

RESPECTING HUMAN RIGHTS AND GENDER EQUALITY CAMPUS GUIDE



All persons are born free and equal in dignity and rights. On a university campus where human rights and gender equality are respected, differences will not be cause for discrimination, diversity will be welcomed, and everyone will enjoy a safe campus life.

The Human Rights Center promotes and supports all Hanyangians to learn and practice ethics based on respect for human rights and gender equality so they can make free and mature connections with others.



Table of Contents

HYU Human Rights Center

Part 1. Human Rights

05

1-1. Understanding human rights

06

1-2. Human rights violations

08

Part 2. Gender Equality

11

2-1. Understanding gender equality

12

2-2. Sexual violence

14

- Sexual harassment & sexual violence Q & A

- Examples of sexual harassment & sexual violence on campus

Part 3. Action Plan for Human Rights Violations & Sexual Violence

23

3-1. Action plan for human rights violations

24

3-2. Action plan for sexual violence

25

Part 4. The Human Rights Center

31

4-1. What the human rights center does

32

4-2. Procedures for handling cases

33

4-3. Handling cases & support systems

34

4-4. Services & application for consultation

35

HYU Human Rights Center

The Hanyang University Human Rights Center(HYU Human Rights Center) was established to uphold the spirit of the Universal Declaration of Human Rights at Hanyang University, which emphasizes that all human beings are born free and equal in dignity and rights.

In 2000, the 'Sexual Assault Counseling Center' was launched in accordance with the 「Regulations for the prevention and treatment of sexual violence at Hanyang University」. Later in 2007 it was renamed and expanded to the 'Gender Equality Center'. Since its inception, it has been a leading institution for practicing and advancing gender equality in the University community. In 2017, the Center was transformed once more to the 'Human Rights Center'(hereafter "the Center") to include a human rights dimension in its mandate. The Center strives to support and enhance gender sensitivity and human rights sensitivity of all members of the University.

The Center provides counseling for victims of human rights infringement including sexual harassment and abuse. Upon receipt of a complaint alleging human rights violations, the investigation process begins and an adequate procedure takes place under the official protocol. It also aims to raise awareness of and promote human rights so that every member of Hanyang treats each other with dignity and respects the rights of others. In addition, the Center carries out research on human rights related issues in order to gain a better understanding of the current obstacles impeding human rights both in universities and society so that it can present a direction for improvement.

Through these activities, the Center aspires to assist all members of the HYU community to learn about and respect the dignity and rights of themselves and others, understand that no one should have their rights infringed upon by acts of discrimination, and apply these lessons in their daily lives. The Hanyang University Human Rights Center will work with everyone so that the spirit of respect for human rights can spread throughout the society, starting from HYU community.



Ten Rules for Creating a Culture of Respect for Human Rights and Gender Equality on Campus



Hereby
I promise to:

- 01** keep in mind that everyone was born with equal and inalienable rights.
- 02** Remember that everyone has the right not to be discriminated against and not to suffer from abuse or violence for any reasons (e.g., sex, age, social status, economic status, religion, region of origin, country of origin, race, skin color, language, sexual orientation, gender identity, family type or situation, marital status, pregnancy or parenthood, physical appearance, physical disability, academic ability, medical history, thought or political opinion).
- 03** Strive to create a democratic community where everyone takes care of and respects each other.
- 04** keep in mind that everyone has the right to sexual self-determination and should be able to determine their own sexual orientation with autonomy without being coerced or manipulated by anyone; and to strive to make relationships built on a sense of equality and respect.
- 05** Consider one's gender identity to be a part of their personality, and behave with autonomy and ethical integrity in regard to my own sexual practices.
- 06** Not to force a fixed gender role on others, and keep in mind that every person's body and mind deserves to be treated with dignity and respect.
- 07** keep in mind that invading another person's physical boundaries is a violent action and is thus a punishable offence.
- 08** keep in mind that sexual imagery and messages given in obscene videos, magazines, comics, the internet, and other media can be exaggerated and distorted.
- 09** keep in mind that everyone is responsible for the outcomes that may occur after engaging in sexual activities.
- 10** Contact the Human Rights Center or a credible person for counseling when there are any concerns or conflicting ideas about any of the issues above.

Hanyang University
Human Rights Center

Part 1 Human Rights

1-1. Understanding Human Rights
1-2. Human Rights Violations



1-1. Understanding Human Rights

Human Rights

Human rights are a fundamental and universal birthright that ensures all people be treated with dignity. Everyone has innate and natural human rights since they are born with freedom, dignity, and equality.

Everyone has the right not to be discriminated against and not to suffer from abuse or violence for any reason, including sex, age, social status, economic status, religion, region of origin, country of origin, race, skin color, language, sexual orientation, gender identity, family type or situation, marital status, pregnancy or parenthood, physical appearance, physical disability, academic ability, medical history, thought or political opinion, etc. The rights are inalienable, interdependent, and inseparable.

The recognition of human rights is vital for everyone to lead a life of dignity, so that all people as citizens, as workers, or as members of any association or organization, can enjoy human rights for the simple fact that they were born with these inalienable rights.

Universal Declaration of Human Rights (12. 10. 1948)

The Universal Declaration of Human Rights(UDHR) adopted by the United Nations General Assembly in 1948 is the world's most widely recognized human rights declaration. In the UDHR, human rights are proclaimed through a list of 30 articles in the areas of citizenship, politics, economics, society, and culture.

- **Article 1** : All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
- **Article 30** : Nothing in this declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



Definition of Human Rights

- The dignity of all human beings and equal, inalienable rights for all members of the human race [1948 UDHR].
- The natural rights of all people regardless of nationality, place of residence, sex, country of origin, ethnicity, skin color, religion, language, etc. [UN OHCHR, The Office of the High Commissioner for Human Rights].
- Any rights and freedoms, including human dignity and worth, guaranteed by the Constitution and Acts of the Republic of Korea, recognized by international human rights treaties entered into and ratified by the Republic of Korea, or protected under international customary law [Article 2, Chapter 1, National Human Rights Commission Act, NHRCA].

Human rights were not given freely but were the result of unceasing efforts made to establish its concepts and expand categories which came at the cost of countless sacrifices and persistent struggles throughout the history of humankind. Therefore, although the concepts and categories of specific human rights may differ somewhat depending on social and historical contexts, they are fundamentally based on the concept of human rights as universal and inborn rights.

Laws Associated with Human Rights

- **International Laws** : The Universal Declaration of Human Rights; the International Covenant on Economic, Social, and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Discrimination in Education; the Convention on the Elimination of Discrimination Against Women; Convention on the Rights of the Child; etc.
- **Domestic Laws** : the Constitution of the Republic of Korea; the National Human Rights Commission Act; the Framework Act on Gender Equality; the Act on Equal Employment and Work-Family Balance Assistance; the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, etc. the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion; the Regional Students' Human Rights Ordinances; etc.
- **School Regulations** : the Regulations on the Prevention and Treatment of Human Rights Violations at Hanyang University (11. 30. 2017).

※ Under the laws and regulations above, the heads of public agencies have ethical and legal obligations to protect human rights and take preventive measures against any human rights violations.

1-2. Human Rights Violations

Human Rights Violations

Human rights violations can be defined as any acts harming the dignity, values, freedoms and rights of people, including the rights guaranteed by the Constitution and the laws of the Republic of Korea, as well as the rights recognized under international human rights treaties and international customs laws which Korea has accepted and ratified. Specifically included are verbal abuse, insulting remarks, aversive remarks, violence, discrimination, abuse of academic authority, unfair business demands, etc.

Types of Human Rights Violations

Infringements on Equal Rights

- Any discrimination on the grounds of gender, religion, social status, etc.
- Includes infringements on the right to be educated equally, and the right not to be unfairly discriminated against in terms of employment, payment, and working conditions for reasons such as gender.

Infringement on Physical Liberty

- Infringement on the stability of the body by external physical forces or mental hazards.
- Deprivation of one's voluntary physical activity.

Violations of the Right to Privacy

- Infringement on the right to lead a full personal life within the range of general living standards of the social community, and the violation of the right not to be interfered with governing one's own personal life.
- Violation of freedom of communication and the right to informational self-determination.

Violations of Freedom of Conscience and Religion

- Infringement on the freedom to act according to one's conscience – the sincerity used by each person to judge whether something is right or wrong without which the value of one's own existence would be undermined.
- Violating the rights of individuals to choose whether or not to practice a religion and to not be forced into following a particular religion.

Violations of Freedom of Expression

- Infringement on the freedom of thought or opinion (freedom of expression) and the freedom to spread ideas (freedom of communication); freedoms of speech, publication, assembly, and association.
- Freedom of expression cannot be guaranteed if it violates the honor or rights of others, public morality, or social ethics.



Q&A on Human Rights Violations

1. A student with a visual impairment requests to live with a guide dog in a college dormitory. Given the communal atmosphere, this situation is complicated since some people are not fond of animals and there may be a hygienic issue. Would it be problematic to refuse the request?

➔ A guide dog for the blind is not just a pet. If the school refuses the request without any justifiable reason, it could be regarded as discrimination for not providing legitimate convenience according to Article 14 of the Disability Discrimination Law. Guide dogs are not dangerous due to their training, and hygiene and management issues could be addressed by considering possible interventions such as improving space arrangement, providing Personal Assistance Services(PAS), or other support from the school.

2. A human rights film about sexual minorities was rejected for screening the day before the scheduled viewing at a place reserved a month in advance. The given reason for the unilateral revocation was "(the screening) includes content that does not conform to the spirit of Christianity, the founding principle of the University."

➔ 「The Universal Declaration of Human Rights」, multiple International Covenants on Human Rights, and 「The National Human Rights Commission of Korea」 clearly state that people must coexist with socially vulnerable groups such as women, the disabled, the elderly, and sexual minorities without any discrimination barring rational reasons. According to the 2006 Yogyakarta Principles, all human beings are born free and equal in dignity and rights. Therefore, differences in sexual orientation and gender identity should not be an excuse, just like other factors such as race, skin color, language, etc., for violence, bullying, discrimination, exclusion, stigmatization, or prejudice. In addition, it is suggested that "(the government) must take appropriate legislative measures and other steps to prohibit and discourage discrimination based on sexual orientation and gender identity in the private and public sectors."

3. I am a graduate student, and I was sent to the student disciplinary committee because of remarks I made during a rally protesting the abolition of a department. My thesis review was also canceled due to external pressures.

➔ Your case can be viewed as an infringement on your freedom of expression and is a case of discrimination in education. In addition, if you are claiming to have been brought to the disciplinary committee due to an abuse of power, you may file an additional petition.



4. I am pregnant and am expecting to give birth after my college transfer, but I am not allowed to take a leave of absence. If older, pregnant, or single mother students are forced to either delay their exams or miss their opportunity to study at university, I believe it is unfair.

➔ You may call for judgement whether this is a case of discrimination against maternal rights, since the university does not have rules or regulations specifically requiring maternity or parental leave right after the admission into the school.

5. I think it is discrimination that faculty recruitment is limited to women.

➔ If you are discriminated against due to your gender in the employment field (e.g., recruitment, employment, wages) without any justifiable reason, your case could be found liable for infringement on equal rights. However, the provision of preferential treatment of historically marginalized groups (e.g., women, the disabled, sexual minorities) made in order to eliminate existing discrimination is not regarded as a violation of equal rights but appointed as affirmative action opportunities.

※ Source: 2015 & 2016 Human Rights Counseling Casebook from the National Human Rights Commission of Korea

Associated with Human Right Violatims

The Constitution of the Republic of Korea, the National Human Rights Commission of Korea Act, the Constitutional Court Act, the State Compensation Act, the Act on Criminal Compensation and Restoration of Impaired Reputation, the Criminal Procedure Act, the Civil Procedure Act, the Judicial Conciliation of Civil Disputes Act, and the Trial of Small Claims Act.

Hanyang University
Human Rights Center

Part 2 Gender Equality

2-1. Understanding Gender Equality
2-2. Sexual Violence



2-1. Understanding Gender Equality

Gender Equality

Gender equality refers to equal rights and treatment of all genders, just as all people are to be treated equally regardless of their political or socioeconomic statuses and perspectives.

Upholding gender equality intends to solve inequalities socially structured according to gender hierarchy and power relations (e.g., stereotypes about sex, gender roles, gender-biased systems and practices, dichotomous understanding of gender, sexual minority discrimination, etc.), and to encourage the practice of mutual respect and coexistence so as not to discriminate against those who are different.





Understanding Gender

Gender is a socio-cultural identity which is related to the characteristics of expected roles, attitudes, images, and values according to a specific gender type. For example, a society is described as a "gendered society" if dichotomous gender roles or stereotype such as femininity and masculinity have been strongly established.

Having gender perspective and gender sensitivity is an ability to sensitively recognize social phenomena that gender creates by intertwining with other social factors. In other words, it means to develop the ability to discover gender related problems rooted in our daily lives in a gendered society and to propose a structural interpretation of the problems.

- **Sex** : Biological or physiological aspect of one's identity assigned at birth.
- **Gender identity** : A sexual identity in which an individual experiences or recognizes oneself as. It may or may not match with their assigned sex.
- **Sexual orientation** : A concept that refers to which gender an individual is sexually or emotionally attracted to.

Regulations and Laws on Gender Equality

- **International Regulations** : Convention on the Elimination of All Forms of Discrimination against Women, UN Resolution on protection from violence and discrimination based on Sexual Identity.
- **Domestic Laws** : the Constitution of the Republic of Korea, the National Human Rights Commission Act, the Framework Act on Gender Equality, the Act on Equal Employment and Work-Family Balance Assistance.
- **School Regulations** : the Regulations on the prevention and treatment of human rights violations at Hanyang University (11. 30. 2017).

※ Under the laws and regulations above, the head of a public institution has an ethical and legal obligation to recognize gender equality and take preventive measures against sexual violence.

2-2. Sexual Violence

Definition of Sexual Violence

Sexual violence not only encompasses sexual harassment, assault, and violence that are specified in the law, but also includes physical, verbal, and psychological violence that infringes on one's independent sexual decision making as well as personal rights. The judgment of sexual harassment or sexual violence is based on the viewpoint of the victim, not the perpetrator, and the fact that there was violence itself is the key factor.

Types of Sexual Violence

Sexual Harassment

Bullying or coercion of a sexual nature that causes feelings of sexual humiliation, shame, or disgust with sexual actions and words; Unwelcome or inappropriate promise of rewards in exchange for sexual favors.

- **Physical sexual harassment**

- Kissing, hugging, hugging from behind, touching a person's breasts or hips, etc.
- Forcing a massage or unwanted caress.

- **Verbal sexual harassment**

- Dirty jokes, sexual analogies, obscene phone calls, or obscene judgements of appearance.
- Persistently asking questions about facts relating to sex. Intentionally spreading personal, sexual matters.
- Using words and/or actions to force or conciliate a sexual relationship.

- **Visual sexual harassment**

- Posting or showing obscene photos, pictures, graffiti, pornography, etc.
- Sending obscene letters, photos, or pictures via email or post.
- Touching or exposing one's specific body parts related to sex.



- **Soliciting sexual service**

- Forcing someone to dance or serve alcohol.
- Forcing someone to wear revealing clothing to liven up the mood.

- **Conditional sexual harassment**

- Suggesting to give good grades in exchange for complying with one's sexual demands; Giving unfair performance evaluations for rejecting sexual demands or harassment.

- **Environmental sexual harassment**

- Deteriorating the learning or working environment by making inappropriate sexual comments such as obscene jokes or judgements of appearance in the classroom or office.

Sexual Molestation

Any act that subjects someone to unwanted or improper sexual advances or sexual acts with the intent to stimulate, excite, or satisfy one's sexual desires.

Sexual Violence

A euphemism referring to 'rape' and 'attempted rape' in criminal law. It is the act of committing or attempting sexual intercourse without the consent of the other.

Quasi-rape, a Quasi-indecent Act by Compulsion

Perpetrator commits a sex crime or an indecent act by taking advantage of a person's 'condition of unconsciousness' or 'inability to resist.'

Sexual Dating Violence

Sexual violence in a dating relationship.

Cyber (Online) Sexual Violence

Shooting with cameras illegally, sexual harassment in an online chat room, distribution of pornography, etc.

Other Types of Sexual Violence

Incest, sexual violence in public places (ex. bus), obscene phone calls, and indecent sexual exposure (exposing genitals to strangers).



Sexual Harassment Q&A

1. I just made sexual jokes at a drinking party. Is this sexual harassment? **YES!**

Sexual harassment is not judged by the intent of the perpetrator, but is determined by the victim's sense of sexual shame or sexual insult.

2. Can the victim take issue with sexual harassment, even though he or she did not express displeasure or their willingness to refuse at the moment? **YES!**

Even if the victim did not clearly express his or her willingness to refuse, it could be considered sexual harassment, given the circumstances at the time. This is in consideration of the fact that the hierarchical order or the surrounding atmosphere may prevent them from expressing their disapproval.

3. I sexually harassed someone only once because of alcohol. Will I be punished for this? **YES!**

Unwanted behavior does not have to be repeated or continuous. Even if it only happened once, it is recognized as sexual harassment and can be punished or disciplinary action can be taken.

4. Is it sexual harassment to have only women run errands, make copies, or clean? **NO! BUT..**

The Ministry of Labor decided that although this was sex discrimination in the workplace, it could not be regarded as sexual harassment because it was not a sexual act.

5. Do public institutions have a legal obligation to take preventive measures against sexual harassment? **YES!**

All public agencies, including universities, must provide sexual harassment prevention for all employees at least once a year and report the results of their conduct. (Based on the 'Basic Act on Gender Equality' and the 'Guidelines on the Prevention of Sexual Harassment by Public Agencies' issued by the Ministry of Gender Equality and Family).



6. Is it hard for a man to receive protection from the law even if he is a victim of sexual harassment?

NO!

There is no gender limitation on the subject of legal remedy due to sexual harassment.

7. I saw obscene pornography in a public space (collaborative lab, club room, office). Is this sexual harassment?

YES!

It can be considered as sexual harassment because there is a possibility of others being exposed to the scene at any time in public places, which may lead to sexual humiliation and repulsion.

8. Is it sexual harassment if a professor makes sexual jokes to students during class?

YES!

If a professor has made students feel sexually ashamed or insulted by his or her sexual behavior in public, even if he or she has not specifically designated an individual, this constitutes as sexual harassment that violates a student's right to decide his or her sexual orientation and human rights.

9. Can playing suggestive games in MTs or club meetings can be considered as sexual harassment?

YES!

Playing games with physical contact or suggestive games that are offensive at MTs, club meetings, and dining parties can be considered as sexual harassment. Many students feel insulted but cannot raise their voices to avoid hurting the atmosphere.

10. Is it sexual harassment to ask an individual to wear revealing clothes in order to create a certain mood or atmosphere?

YES!

Compulsorily serving liquor at a dinner party forcing someone to dance intimately (slow dance) with you in a karaoke room, or demanding to wear revealing clothes at an event to create a particular atmosphere is definitely sexual harassment.



Sexual Violence Q&A

1. Is it sexual violence when one forces his or her partner to have sex in a dating relationship?

YES!

This is called sexual dating violence. Even in an intimate dating relationship, when an individual pressures or coerces his or her partner into unwanted sexual activity, this is defined as sexual violence.

2. If my boyfriend forcibly took me to his room and had sex with me when I was very drunk, is this sexual violence?

YES!

Even if the partner is your boyfriend, it is sexual violence if you were drunk, had no intention of having sex, and did not give consent.

3. After having ended the relationship, he keeps asking to meet, following me around and constantly making phone calls and sending text messages. This is a personal matter, so if I report it, will it be hard to punish these actions?

NO!

Acts of intentional, malicious, and constant harassment is stalking, and this act is punishable by law. If the victim has subjective damage, and the perpetrator is deliberately and repetitively engaged in these acts, then the perpetrator will have been seen as stalking and will be punished accordingly.

4. Can a man be a sex victim even if he was sexually harassed or raped?

YES!

Sexual assault by men against men, or by women against men, is punishable just as by men against women.

5. I was reported as a sex offender, and I've heard that I may not be punished if I agree and settle with the victim. Is this true?

NO!

Since the revision of the criminal law in 2013, the provisions of the pro-conviction law have been abolished so that the prosecution can still file a public indictment against the accused. In other words, a sexual violence investigation can still be carried out, even without the victim's consent, and even if the victim and perpetrator have agreed to settle, the case will not be withdrawn.



6. While chatting online with someone, that person suddenly sends me an obscene video with a sexual proposition. Is this also a sexual assault? **YES!**

This is called sexual dating violence. Even in an intimate dating relationship, when an individual pressures or coerces his or her partner into unwanted sexual activity, this is defined as sexual violence.

7. In a crowded subway, someone deliberately touches my thigh as if it were a coincidence. Can I report this as sexual assault? **YES!**

Such acts, that intentionally cause discomfort from touching someone or firmly pressing your entire body against theirs on subways or buses, are related to sexual violence in public places and is punishable by law as sexual assault.

8. Is it true that sexual violence is more likely to be committed by acquaintances? **YES!**

More than 70% of sexual violence is committed by people they know, rather than by strangers. Over 90% of sexual violence on campus occurs among acquaintances.

9. I took a picture of a woman's legs and thighs on my cell phone. Will I be punished for sex offenses? **YES!**

Taking pictures of a person's body without his or her consent, which could cause shame or sexual pleasure, by using a camera or other mechanical devices is punishable by law.

10. When entering someone's flat or accommodations without resistance, does that mean that the individual has consented to have sex? **NO!**

If the other person is assumed to feel threatened, he or she can be punished for rape even if there was no resistance.

Examples of Sexual Harassment and Sexual Violence on Campus

• Sexual harassment by multiple persons during an MT

After female student A fell asleep from being drunk at a OO University MT (Membership Training), three male students sexually assaulted her and filmed the act with a mobile phone and a digital camera.

➔ **Result** : At their trial, the male students were sentenced to serve 1.5 to 2.5 years in prison. The university permanently expelled the three students.

During the case, the mother of one of the perpetrators was accused of creating a bias in public opinion against the victim by means of a survey and/or other methods; consequently, the mother was also sentenced to a year in prison.

• Sexual abuse while sleeping at volunteer camp

During a OO University volunteer activity in a rural community, there was a male student who touched the breast of a female student who was sleeping. When the girl started to wake up, the boy left the room as if nothing had happened.

➔ **Result** : During the investigation, the male student confessed to his crime and apologized sincerely. In light of his apology, the victim requested arbitration instead of pressing charges.

Therefore, the university issued an apology and memorandum, took measures to prevent any recurrences (by arranging the class schedules and assigning designated paths so they avoid contact with each other until graduation), and suspended disciplinary proceedings (acceptance of disciplinary punishment and 3 months of probation in the case of the recurrence of similar cases).



• Selective games at an MT

While playing games at a OO University MT, senior students forced male and female students to follow through with the game penalties which included kissing, delivering alcohol to each other by mouth, and having male students do push-ups on top of female students. New students who had to participate in such activities complained to the school after the MT.

➔ **Result** : After the investigation of the case, the guilty students had to complete 40 hours of sexual harassment education, 120 hours of community service, and forced withdrawals from one to two semesters depending on their degree of participation. In addition, they had to draft handwritten letters of apology and hand deliver them to their victims; additionally, they were prohibited from meeting them afterwards.

• The case of secretly recording others with a mobile phone

OO University sued student A for secretly photographing and storing images of female students' bodies on his cell phone several times.

➔ **Result** : Student A was arrested on suspicion of forcible harassment. The university also conducted an on-campus investigation of the case, convened a disciplinary committee, and expelled student A from school.

• Verbal sexual harassment during class

Professor A of OO University said to student B who was working on something else during class, "Do you want to work at the a bar after graduation? These days women who work at bars don't just serve alcohol. Those women also prostitute themselves."

Student B heard these words and felt severe sexual humiliation, and when her parents learned of the event, they brought up the issue to the National Human Rights Commission of Korea.

➔ **Result** : The National Human Rights Commission of Korea heard the facts as presented by both sides as well as the statements of other students who were in the classroom at the time. Based on the evidence, the committee judged that Professor A's comments about drinking and being a prostitute are sexual harassments that make the victim feel deeply humiliated and disgusted. The professor was advised to receive special human rights education.



• Sexual abuse after a work dinner

Professor A of OO University was arrested for allegedly molesting an intern who helped him after a dinner party in July 2014. An investigation revealed that the professor had forcibly grabbed and groped a total of nine students including the female intern. Professor A stated that this was a sign of affection.

➔ **Result** : The court found the accused guilty of using his power to coerce his students and sentenced him to 2.5 years in prison. The judge assessed that he had abused his influence and took advantage of their trust in him, thus the victim advocated for severe punishment. The court also ordered the disclosure of personal information for three years and required him to take a 160-hour course on sexual abuse.

Before the outcome of the trial, the university disciplinary committee held a meeting and dismissed Professor A based on his "violation of an educator's obligation to maintain professionalism." The professor appealed the ruling and requested that the Ministry of Education repeal the decision.

Sexual Violence Laws

- **Domestic Laws** : the Constitution of the Republic of Korea, the Criminal Act, the National Human Rights Human Rights Commission of Korea Act. the Framework Act on Gender Equality, Equal Employment Opportunity and Work-Family Balance Assistance Act, the Act on Special Cases Concerning Punishment of Sex Sexual Crimes, Prevention of Sexual Violence and Protection of the Victims Act, the Guidelines for Prevention of Sexual Harassment by Public Agencies.
- **School Regulations** : the Regulations for the Prevention and Treatment of Human Rights Violations a Hanyang University (11.30. 2017).

Hanyang University
Human Rights Center

Part 3

Action Plan for Human Rights Violations and Sexual Violence

3-1. Action Plan for Human Rights Violations

3-2. Action Plan for Sexual Violence



3-1. Action Plan for Human Rights Violations

Action Plan for Human Rights Violations

1. If you are not sure whether your situation is a violation of human rights, you must ask others for help.

- Ask for help from professional organizations: Human Rights Center (02-2220-1444), National Human Rights Commission of Korea, Civil Society Organization for Human Rights, etc.
- Ask someone you trust for help.

2. If possible, let the perpetrator know that his or her conduct is offensive.

- Along with your refusal, clearly express that you feel uncomfortable because of the perpetrator's actions.
- When submitting a complaint with a document, accurately record the situation in accordance with the 6 principles (when, where, who, what, why, and how) and clearly express your thoughts, feelings, and demands.

3. Collect evidence on the case.

- Records become evidence for official case processing.
- Record the event, evidence, victim's response, feelings, persistence of the act, results, and more in detail.
- Gather the testimonies of the witnesses in writing.
- Be sure to back up related dialogues, emails, texts, etc.

4. Determine the procedures for the remedies available for human rights violations.

- Decide on the complaint or arbitration after careful consideration.
- If you do not have information on the remedy procedures, ask for help from a related institution or an individual you trust.

3-2. Action Plan for Sexual Violence

How to Cope with Sexual Harassment

1. Clearly express your refusal to the perpetrator.

- Along with expressing refusal, clearly state that the perpetrator's words and actions were offensive.
- In the case of a written complaint, record the circumstances accurately according to the six principles, and clearly express your thoughts, feelings, and requests.

2. Obtain data related to the incident.

- Records are considered evidence of official case processing.
- Record details of any injuries or related evidence as well as the victim's response, feelings, duration of the abuse, and any related consequences of the abuse.
- Witness statements and eyewitness testimonies should be written and collected.
- Make sure to back-up relevant conversations, e-mails, and texts.

3. Make sure you get help from someone nearby.

- Ask for help from the Human Rights Center (02-2220-1444), the Korea Center for Sexual Violence (02-338-2890), or the Korean Women's Association for Sexual Harassment Counseling (02-739-8858).
- Ask for help from someone you trust.



How to React to Sexual Violence (rape and forced sexual assault)

1. Take refuge in a safe place.

- Move away from the perpetrator and seek shelter in a safe place in order to regain mental and physical stability.

2. Get help from the agency.

- In the case of rape, severe sexual harassment, or assault, seek medical assistance by dialing 119 or report the crime by dialing 112.
- In case of the need to collect evidence of sexual violence, go to the Regional Sunflower Center without washing your body (ex: contact Seoul Sunflower Center at 02-3672-0365).
- For counseling and other assistance, call for the Human Rights Center on campus (02-2220-1444), the Korea Center for Sexual Violence (02-338-2890), or the Korea Women's Center for Sexual Violence (02-739-8858).

3. Get help from acquaintances and people standing nearby.

- Call a reliable person and ask for help.
- Contact your guardian if necessary.

4. Gather any evidence related to the incident.

- Take pictures of any bruises or injuries to your body.
- Collect and store evidence such as the clothes you were wearing at the time.
- Make a record of locations, times, dates, witnesses, impressions, and physical characteristics in detail.
- Get checked out by a doctor and obtain a medical certificate / official diagnosis.

5. Find someone who can support and help you.

- Once the process is complete, ask a family member, friend, or guardian to escort you home.
- Talk about the incident with someone you trust.
- Counselling may also be helpful.

6. Determine how the incidence of violence will be handled.

- Decide whether to press charges or seek arbitration.
- Seek advice from an organization or trusted people throughout the process.



Countermeasures for Sexual Harassment and Sexual Violence Cases

In a relationship between friends or colleagues.

1. Scenario When you take an overnight trip for an MT, someone touched you inappropriately after you got drunk and fell asleep.

Course of action When you notice it, you should immediately stand up and ask for help from others. If you are embarrassed or afraid and just want to pretend not to notice, things could get worse.

2. Scenario At a drinking party or other type of gathering, there are excessively unpleasant games which cause sexual shame.

Course of action Even if you do not like to play the game, there are many cases in which you may laugh to avoid awkward situation. It is not an attitude of respecting yourself. If you feel too much pressure to participate, you should let them know that you are uncomfortable and refuse politely but firmly.

3. Scenario Some people are making excessive sexual jokes .

Course of action You should immediately express your discomfort. If speaking your mind feels too unpleasant, you should at least show your displeasure with an uncomfortable facial expression. You should let them know that those types of jokes are inappropriate to prevent it from repeating.

4. Scenario In a group chat room, someone sexually assaulted a person and spread rumors about that person's sexual experience.

Course of action These words and actions are punishable as sexual harassment, defamation, or insults. If someone does this, let them know it is a punishable crime and advise him or her to stop.



For relationships with your professor or seniors.

1. Scenario While someone is showing you how to operate a program, he or she makes excessive physical contact or touches your body during the conversation.

Course of action You may feel embarrassed by the sudden physical contact and just pretended to be okay with it. However, if you do not respond, one may consider it as a sign of consent and repeat the action. It's a good idea to say politely, "You're standing a little too close, and I'm uncomfortable."

2. Scenario If you are staying at a hotel to attend a conference, you may be called into someone's room late at night.

Course of action Being alone with someone in a closed space late at night increases the risk of an unwanted incident. You should say, "It is difficult to meet right now. I will talk to you tomorrow morning."

If they repeatedly ask you to come, it means that the situation is even more dangerous. If they keep insisting so strongly, you should definitely not go into that room.

3. Scenario When discussing grades, scholarships, recommendation letters, future employment, or other matters, you may be asked to meet your professor or senior in person or engage in physical contact with him or her.

Course of action It may be difficult to refuse their request because the person is an influential figure, but if you see the possibility of unwanted sexual contact, stand up for yourself and politely but firmly refuse the request. If you stay quiet, they may misinterpret your response as a sign of consent.

4. Scenario When a person you know very well becomes a perpetrator of sexual assault, sometimes you may condemn the victim while taking the side of perpetrator.

Course of action Some sexual offenders have good reputations and good interpersonal relationships. However, in light of their conduct or attitude, sexual harassment and sexual violence should not be defended.

If you hear someone doing this, you should tell them that it is secondary harassment of the victim to defend the assailant and blame the victim. Secondary harassment itself is a punishable crime.



When Sexual Harassment or Sexual Assault Occurs near You

1. Listen carefully to the victim.

- Deliver this sentiment, "I believe you. You are not to blame. I'll help you."

2. Do not judge the victim's behavior.

- Do not ask, "Why didn't you resist?"
- Asking questions about what is right or wrong and judging one's behavior can be hurtful.
- Tell them, "It's not your fault."

3. Calmly arrange what to do in order of importance.

- Determine the victim's biggest difficulty and provide assistance.
- Convince the victim to go to a gynecology clinic (if the damage is caused by rape, etc.) and accompany them if possible.
- Inform them about the need to secure and store all evidence including their clothing.

4. The Human Rights Center on campus (02-2220-1444), the Korea Center for Sexual Violence (02-338-2890).

- Provide information and materials, but allow the victim to choose a countermeasure for themselves.
- If you want to help in any way, you should talk to the victim first and ask his or her opinion.

5. Do not speak to a third party about the situation.

- Spreading rumors, gossiping and blaming the victim may be secondary offences that are subject to punishment.
- Do not speak indiscriminately or gossip about the case.

6. Determine how the incidence of violence will be handled.

- Decide whether to press charges or seek arbitration.
- Seek advice from an organization or trusted people throughout the process.



| If I Became a Perpetrator

1. Be aware that your actions have caused others harm.

- Regardless of your intentions, accept that the victim may have felt uncomfortable or experienced sexual shame.

2. Immediately stop and apologize.

- Respect the victim's feelings, immediately stop the problematic behavior, and apologize.

3. Be careful not to falsely deny claims or make distorted statements.

- Falsely denying or making false claims about the harassment can cause further harm to the victim. The victim, who is willing to close the case if he or she receives a sincere apology, would be more insulted and angry if the perpetrator were to deny the facts.

4. Be careful not to admit facts that are irrelevant to the abusive act, in an attempt to quickly calm the victim.

5. During the investigation, show that you are genuinely apologetic and make objective statements.

6. Be careful not to cause any secondary damage.

- Do not put any pressure on the victim after the case has been processed or concluded.
- Criticism, intimidation, threats, and excessive agreement are secondary offences and can be subjected to aggravated punishment.

Part 4

The Human Rights Center

4-1. What the Human Rights Center Does

4-2. Procedures for Handling Cases

4-3. Handling Cases & Support Systems

4-4. Services & Application for Consultation



4-1. What the Human Rights Center Does

The Human Rights Center: ① handles cases through consultation, investigation, mediation, and arbitration for various human rights issues, including sexual harassment and sexual violence ② provides human rights education and research activities to foster a campus culture that supports human rights and promote a diverse range of human rights for its school members.

1. Case Handling

Types of Incidents Subject to Reporting and Consultation by the Human Rights Center

| I . Sexual Harassment and Sexual Violence | II . Human Rights Violation |
|--|---|
| <ol style="list-style-type: none">1. Verbal - Visual Sexual Harassment2. (Quasi-) rape3. Sexual Molestation (physical sexual harassment)4. Others | <ol style="list-style-type: none">1. Human Rights Violation<ul style="list-style-type: none">- Verbal Abuse, Insulting Remarks- Aversive Remarks- Defamation- Others2. Infringement of Rights for Learning and Research Rights<ul style="list-style-type: none">- Unfair Work Instruction- Abuse of Academic Authority3. Others |

2. Human Rights Education and Research

The following activities are carried out in order to prevent human rights violations, discrimination, and acts of violence, and to promote ethical treatment according to the standards of human rights and gender equality by raising awareness among the campus members about these issues to protect and promote the human rights at the university.

- Human rights education (education on the prevention of human rights violation) and gender equality education (sexual harassment / sexual violence prevention education).
- Preparation and dissemination of educational materials.
- Research on human rights related topics.

4-2. Procedures for Handling Cases

How to Cope with Sexual Harassment

① An Application for a Report/Consultation of a Case

- Victims of human rights violations or those who are familiar with the case can report to the Center.
- In addition, the Center can investigate personally if there is a significant reason to suspect a violation of human rights in addition to its level of severity despite receiving no report by a party or a third party.

② The Investigation of a Case

- The Human Rights Center will ask for a statement from the applicant for consultation or the person who reported the incident, and in the event that the case needs to be treated based on a specialized judgment, the case will be investigated by taking the victim's opinion into consideration.

③ Handling a Case by Arbitration or Mediation

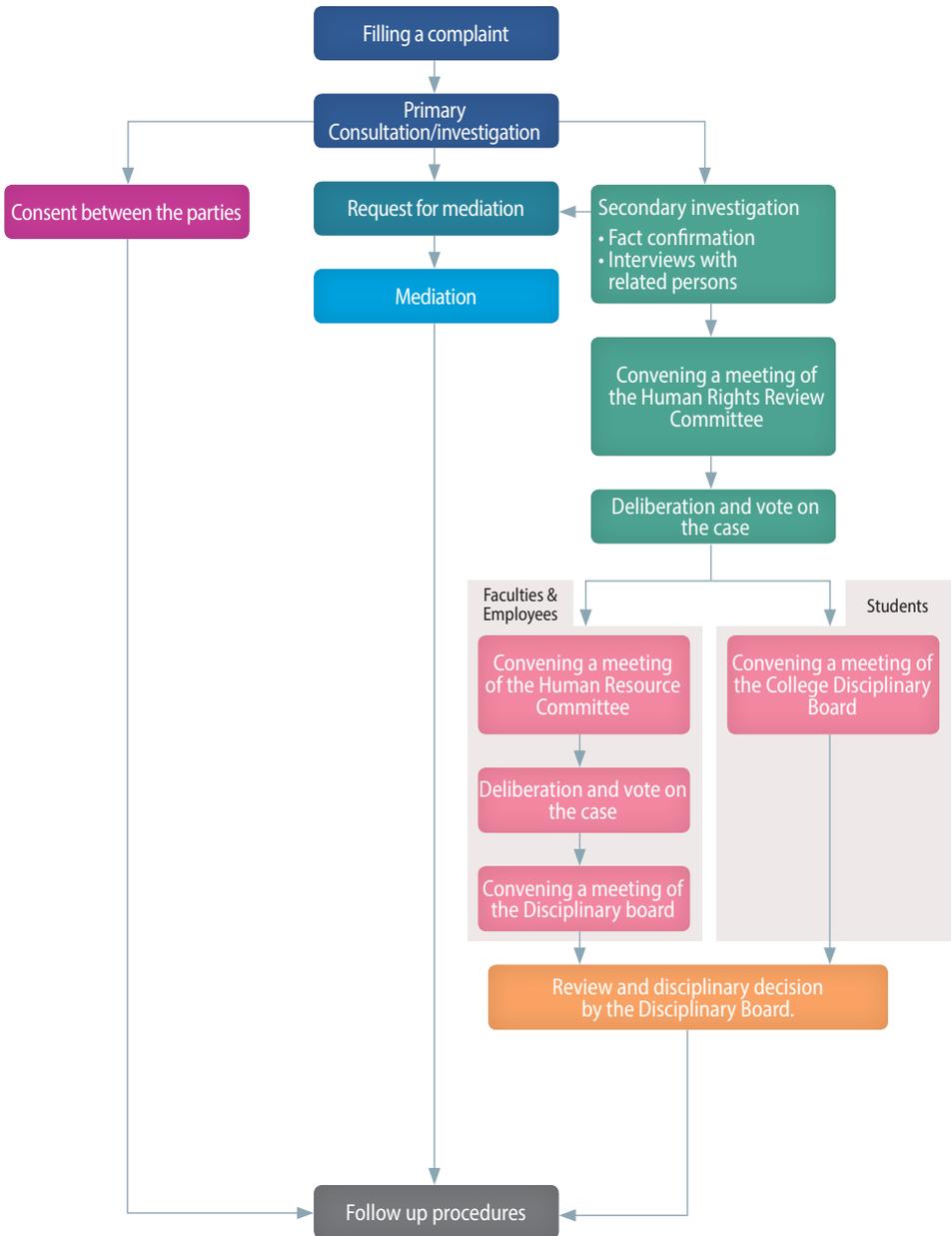
- A case can be adjusted by the intention or authority of the party as long as it does not contradict the intention of the parties. Arbitration and coordination in cooperation with the Human Rights Center can be sought to resolve conflicts smoothly without resorting to disciplinary or judicial proceedings.

④ Report to the Human Rights Review Committee

- The Human Rights Review Committee is an organization that ultimately judges whether it is necessary to request for disciplinary action from colleges and departments through deliberating and voting on human rights violations.
- The Human Rights Review Committee's meeting will be closed to the public in principle.

※ Regarding the procedures for handling cases and remedies for the The Human Rights Center, please visit the 「Hanyang University Regulations on the Prevention and Treatment of Human Rights Violations」 for more information.

4-3. Handling Cases & Support Systems



4-4. Services & Application for Consultation

How to Cope with Sexual Harassment

- ▶ **Consultation area** : Provides support for victims of human rights violations, sexual harassment, and incidents of sexual violence.
- ▶ **Consultation application** : After a reservation, visit the Human Rights Center (Student Union 3F)
- ▶ **Reservation method** : <http://hrc.hanyang.ac.kr>
- ▶ **Contact** : ☎ (02) 2220-1444, E-Mail : hrights@hanyang.ac.kr

※ Consultation details and clients' personal information are kept completely confidential. Talk with ease and consult with confidence.

Support on Campus

| | |
|--|--|
| Contacts | The Human Rights Center (02-2220-1444) |
| In the case of staff support (Protection of victim / securing perpetrator's whereabouts) | Property Management Team (02-2220-0137~8) |
| In the case of problems at night | Integrated security situation room (02-2220-2117~9) |
| In the case of external problems (Media interview, etc.) | Media Strategy Center (02-2220-0039) |
| In the case of emergency measures | Student Health Care Center (02-2220-1466) |
| Support for consultation | Hanyang Happiness Dream Counseling Center (02-2220-1498) |

- ※ Free legal services from the legal clinic at the Hanyang University Graduate School of Law (during the semester)
 - Website : legalclinic.hanyang.ac.kr
 - E-mail : hylaw@hanyang.ac.kr
 - Location : 201, Law Building 1, Seoul Campus
 - Phone : 02-2220-1009

Support institutions for damage from sexual violence off campus

| | |
|---|--|
| Seoul Sunflower Center Serving Victims of Sexual Violence (In Seoul Nat'l Univ. Hospital) | 02-3672-0365 (a rape kit available 24 hours) |
| Seoul Eastern Sunflower Center (In Songpa Police Hospital) | 02-3400-1700 (a rape kit available 24 hours) |
| Korea Women's Hot Line for victims of sexual violence | 02-335-1858 |
| Women Link for victims of sexual violence | 02-2263-6465 |
| Korea Sexual Violence Relief Center | 02-338-2890 |
| Emergency contact for women | 1366 |
| The Digital Sexual Crime Victim Support Center | 02-735-8994 |

- ※ Reference
 - Ministry of Government Legislation, 'Easy to Find, Practical Law'
 - National Human Rights Commission of Korea, 2015 & 2016 Human rights counseling casebook.
 - Korea Sexual Violence Relief Center, 「Legal support guide for victims of sexual violence」
 - Shadow Pins, 'Legal response guide for victims of gender violence as a critical individual'

The Human Rights Center supports the following activities so that all Hanyang members understand natural human rights and equal rights of human beings properly and can practice them in everyday life.

- Strive to protect and promote the human rights of the members.
- Educate human rights and gender sensitivity.
- Carry out research on human rights and gender equality.
- Support the resolution of human rights violations and damage from sexual violence.



**HUMAN RIGHTS CENTER
HANYANG UNIVERSITY**

Phone (02) 2220-1444

E-mail hyrights@hanyang.ac.kr

Website <http://hrc.hanyang.ac.kr/home>

Location The Human Rights Center in Student Union 3rd floor