

**NGO Submission
to the UN Committee
on the Elimination of Discrimination against Women
for the Follow-up Procedure
(Republic of Korea)**

September, 2026

Korean Coalition for Rape Law Reform,
Korea Women's Associations United,
South Korean Coalition for Anti-discrimination Legislation,
The Korean Council for Justice and Remembrance for the Issues of Military Sexual
Slavery by Japan

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Abstract

From December 2024, following the then-president’s unconstitutional and unlawful declaration of emergency martial law, until the inauguration of the new administration in June 2025, Korean society experienced a period of significant social, political, and cultural upheaval. Amid a significant rollback of women’s and gender equality policies—driven by the previous administration’s relentless attempts to abolish the Ministry of Gender Equality and Family(MOGEF) and its budget cuts—citizens gathered at the Yoon Suk-yeol impeachment rally to strongly demand the realization of an equal society free from discrimination and hatred. Consequently, the current administration bears the responsibility to restore the rolled-back women’s and gender equality policies and eradicate violence and discrimination against women in Korean society.

However, since the national policy agenda of the new administration, which took office in June 2025, does not include the enactment of an anti-discrimination law or consent-based revisions to the rape statute, implementation of the issues that citizens have consistently demanded remains inadequate. Regarding the enactment of an anti-discrimination law (Concluding Observations Paragraph 13(a)), the government has limited itself to a general stance of stating that it will actively participate in discussions on bills proposed by the National Assembly and cooperate in opening a forum for social dialogue. Furthermore, regarding the

introduction of a non-consensual rape offense and amendments to the Criminal Code to criminalize marital rape (Final Observations, Paragraph 27(a)), the government merely repeated a formalistic response stating that social discussion is necessary and that marital rape is currently punishable under the law.

Furthermore, with regard to strengthening the national framework for promoting gender equality (Concluding Observations, Paragraph 19(b)), efforts are underway to strengthen and expand the Ministry of Gender Equality and Family(MOGEF)'s oversight and coordination functions through measures such as expanding and reorganizing the ministry and enhancing the effectiveness of the Gender Equality Council. However, since the ministry's budget accounts for only 0.3% of the total government budget, it faces limitations in effectively fulfilling its oversight and coordination roles; therefore, an effective expansion of its budget and personnel is necessary. Regarding the resolution of the issue of the Japanese military sexual slavery (Concluding Observations Paragraph 31(a)), the government stated that it has established a legal basis to counter the repeated denial of the facts of the abuse and defamation of the victims through discussions with the international community, expanded support for victims, and amendments to relevant laws. However, the South Korean government continues to maintain its position of upholding the "2015 Korea–Japan Agreement". Even following a South Korean court's ruling in favor of the plaintiffs in their claims for damages against the Government of Japan, no concrete measures have been taken in this regard. Therefore, it is urgent to guarantee the rights of the surviving victims to effective redress and compensation.

Comprehensive Anti-Discrimination Legislation

(Concluding Observations, Para. 13 (a))

The Lee Jae-myung administration has identified the prevention of hate and discrimination and the promotion of a culture of respect for human rights as a specific task under its national policy agenda. The National Human Rights Commission of Korea (NHRCK) has been designated as the lead institution responsible for this task.¹ Accordingly, the NHRCK has commissioned external researchers to conduct a study entitled "A Survey of Implementation Cases and Impacts of Overseas Anti-Discrimination Law Regimes".² However, since the current Chairperson of the NHRCK, who has explicitly expressed opposition to the enactment of an anti-discrimination law, took office in September 2024, Korean civil society organizations have consistently raised concerns that both the NHRCK and its Chairperson have taken a passive stance toward the enactment of such legislation and, in some instances, have even represented anti-LGBTI perspectives.

In addition, the above-mentioned research project, which is also presented as one of the Government's national policy implementation measures, was awarded to a research team led by a principal investigator who has previously published books opposing the enactment of a comprehensive anti-discrimination law.³

The appointment has been met with strong opposition from civil society organizations. Moreover, several senior officials within the NHRCK relinquished their managerial positions in protest, publicly expressing their strong disagreement with what they regarded as the Commission's anti-anti-discrimination-law direction. Nevertheless, the research project continues without any change. Korean civil society organizations are seriously concerned that

¹ THE CHOSUN Daily, 'Government to Study Overseas Anti-Discrimination Laws - Lee Jae Myung administration examines international cases amid opposition, civic demands for hate speech regulation', 2 June 2026, <https://www.chosun.com/english/national-en/2026/06/02/ISJTDNG7XJD7JAE4GSQR6XEZ2E/>

² Same as footnote 1

³ Kyunghyang Shinmum, 'National Human Rights Commission 'anti-discrimination law research contract' lead says "Accepting homosexuality leads to unhappiness"... backs An Chang-ho amid 'anti-LGBT hate controversy', 3 June 2026, <https://www.khan.co.kr/en/article/202606031641057>

a report issued under the name of the country's National Human Rights Institution may conclude that, based on the experiences of countries that have enacted comprehensive anti-discrimination legislation, Korea should not adopt such legislation. Given that this research project is explicitly identified as one of the implementation measures for the Government's national policy agenda, the State party should clearly state its position and take active measures to ensure that the project is conducted in an independent, objective and human rights-based manner.

At present, two comprehensive anti-discrimination bills are pending before the National Assembly. Yet only one legislator from the governing party has participated in introducing these bills, representing an exceptionally low level of engagement by the ruling party. The current Government likewise continues to take a passive approach toward the enactment of comprehensive anti-discrimination legislation. In its present report⁴, the Government states that it "will actively participate in discussions on the bills when they take place in the National Assembly and cooperate in creating a forum for social dialogue." However, as the principal actor responsible for developing and implementing public policy, the Government must not evade its responsibility to advance comprehensive anti-discrimination legislation. Rather than merely waiting for deliberations in the National Assembly, the Government should clearly express its legislative commitment and actively pursue the enactment of a comprehensive anti-discrimination law.

Comprehensive anti-discrimination legislation in the Republic of Korea has remained stalled for more than 20 years. On politically sensitive issues of this nature, members of the National Assembly have tended to determine whether to advance legislation largely in accordance with the President's political will. Although the enactment of legislation formally falls within the competence of the legislature, comprehensive anti-discrimination legislation has long been recognized as a matter of universal international human rights concern. United Nations treaty bodies have issued recommendations calling for its enactment on 14 occasions, while multiple recommendations to enact comprehensive anti-discrimination legislation have also been made during each cycle of the Universal Periodic Review (UPR) of the Republic of Korea. The Government should therefore take the initiative in establishing meaningful forums for social dialogue on comprehensive anti-discrimination legislation, rather than simply waiting for the

⁴ CEDAW/C/KOR/FCO/9, para. 2

National Assembly to act. As the Government and the National Assembly continue to shift responsibility to one another, the Republic of Korea has now reached the twentieth year since comprehensive anti-discrimination legislation emerged as a major public issue, yet still lacks any comprehensive framework law prohibiting discrimination.

National machinery for the advancement of women

(Concluding Observations, Para. 19(b))

Securing Substantial Budget Expansion for Gender Equality Policy Office Functions

The Lee Jae-myung administration, which took office in June 2025, reorganized its structure by expanding and restructuring the Ministry of Gender Equality and Family(MOGEF) and establishing a new Gender Equality Policy Office⁵ to enhance the expertise and effectiveness of gender equality policies—a positive development; however, the personnel and budget required to effectively carry out the functions assigned to the Gender Equality Policy Office remain insufficient.

Regarding human resources, the MOGEF announced that its staff increased by a total of 17

⁵ The Gender Equality Policy Office is divided into three divisions: the Gender Equality Policy Bureau (formerly the Women's Policy Bureau), the Equal Employment Policy Bureau (newly established), and the Safety and Human Rights Policy Bureau (formerly the Women's Rights Promotion Bureau). The responsibilities previously handled by the Women's Policy Bureau were expanded and reorganized under the Gender Equality Policy Bureau and the Equal Employment Policy Bureau. Within the Gender Equality Policy Bureau, the Gender Equity Planning Division, Gender Equality and the Cultural Cooperation Division were newly established, and the former Women's Policy Bureau was reorganized into the Gender Equality Policy Division. The Equal Employment Policy Bureau is responsible for the Gender Equality Employment Disclosure aimed at reducing the gender pay gap; promoting women's economic activities and preventing career interruptions; program of the Career Development Centers for Women; as well as matters related to Affirmative Action for Employment Improvement and group counseling at the Career Development Centers for Women, which were transferred from the Ministry of Employment and Labor. The Women's Rights Promotion Bureau was renamed the Safety and Human Rights Policy Bureau, and the Domestic Violence and Stalking Prevention Division was renamed the Domestic Violence, Stalking and Intimate Partner Violence Prevention Division—only the names were changed.

through the 2025 organizational restructuring. However, prior to the reorganization, the MOGEF had an authorized headcount of 286 and a current headcount of 310 (as of September 30, 2025), while after the reorganization, the MOGEF's authorized headcount and current headcount were recorded as 303 and 314, respectively (as of October 1, 2025). In other words, while the authorized headcount increased by 17, the current headcount increased by only 4.

The government stated that the budget for the MOGEF increased to 2.0087 trillion KRW(approx. USD 1.41 billion) in 2026, a 13% increase (+230.3 billion KRW, approx. USD 162.3 million) compared to 2025⁶. However, the budget for the Gender Equality Policy Office amounts to approximately 290.8 billion KRW(approx. USD 204.9 million) (an 11.8% increase from the previous year), accounting for only 14.5% of the MOGEF's total budget. This shows that the Gender Equality Policy Office still accounts for only a limited share of the MOGEF's budget⁷.

Out of the total government budget of approximately 727.9 trillion KRW(approx. USD 513.05 billion) for 2026, MOGEF accounts for just 0.3%, with the Gender Equality Policy Office taking up a mere 0.04%. Given the current level of personnel and budget, the MOGEF is unable to effectively fulfill its role as the 'dedicated control tower for realizing a gender-equal society'. Therefore, it is necessary to expand the ministry's personnel and budget to a level commensurate with the gender equality policy coordination and oversight functions assigned to the Gender Equality Policy Office.

Newly Established Gender Equity Planning Division Must Define a Clear Policy Direction for Gender Equality

The most significant aspect of the expansion of the Gender Equality Policy Office is the establishment of the Gender Equity Planning Division. The Gender Equity Planning Division has the largest staff among the divisions under the Gender Equality Policy Office. However,

⁶ CEDAW/C/KOR/FCO/9, para. 4

⁷ In addition to the responsibilities of the Gender Equality Policy Office, which oversees gender equality policies, the MOGEF is also responsible for supporting and protecting youth activities and welfare, as well as formulating, coordinating, and supporting family policies; the budget allocated to these areas, excluding that of the Gender Equality Policy Office, accounts for 85.5% of the total budget.

the division's policy direction and objectives have not yet been clearly defined.

In particular, President Lee Jae-myung repeatedly raised the issue of 'discrimination against men' during Cabinet meetings and youth-related events last year, and on several occasions directed officials to investigate whether men are being discriminated against and to devise necessary corrective measures; subsequently, the Gender Equity Planning Division was established⁸. When the Gender Equity Planning Division was first established, the media reported that the MOGEF had created a body dedicated to addressing 'reverse discrimination against men'⁹.

As part of its main tasks, the Gender Equity Planning Division organized five sessions of the gender equality talk concert 'SODA POP'. The effort to listen to the diverse experiences and perspectives of the younger generation and expand social dialogue is meaningful. However, it remains unclear whether these events have led to tangible improvements in gender equality awareness or concrete policy outcomes. Furthermore, no policies have been proposed to address the low level of gender equality awareness among young men, which is a major factor exacerbating gender perception gaps within the younger generation.

⁸ At the Cabinet meeting on June 10, 2026, President Lee Jae-myung instructed the Vice Minister of Gender Equality and Family, "There are areas where men feel they are being discriminated against; please examine ways to research this issue of discrimination against men and develop countermeasures." At the Cabinet meeting on October 14, he also stated, "Structural gender discrimination against women exists throughout our society. However, in certain areas, there are exceptions where men face discrimination." In particular, on September 19, at the "2030 Youth & Empathy Talk Concert" held to mark "Youth Day," President Lee Jae-myung remarked, "I understand when women hate other women, but it's hard to imagine women hating men or men hating women." Furthermore, in his closing remarks at the event that day, he instructed Minister Won Min-kyung of the MOGEF to conduct an "investigation into discrimination against men," saying, "I understand women's sense of discrimination and their feelings of being discriminated against. This has been extensively researched and discussed, but the claim that men are discriminated against... (omitted) Please look into what specifically constitutes this discrimination and how it can be rectified."

* Kyunghyang Shinmun, 'President Lee's Remarks on 'Discrimination Against Men' and 'Women Against Women'... Concerns That They Reflect a 'Gender-Based Conflict Perspective'', 21 September 2025(In Korean),

<https://www.khan.co.kr/article/202509211716001#ENT>

⁹ i) Hankook Ilbo, 'Ministry of Gender Equality and Family Launched Without the Word 'Women'... Reports Say a Department to Address 'Reverse Discrimination Against Men' Is Being Created', 30 September 2025(In Korean),

<https://www.hankookilbo.com/news/article/A2025093011320004769>

ii) Kyunghyang Shinmun, 'The Gender Equality Policy Division was pushed out of the Ministry of Gender Equality and Family's main division—why?', 18 October 2025(In Korean), <https://www.khan.co.kr/article/202510180700001#ENT>

The role and functions of the Gender Equity Planning Division should not be understood or carried out in a way that focuses solely on addressing 'discrimination against men'. A significant portion of the difficulties experienced by young people stems from structural issues in the economy, labor market, and welfare system—such as economic inequality, an unstable labor market, the burden of housing and caregiving, and inadequacies in the social security system. Reducing these issues to the framework of 'discrimination against men' distorts the root causes of the problems and risks undermining the fundamental direction of gender equality policies. The Gender Equity Planning Division must play a role in eliminating gender stereotypes that affect both women and men and in improving gender-discriminatory social structures, with the goal of achieving gender equality. In particular, comprehensive gender equality policies for men should focus not on 'discrimination against men', but on how to deconstruct the distorted norms of masculinity created by a patriarchal society. Such policies should also strengthen the government's accountability for addressing the severe anti-feminist backlash that has marginalized gender equality issues in Korean politics in recent years.

Restoration Is Just the Beginning: The Gender Equality System Must Ensure Practical Effectiveness

As of early August 2026—approximately 10 months after the MOGEF was expanded and reorganized—the government is focusing on restoring the national gender equality policy implementation framework that had been undermined by the previous administration¹⁰. Going forward, the key task is to strengthen the authority and responsibilities of the steering body so that it can exercise substantive coordination authority and influence in the processes of policy-making, budgeting, and legal and institutional reforms, thereby leading government-wide gender equality policies, and to establish a concrete system for monitoring implementation.

¹⁰ To operate the Gender Equality Council through in-person meetings and strengthen its role in overseeing and coordinating national gender equality policies, efforts are underway to expand the Commission's authority and establish expert subcommittees under it. In addition, the government is expanding the role of gender equality policy officers from the current nine ministries to all ministries and making preparations to ensure this expansion is effectively implemented, while also establishing a consultative body to strengthen cooperation between the central government and local governments. Thus, the current phase can be assessed as one of restoring and rebuilding the basic framework for the national gender equality policy implementation system.

For the Gender Equality Council to function effectively as the central coordinating body for government-wide gender equality policies, it must go beyond merely reviewing and coordinating policies and be granted substantive authority to monitor the implementation of gender equality policies by relevant ministries and demand improvements. In particular, sufficient personnel and funding must be allocated to ensure that the expert committees on gender mainstreaming, employment equality, and a culture of gender equality—which were recently established under the Gender Equality Council—can function effectively. Furthermore, to ensure the effectiveness of the system of gender equality policy officers in each ministry, sufficient authority, personnel, and budget must be provided, and an evaluation and feedback system for assessing the results of gender equality policy implementation in each ministry must be established.

Consent-Based Definition of Rape

(Concluding Observations, Para. 27(a))

Introduction of Non-Consensual Rape

For years, the South Korean government has stalled rape law reform under the pretext of needing 'social consensus'. Even in the latest interim report¹¹, the government continues to evade its responsibility and an active role, claiming that "it requires sufficient public discussion", "given diverse views". However, further public debate is no longer needed—citizens overwhelmingly demand legislative action. In 2025, a survey of 1,000 workers by Gabjil 119 found that seven in ten workers agreed that the statutory elements of rape must be amended to center on consent. The reality that 'sexual intercourse without consent constitutes sexual violence' is now common sense in South Korea, yet the current law lags far behind public consciousness. Aligned with international human rights standards, the South Korean government must revise the statutory elements of rape under the Criminal Act to center on the victim's affirmative and voluntary consent.

¹¹ CEDAW/C/KOR/FCO/9, para. 9

Clarification of the prosecution's burden of proof upon the amendment of the crime of rape based on lack of consent

The government continues to delay introducing consent-based rape provisions, citing the need for public debate regarding 'the principle of the burden of proof, procedural burdens in criminal justice, and diverse legal frameworks of protecting the right to sexual self-determination'. However, legal experts have repeatedly confirmed that the prosecution retains the burden of proof even under consent-based rape regime.

Courtroom practices in South Korea already demonstrate that further debate on the burden of proof is redundant, as victims' consent is routinely litigated when evaluating physical force and intent. For example, if a defendant claims they mistakenly believed the victim consented—thereby denying criminal intent—the prosecution bears the sole burden of proving criminal intent as part of the charged facts. Furthermore, “under the interpretation of the Constitution of the Republic of Korea and the Criminal Procedure Act, which expressly articulate the principle of the presumption of innocence, even if the defendant's criminal intent is an internal fact, the prosecution bears the burden of proving the crime through circumstantial evidence, such as the defendant's externally manifested conduct”.¹² In trial, when a defendant claims 'the victim's consent' and presents circumstantial evidence, it serves merely as counter-evidence against prosecution evidence (including victim testimony); it does not shift the burden of proof to require the defendant to establish a reasonable belief in consent.¹³

Korean jurisprudence already encompasses statutory provisions in which the victim's intent serves as a primary determinative element, supported by well-established criminal law doctrine. Specifically, provisions that vary statutory elements and sentencing based on the victim's age or disability explicitly presuppose circumstances where the victim 'lacks or has limited capacity

¹² Chang-hwan Lee, 'A Study on Victim Consent in Sexual Crime Trials: Focusing on Rape and Indecent Act by Compulsion', 「Judicial Development Foundation」, Vol. 1, No. 71, 2025, p. 493

¹³ Same as footnote 12

to freely give consent'.¹⁴ Moreover, Article 14 (Use of Cameras, etc. for Filming) of the Act On Special Cases Concerning The Punishment Of Sexual Crimes directly references the victim's intent by penalizing anyone who 'takes photographs... against the will of the person being photographed'. In all such offenses where the victim's intent is a core element of a crime, the burden of proof rests unequivocally on the prosecution—a principle consistently maintained in foreign jurisdictions that have enacted consent-based rape laws.

Promoting a consent-based amendment to the crime of rape to guarantee the sexual autonomy of sexual violence victims

Although consent serves as the *de facto* central issue in trial practice, it remains evaluated strictly through the statutory element of 'assault or intimidation'. Notably, while the Supreme Court has affirmed that adjudications of sexual violence must be grounded in whether the right to sexual self-determination has been infringed¹⁵, it consistently maintains the 'doctrine of the narrowest interpretation' (strict force requirement)—holding that the force or intimidation required for rape must be 'to such an extent as to render the victim's resistance impossible or significantly difficult'.¹⁶ This strict standard creates pervasive legal blind spots in prosecuting sexual offenses. Investigative authorities and courts assess the credibility of victim statements based on whether the victim actively resisted at the time of the offense, thereby allowing the personal biases and rape myths held by investigators and judges to directly permeate investigative outcomes and judicial rulings. However, evaluating sexual violence based on the presence or absence of victim resistance is an obsolete relic from an era when 'female chastity' was treated as the protected legal interest. To genuinely guarantee the right to sexual self-determination, the force-centric rape law regime must be comprehensively revised to a consent-based standard.

According to the *2025 Sexual Violence Safety Survey* conducted by the Ministry of Gender Equality and Family, coercion by the perpetrator was the most frequently cited factor (84.4%,

¹⁴ Kyung-hwan Lee, 'A Review of Arguments Opposing 'Non-Consensual Rape', 「In From Assault and Intimidation to Consent: Issues and Tasks in Amending the Statutory Elements of Rape under Article 297 of the Criminal Act - National Assembly Forum Sourcebook」, p. 43–48

¹⁵ Supreme Court Decision, Case No. 2019Do3341 Decision of 13 June 2019

¹⁶ Supreme Court Decision, Case No. 2016Do16948, Decision of 12 October 2017, etc.

multiple responses) among respondents describing circumstances during rape (including attempted rape). Intimidation stood at 47.6%, while physical assault was cited in only 25.5% of cases. Similarly, a 2022 survey of counseling cases conducted by the Korea Sexual Violence Relief Center across 119 member institutions nationwide revealed that direct assault or intimidation was present in only 20.7% (984 out of 4,765 cases). In situations where victims cannot escape due to severe power imbalances—such as sexual violence committed by economically indispensable relatives, employers wielding hiring authority, professors, or medical staff during hospitalization—sexual violence occurs without direct physical assault or intimidation; yet, under the current rape law, prosecuting such cases remains extraordinarily difficult.

Public outrage recently erupted over a sexual violence case where the victim explicitly conveyed non-consent 75 times over more than an hour—stating "stop" and "it hurts"—yet both the courts of first and second instance acquitted the defendant. Although the court clearly acknowledged the victim's verbal expression of non-consent through audio recordings, it issued an acquittal on the grounds that the perpetrator might have misconstrued the victim's actual intent, and that it could not be conclusively established that the assault or intimidation was to such an extent as to render resistance difficult. In April 2026, the victim filed a constitutional complaint with the Constitutional Court seeking the revocation of the judicial rulings, arguing that the court's acquittal infringed upon her fundamental right to sexual self-determination.¹⁷

When perpetrators commit rape by taking advantage of a victim's state of intoxication or influence of alcohol or drugs, Korean prosecutors apply Article 299 of the Criminal Act ("Quasi-Rape"). However, courts strictly interpret the statutory element of "a state of unconsciousness or inability to resist" under the same doctrine of the narrowest interpretation. In practice, if a victim retains faint consciousness despite intoxication and testifies regarding the offense, courts rule that quasi-rape does not apply because the victim was not unconscious. Conversely, if the victim was completely unconscious and unable to recount the circumstances, proving the offense becomes nearly impossible—rendering quasi-rape provisions practically defunct. Most defendants selectively construct the narrative surrounding the events the victim cannot

¹⁷ Kyunghyang Shinmum, 'Even after shouting "Stop" 75 times, sexual violence ruled 'not guilty'...heads to a judicial constitutional complaint', 18 October 2026, <https://www.khan.co.kr/en/article/202606101632007>

recall, excusing their conduct by claiming a mistaken belief in consent. At this juncture, the judiciary frequently validates the defense based on the distorted concept that silence or passivity equates to consent, handing down acquittals due to insufficient proof of the perpetrator's *mens rea*. Producing such contradictory results, the current operation of quasi-rape law exemplifies the sharp rift between South Korea's force-based sexual violence statutes and real-world conditions.

Ensuring effective punishment and protection for victims of non-consensual sexual violence within intimate relationships, including marital rape

Although the government stated in the recent interim report that marital rape is already punishable under the crime of rape pursuant to Article 297 of the Criminal Act¹⁸, securing a conviction for marital rape remains highly unfeasible in reality due to the law's strict requirement of physical force in crime of rape. In 2013, the Supreme Court recognized marital rape for the first time in a case where a husband threatened his wife with a weapon (*Supreme Court Decision 2012Do14788, 2012Jeondo252*). However, the Court adhered to the doctrine of the narrowest interpretation, asserting that assault or intimidation must be evaluated under the premise that "State intervention in sexual relations between spouses must be minimized as much as possible from the perspective of maintaining the family.". Meanwhile, Article 1 of the *Act on Special Cases Concerning the Punishment of Crimes of Domestic Violence* defines its objective as "to help restore the peace and stability of a family". This institutional emphasis on family preservation deters victims from reporting marital rape. Moreover, the exclusion of marital rape from current government statistics poses a severe limitation, making it nearly impossible even to assess the reality on the ground, including the exact number of incidents, reported cases, and subsequent criminal convictions.

In South Korean society, prejudices persist that misconstrue partner violence as an expression of affection or operate on the misconception that 'non-consensual sexual violence cannot occur in intimate relationships'. Victims of intimate partner sexual violence struggle to recognize abuse, enduring repeated offenses—or refrain from reporting due to fear of secondary victimization. According to 2025 counseling statistics from the Korea Women's Hot

¹⁸ CEDAW/C/KOR/FCO/9, para. 9

Line, 27.7% of intimate partner violence victims experienced secondary victimization inflicted by the police. Documented cases show police officers questioning victims ("How can sexual violence exist between spouses?"), blaming them ("Knowing your husband's temperament, why did you provoke him?"), or accusing victims during divorce proceedings of filing false reports to extort assets, thereby failing to investigate perpetrators or execute protective measures.

Intimate partner violence against women involves complex, intersecting forms of abuse, including sexual violence, physical assault, stalking, confinement, extortion, verbal abuse, and coercive control. Throughout 2025, at least one woman every 22.5 hours was murdered or faced the threat of murder by a male intimate partner, such as a husband or boyfriend.¹⁹ Decisively resolving this crisis and protecting victims requires paired action: codifying provisions to penalize non-consensual sexual violence while actively dismantling societal prejudices surrounding intimate partner violence.

Japanese Military Sexual Slavery

(Concluding Observations, Para. 31(a))

On 28 December 2015, the Foreign Ministers of RoK and Japan announced at a press conference, without the participation of survivors in the negotiation process or adequate reflection of their demands, that the issue of Japanese military sexual slavery²⁰ had been "finally and irreversibly resolved" (hereinafter, the "2015 Korea-Japan Agreement"). United Nations human rights treaty bodies have repeatedly expressed concerns and recommended the revision or review of the Agreement, as the Agreement is not consistent with a victim-

¹⁹ Korea Women's Hot Line, 「2025 Gauge of Rage: Analysis of Femicide by Male Intimate Partners and Male Strangers as Reported in the Media」 Statistics, 2026

²⁰ The term follows the usage in the report of Special Rapporteur Radhika Coomaraswamy, 「Report on the mission to the Democratic People's Republic of Korea, the Republic of Korea, and Japan on the issue of military sexual slavery in wartime」, Radhika Coomaraswamy, E/CN.4/1996/53/Add. 1, para. 8, 4 January 1996

centered approach.²¹

The ROK government states that it continues its “efforts to restore the honor and dignity of the victims and to heal their psychological wounds”; at the same time, however, it has maintained its position that it will uphold the Agreement, stating that, as it is an “official agreement made between the two nations,” it “will not overturn it”.²²

In 2019, the Constitutional Court of the Republic of Korea ruled that the “2015 Korea-Japan Agreement” did not address the waiver or disposition of the victims’ rights to claim compensation, nor did it extinguish the ROK government’s authority to exercise diplomatic protection.²³ Subsequently, in three judgments issued in 2021²⁴, 2023²⁵ and 2025²⁶, the ROK courts ruled in favor of the plaintiffs in damages claims brought by victims against the State of Japan. The 2023 judgment was also noted during the ninth review of the ROK by the Committee on the Elimination of Discrimination against Women.²⁷ In 2024, regarding that judgment, the Japanese Government argued, on the basis of the “2015 Korea-Japan Agreement”, that the issue had already been resolved.²⁸

The ROK government has not taken concrete diplomatic or administrative measures to ensure

²¹ i) Concluding observations on the combined seventh and eighth periodic reports of Japan, CEDAW/C/JPN/CO/7-8, para. 28, 29 (c), 7 March 2016

ii) Concluding observations on the combined third to fifth periodic reports of the Republic of Korea, CAT/C/KOR/CO/3-5, para. 47, 48, 30 May 2017

iii) Concluding observations on the combined tenth and eleventh periodic reports of Japan, CERD/C/JPN/CO/10-11, para. 27, 28, 26 September 2018

iv) Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli*, A/HRC/54/24/Add.1, para. 34, 84, 6 July 2023

²² HANKYOREH, “Lee vows not to overturn pacts with Japan on ‘comfort women,’ forced labor”, 22 August 2025, https://english.hani.co.kr/arti/english_edition/e_international/1214716.html

²³ Constitutional Court of the Republic of Korea, Case No. 2016Hun-Ma253 (en banc), Decision of 27 December 2019

²⁴ Seoul Central District Court, Case No. 2016Gahap505092 (Damages), Judgment of 8 January 2021

²⁵ Seoul High Court, Case No. 2021Na2017165, Judgment of 23 November 2023

²⁶ Cheongju District Court, Case No. 2024Gadan52192, Judgment of 25 April 2025

²⁷ Concluding observations on the ninth periodic report of the Republic of Korea*, CEDAW/C/KOR/CO/9, para. 30, 6 June 2024

²⁸ Ministry of Foreign Affairs of Japan, 「Japan’s Efforts on the Issue of Comfort Women, The issue of comfort women between Japan and the Republic of Korea (ROK)」, (n.d.), accessed 13 August 2026, https://www.mofa.go.jp/policy/postwar/page22e_000883.html

the effective implementation of the judgments in favor of the victims. Surviving victims are still awaiting effective implementation of the court-ordered reparation. Such delays impede the effective realization of the rights of the victims and their bereaved families to truth, justice, reparation and satisfaction.

Through the amendment of *the "Act on Protection, Support and Commemorative Projects for Sexual Slavery Victims for the Japanese Imperial Army,"* a legal basis was established for addressing repeated denial of the facts and defamation of the victims. In April 2026, an individual in the ROK who had continuously defamed the victims for seven years and had visited victims' residences and threatened them was arrested and prosecuted.²⁹

However, certain civil society organizations and individuals in Japan and the ROK, as well as Japanese government officials and public figures, have continuously re-traumatized the victims through repeated denials and defamation, claiming the issue was "finally and irreversibly" resolved on the basis of the "2015 Korea-Japan Agreement."³⁰ ROK government continues to maintain its official position of upholding the Agreement without officially stating that the Agreement does not constitute a final resolution of the issue or calling upon the Japanese Government to fulfill its responsibilities. This position limits efforts to fully restore the victims' honor and dignity and to prevent further defamation of the victims.

In its follow-up report, the ROK government stated that "the amended Act further provides a legal basis for conducting fact-finding surveys on memorial structures commemorating the 'comfort women' victims (commonly known as the *Statue of Peace*), thereby enabling the systematic identification of the status of such memorials, as well as the formulation of related management policies." However, these measures appear to be limited to memorials within the ROK.

While the ROK government has pursued institutional measures domestically to support and commemorate the victims, concerns remain regarding its handling of certain commemorative

²⁹ The Kyunghyang Shinmun, "Kim Byung-heon, head of group that insulted 'Japanese military comfort women', detained..."risk of flight "", 21 March 2026, <https://www.khan.co.kr/en/article/202603211021017#ENT>

³⁰ Ministry of Foreign Affairs of Japan, Press Conference by Foreign Minister MOTEGI Toshimitsu, 23 December 2025, https://www.mofa.go.jp/press/kaiken/kaikenite_000001_00085.html

initiatives abroad. In 2025, regarding the installation of the *Statue of Peace* by a civil society organization in Auckland, New Zealand, after the statue had received municipal approval and was scheduled for installation, the Auckland Office of the ROK Embassy in New Zealand raised objections to the installation.³¹ Subsequently, the Embassy of Japan in New Zealand also repeatedly requested that the Auckland Council revoke permission for the installation. As a result, the installation of the statue was canceled.³²

At the time of submission in 2024, 240 victims had been registered by the ROK government, of whom six were still alive. Following the passing of one additional survivor, five survivors remain today. Lee Yong-soo, born in 1928, the only surviving plaintiff in the case against the State of Japan in which judgment was delivered on 23 November 2023, is awaiting reparation pursuant to the judgment.

Considering the advanced age of the victims and the limited time remaining to them, the ROK government should, without further delay, take concrete diplomatic and administrative measures to ensure the effective implementation of the final and binding judgments of ROK courts. The ROK government should also take the necessary measures to ensure full redress, including legal reparation and rehabilitation, and to ensure the victims' rights to truth, justice, reparation, satisfaction and guarantees of non-recurrence.

³¹ Rep. Lee stated that the Auckland Council had formally approved the installation of the Statue of Peace in the Korean Garden in June 2025 but ultimately declined the project in April 2026. She further stated that the Auckland Office of the Embassy of the ROK had raised concerns over possible "conflict and division within the Korean community" and had linked the issue to the suspension and reconsideration of funding for a planned Korean-style pavilion in the Korean Garden, which was being supported by the Ministry of Patriots and Veterans Affairs. Minister of Foreign Affairs Cho Hyun replied that the Ministry had received reports on the developments and had reaffirmed its basic principles. He further stated that he would personally review the details, take action if any wrongdoing was identified, and provide the requested information to the National Assembly. No additional materials were subsequently submitted by the Ministry of Foreign Affairs. National Assembly of the ROK, Foreign Affairs and Unification Committee, questioning by Rep. Lee Jae-jung, 20 May 2026, <https://www.youtube.com/live/114ax-diRDM?t=7084s>

³² The Guardian, "New Zealand officials reject 'comfort women' statue after objections from Japan", 29 April 2026, <https://www.theguardian.com/world/2026/apr/29/new-zealand-japanese-comfort-women-statue>

- Revise the "2015 Korea-Japan Agreement" in order to ensure that survivors are provided with adequate redress.
- Provide a concrete and effective plan for the implementation of domestic court judgments to guarantee the victims' right to reparation.
- Adopt concrete policies and measures to promote truth domestically and internationally, restore the honor and dignity of victims, and actively address denial of the harm suffered by victims and defamation against them.