**The Roles of Local Governments and the Challenges Faced in the Promotion and Protection of Human Rights**

**The City of Gwangju, Republic of Korea**

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There were eight large-scale uprisings in 20th century Korea while the people were ruled by colonial and authoritarian rulers. Gwangju citizens led two of these uprisings, in 1929 and 1980. With Korea becoming more democratized, this historical heritage motivated Gwangju civil society and the city government to begin to develop policies and systems to promote and protect the human rights of residents. This report will deal with the ordinances, institutions, policies and programs of Human Rights City Gwangju, especially policies to protect the socially disadvantaged.

1. **Ordinances, Institutions, Policies and Programs**

This section handles 1.1) charter and ordinances as the legal basis, 1.2) institutions and policies as the system, and 1.3) programs and projects developed explicitly and implemented to promote and protect human rights in general, as well as those related to the right to equality and non-discrimination and the protection of persons in vulnerable and marginalized situations.

* 1. **Charter and Ordinances**
		1. **Gwangju Human Rights Charter (2012)**

The Gwangju Human Rights Charter was declared as the first charter at the local level in Asia by citizen representatives on the 47th Gwangju Citizens’ Day. It was established after conducting more than 40 meetings with about 30 institutions and organizations for over a year to best incorporate the diverse needs of civil society activists, academics, human rights experts, public officials, refugees, women, laborers, and others. The charter has played a critical role as a guideline for human rights administration, mainstreaming human rights in various policies of Gwangju City.

* + 1. **Human Rights Protection and Improvement Ordinance (2009)**

In 2007, Gwangju City enacted the “Ordinance on the Promotion of a City of Democracy and Peace in Gwangju Metropolitan City,” which was the first in Korea to bear the title of a human rights ordinance at local level. It was expanded into the current Ordinance as a set of guiding principles to establish and implement Gwangju’s human-rights-based policies.

* + 1. **Ordinances for Socially Disadvantaged Groups**

In addition to the comprehensive Human Rights Protection and Improvement Ordinance, diverse ordinances were established in order to protect persons with disabilities and socially disadvantaged groups.

* Ordinance on Prohibition of Discrimination against Persons with Disabilities and Guarantee of Human Rights (2011)
* Ordinance on Support for Disabled Families (2011)
* Ordinances to Protect the Elderly (2009)
* Gender Equality Basic Ordinance (2007):
To implement the gender equality-related acts at the local level
* Multicultural Families Support Ordinance (2020):
To provide assistance for the married immigrants and their families
* Child- and Youth Friendly City Ordinance (2015)
* Child Protection and Welfare Ordinance (2016):
To implement the “Child Welfare Act” at the local level
* Child Abuse Prevention and Child Protection Ordinance (2020)
	1. **Institutions and Policies**
		1. **Human Rights Department (2010)**

Gwangju City established the first and the biggest Human Rights Departmentat local level in Korea. The Office started with 15 staff members, continuously playing the role of the engine of Human Rights City Gwangju. A human rights ombudsman team was added in the Office in 2013. The Women's Human Rights Protection officer was appointed to join the team in 2018. In 2019, the Human Rights Office was expanded into the larger Democracy, Human Rights and Peace Bureauof 45 members in three departments: Democracy and Human Rights (16), Promotion of May 18 (17), and Peace and Cooperation (12) under a director recruited from civil society.

* + 1. **Human Rights Improvement Citizen Committee since 2009**

The Committee was prescribed in the Human Rights Protection and Improvement Ordinance and has been in operation ever since. The Committee is co-chaired by the mayor and a prominent member of the civil society. It consists of 20 members representing civil society and human rights organizations. The Committee evaluates policies and provides advice to the city hall on the Human Rights Improvement Master Plan as well as the Implementation of Human Rights City Development Plan, among others.

* + 1. **Human Rights Policy Joint Meeting since 2012**

This meeting is less formal than the Human Rights Improvement Citizen Committee, but it is more effective in collaboration with the private and public sectors, and is attended by human rights activists, academics, and officials from the Human Rights Office. They pay attention to monitoring human rights conditions of the city as well as identifying ideas and policies to address immediate human rights issues at the administrative level.

* + 1. **Human Rights Roundtable since 2011**

The Human Rights Roundtable with human rights experts and scholars was created to share current research trends from around the world with a focus on human rights. The Sustainable Development Goals and the New Urban Agenda, for example, are topics discussed by the Roundtable. The meetings are held once a month and are open to the general public. These sessions are organized on an alternating basis by the city hall, the Board of Education, the Gwangju Office of the Korea Human Rights Commission, the Gwangju Human Rights Council, or the Public Interest Law Center of Chonnam National University.

* + 1. **Human Rights City Basic Plan and Annual Action Plan (2011)**

Gwangju created the First Basic Plan for a Human Rights City (2012 – 2016) in 2011. With the completion of the first basic plan, the city then established the Second Basic Plan (2018 - 2022) in 2017. The Second Basic Plan is accompanied by annual action plans with 123 policy tasks in six areas in i) promotion of human rights for social minorities, ii) human rights system and human rights administration, iii) formation of a human rights community culture, iv) establishment of a human rights cooperation system, v) strengthening the status of Gwangju as a human rights city, and vi) implementation of the Gwangju Human Rights Charter. The progress on such measures is to be monitored by relevant organizations.

* + 1. **Human Rights Indicators (2012)**

Gwangju developed the Human Rights Indicatorsto assess the human rights situation of the city and to establish more coherent human rights policies. The Indicators take into account both universal aspects of human rights and the local characteristics of the city. It was created based on consultations with experts, public hearings, meetings of administrative directors, and advisory sessions with the National Human Rights Commission of Korea. These steps led to a system of 100 indicators under five areas with 18 adjoining implementation tasks. There are 50 indicators currently being pursued while the other 50 have been accomplished successfully.

* + 1. **Human Rights Impact Assessment (2017)**

The Human Rights Impact Assessment System provides a powerful tool to conduct an effective human rights impact assessment on all new ordinances and regulations of the city when they are newly established or revised. Guidelines for the Assessment of Human Rights Impact on Public Buildings were established in March 2018, and an Impact Assessment Team began to operate to promote human rights-friendly public buildings. In addition, 22 of 44 polling stations were renovated for easier access by persons with disabilities. The city is also conducting human rights impact assessments on public events with the purpose of establishing event guidelines.

* + 1. **Human Rights Education**

Gwangju City considers human rights education as one of the most important pillars of a human rights city. Through education, citizens understand that embodying values of human rights is what the city ultimately strives for. Nearly one fifth of the city population, including city government employees, social service sector employees, and young students, are trained on human rights each year.

* 1. **Programs and Projects**

Diverse programs and projects are in practice to protect and promote human rights and to lead the sustainable growth of Gwangju as a human rights city, based on the Gwangju Human Rights Charter and other relevant ordinances. This section principally introduces the programs and projects for people in socially disadvantaged groups.

* + 1. **Human Rights for Persons with Disabilities**

There are five measures in practice to remove or reduce any discrimination in daily life and to promote the human rights friendly management of welfare facilities.

* Facilitating the media and web accessibility of people with hearing or visual impairment and people with developmental disabilities
* Providing assistive device support for people with disabilities
* Providing consultation and carrying out regular monitoring of welfare facilities for human rights improvement
* Building advocacy organizations and training facilities for people with disabilities
* Maintaining support centers and training facilities for people with disabilities

There are an additional five programs and projects with the aim of helping people with physical disabilities and people with developmental disabilities to carry out their own independent lives outside facilities.

* Finding public sector jobs for people with severe disabilities
* Fostering cooperatives and social enterprises for people with disabilities
* Providing diverse support for independent living
* Providing individual support for people with disabilities to be independent from facilities
* Establishing and managing the Self-Reliance Support Center for people with developmental disabilities

There are on-going projects to promote the ease of mobility of people with developmental disabilities. The city invites stake-holders to participate in policy development and implementation.

* Promoting mobility rights for people with visual impairments
* Expanding transportation facilities and support system
* Installing barrier-free bus stops
* Making home improvements for people with disabilities
* Providing mobility support operation system for the transportation vulnerable
	+ 1. **Human Rights for the Elderly**

The traditional value of respecting the elderly is disappearing quickly within Korea’s industrialized society and shrinking family size. Gwangju is devising diverse measures for the human rights of older people including a societal campaign to emphasize the importance of the traditional value of respect for the elderly and to understand the vulnerability of older people. In addition, Gwangju facilitates the social participation of older people by:

* Training older people as human rights instructors for the elderly
* Training older people as human rights guardians for the elderly
* Training older people to design their own lives

Gwangju is also expanding direct services for older people.

* Establishing the Gwangju Dementia Center
* Supporting self-help family groups of people with dementia

Gwangju is expanding its support to welfare facilities for older people.

* Providing professional management support to the facilities
* Managing the investigation and judgment committee
* Managing the Committee for the Human Rights of older people
	+ 1. **Human Rights of Women**

Gwangju has the largest female representation among Korean city councils. Notwithstanding, Gwangju City is continuing its efforts to enhance the political representation and social participation of women in diverse ways.

* Monitoring and reducing gender discrimination
* Promoting equal labor and economic rights by helping female emotional laborers in the public sector
* Supporting the gap between the living wage and minimum wage

Gwangju City is also busy creating a safe working environment for women in diverse ways.

* Supporting the female single-person households
* Establishing and supporting gender equality in the community
* Preventing violence against women through victim service
	+ 1. **Human Rights of Migrants**

Approximately 30,000 migrants or 2% of the city population are provided services of the city in the following ways.

* Improving infrastructure for migrants
* Carrying out multicultural education for the general population, city employees, and institutional workers in charge of immigrants
* Providing medical support to undocumented migrants, refugees and children
* Protecting foreign workers through legal counseling
	+ 1. **Human Rights of Children and Youth**

The strength of Gwangju as a human rights city is its sustainability based on the majority of the population continuously supporting the human rights policy of the city. In this regard, the youth are trained to be human rights friendly in diverse ways.

* Inviting young people as members of the Youth City Council
* Selecting and giving awards to workplaces which are both youth labor friendly and human rights friendly
* Supporting the settlement of immigrant youth
* Supporting human rights friendly youth cultural spaces
1. **Challenges and Promising Practices for Gwangju**

There are numerous challenges faced by Gwangju in promoting and protecting human rights, both in terms of equality and nondiscrimination and the protection of those who are vulnerable and marginalized. One of the biggest is the Comprehensive Anti-Discrimination Ordinance, which has been opposed by conservative religious groups as in other parts of Korea. Non-registered immigrants including refugees are not officially welcome here as a result of the extremely low rate of visa issuance by the Immigration Office. The rising housing prices cannot be properly handled by the city, as well as other local governments, since they don’t have the financial capacity to provide public housing to low income families.

In this section, we will handle three cases of responses to the challenges faced by Gwangju: 1) Comprehensive Care Center for People with Severe Developmental Disabilities,

2) Social Service Center to help social service workers, who are suffering from low remuneration and low self-esteem, and 3) Elderly Health Welfare Town to provide services to the rising population of older people.

**2.1 Comprehensive Care Center**

**2.1.1 Challenge**

The situation of people with severe developmental disabilities suffered the most after the social service system was suspended due to the spread of the COVID-19 virus. Tragically, some of them committed suicide or harmed themselves.

2.1.2 Response

Gwangju established the Comprehensive Care Center for People with Severe Developmental Disabilities, which is comprised of two separate centers providing personalized care service 24 hours a day, 365 days a year. Each of the Centers is equipped with a group activity room, an individual activity room, and a psychological stability room, and has six professionally trained staff who support four people with severe developmental disabilities. Each of the patients is given care by a team of three. In addition, the city provides travel opportunities to the people with severe developmental disabilities and their families.

**2.2 Social Service Center**

**2.2.1 Challenge**

Most social service workers suffer from low remuneration and low self-esteem since the services have been provided by facilities which are exclusively dependent on government funding without additional funding sources.

**2.2.2 Response**

The Gwangju Social Service Center is an institution created with the full funding of Gwangju City. It is responsible for the quality of public social welfare facilities, comprehensive home care services, and the support of private social service providers. The Center is playing a leading role as a public service provider by providing emergency care services for children and the elderly, especially when there is a care gap due to the COVID-19 crisis.

**2.3 Elderly Health Welfare Town**

**2.3.1 Challenge**

The population of older people has drastically increased in in step with the average life expectancy due to the improvement of living standards and medical services. The demand for culture and leisure activities has also increased and diversified.

**2.3.2 Response**

Gwangju City established the biggest Elderly Health Welfare Town in Korea in 2019 to provide services to the rising population of older people. The Town provides 70 courses in five areas of i) health, ii) hobbies and leisure, iii) liberal arts and education, iv) IT education, and v) self-selection courses in a wide variety of facilities including swimming pools, physical therapy rooms, health promotion rooms, restaurants, and baths among others. The Town enjoys the membership of 70,000 people with 4,000 of them using it every day. It is now offering diverse virtual courses to prevent COVID-19 infection. It also provides meals depending on the current COVID-19 restrictions. More facilities are being added for the older people who are unable to use existing facilities: a specialized elderly welfare center, a folk sports center, and a small library to prevent dementia.

**3. Key Principles that should Guide Local and National Governments in the Promotion and Protection of Human Rights**

National governments should promote human rights issues through mass media and school education. In addition, the National Human Rights Commission could coordinate the difference in level of human rights protection and promotion in different local governments through recommendations and advice to local governments.

3.1 Leading Roles of National Governments for Big Issues

**Anti-discrimination**: The influence of national and local governments is mutual in principle. However, the leading role of national governments is apparent. For example, with the Comprehensive Anti-Discrimination Act at hand, most Korean local governments will not have much difficulty in enacting their own Comprehensive Anti-Discrimination Ordinances in spite of the opposition of the conservative religious groups.

Climate change: Climate change is not only endangering nature but also the basis of human existence, which is the most significant human rights violation. National governments may need to promote climate change as a human rights issue.

3.2 Leading Roles of Local Governments with Issues Close to Life

**Refugees and immigrants:** With more crises caused by climate change and possible conflicts, we may expect more refugees and immigrants in the near future. Local governments can help them more closely and effectively in their daily life. National governments should provide funding the local governments, in proportion to the number of refugees and immigrants instead of handling them directly.

**Housing**: The same principle should apply to housing as well. Central governments may provide financial support to the local governments, in addressing the housing issues of each of the local governments.