

# **Gwangju Human Rights Charter**

*To be officially adopted and proclaimed on 21 May 2012.*

## **Translated Version 1 (29 April 2012)**

### **Preamble**

Whereas recognition of the historical achievements of the Donghak Peasants' Uprising, the March 1<sup>st</sup> Independence Movement, the Gwangju Students' Independence Movement as well as the noble spirit of the April 19<sup>th</sup> Revolution, the May 18<sup>th</sup> Pro-democracy Movement being the foundation of Gwangju as a human rights city in accordance with universal values such as human dignity, freedom, equality and solidarity,

Whereas the Gwangju Human Rights Charter is established, based on such a conviction, with a view to realizing the Universal Declaration of Human Rights and promoting democracy and justice,

Whereas all citizens of Gwangju are entitled to enjoy all human rights as a member of a free and humane community, in areas of political, economic social, cultural and environmental nature, without distinction of any kind, such as race, gender, age, religion, disability, nationality, region of birth, economic and social status,

Whereas the people of Gwangju have pledged themselves to join efforts to enhance their potential capacity for creative cultures, pursue the lives for peaceful unification and ecological sustainability while respecting diversity of life experiences,

Whereas the Charter is an outcome of voluntary participation and open consultation among people of all walks of life,

Now, therefore,

The Mayor and the citizens' representatives, with united spirits and aspirations of all citizens, solemnly proclaims this Gwangju Human Rights Charter which defines citizens' rights and responsibilities as well as duties and will of Gwangju city as a commitment of Gwangju towards all generations of the past, present and the future of Gwangju as well as all peoples on the Korean peninsula, Asia and the world.

## **Chapter 1 Communications and Participation**

### **Article 1 Freedom of Thought and Expression**

- ① All citizens have the right to freedom of thought, conscience and religion, and express their opinions individually or in association with others. In particular, they have the right to express their opinions freely without being subject to or influenced by differences in terms of regionalism, kinship, school ties, language, age, gender, academic background and political opinion.
- ② The city respects the thought of individual citizens and respects and guarantees freedom of association, press, publication and communication necessary for citizens to express their opinions.

### **Article 2 Transparency and Access to Public Information**

- ① All citizens have the right to freely participate in the administration of the city and to public administrative information while having the right democratic and citizen-oriented administrative services.
- ② The city provides its citizens with opportunities to freely participate in policies and administration including budget and audit through democratic procedure while creating an environment for easier access to administrative information.

### **Article 3 Culture of Human Rights and Citizenship**

- ① All citizens have the right to live in an environment of democratic community respectful and considerate of others while taking responsibilities to establish a humane city through democratic citizenship education and human rights learning.
- ② The city actively supports all civic activities and educational programs necessary for the establishment of a community and the environment of human rights culture. All public servants providing citizens with public services and involved in the related institutions are to receive human rights education.

## **Chapter 2: Pursuit of Happiness**

### **Article 4 Right to Work and Labour Rights**

- ① All citizens have the right to freely choose his or her occupation for self-realization, work without discrimination, work in a safe working environment with fair conditions, and to adequate rest.
- ② Private corporations guarantee basic labour rights and prohibit any discrimination without any legitimate reason while fulfilling social responsibilities towards the community. In particular, they endeavor for the protection of the rights of non-regular workers, women, persons with disabilities and migrant workers.
- ③ The city make efforts to create decent jobs for the expansion of labor opportunities and strictly limits the use of non-regular workers for the observance of fair labor while continuously providing employees and the unemployed with opportunities for education and training.

### **Article 5 Public Health and Sanitation**

- ① All citizens have the right to health and to be free from diseases.
- ② The city and medical institutions make every effort to improve public hygiene and improve its health services for the improvement of citizens' health and provides necessary health services for the poor.
- ③ The city provides its citizens with adequate assistance in order for them not to be deprived of the right to health on account of economic reason.

### **Article 6 Decent Housing and Environment**

- ① All citizens have the right to enjoy adequate residence and a pleasant living environment.
- ② The city provides citizens with the right to live in decent housing with dignity and in particular endeavors to realize the right of the poor to housing.
- ③ The city in cooperation with private corporations provides its citizens with public facilities and services necessary for them to enjoy a pleasant residential environment in all areas without discrimination.
- ④ The city establishes and carries out urban development policies which respect the right to housing while prohibiting compulsory expropriation and forced eviction without alternatives.

### **Article 7 Protection from Abuse and Violence**

- ① All citizens have the right to be protected from ill-treatment, abuse and violence and to access remedy.

- ② The city together with law enforcement agencies such as the prosecutor's office and the police actively monitors the occurrence of abuse, violence and neglect at home, school, workplace, shelter and social welfare facilities in order to protect citizens from mental and physical abuse and violence without discrimination. It also monitors its law enforcement agencies to make sure that they do not discriminate or use violence against citizens.
- ③ The city provides the victims of abuse, violence and neglect with remedy and adequate assistance.

### **Chapter 3 Protection of Social Minorities**

#### **Article 8 Social Security and Livelihood**

- ① All citizens have the right to live a minimum standard of sound living which guarantees a decent life.
- ② The city in cooperation with the central government, establishes a social security system and secure all the necessary finances each year while creating a system easily accessible to citizens.

#### **Article 9 Gender Equality & Women's Rights**

- ① All citizens have the right to demonstrate his or her abilities and personalities regardless of gender.
- ② The city takes proactive measures for the improvement of women's social and economic status and the assurance of opportunity for political participation.
- ③ The city conducts gender impact assessment and gender segregated statistics and pursues gender sensitive policies for the realization of gender equality.
- ④ The city in cooperation with corporations and other relevant institutions make efforts to foster a workplace and social environment which promotes balance between work and life.

#### **Article 10 Rights of Children, Youth and the Elderly**

- ① All citizens have the right to receive social care according to their basic needs.
- ② The city guarantees provision of social care for children, youth and their parents at a time of their convenience.
- ③ The city guarantees customized assistance for those elderly people who face difficulty in making a living for themselves.
- ④ The city makes efforts to provide assistance for the members of low-income families as a priority.

- ⑤ The city respects children, youth and the elderly as legitimate right-holders rather than target of charitable protection.

### **Article 11 Rights of Persons with Disabilities**

- ① All citizens have the right to live in a city without discrimination on the grounds of disability where personal dignity is respected.
- ② The city pursues comprehensive policies to address misunderstanding, prejudice and lack of comprehension in order to eradicate discrimination against persons with disabilities.
- ③ The city provides persons with disabilities with livelihood assistance and employment in order for them to make a living independently in a local community.

### **Article 12 Cultural Diversity and Identity**

- ① All citizens have the right to enjoy their cultures, practice their religions and use their languages regardless of their skin color, religion, language, place of origin, nationality and sexual orientation.
- ② The city does not impose any specific culture on its citizens, so that they live with their own culture and identity, while creating conditions conducive for the encouragement of their identity.

## **Chapter 4 Environment and Safety**

### **Article 13 Clean Environment and Leisure Facilities**

- ① All citizens have the right to have a pleasant environment and enjoy leisure time. Also, they preserve the environment and save energy for their neighbors and the future generations while being responsible for using public leisure facilities in an appropriate manner.
- ② The city protects the natural environment and provides its citizens with a pleasant environment through various policies for the improvement of water and air quality, prevention of noise and bad odors, the management and recycling of wastes, preservation of the green belt, and energy saving.
- ③ The city provides its citizens with quality parks, convenient sport facilities and public leisure facilities at places available and accessible to all.

### **Article 14 Access to Public Facilities**

- ① All citizens have the right to move freely and conveniently within the city, use cheap and easily accessible public transportation, and access various public facilities.
- ② The city establishes various necessary facilities to enable the physically disadvantaged people like persons with disability, the elderly, and pregnant women to move without difficulties while providing the facilities for the safety and convenience of pedestrians and bike riders.
- ③ The city charges an adequate level of fees and ensures access without discrimination in order for citizens to use public transportation in a cheap and convenient way.
- ④ The city selects the locations of various public facilities in order for citizens to access them freely and conveniently, while providing various access to convenient routes of public transportation.

### **Article 15 Public Safety and Human Security**

- ① All citizens have the right to be protected from crime, traffic accidents, disasters, fires and harmful foods/drugs, while maintaining the right to live in a safe environment. Also they should not engage in any activity that could harm other citizens.
- ② The city in cooperation with the local prosecutor's office, police and the fire department, take appropriate measures to protect its citizens from the threats of crime, traffic accidents, disasters and fires. In particular, it makes every effort to protect women and children and the elderly from crimes and accidents.
- ③ The city in cooperation with relevant institutions guarantees the safety of foods while encouraging the production and distribution of eco-friendly foods.

## **Chapter 5 Culture and Solidarity**

### **Article 16 Right to Education and Creative Learning**

- ① All citizens have the right to proper education and learning at school and in society.
- ② The city in cooperation with educational institutions provides students with equal opportunities for education in a decent learning environment while enabling them to receive various types of education in a free and creative manner.
- ③ The city and parents protect students from obstacles to emotional and physical development due to the imposed excessive workload.

- ④ The city provides citizens with various facilities and programs for civic education, including public libraries and public lectures.

### **Article 17 Culture and Art**

- ① All citizens have the right to freely create and enjoy culture and art.
- ② The city ensures that citizens enjoy the right to culture and art, preserving the unique culture of Gwangju and protecting the cultural heritages. It also endeavors to build cultural facilities accessible to all citizens. In particular, it proactively supports the cultural activities carried out by those in low-income families and children.
- ③ The city actively supports various creative activities and cultural and artistic events of those involved in the field of culture and art.

### **Article 18 International Solidarity and Cooperation**

- ① All citizens, civil society and the city cooperate with other regions in the city and international community for the peaceful unification of the Korean peninsula, world peace and the improvement of human rights and democracy and protect victims of human rights violations by state's violence and colonization in accordance with the May 18 spirit of Gwangju.
- ② The city together with civil society, contributes to the improvement of global human rights through various exchange and cooperation projects with other human rights cities within the country and abroad.

## **Implementation of the Charter**

### **Article 1 Scope and Interpretation**

- ① All citizens, in particular, public servants, law enforcement officers and those involved in the tasks related to the socially vulnerable, must remember this Charter at all times and continuously and actively practice the spirit of this Charter.
- ② The rights of citizens may not be neglected on the grounds that they are not enumerated in the Charter. When interpreting this Charter, all cases and decisions of domestic courts and the National Human Rights Commission about international human rights treaties and the international customary law should be taken into account.
- ③ In this Charter, "city" means municipal government, district offices and municipal agencies under the jurisdictions of Gwangju city.

## **Article 2 Mechanisms and Procedures**

- ① The city establishes norms, institutions and policies necessary for the implementation of the Charter.
- ② The city conducts a regular survey on human rights situation and publishes its results based on the Charter.
- ③ The city makes and implements basic action plans for the promotion of human rights in order to realize the spirit of the Charter in a systematic manner.
- ④ The city develops the human rights indicators based on the Charter and utilize them for the promotion of human rights.
- ⑤ The city conducts human rights education and various programs for the cultivation of human rights culture in cooperation with the city council, the office of the superintendent, government's human rights institutions and human rights organizations.
- ⑥ The city exchanges and cooperates with other cities within the country and abroad, and various international institutions and organizations including the United Nations (UN) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

## **Article 3 Revision of the Charter**

The Charter can be amended according to a democratic procedure through civic consensus.