

Response to the Request from the OHCHR

(March 24, 2022)

Conscientious Objection to Military Service

As stated in the last OHCHR report (A/HRC/41/23), the Constitutional Court of the Republic of Korea ruled in June 2018 that the failure to offer alternative forms of civilian service to conscientious objectors is unconstitutional. In November 2018, the Supreme Court of the Republic of Korea also rendered a decision that decriminalized conscientious objection, holding that moral and religious beliefs are valid reasons to object to military service.

Following the decisions of the courts, the National Assembly passed the legislation on alternative service options to mandatory military service for conscientious objectors in December 2019. Finally, the *Act on the Transfer and Service of Alternative Services, etc.* took effect on January 1, 2020.

According to the law, a person who intends to serve in alternative service, on the grounds of freedom of conscience, shall apply for a transfer to an alternative role under Article 3 of the Act. The alternative service commission examines and decides on the application for transfer pursuant to Article 4 of the Act.

Below are the numbers of applicants and transferred persons in accordance with the *Act on the Transfer and Service of Alternative Services, etc.*

Year	Number of Applicants	Number of Transferred Persons	Remarks
2020	1,962	730	
2020	574	1,292	This includes persons who had applied for alternative service in 2020 but were transferred in 2021.
Total	2,536	2,022	

The number of persons who started alternative service due to freedom of conscience is as follows.

Year	Number of Persons Who Started Alternative Service
2020	106
2021	548
Total	654

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