

Guidebook for International Students

Preventing and Dealing with
Sexual Harassment and
Violence on Campus





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This guide was produced by the Ministry of Education as a part of the “Center for Prevention of Sexual Harassment & Violence in Universities” project. This project supports the eradication of sexual harassment and violence in universities and the creation of a gender-equal culture. This guide also aims to help international students with their college life in Korea.

The content in this guide is based on previous data which has been augmented with new information to enhance the reader’s understanding.

This guide can be used as a reference for international students to prevent sexual harassment and violence in colleges, and its guidance can be applied in a variety of different ways depending on the actual situation and context. The responsibility to exercise good judgment lies with each individual using this guide.

Issue Date : December 2022

Issued by : Ministry of Education, National Youth Policy Institute

(Center for Prevention of Sexual Harassment & Violence in Universities)

Welcome to Korea!

Welcome to all of you who are beginning your new college life in Korea!

Some of you may be from countries with similar cultures and norms to Korea, while others may come from countries with very different customs. Also, some of you will be staying here for only one semester as exchange students, and some will be embarking upon a four-year degree here as freshmen or beginning a new life in Korea as graduate students or researchers.

Living in a foreign country away from close family and friends is not easy. This is because, no matter the reason you decided to move abroad, being familiar with a society or culture that is different from yours is one thing and actually living in that society or culture is another. We hope your time in Korea is filled with joyful experiences. However, we also wish to equip you with resources that will help you if you run into unwanted situations.

Through this booklet, we would like to inform you about the sexual harassment and violence that may be encountered in Korea, especially on college campuses. The Korean government and your schools are determined to protect you from any sexual harassment and violence. The Korean people recognize sexual harassment and violence as serious problems. Please note that if any problem arises because sexual harassment or sexual violence was taken lightly, the offender can be punished under the relevant Korean laws and sanctioned by the school, as well.

Please use this booklet as an emergency resource to help you live freely and enjoy your rights as an international student in the Republic of Korea.

Status of Foreign Students in Korea and Korean Colleges

International students studying in Korea must obtain a student visa or general training visa. Students enrolled as international students are guaranteed the legal right to apply for the following services in Korea.



Driver's license

Foreigners legally residing in Korea can obtain a driver's license by following legal procedures. A written test used to obtain the driver's license is provided in Korean, English, Chinese, and Vietnamese.



National Health Insurance

In order for international students to receive medical insurance benefits at Korean hospitals, they must be enrolled in the National Health Insurance. For information on the registration process and conditions to receive benefits of the National Health Insurance for international students, refer to the website of the National Health Insurance Corporation (<https://www.nhis.or.kr>) or contact the support center in your school. Other information on health insurance can be obtained through the English call center service (Tel: 033-811-2000) provided by the National Health Insurance Corporation.



Banking

According to the regulations of domestic financial institutions in Korea, international students can use various financial products and receive related services.



Employment

In Korea, international students are only permitted to work part time. The permitted hours for part-time work for international students vary depending on the degree program and Korean language proficiency. In order to apply for a part-time job, you need to check with the person in charge of international students at your school.

* Source : National Institute for International Education (2021). Guidebook for International Students 2021 Revised Edition.



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Safety in Campus Life

Sexual harassment or sexual assault in colleges does not occur to everyone, but it can happen to anyone. As a variety of different kinds of members of the college community interact regularly, sexual harassment and violence can happen not only between students, but also between students and teaching assistants, students and professors, students and faculty members, between professors, and between faculty members.

To cope with this situation, each college and university has its own regulations regarding sexual harassment and violence, and the regulations apply to every member of the school. Regardless of an individual's status (professor, staff, student) or nationality (Korean or foreigner), all members of the university must comply with the regulations. Since universities handle cases according to their own regulations, citing cultural differences when dealing with an incident after its occurrence may be untenable.

Occasionally, some people conduct sexually improper behavior by exploiting relationships inside and outside the school or abusing their power. Also, an acquaintance could commit sexual harassment or sexual violence unexpectedly. Here, to ensure a safe campus life, we will review examples of sexually inappropriate words and actions, such as sexual acts involving force, threats, and physical coercion that occur using power or hierarchy within the university; attempted sexual acts; and unwanted sexual remarks or approaches.

<School Life (class)>

Some students, teaching assistants, professors, and faculty members may abuse their power or position by making sexual advances during class at the university or during class-related school activities (interviews, department events, etc.) for the purpose of intimidating or deceiving students with prospects of benefits or threats of disadvantages. There are very few people who engage in such misbehavior, but remember that even ordinary people you meet at school could commit a sexual offense because of misguided perceptions of sexuality.

Offender Professor (Teaching Assistant, Faculty) ➤ **Victim** Student

- » Making sexual remarks for the purpose of explaining the contents of the class during class, making sexual remarks unrelated to class in front of a large number of students, inducing students to make sexual remarks, or making unnecessary physical contact, such as touching a body part, under the pretext of guidance.

“You have to get plastic (breast) surgery and go on a diet to get a boyfriend.”

“During practical classes: “Massage my thighs.” “Hug me from behind.”

“Girl A wore sexy clothes. Does she work at night?”

“Isn’t the reason for dating the opposite sex to have sex?”

“Have you ever been seduced by the opposite sex? How did it happen?”

- » Someone contacts you unnecessarily or requests (possibly with threats) to meet in private under the pretext of employment, career, scholarship, counseling, class, research, etc.

“I still think of you when I get home.” “I imagined falling in love with you.”

“If you date me, I will give you an A in my class and write a recommendation letter.”

“Let’s visit the sea together.” “Have you ever been to a motel?” “Let’s hold hands.”

Offender Student ➤ **Victim** Student

- » Making sexual harassment remarks or evaluating appearance by mentioning specific body parts in a group chat room of the department or group chat room for group projects.

“I want to pounce on you.”

“How far did Girl A go with Guy B?”

“Guy C has the best body; Girl D has the prettiest face.”

- » Transmitting sexual messages, videos, photos, etc. or making you watch them.

Can all incidents of sexual harassment be punished?

Some incidents of sexual harassment that occur on campus are not subject to legal punishment. This is because sexual harassment must be examined as a whole, including not only the content of the act but also the specific situation and context in which the act took place. Even if the sexual harassment act is not subject to criminal punishment, it can be punished by the university if it occurred within the university. In principle, the judgment on whether or not the act constitutes sexual harassment primarily depends on the “victim’s subjective circumstances”: that is, the victim’s point of view. However, the judgment also considers how ordinary and average people perceive the behavior in question. That is, if the act was considered to cause sexual discomfort to ordinary and average people under the same circumstances, regardless of the intentions of the perpetrators, the conduct is punishable.

In addition, your university can take action and punish the offender according to its own regulations. Always remember that an individual is responsible for his or her actions at any time and any place.

Safety in Friendly Relationships

In college, there are many opportunities to meet other people outside of class. You can participate in school events or have social gatherings. You can have group project meetings, eat together, drink coffee, go on a picnic, or travel to develop friendly relationships. As you become closer, you can even visit each other's places. In some cases, there may be events or gatherings that involve drinking alcohol.

At any gathering, you shouldn't force others to do anything they don't want to do just because you're close. It's never rude to say "no" when you're asked to do something you don't want to do.

As sexual words and actions toward people from a certain country or culture are acts of misconduct based on prejudice, ascribing sexual violence as an aspect of "Korean culture" is not allowed. Likewise, it should be noted that even those who practice such words and actions that are permissible in "the culture of one's own country" can be disciplined or punished in Korea for sexual harassment or sexual violence. Be aware that unilateral behavior without the consent of the other parties can be problematic regardless of nationality, culture, or gender, whether Korean or foreigner, male or female.

Study meetings, club activities, meetings with friends, etc.

- » Publicly making sexual jokes, sexual actions, or sexually degrading remarks about another person in a group can be a problem if the content offends the targeted person.
 - Sexually objectifying another person through remarks and or expressions such as "People from country X will fall for it if you ask for a date (or one-night stand)," or "People from country Y are sexually open."
 - Forcing excessive game penalties (forced kisses, date requests, etc.) at a drinking party.
 - Making unnecessary physical contact when requesting that another person sit next to him/her or join him/her.

Inviting someone to your home or visiting someone's house or a friend's house one-on-one or collectively.

- » If an unwanted person continuously insists on visiting your home, or if an uninvited person suddenly tries to come to your home, it is necessary to be cautious and note that there is potential for a crime to occur. Both your space and others' spaces should be respected.
 - Deceiving the victim into coming over to his/her house under the guise that several students are gathering to do homework or having a meeting and forcibly attempting physical contact.
 - Breaking into your home after a drinking party and demanding that he/she have another drink or spend a night at your house to attempt sexual intercourse.

Department meetings, welcoming parties, festivals, etc.

- Forcing a woman to pour alcohol saying, "The alcohol a woman pours is delicious."
- Forcing someone to appear to be a couple with an unwanted partner in public and making physical contact with either party in public places by saying, "You look great together," "Good luck, you two are already dating?" "Try a love shot," or "Why don't you two sit closer together?"
- Forcibly hugging someone while dancing at karaoke or making unwanted physical contact with someone in the seat next to you.

What should I do in this case?

No matter how close a relationship is, any sexual behavior conducted without the consent of the other person can be a problem. Even if there is no physical evidence, if you are determined that you need to be physically separated from the perpetrator for an academic purpose, or disciplinary action against the perpetrator is necessary, you can report the incident to the university at any time. When it is difficult to obtain solid evidence, circumstantial evidence (e.g., CCTV footage, witnesses, recordings, third parties who can explain the situation, etc.) can be helpful. If you fall victim to sexual violence (e.g., rape, sexual harassment), it is recommended to report it to the police (call 112) as soon as possible to collect physical evidence and receive timely treatment and support. If you hesitate to report even after suffering damage, do not worry alone. Request counseling from specialized institutions, including the center in charge of sexual harassment and violence at the university (the names may vary by school). If you want to be protected by the school or if you want the school to impose additional sanctions on the perpetrator even after reporting an incident to the police, you can additionally report to the sexual harassment and violence center at the university and get help.

If you kiss or have sex while drunk:

- If someone is too drunk to have the judgment to give consent based on a variety of circumstantial evidence, it means that the person was in a state where he/she could not agree to sexual contact. Having sexual contact without consent or abusing a person's inability to resist can legally constitute rape or sexual harassment.
- If a sexual offense has been committed, saying "I made a mistake while drunk" is not an excuse for a sexual offense. Sex offenders should be held accountable for their actions even if they were drunk. In these situations, victims often blame themselves by saying, "I was too drunk that day," or "I should have restrained myself." But you should not be overly self-critical by believing that you became a victim of a crime just because you drank alcohol.

What should I do if sexual harassment occurs at my part-time job?

Part-time jobs ("Arbeit") usually refer to part-time employment (simple labor, etc.) activities. In order for international students to work part-time, they must have a working visa and have acquired a certain level of Korean proficiency. Approval from the school may be required, so be sure to check with the school to determine whether a part-time job is possible while attending school.

In a part-time job, an employment relationship is established which can lead to hierarchy or differences in power between the employer and the employee. Therefore, if an issue such as sexual harassment or sexual contact occurs at work, you can report it to the police or a related institution within the school to get help quickly. If necessary, request help from an organization that supports victims or a school before or after reporting, and you can receive additional assistance in handling the case. Since sexual violence is a serious crime in Korea, international students can be legally protected or punished, just like Korean citizens.

If the report is delayed, related evidence may disappear, or the memory may fade or change over time. There might be difficulty in proving a case, and the expiration of the statute of limitations may be reached. In particular, CCTV images, which can be used as evidence, are stored for a limited time, and the storage period is short – just a few weeks. Therefore, if an incident has occurred, it is helpful to report it as soon as possible.

If you are hesitant or reluctant to report for various reasons, or if you are concerned that you may be disadvantaged, please consult the school administrator. We recommend that you refer to the reporting centers (pp.20–21) mentioned in this guidebook and consult or report to them if you can.

Sexual harassment-related reports can be made not only by victims but also by the people around them. Ask people around you for help. You can also seek advice from the international student support center or counseling center at the school. If the part-time job is linked to the school, you can report it to the school.

Is this the reality of Korea's drinking culture?

Q Is it rude to refuse alcohol in Korea?

A Most Koreans will understand if you say that you don't drink alcohol for personal, medical, or religious reasons. Korea is gradually changing to respect people who don't like alcohol or don't want to get drunk. If you say "no" when you don't want to drink, others will accept it.

Q Is it mandatory to attend the after-party after a school event?

A If you refuse to accept an invitation, your choice and decision come first. Some people want additional gatherings after an official event, but not everyone has to stay until the meeting is completely over. When you want to refuse, you can say "no." If you attend the after-party but don't want to drink, just say, "I don't want to drink."

Q What should I do if I am forced to pour alcohol at a drinking party?

A In Korean society in the past, sexual harassment often occurred by men forcing women to pour alcohol. Forcing women or those in weaker positions (students, juniors) to pour alcohol may constitute sexual harassment. If you are uncomfortable with someone asking you to pour alcohol, you can refuse and express your discomfort.

Q Are drinking games necessary at drinking parties?

A Drinking games can help ease the initial awkwardness of a gathering but can be an uncomfortable act for people who can't or don't want to drink for personal reasons. People should ask for other people's opinions before suggesting a drinking game and should not insist on playing it. And, if you don't want to play it, you can say, "I don't want to play."

Safety in Romantic Relationships

Violence that occurs between people in intimate relationships, such as romantic couples, is called dating violence. This includes violence that persists while the persons are dating, as well as after the relationship ends. Dating violence occurs in various forms, such as verbal, physical, psychological, emotional, and sexual violence. The closer the relationship was, the harder it is to resolve the problem, and the longer it takes to recover. Dating violence can occur regardless of gender or age, and the Korean police are strengthening patrol and protective measures as dating violence is considered a violent crime akin to domestic violence and child abuse. If you are suffering from hardships in your daily life due to sexual pressure from a romantic relationship, be sure to seek help from those around you.

Control

- He/she always checks who I am with, controls my entire schedule, and gets angry when things don't go his/her way.
 - He/she gets furious because he/she does not like my outfit or forces me to quit my part-time job.
 - He/she doesn't let me meet others or attend new meetings.
- ※ If the control becomes increasingly severe and leads to criminal acts such as intimidation, confinement, or assault, do not hesitate to report it to the police and ask for help.

Violence (crime)

» Verbal and emotional violence

- He/she gets angry when I don't do as he/she wants.
- He/she blames all the causes of the conflict on me.
- He/she refuses to accept my judgment or decision and persuades or forces me to act according to his/her own standards.
- He/she suddenly curses, says insulting words, screams, and threatens me when angry.
- I said I wanted to break up, but he/she sent me a hostile message and came to my house threatening to not leave me alone.

» Physical violence

- He/she assaults me if I disagree or argue.
- He/she throws the tableware or food when arguing, even while eating.
- He/she threatens me by hitting walls or throwing objects.
- He/she repeats actions such as pinching or pulling my arm hard to carry out his/her intention.

» Sexual violence

- He/she touches my body or forces me to have sex regardless of my will.
- He/she tells other people about our sexual activities and spreads rumors.
- I found out that he/she filmed me, and he/she wouldn't delete the video, even when I asked.
- He/she asks me to send nude photos.
- I said I don't want sex, but he/she keeps asking.
- He/she sets up a camera in his/her room or accommodation to secretly film us having sex.

The examples of dating violence presented above are just a part of the problem, and there may be more diverse cases. Victims of dating violence can seek help from school authorities or the police. In particular, as criminal acts such as assault, sexual violence, intimidation, confinement, or violent offenses can lead to long-term damage, do not hesitate to report to the police and ask for help. Digital sexual offenses can also occur in romantic relationships. See Chapter 6 for more information.



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The Crime of Stalking

In Korea, stalking is defined as an act of approaching or following, without a justifiable reason, against the will of the other person, or causing anxiety or fear in the other person by actions such as blocking the person's path. If someone continues or repeats stalking behavior, that person can be punished for a crime. If you are the victim of such an act, you can report it to the police and be protected.

Target Victims of stalking, including their housemates and family members

Act The following acts against the will of the other person and without consent of the person:

- Approaching and blocking the person's path
- Waiting or watching near someone's home or part-time job location
- Continuously calling or sending messages
- Online activities such as posting comments on social media
- Sending a parcel or placing an item at the victim's residence or nearby property
- Damaging the residence or nearby property

Response to and punishment of stalking

If other crimes are combined with stalking, such as intimidating the other person or trespassing on the person's property, the offenses can be punished together. Regardless of the intention of the actor, behavior that does not respect the will of the other person is a criminal act. Therefore, if you are continuously being victimized by stalking, do not hesitate to report it to the police.

According to Korean law, a person who commits a stalking offense is punishable by imprisonment for not more than three years or a fine not exceeding 30 million won. And, if the person carries a weapon or uses it to commit a stalking crime, the person will be punished by imprisonment for not more than five years or a fine not exceeding 50 million won (Article 18 of the Stalking Punishment Act). Foreign students can also be punished equally if they commit related crimes in Korea.

For matters that are difficult to report immediately to the police, you can consult with the person in charge at your university. If your right to learning has been violated due to stalking on campus, please contact the sexual harassment and violence center (human rights center) on campus to get help as soon as possible. The support you can receive at school varies depending on its policy, so please contact your school's counseling center, the human rights center (sexual harassment and violence center), and the international student support center.

Digital Sex Crimes

As almost anyone these days can use smartphones freely and skillfully, online activities have increased significantly. More and more, universities are also using digital devices for online activities, such as classes and meetings for group assignments. Of course, the usage is not limited to class; students use smartphones to strengthen relationships with friends, talk to each other online, or interact through social media.

Digital sex crimes refer to acts of violence that occur online and offline through digital devices and information and communication technologies. As digital sex crimes may cause irreparable damage to victims not only online but also in real life, the Korean laws on digital sex crimes are increasingly being strengthened, and the public is also demanding decisive punishment for perpetrators.

Any act of infringing on other people's rights using digital technologies, such as cell phones, computers, and the Internet, may be considered a digital sex crime. Please keep in mind that digital sexual offenses can occur, especially in romantic relationships, and can be punished.

Filming without consent

- Installing a camera in a restroom or using a smartphone camera to take pictures
 - Filming sexual activity without consent
 - Taking pictures of passersby's body parts without permission
- ※ If you have suffered damage from illegal photography and the filming device was a camera installed in a specific place, you can submit the camera as evidence or report the description of the person who illegally filmed along with the cell phone model if he or she used a cell phone.

Distribution and re-distribution of filmed material

- Distributing filmed material of explicit content, such as sexual intercourse and nudity, without consent
 - Distributing filmed material taken by the person by himself/herself without consent
 - Synthesizing and distributing images of other people's faces on filmed material of explicit content
- ※ It is a crime to distribute/re-distribute filmed material of sexual content that was taken without consent, or to distribute filmed material that was not permitted to be distributed even though consent was given to filming.

Threats to spread sexual content

- Threatening to distribute footage of sexual activity when asked to end a relationship
- Threatening to post pictures of a person's body on social media for not complying with a request

This is also a crime

The act of storing, viewing, or sharing filmed material of sexual content without consent to filming can constitute a crime. This is because distributing and consuming sexual material that is illegally recorded constitutes an act of aiding and abetting the distribution of filmed digital material of sexual violence. The act of distributing/re-distributing fraudulent videos that have been edited, synthesized, or processed in a sexual nature with another person's face, body, or voice, regardless of intention, may also be punishable by law.

Responding to digital sexual offenses

Digital sex crimes are serious crimes. If you have suffered damage, report it to the police or related organizations. In particular, for damage related to distribution, you can not only report the damage, but also request the deletion of the video material through a specialized organization that handles the permanent deletion of such material.

» Crime report

- Korean National Police Agency Call 112
- Electronic Cybercrime Report and Management System(ECRM)
(<https://ecrm.police.go.kr/minwon/main>)
- Korea Communications Standards Commission Call 1377

» Counseling and support - Deletion of illegally filmed material

- Women's Call Center 1366(24 hours)
- Digital Sex Crime Victim Support Center
02-735-8994(Weekdays: 9am ~ 6pm)



Getting Help

If you directly witnessed or experienced sexual violence, you can report it to the university authorities or the police. If the perpetrator is a student of a different school, you can report the incident to the perpetrator's university according to the regulations of the respective university. By reporting criminal damage, victims can not only receive help but also prevent further harm.

Getting help at the university

Victims can get help from universities. There may be differences in assistance that can be provided depending on the university, but in most cases, two main types of assistance are available.

- Physical separation from the perpetrator
If the perpetrator is a member of the same school (student, professor, teaching assistant, faculty, etc.), you can be separated from the perpetrator by reporting the crime and damage.
- Psychological counseling and other support for victims
If you need help, please contact the school sexual harassment and sexual violence center (human rights center), counseling center, and international student support center.

※ As international students are also members of the university, they have the right to receive appropriate assistance from the university. Please, actively seek help.

Getting help outside the university: Law enforcement and government services

Crimes committed in Korea can be reported, regardless of the nationality of the perpetrator and the victim.

Call 112 (Police, in case of emergency)

- Call 112 to report a crime against you or a crime you witnessed, and the police will be dispatched.
- Phone interpretation services are provided. If you need interpretation services, say "interpreter/interpretation" over the phone.
- You can also report crimes by sending a text message to 112 instead of making a phone call.
- If it is difficult or you are unable to make a phone call, you can install the 112 Emergency Notification App on your mobile phone. Through the app, you can contact the police in an emergency through the multilingual support system provided with real-time translation services in 13 languages.

- **Women's Call Center 1366**

(http://www.mogef.go.kr/cc/wcc/cc_wcc_f001.do)

As a dedicated telephone number, 1366 is available nationwide and operates 24 hours a day. This service is provided to ensure that women who need urgent rescue, protection, or counseling due to sexual violence can receive counseling on the damage caused by the violence, and that their human rights can be protected at any time.



Online: For victims of digital sex crimes

If you suspect a digital sex crime has occurred, report the damage and request the deletion of photos and videos.

- **Digital Sex Crime Victim Support Center**

(<https://d4u.stop.or.kr/>)



- **Korea Cyber Sexual Violence Response Center**

(<http://cyber-lion.com/>)



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