the proceedings;

(...)

"Substitute cells" in police stations

(...)

26. The State party should close the remaining "substitute cells", take urgent measures to bring conditions in still existing "substitute cells" in line with relevant international standards and ensure that female police officers supervise "substitute cells" in which women are detained until they are closed.

(...)

Abuse in the military

(...)

36. The State party should:

(...)

(b) Establish the office of military ombudsman as an independent entity to monitor military units and conduct investigations into allegations of abuse and violence in the military;

(...)

Follow-up procedure

49. The Committee requests the State party to provide, by 12 May 2018, information on follow-up to the Committee's recommendations on the outcome of investigations by the Prosecutor's Office and the National Police Agency in relation to the death of Mr. Baek, on the outcome of any proceedings in relation to the Sewol Ferry accident, on the closing of remaining "substitute cells" and on the establishment of the office of the military ombudsman (see paras. 14 (d) and (e), 26 and 36 (b)). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.

(...)
