

World Without War 20<sup>th</sup> Anniversary International Conference  
A Review of Conscientious Objection

# The Alternative Service Commission: Challenges and Solutions for the Alternative Service Screening System

Kang, Inhwa(Alternative Service Committee Non-Standing Member & Seoul National University, BK Assistant Professor)  
18. 11. 2023, pm2-6 / National Assembly Hall Seminar Hall

# Alternative Service Commission Affiliation & Membership

- June 2020: The Alternative System Commission was established under the “Military Manpower Administration” (or “병무청”).
- Total of 29 members: 27 non-standing members with 1 chairperson and 1 secretary-general. (Recommended representation is National Human Rights Commission 5, Ministry of Justice 5, Ministry of National Defense 5, Military Manpower Administration 5, National Defense Committee 4, Korean Bar Association 4).
- June 2023: The commission was reduced to 13 members – National Human Rights Commission (2), Ministry of Justice (2), Ministry of National Defense (3), Military Manpower Administration (2), National Defense Committee (2), Korean Bar Association (2). At the same time, the number of recommendations by Military Manpower Administration increased proportionally.
- To secure the independent functioning of the Alternative Service Commission, the number of recommendations made by the Ministry of National Defense, Military Manpower Administration, and the National Defense Committee should decrease and the Commission should be established by an institution separate from the Military Manpower Administration. Proposals to establish the Commission under the Prime Minister (Lee Jae Sung et al., 2018) and to become a completely independent organization were made (Kang Tae Kyung, 2021).

## Current Look at Alternative Service (2020.6.30~2022.12.31)

Category	Total	“Religious beliefs”			“Personal Beliefs”		
		Subtotal	Not guilty	Surveyed	Subtotal	Not guilty	Surveyed
Accept	2,673	2,660	882	1,778	13	2	11
Dismiss	5	4	0	4	1	0	1
Reject	6	2	0	2	4	0	4
Withdrew, etc.	57	49	7	42	8	0	8
Total	2,741	2,715	889	1,826	26	2	24

Source: Alternative Service Commission (2023: 19)

\*Cases can be dismissed for two different reasons: 1) dismissal due to issues with litigation process (Reject) or 2) dismissal after hearing the case merits but no reason to proceed with claim (Dismiss).

# Current Look at Alternative Service (2023.1.1~2023.7.5)

Source: Alternative Service Commission Website

## • 대체역 심사업무 절차도

Category	계
Accept	285
Dismiss	1
Reject	1
Total	287

Source: Alternative Service Commission Internal Document



# Raising Awareness for Military Service Objection and Restoring the Honor of Conscientious Objectors

- Prior to the 2020 introduction of the alternative service system, alternative service methods within the military conscription system varied loosely and widely (“Public interest service Personnel”, “Skilled industrial Personnel”, and “Technical Research Personnel” etc.).
- Conversely, it did not offer an alternate path for conscientious objectors who ended up receiving the brunt of social stigma and punishment.
- Thus, it is recommended that the alternative service system be based on improving social awareness for conscientious objection which often faces stigma and punishment and recovering the honor of those who reject military conscription.

# Raising Awareness for Military Service Objection and Restoring the Honor of Conscientious Objectors

“Even overseas, it was not rare to find a conscripted person dispatched to other military facilities as a soldier or another position. For example, in the US military conscription system after wartime, a conscientious evader would substitute their service at a geographical observatory, a public health center, etc.” (Military Manpower Administration, 1986).

兵役忌避  
여호와와의  
證人 85%  
한편 병무청은 올해 발  
생한 병역기피자위 85%가  
「여호와와의證人」신도이었다고  
밝혔다.

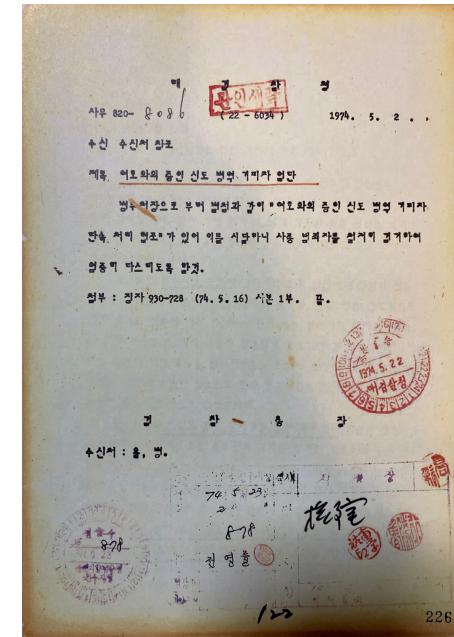
Translation: “It was found that 85% of military conscription evaders were Jehovah’s Witnesses.”



Translation: Objection to Military Conscription - “Can’t I fight while laying down?(Jehovah’s Witness follower)”

# “Cooperation to Crackdown on Jehovah’s Witness Military Service Evaders”(Military Manpower Administration, 1974.5.16.)

“The annual rate of draft evaders, who are illegal hindrances to national harmony, was 13.2% in 1970 and 0.6% in 1973 (April 4, 1974). Currently at 0.1%, the significant 13.1% decrease is a good sign and (edited out) a portion of these senseless drafted individuals are evading the sacred conscription service. Amidst them, a portion of these evaders are Jehovah’s Witnesses and, from January 1, 1974 to April 30, 1974, 46 of the 73 evaders (approximately 63%) used religion as a reason for their conscientious objection, and they are expected to have a negative influence on other citizens that hinder national harmony.”



# Criteria for “Equity” in Alternative Service: Not an Active-Duty “Soldier” but “Civilian”

- The current alternative service system does not realize the right to conscientious objection nor prioritize the recovery of the dignity of objectors. Instead, afraid that current soldiers might feel a “sense of defeat,” the system punitively operates under the auspices of “equity” – that active duty soldiers, including objectors, are all expected to work with poor treatment and status at the human rights level.
- Improvement of the treatment of soldiers is needed alongside an improvement towards the situation in which the “equity” of active duty soldiers becomes conflated for the standard for the rights and treatment of military service objectors.
- The standard for alternative service should be categorized not as “military” but “civilian” service.



## Medium to Long-Term Tasks:

### Transfer of Military Administration to Civilian Sector

- On October 1, 1962, Park Chung Hee's Administration revised the Military Service Act to transfer the work of "military administration," previously handled by both the Ministry of National Defense and Home Affairs, to the entire general authority of the Ministry of National Defense.
- The management of civilian domain by the military domain that was established during the Cold War period continues to persist today even after post-Cold War democratization.
- In order to dismantle the "Cold War legacy" that is the militaristic administrative control of civilians "who are not soldiers," it is recommended that steps prior to conscription and draft be handled by the civilian sector.
- Additionally, the beginning screening process for alternative service for conscientious objectors should be completely independent of the military division.

## Short-Term Tasks:

### Respecting the Conscience and Human Rights of Objectors

- Simplify and make transparent the screening process.
- The list of the Alternative Service Commission members is not made public due to reasons of “fairness.” However, it is necessary to reveal names of participating members in order to safeguard the applicant’s right to challenge (Oh Dong Suk, 2021)
- Avoid the request for excessive personal information to evaluate someone’s “conscience,” such as one’s middle and high school records, IDs of those sharing personal and acquaintance testimonies, criminal records, investigative background checks, etc.)
- Military service objection is categorized under either “religious” or “personal conscience” reasons. In the case of religious reasons, it relies on a power of a particular religious denomination by requiring the religious certification. The authenticity of “personal conscience” also receives suspicion when it takes the form of a “weak evader.”
- The authenticity of conscientious objection to military service is understood as fidelity to the tenets of a particular church. The situation of checking the possession of advance directives (refusal of blood transfusion), disciplinary action by the church itself and the reasons for it should be changed. (Watching “obscene” material, violent game or social media activity, sexual ‘purity’ compliance, parents’ divorce or remarriage history, dating and marriage history with non-believers, etc.)

Thank you.