

<Item 3. General Debate>

Enhancing the functioning of the criminal justice system to ensure access to justice and to realize a safe and secure society

Dr. Tae-hoon Ha
President, Korean Institute of Criminology and Justice (KICJ)

Honorable Chairperson and distinguished delegates,

It is my greatest pleasure to attend in person the 32nd session of the UN Commission on Crime Prevention and Criminal Justice.

Fortunately, the pandemic is now slowly turning into an endemic. However, we still live in a society that is threatened by multiple sources of risk, including infectious diseases such as COVID-19 as well as terrorism, climate crisis, natural disasters, industrial accidents, and mass casualties. That is why building a safe society has become a global issue. Fear of violent crimes such as homicide, robbery, and sexual assault and anxiety from terrorist threats cause us to prioritize safety and risk prevention. As criminal law is seen as an appropriate and necessary tool for risk prevention, the scope of protection by criminal law is expanding and punishments are becoming more severe. Punitive criminal policies and criminal legislation are increasing. Media and public opinion-based punitive criminal policy and punitive populism are replacing evidence-based criminal policy and criminal legislation. This is a global trend, not restricted to South Korea. Offender-centered criminal justice systems are being put in place.

The crime victim still remains as a forgotten being. Crime victims are marginalized in criminal proceedings and receive little attention in criminal policies. Justice is not fully realized with the investigation, trial, and sentencing of criminals; it is possible only when victims are involved in the criminal justice process, empowered by playing more substantial roles, and protected and supported by the system. We must move away from the traditional criminal justice system and embrace a restorative and reparative justice philosophy that puts the recovery of crime victims and communities at its core. This is the way to realize the ideals of the “Declaration of Basic Principles of Justice for Victims of

Crime and Abuse of Power” issued by the United Nations General Assembly more than 40 years ago.

The Republic of Korea has also enacted a number of laws on the rescue, protection, and support for victims of crime since 1987, when it became one of the first countries in the world to ensure the basic rights of crime victims by stipulating in its Constitution the right to seek assistance and the right to express their opinions. The Korean Institute of Criminology and Justice, launched in 1989, also continues to conduct research on victim-oriented criminal policy and criminal legislation. The current government of the Republic of Korea has made a national priority to establish a support system for the protection of crime victims and has implemented several policies, such as strengthening reparative support and protection for victims of violent crimes, and ensuring the right to be forgotten for victims of digital sexual crimes. The challenge for the future is not to stop there, but to proactively establish a restorative and reparative justice system and integrate it into the existing criminal justice system that focuses on retributive justice, so that we can have a criminal justice system in which justice is truly served.

Honorable delegates,

As a member of the UNPNI, the Korean Institute of Criminology and Justice will strive to ‘enhance the functioning of the criminal justice system to ensure access to justice and to realize a safe and secure society.’ through communication and cooperation with fellow Member States.

Thank you for your attention.