

WORLD EVANGELICAL ALLIANCE

STATEMENT

Concerns Regarding South Korea's Proposed Civil Code Amendment Bill (Bill No. 2215932)

1 June 2026

The World Evangelical Alliance (WEA), representing an estimated 600 million evangelical Christians in more than 160 nations, wishes to respectfully express its deep concern regarding the Civil Code Amendment Bill currently under deliberation in the National Assembly of the Republic of Korea.

The WEA acknowledges the Republic of Korea's long and distinguished record as a democratic nation committed to the rule of law, human rights, and the flourishing of civil society. It is precisely in the spirit of that shared commitment that we raise the following concerns.

The Nature of Our Concern

The Bill, introduced in January 2026, would grant administrative authorities broad powers to investigate, suspend, and dissolve religious organizations and to transfer their assets to the national treasury, on the basis of criteria — including “political involvement” and “violation of the separation of church and state” — that remain undefined in the text of the legislation. We respectfully submit that the breadth and imprecision of these provisions give rise to serious questions under South Korea's own Constitution and its international human rights obligations.

The Bill's conflict with South Korea's own constitutional order is of particular concern. Article 20 of the Constitution of the Republic of Korea guarantees that all citizens enjoy freedom of religion and that church and state are to be separated. Article 16 provides that all citizens are free from intrusion into their place of residence, and that any search or seizure requires a warrant issued by a judge. The Bill's provision for compulsory administrative inspections of religious premises, conducted without judicial warrant, appears directly at odds with these constitutional protections. A constitutional challenge, should the Bill be enacted, would appear inevitable.

We also draw attention to a fundamental conceptual concern regarding the Bill's stated justification. The sponsors invoke the principle of “separation of church and state” as the basis for granting the state authority to audit, suspend, and dissolve religious bodies. This inverts the principle entirely. In every democratic constitutional tradition, including South Korea's own, the separation of church and state is a protection of religion from the state — not a license for the state to supervise, discipline, or extinguish religious communities. Legislation that claims to enforce this separation while conferring unlimited administrative control over religious life does not implement the principle; it abolishes it.

Consistency with International Human Rights Standards

The Republic of Korea is a State Party to the International Covenant on Civil and Political Rights (ICCPR). Article 18 of the Covenant guarantees freedom of religion or belief, including the right to manifest one's faith in practice, worship, and community life. The UN Human Rights Committee, in General Comment No. 22, has affirmed that any restrictions on this right must be narrowly prescribed by law, necessary, and strictly proportionate to a legitimate aim.

A central requirement of the “prescribed by law” test under Article 18(3) of the ICCPR is that any restriction must be formulated with sufficient precision to be foreseeable: citizens and religious communities must be able to understand, in advance, what conduct is prohibited. The Bill’s use of terms such as “political involvement” and “violation of the separation of church and state” — without definition — fails this test entirely. These are elastic concepts capable of encompassing routine activities of religious communities: pastoral statements on public ethics, civic engagement by congregations, and advocacy on matters of conscience. The inevitable result is a chilling effect: religious bodies across the country will be compelled to self-censor their public witness and withdraw from legitimate civic life for fear of administrative action, regardless of whether such action is ever taken.

We respectfully note that legislation conferring open-ended administrative authority over religious institutions, including the power to conduct compulsory inspections, summon religious leaders for questioning, revoke legal status, and seize congregational property — raises serious and well-founded questions under these standards, particularly in the absence of robust judicial oversight and clearly defined due process protections.

The WEA further draws attention to Article 22 of the ICCPR, which guarantees freedom of association. Religious bodies are associations in the fullest legal sense, and the UN Human Rights Committee has consistently held that the dissolution of an association requires compelling justification, independent judicial process, and strict proportionality. An administrative dissolution power exercised on vague political grounds, without judicial determination, falls well short of this standard.

We also draw attention to the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, which affirms the right of religious communities to establish and maintain places of worship, to acquire and use property for religious purposes, and to operate free from arbitrary state interference.

Acknowledging the Legitimate Policy Goal

The WEA fully recognizes that democratic governments have a legitimate interest in preventing the misuse of corporate structures for criminal, financial, or anti-social purposes. No community of faith should be exempt from accountability under the law.

We would, however, respectfully note that such accountability is most appropriately and effectively pursued through existing mechanisms of criminal law, electoral regulation, and civil oversight, frameworks that offer defined standards, judicial supervision, and the protection of due process. South Korea already possesses legal instruments capable of addressing the genuine harms. Where adequate legal remedies already exist, additional legislation conferring broad administrative discretion over religious bodies does not merely duplicate the law, it fails the necessity test under Article 18(3) of the ICCPR. New powers are not justified simply because a problem exists; they are justified only when existing tools are demonstrably insufficient.

Our Appeal

It is in a spirit of genuine partnership and mutual respect that the World Evangelical Alliance makes the following appeal:

We invite the National Assembly of the Republic of Korea to give careful and thorough consideration to the constitutional and international human rights dimensions of this legislation, and to explore whether its stated objectives might be achieved through more narrowly tailored measures, subject to independent judicial review and transparent due process protections.

We encourage the Government of the Republic of Korea to engage in open and inclusive dialogue with the full breadth of religious communities in the country before advancing legislation of this significance, including the mainstream Korean Christian bodies that have themselves raised constitutional concerns about this Bill, and to reaffirm its commitment to the obligations it has undertaken under its own Constitution and international human rights instruments.

We also respectfully request that the UN Special Rapporteur on Freedom of Religion or Belief and relevant intergovernmental bodies engage constructively with the Korean authorities on these matters, in a spirit of dialogue and shared commitment to international norms.

Conclusion

The World Evangelical Alliance holds the Republic of Korea in the highest regard as a partner in democracy, human rights, and civic values. It is in that spirit — and with the deepest respect for Korean sovereignty and democratic processes — that we raise these concerns. We remain ready and willing to engage in constructive dialogue with all relevant stakeholders, and we sincerely hope that the outcome of this legislative process will reaffirm South Korea's proud tradition of protecting freedom of religion or belief for all its citizens and for all communities of faith.

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