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**HUMAN RIGHTS
TREATY BODIES**

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Committee against Torture

REFERENCE: CAT/Follow-up – Republic of Korea

3 March 2026

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the sixth periodic report of the Republic of Korea, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 80th session held from 8 to 26 July 2024, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/KOR/CO/6, para. 40) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 13, 17 (c) and (d) and 27 (b) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 28 July 2025 providing your Government's response to the above-mentioned paragraphs (CAT/C/KOR/FCO/6) and to make the following comments:

Fundamental legal safeguards (para. 13 of the Committee's concluding observations)

The Committee takes note of procedural safeguards enshrined in the Constitution, the Criminal Procedure Act and the Act on Execution of Sentences and Treatment of Inmates to ensure that, from the very outset of their detention, all persons deprived of their liberty are informed of and have guaranteed their right to be assisted by an independent lawyer of their choice, to consult that lawyer in private throughout the judicial proceedings, and to have access, if necessary, to qualified, independent and free legal aid. However, it remains concerned about reports that this right may be restricted for detainees held for reasons other than a pending criminal case, and on grounds that are not clearly defined, including for reasons of "good cause", thereby granting excessively broad discretion to prosecutors and police to deny access to counsel. While noting that, under domestic laws and regulations, all inmates admitted

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to correctional facilities receive prompt medical examinations, may request further medical care as needed, and may submit their medical reports to the public prosecutor either personally or through legal council, as well as that accused persons are informed of available programmes providing support for medical expenses, the Committee remains concerned about reports pointing out persistent gaps in practice. In particular, persons deprived of their liberty reportedly may not be able, from the very outset of their detention, to request and obtain a free medical examination by an independent physician that is conducted out of hearing of police officers and prison staff, and doctors may not be able to immediately, directly and confidentially bring medical reports of injuries suspected of resulting from torture to the attention of the public prosecution. Furthermore, the Committee takes note of the information provided by the State Party that interrogation rooms in juvenile protection centres are primarily used for educational and disciplinary purposes and that the introduction of video or audio recording equipment into such rooms may have adverse effects that are inconsistent with the educational objectives of these facilities. However, it remains concerned at reports that these interrogation rooms may also be used to interview children in the context of criminal investigations. The Committee also regrets that the State Party has not taken concrete measures since the adoption of the previous concluding observations to ensure that these facilities are equipped with closed-circuit television and video and audio recording equipment, that interrogations are properly recorded, except where doing so might give rise to violations of detainees' right to privacy or the confidentiality of their conversations with their counsel, and that such recordings are used to identify and investigate breaches of the Convention and as evidence in court where relevant (2/C).

Conditions of detention (para. 17 (c) of the Committee's concluding observations)

While taking note of the State Party's assertion that inmates placed in solitary confinement are provided with regular health examinations and psychological counseling on the same basis as other inmates, and that such regime is imposed only after an impartial and rigorous review by the Disciplinary Committee, the Committee remains concerned about: (a) the reported excessive use of solitary confinement as a disciplinary measure; (b) the fact that it may still be imposed for periods of up to 45 consecutive days under domestic legislation; (c) the fact that inmates whose right to outdoor exercise has been suspended may be allowed such exercise only once a week; and (d) reports that prolonged solitary confinement continues to be imposed in cases where the alleged misconduct is suspected to be related to a mental illness. The Committee therefore reiterates its recommendation that the State Party bring its legislation and practice on solitary confinement into line with international standards, in particular rules 43 to 46 of the Nelson Mandela Rules, ensuring that solitary confinement is used only in exceptional cases, as a last resort, for as short a time as possible and in no case for more than 15 consecutive days for adults, that it is subject to independent review, that inmates placed under such a regime are allowed at least one hour of suitable exercise in the open air daily, and that its imposition is prohibited for prisoners with psychosocial, intellectual or physical disabilities when their conditions would be exacerbated by such measures (3/C).

Conditions of detention (para. 17 (d) of the Committee's concluding observations)

While noting the information provided by the State Party that efforts have been made to recruit additional medical personnel to improve access to health care, including mental health care, and to enhance inmates' access to specialized medical care through transfers to external medical clinics, visiting consultations by external physicians and the provision of remote video consultations, the Committee remains concerned about reports of persistent shortages of medical staff and insufficient financial resources allocated to ensure that prisoners are provided with adequate and timely health care, including mental health care (3/B2).

Abuses in the military (para. 27 (b) of the Committee's concluding observations)

While noting the measures taken by the State Party to address abuses in the military, particularly those resulting in the deaths of military personnel, and enhance the transparency, independence and impartiality of investigations into such cases, including the establishment of a military human rights protection officer within the National Human Rights Commission of Korea and the amendment of the Military Court Act to exclude crimes related to the death of military personnel from the jurisdiction of military courts, the Committee remains concerned about reports that cases of violence, including sexual and gender-based violence, continue to occur in the military in the form of so-called "punitive drills" (*eoicharyeo*) carried out under the pretext of "disciplinary military training", some of which may amount to torture or ill-treatment. Moreover, the Committee regrets that the State Party did not provide information on any steps taken to implement its recommendation since the adoption of its previous concluding observations. It therefore encourages the State Party to strengthen its efforts to ensure that all allegations of torture and ill-treatment and all cases of death, including alleged suicides, are thoroughly, independently and impartially investigated, that those found responsible are brought to justice by establishing the liability of direct perpetrators and those in the chain of command, and that victims receive adequate redress (3/C).

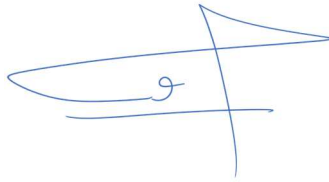
Implementation plans (para. 40 of the Committee's concluding observations)

Lastly, the Committee regrets that the State Party has not provided information about its plans for implementing, within the coming reporting period, the remaining recommendations included in its concluding observations (C).

The Government of the Republic of Korea is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State Party pursuant to the Committee's request in its concluding observations on the sixth periodic report of the Republic of Korea or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of the Republic of Korea on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in blue ink, consisting of a stylized, elongated shape with a small loop and a vertical line crossing it.

Abderrazak Rouwane
Rapporteur for Follow-up to Concluding Observations
Committee against Torture