

Trends & Policies in Criminology and Justice

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Contents

1. Study on the Current Status and Correctional Approaches in Response to Recent Changes in Drug-related Crime (I): Research on Drug-related Crime Status

Nanghee Kim, Sunhyoung Lee, and Jeseong Cho

2. Understanding and Responding to Stalking (II)

Dahye Chang and Jeongsook Yoon

3. Establishing a Legal Framework for the Birth, Care and Protection of Infants

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1

Study on the Current Status and Correctional Approaches in Response to Recent Changes in Drug-related Crime (I): Research on Drug-related Crime Status

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Keywords

Drug-related crimes, survey, medical narcotics, youth drug crimes



Summary

- As digital environments have become part of everyday life following the pandemic, drug-related crimes are increasingly spreading into online spaces. This trend has made it easier for adolescents and young adults to become involved in such crimes, and new types of drug-related offenses are emerging, highlighting the urgent need for a comprehensive survey.
- The drug issue is rapidly expanding and diversifying. In particular, the misuse of medical narcotics is becoming a significant social threat, blurring the line between legality and illegality.
- To respond effectively to these evolving crime patterns, efforts are needed to: △ Establish a specialized national agency responsible for comprehensive drug policy, △ Support continuous research, △ Implement an all-encompassing strategy targeting adolescents and young adults, △ Invest in R&D and train experts to counter high-tech, drug-related crimes, △ Reform the medical management system, and △ Develop a multi-layered addiction management framework.
- This study aims to provide foundational data through a comprehensive understanding of drug-related crimes to inform the development of effective national drug policies.

1 Background and Research Objectives

○ Background and Significance

- In the post-pandemic era, the widespread adoption of digital environments has given rise to new types of social issues. Drug-related crimes are no longer confined to physical spaces but are rapidly expanding into digital domains.
- This shift has made it easier for “digital native” generations—adolescents and young adults—to become involved in drug crimes. Moreover, drug-related offenses are increasingly taking on characteristics of transnational organized crime (TOC), demonstrating patterns of globalization.
- In particular, the illegal misuse of medical narcotics and secondary crimes involving drugs highlight the urgent need to develop effective response strategies.

○ Research Objectives

- This study seeks to identify policy responses to drug-related crimes in an era of digital transformation by analyzing the current situation from a macro perspective. It aims to provide empirical data to serve as a foundation for the establishment of national drug policies.

2 Key Findings

○ Current Status and Key Issues of Drug-Related Crimes

- In 2023, there were a total of 27,611 drug crime offenders in Korea, with a crime rate of 53.8 per 100,000 people, accounting for 0.054% of the total resident population. Offenders involving psychotropic substances made up 70.8% of cases, with people in their 20s representing 30.3%, and those under 30 accounting for approximately 60% of offenders. About two-thirds of offenders were male.
- The scale of drug-related crimes is expanding overall, and the proportion of offenders in younger age groups is increasing. Alongside a rise in medical narcotics prescriptions, per-capita prescription volumes for teenagers and individuals in their 20s have surged.
- Key issues include the spread of synthetic drugs due to technological advancements, the decentralization of distribution networks in cyberspace, infiltration of transnational crime organizations, human rights and gender concerns, the globalization of drug crimes, and the commercialization of cannabis.

○ Analysis of Court Rulings on Narcotics Control Act Violations

- An analysis of 5,186 first-instance court rulings from 2021–2022 revealed an increase in cases of smuggling drugs from abroad.
- Contactless transactions (e.g., “throwing” methods), the use of social media, dark web/ deep web platforms, and cryptocurrency transactions are becoming more prevalent, though traditional methods like bank transfers and cash payments still exist.
- The most common methods of consumption were inhalation and injection, mainly involving psychotropic substances.
- Cases of medical professionals violating obligations predominantly involved drugs such as propofol and midazolam.

○ Media Analysis

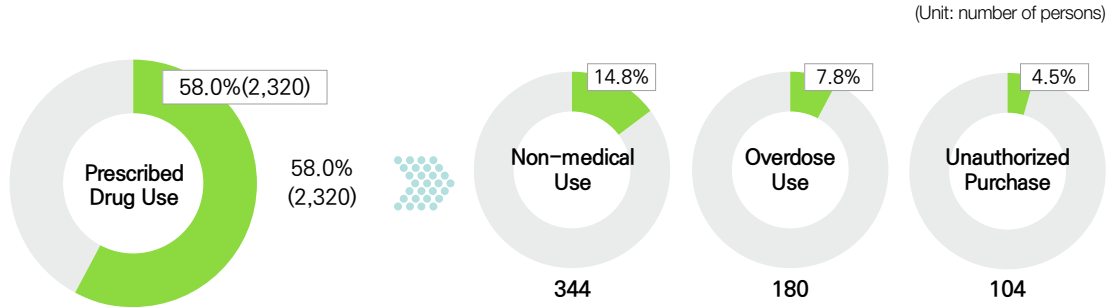
- Using the “Big Kinds” news big data platform, 67,982 news articles containing the keyword “drugs” from 2014–2023 were analyzed.
- Network analysis showed law enforcement and crime-related keywords at the center, while medical and treatment-related terms were peripheral, suggesting a limited media focus on therapeutic approaches.
- Media coverage often concentrated on celebrity-related incidents rather than overall trends.
- Recently, there has been growing media interest in cases involving children and adolescents, with the “Drug-Laced Drinks in Private Academies” case (2023) serving as a key turning point.
- The importance of managing medical narcotics has also been highlighted in the media.

○ Survey on Drug and Substance Use

- An online survey of 4,000 adults (aged 19–69) found that 2.9% (115 individuals) reported lifetime experience with narcotics and harmful inhalants.
- Among them, 1.6% (64 individuals) had experience with a single substance, while 1.3% (51 individuals) reported multiple substances.
- 58.0% (2,320 individuals) reported lifetime use of prescription drugs, with 14.8% (344 individuals) admitting to non-medical use and 4.5% (104 individuals) having purchased drugs through unauthorized means.
- Comparing lifetime drug use rates in 2004, 2014, and 2024 revealed an increase in narcotics use, a decrease in harmful inhalant use, and a rise in prescription drug misuse.

- Non-medical use of prescription drugs increased from 4.6% in 2004 to 10.0% in 2014, and further to 11.9% in 2024, highlighting that warnings about the risks of prescription drug abuse issued a decade ago remain relevant today.

[Figure 1] Survey on Drug and Substance Use



[Table 1] Lifetime Drug and Medication Use: Time Series Analysis

(Unit: number of persons)

Type	2004(N=2,500)		2014(N=4,000)		2024(N=4,000)	
	Number	%	Number	%	Number	%
Type I Narcotics, Psychotropics, Cannabis ¹	63	2.5	56	1.4	112	2.8
Type I + II Including Harmful Inhalants	100	4.0	82	2.1	116	2.9
Type I + II + III Hallucinatory Use (Non-medical), incl. non-prescription drugs ²	116	4.6	399	10.0	473	11.9

Notes:

¹ For 2024, answers include responses under “Others” (e.g., respondents unable to recall specific drugs).

² In 2004, data collected under “Hallucinatory Use”; in 2014 and 2024, surveyed as “Non-medical Use.”

○ Empirical Case Analysis of Recent Drug Crime Patterns

- This study analyzed 13 drug crime cases, categorizing them into supply-related crimes (production, transportation) and demand-related crimes (consumption) to examine emerging trends in drug-related offenses.
- Supply-related crimes were characterized by large-scale distribution, a rise in non-face-to-face supply offenders, increasing links to organized crime, proliferation of novel psychoactive substances (NPS), suppliers who do not use drugs themselves, and a general lack of awareness of the risks associated with drug-related crimes.
- Demand-related crimes showed patterns such as initiation with easily ingestible club drugs and novel psychoactive substances, exposure to highly potent and unidentifiable synthetic

drugs, poor awareness of the risks and illegality of drug use, and crossover use between medical narcotics and illicit drugs.

- The shift from face-to-face transactions to non-contact methods has facilitated easier drug trading, even enabling minors to purchase drugs with relative ease. This trend has also led to changes in payment systems, with increased use of cryptocurrency for drug transactions.
- Traditional drug use has declined in proportion, while the abuse of novel psychoactive substances and medical narcotics has increased.
- Drug supply sources have diversified internationally, and there is a growing tendency for individuals to engage in drug sales for economic gain.

○ In-depth Interviews with Adolescents

- In-depth interviews conducted with nine adolescents and young adults revealed: A majority had experimented with methamphetamine, and many reported combining multiple drugs during use.
- They could easily purchase drugs via platforms like Telegram, often using cryptocurrency, and some cases showed systematic links to sexual exploitation through "conditional meetings" (sex-for-drugs arrangements).
- Some adolescents expressed idealized admiration for organized crime groups and reported high levels of distrust in the criminal justice system.

○ Comprehensive Findings

- The recent evolution of drug crimes can be summarized as "diversification." Novel drugs are continuously developed, and distribution channels straddle both online and offline spaces, transcending national borders. These offenses are not limited to specific substances, demographics, or methods but are expanding broadly, often resulting in secondary crimes.
- This underscores the need for drug policies that go beyond the jurisdiction of investigative agencies and involve enhanced multi-agency cooperation.

3 Policy Recommendations

○ Strategic Directions for Responding to Emerging Drug Crime Trends

- **Establishment of a Dedicated National Drug Policy Agency:** A specialized body responsible for developing, implementing, evaluating, and refining national drug policies in a consistent manner & Support for researchers to continuously build expertise in this field.

- **Comprehensive Measures for Future Generations:** Policies should consider developmental stages, mental health, and legal awareness. Coordinated, phased prevention and response efforts are necessary by involving agencies beyond the Ministry of Food and Drug Safety.
- **Investment in R&D for Invisible and High-Tech Crimes:** Development of technologies to track and respond to cyber-enabled drug crimes & Strengthening training for experts in cybercrime investigations.
- **Reform of Pharmaceutical and Medical Management Systems:** Clarified prescription guidelines for medical narcotics and enhanced demand-supply monitoring systems using big data.
- **Establishment of a Multi-Layered Addiction Management System:** Promote universal policies for addiction disorders and expand access to treatment.
- **Shift Towards Stronger Governmental Action:** Transition to a national paradigm that ensures public safety through robust drug control policies.

4 Expected Policy Outcomes

Provision of evidence-based data to support the implementation of the National Drug Control Strategy and Action Plans.

- **Establish a basis for strengthening the capacity to respond to drug-related crimes**
 - A move away from the perception of drug crimes as “victimless crimes” toward recognition of the need for national efforts to safeguard public safety and targeted interventions in supply-related crimes.
 - Enhanced scientific and technological capabilities for drug control and a solid justification for training specialized personnel.

2

Understanding and Responding to Stalking (II)

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Keywords

Stalking, management of stalking offenders' risk, characteristics of stalking offenders, stalking victim protection and support systems



Summary

- This study aims to propose policy measures for the prevention and response to stalking crimes based on an empirical investigation of the psychosocial characteristics of stalking offenders, their crime patterns, and victim profiles. Building on the 2023 study, additional data were collected in 2024 to analyze both high-risk and low-risk stalking offenders. The research provides foundational evidence for developing comprehensive response strategies and effective risk management systems for stalking offenders.
- In addition to analyzing the characteristics of stalking offenders, the study evaluated the operation and effectiveness of stalking victim support systems established since 2023. This evaluation was based on empirical surveys and a comparative analysis of international stalking response policies, identifying operational challenges and suggesting areas for improvement.
- The majority of stalking offenders in correctional facilities and under probation supervision were male, while most victims were female, reflecting the gendered nature of violence against women. Among the types of stalking behavior, the “rejected stalker” type was most prevalent, highlighting features of intimate partner violence. The offenders often exhibited antisocial thinking patterns, obsessive attachment to victims, and psychological traits such as depression, delusions, borderline characteristics, antisocial tendencies, and alcohol-

related problems. These findings underscore the need for psychological interventions to reduce recidivism risk. Interventions tailored to these characteristics are also crucial in designing victim support systems to protect individuals exposed to repeated harm.

1 Background and Research Objectives

- **Background (Necessity of the Research):** The need to establish a systematic response following the enforcement of the Act on Prevention of Stalking and Protection of Victims
 - Since the enforcement of the Stalking Crime Punishment Act in October 2021, concerns remain about the effectiveness of deterrence measures, as stalking behavior often continues during judicial proceedings and, in some cases, escalates to homicide.
 - Simple isolation of offenders without diagnosing or addressing underlying pathological issues has proven insufficient for preventing reoffending. However, empirical studies on the characteristics of stalking offenders in Korea and evidence-based response strategies remain limited.
 - In July 2023, the enactment of the Act on the Prevention of Stalking and Protection of Victims (Stalking Prevention Act) brought changes to victim protection and support policies, necessitating a review of the current operational systems and their effectiveness.

- **Research Objectives**
 - To analyze the psychosocial characteristics and recidivism risks of stalking offenders in both correctional facilities and probation supervision in 2023, building a foundational dataset on offender profiles and risks, and proposing effective risk management strategies.
 - To review Korea's stalking victim protection and support systems, assess their operational realities, and suggest policy responses to ensure victim safety and protection.

2 Key Findings

○ Characteristics of Stalking Offenders (N=241) and Their Crimes in Korea

- **Socio-demographic Characteristics:** The socio-demographic characteristics of the offenders revealed that the vast majority were male (91.3%), with an average age of 43.33 years. While the age distribution ranged relatively evenly from individuals in their 20s to those over 60, offenders in their 40s accounted for the highest proportion at approximately 25%. In terms of education, the largest group had a high school diploma (43.6%). Regarding employment status, a significant proportion were unemployed (34.9%) or worked in temporary or contract-based jobs (31.5%). More than half of the offenders were unmarried (52.7%). Notably, 76.3% of offenders had prior criminal records, with an average of 9.07 previous convictions. Nearly half (46.1%) had a history of chronic alcohol or substance abuse, with alcohol misuse making up 91.0% of this subgroup. Additionally, 33.6% of offenders had a diagnosed mental illness, and 46.9% of these cases involved comorbidities with multiple mental health disorders.
- **Crime Characteristics:** The characteristics of the criminal incidents showed that the most frequent stalking behaviors included “sending messages” (83.8%), “watching or monitoring” (67.6%), and “approaching the victim” (55.2%). Regarding the duration of stalking, many cases involving offenders under fines or probation ended within one day (8.2%) or one week (13.9%), while among incarcerated offenders, a considerable proportion persisted for more than six months (10.9%) or even over one year (14.3%). In both groups, incidents lasting one to three months were the most common (fines/probation: 24.6%; incarcerated: 22.7%), with this duration also being the most frequent across the total sample (23.7%). Violence or sexual violence accompanied stalking in 38.8% of all cases. However, while only 13.1% of offenders under fines or probation engaged in violence, 64.7% of incarcerated offenders committed violence or sexual violence, indicating a substantial difference between the groups. Among all offenders, those subjected to protective orders were most frequently given provisional measures (43.8%), followed by emergency immediate measures (31.8%) and immediate measures (24.9%). Over half (56.4%) of the offenders with protective orders violated them, with violations of provisional measures being the most common (57.9%). Of the 122 offenders under fines or probation, 81.1% (99 individuals) received summary orders, while 18.9% (23 individuals) were given suspended sentences. Among the summary orders, fines between 3 million and 4 million KRW accounted for nearly half (49.2%). Among those with suspended sentences, the most common punishment was six months of imprisonment with a one- or two-year suspension (6.6%, 8 individuals), and of those who served prison time, 63.0% were sentenced to between one and three years. Additional dispositions frequently included orders to complete a stalking treatment program (40

hours: 84.6% or 80 hours: 5.4%), as well as orders for sexual violence treatment programs, educational programs, and community service.

[Table 1] Crime Characteristics of Stalking Cases (N=241)

Incident Characteristics	Details	Frequency (%)	Cases %
Types of Stalking Behavior	1. Approaching the victim	133(21.3)	55.2
	2. Watching or monitoring	163(26.1)	67.6
	3. Sending messages	202(32.3)	83.8
	4. Delivering items	31(5.0)	12.9
	5. Damaging items	32(5.1)	13.3
	6. Other behaviors	59(9.4)	24.5
	7-1. Disseminating personal information	3(0.5)	1.2
	7-2. Disseminating location information	1(0.2)	0.4
	7-3. Distributing edited/synthetic content	1(0.2)	0.4
	8. Impersonating the victim	0	0.0
Duration of Stalking	1 day	12(5.0)	
	2 days - within 1 week	25(10.4)	
	Over 1 week - within 2 weeks	21(8.7)	
	Over 2 weeks - within 3 weeks	20(8.3)	
	Over 3 weeks - within 1 month	28(11.6)	
	Over 1 month - within 3 months	57(23.7)	
	Over 3 months - within 6 months	30(12.4)	
	Over 6 months - within 1 year	20(8.3)	
	Over 1 year	28(11.6)	
(Sexual) Violence Involved	Yes	93(38.8)	
	No	147(61.0)	
Imposition of Protective Measures	Emergency Immediate Measure	104(31.2)	55.6
	Immediate Measure	83(24.9)	44.4
	Provisional Measure	146(43.8)	78.1
Violation of Protective Measures	No Violation / Unknown	105(43.6)	
	Violated	136(56.4)	
Violations of Protective Measure	Emergency Immediate Measure	33(34.0)	43.4
	Immediate Measure	20(20.6)	26.3
	Provisional Measure	44(45.4%)	57.9

- **Characteristics of Stalking Victims:** In both the correctional facility group and the fine/probation group, the majority of cases involved a single victim (95.9%), with most victims being female (84.3%). In the fine/probation group, the proportion of male victims was approximately three times higher (15.7%) compared to the correctional facility group. The average age of victims in the fine/probation group was 38.56 years, with most victims in their 20s and 30s. In the overall sample, women accounted for 89.0% of victims, with an average age of 40.59 years. Age distribution showed a relatively even spread: victims in their 20s comprised 27.2%, followed by those in their 40s (21.8%), 50s (19.2%), and 30s (18.0%). Examining the relationship between the offender and the victim revealed that 58.1% of offenders stalked a “former spouse or intimate partner,” 15.4% targeted a “well-known acquaintance” (e.g., friend, coworker), and 11.2% targeted someone they were casually acquainted with. The relationship proportions in the fine/probation group mirrored those in the overall sample.
- **Characteristics by Detailed Stalking Subtypes:** Using Mullen’s typology of stalkers, the analysis revealed that the “Rejected Stalker” type accounted for the largest proportion of the total sample (63.1%), followed by “Incompetent Suitor” (14.9%), “Resentful Stalker” (12.4%), and “Intimacy-Seeking Stalker” (5.8%). In the “Rejected Stalker” and “Incompetent Suitor” types, male offenders overwhelmingly predominated (95.4% and 100.0%, respectively). Conversely, in the “Intimacy Seeker” and “Resentful Stalker” types, female offenders made up a relatively higher proportion (28.6% and 30.0%, respectively). Among “Incompetent Suitors” and “Resentful Stalkers,” the proportion of unemployed offenders was highest (50.0% and 40.0%, respectively). In the “Intimacy Seeker” type, the proportion of offenders who were unemployed or worked in temporary/contract jobs reached 85.7%. Across all types, offenders with prior criminal records outnumbered first-time offenders. Particularly in the “Rejected Stalker” type, many had more than 20 prior offenses, and this group also showed high rates of intimate partner violence or domestic violence (54.6%). Additionally, the “Rejected Stalker” type had the highest prevalence of alcohol or drug abuse histories (50.7%) but the lowest prevalence of psychiatric history (25.0%). By contrast, psychiatric histories were most prevalent in the “Incompetent Suitor” type (63.9%), followed by the “Resentful Stalker” type (43.3%). Violence during stalking incidents was most frequent among “Rejected Stalkers” (48.7%), followed by “Intimacy Seeker” (35.7%), “Incompetent Suitors” (22.2%), and “Resentful Stalkers” (13.8%).

[Table 2] Descriptive Statistics of Stalking Offenders by Mullen's Typology (N = 241)

Stalker Type	Frequency (%)			χ^2
	Total	Fine/Probation	Correctional Facility	
1. Rejected Stalker	152(63.1)	72(59.0)	80(67.2)	(df = 4) 9.22
2. Intimacy Seeker	14(5.8)	5(4.1)	9(7.6)	
3. Incompetent Suitor	36(14.9)	17(13.9)	19(16.0)	
4. Resentful Stalker	30(12.4)	21(17.2)	9(7.6)	
5. Predatory Stalker/Other ¹	9(3.7)	7(5.7)	2(1.6)	
Total	241(100.0)	122(100.0)	119(100.0)	-

Note. ¹ Other = Types not classified under Mullen's five stalker categories.

○ Violence in Stalking and Violations of Victim Protection Orders

- To better understand the risk of stalking-related violence and violations of victim protection orders, logistic regression analyses were conducted.
- Regarding violence during stalking incidents, the presence of prior convictions, substance abuse, and obsessive tendencies among offenders were significant predictors. However, when variables related to stalking behaviors were added, these offender characteristics lost significance, suggesting that the specific features of the stalking (rather than offender traits) have a greater impact on whether violence occurs. Direct contact with the victim, threats, and violations of monitoring/protection orders were significantly associated with violence. Specifically, threats increased the likelihood of violence by approximately four times, direct contact increased it by about three times, and violations of protection measures increased it by about three times. The "Rejected Stalker" type was about five times more likely to commit violence compared to non-rejected types.
- Regarding violations of victim protection orders, substance abuse history, obsessive tendencies, and employment/economic problems among offenders remained significant predictors even after including stalking behavior variables. Offenders with substance abuse histories were about four times more likely to violate protection orders. Obsessive offenders were twice as likely to commit violations, and those with employment/economic problems were also about twice as likely.
- Key Risk Factors Identified for Practitioners: The analysis of stalking crimes, offender characteristics, and incidents of violence or protection order violations highlights key risk factors for practitioners to consider. Risk factors for stalking-related violence include direct contact with victims, threats, monitoring/protection order violations, and being a "Rejected Stalker" type. Risk factors for protection order violations include substance abuse history, obsessive tendencies, and employment or economic instability. These findings underline the importance of tailored interventions for both offenders and victims to prevent escalation and reoffending.

○ Operation Status and Challenges of the National Stalking Victim Protection and Support System

- The types of organizations that participated in the survey included domestic violence counseling centers (39 centers, 41.9%), integrated counseling centers (28 centers, 30.1%), sexual violence counseling centers (18 centers, 19.4%), and women's emergency hotlines (8 centers, 8.6%). Among these, only 15% were specialized counseling centers for stalking victims, which aligns with the proportion of centers that had dedicated personnel for stalking support.
- An analysis of current victim support revealed that many organizations were already providing counseling to stalking victims even before the implementation of the Stalking Prevention Act. Notably, half of these cases involved domestic violence or dating violence. On average, each organization offered approximately 3.3 types of support per victim, although this varied depending on the institution's service model. Among stalking incidents supported in the past year, the most frequent perpetrators were former/current partners (44.2%) and former/current spouses (32.5%), indicating that most stalking cases occur in the context of intimate relationships. Moreover, cases involving stalking in combination with other crimes accounted for 62.8%, more than double the rate of stalking-only cases. Victim demographics showed that 89% were female and 11% male, suggesting stalking crimes predominantly affect women.
- The most common types of support provided were psychological and emotional assistance, followed by informational support and legal aid. Psychological support was not limited to alleviating anxiety but also included counseling on responding to ongoing stalking and ensuring safety, as most victims were still experiencing stalking rather than dealing with post-crime trauma. In contrast, emergency housing support such as shelters or temporary housing was utilized far less frequently. This low utilization is attributed to several factors: (1) In cases of intimate partner stalking, perpetrators often possess information about the victim's family or acquaintances, meaning the stalking may continue indirectly even if the victim relocates; (2) shelters and temporary housing options are not always located within a reasonable distance for victims to maintain their school or work routines, making them impractical; and (3) victims often perceive relocating to such facilities as an unfair burden, as it requires them to give up their normal lives.
- Despite the significant impact of stalking on victims, institutional staff pointed out that stalking victims often hesitate to seek sustained support or take action against perpetrators. This reluctance is partly due to societal underestimation of stalking as gender-based violence, with persistent misconceptions portraying stalking behaviors as "persistent romantic pursuit" in heterosexual relationships, trivializing the harm caused.

- Although the current support system for stalking victims is largely framed within the context of gender-based violence, it lacks a unified structure and creates confusion at the field level. Support institutions differ in their approaches because there is no universally established principle for assisting stalking victims. Since the enactment of the Stalking Punishment Act, cases where perpetrators have countersued or even sought punishment for women who accused them of stalking have increased, further complicating decisions about providing support. While the government has been restructuring the women's violence support system into integrated counseling centers to address overlapping harms such as stalking and dating violence, institutions have criticized this approach. They argue that the existing women's violence support system already included stalking and dating violence but that the new framework fails to recognize their expertise and has not strengthened professional capacity.

○ Policy Recommendations for Improving Stalking Victim Protection and Support

- **Need for a Gender-Based Violence Perspective in Support Systems:** Given that the Ministry of Gender Equality and Family is the lead agency for the Stalking Prevention Act and that women comprise the majority of stalking victims, an integrated support system grounded in a gender-based violence perspective is essential. This should include prevention, education, and policy advocacy in a holistic approach.
- **Expanding the Concept of Victims:** It is necessary to broaden the concept of victims to include experiences of stalking beyond the legal definition. Many institutions already consider relational contexts that induce fear and anxiety when determining support eligibility.
- **Strengthening Institutional Expertise:** There is an urgent need to enhance institutional capacity for responding to ongoing stalking. Training on tailored intervention strategies based on perpetrator typologies is recommended, along with the development and dissemination of safety planning manuals and technical training for addressing online stalking.
- **Early Intervention for Perpetrators:** Active implementation of initial counseling and educational programs for stalking perpetrators is necessary, with interventions customized to their characteristics.
- **Building a Broader Social Safety Net:** Community capacity to respond to stalking should be strengthened, including education on the role of third parties, establishing organizational response systems, and developing workplace victim protection measures.
- **Enhancing Multi-Agency Cooperation:** To build a truly integrated support system, organic collaboration among institutions is required. This may include exploring shared spaces and cooperative strategies for seamless support.

3 Policy Recommendations

○ Establishing a Specialized Risk Management System for Stalking Offenders

- **Enhancing Police Expertise in Stalking Response:** To ensure early intervention and effective enforcement measures based on an understanding of the unique characteristics of stalking cases, it is critical to strengthen police expertise. This requires developing specialized training programs for police officers on stalking response and expanding competency-building education to include emergency call (112) responders, community police officers, and investigators.
- **Building a Multi-Agency Collaboration Framework for Risk Management of Stalking Offenders:** Beyond judicial responses, it is essential to create a collaborative system where diverse agencies—including police, probation and correctional services, mental health services, social welfare agencies, courts, and victim support services—can work together. This system should support continuous monitoring of offenders, assess their risk levels, enforce victim protection measures, and coordinate with victim support institutions for developing safety plans, sharing information, and managing offender behavior.
- **Proposed Multi-Agency Collaboration Procedure:** Initial risk assessment → 2) Comprehensive risk evaluation → 3) Offender-focused intervention → 4) Victim-focused intervention, with designated agencies and responsible parties for each stage.
- **Introducing Counseling and Treatment Orders as Emergency and Provisional Measures:** To manage offender risks during the early stages of stalking, introduce “counseling orders” and “treatment orders” as new types of provisional measures under the Stalking Punishment Act.

○ Therapeutic Interventions for Stalking Offenders

- Develop specialized psychological treatment programs for stalking offenders based on the Risk-Needs-Responsivity (RNR) Principles.
- Operate programs categorizing offenders into low-, medium-, and high-risk groups, addressing the criminogenic needs identified in this study, including: △ Lack of understanding and insight into stalking behavior, △ Attitudes and beliefs sustaining stalking behavior (e.g., antisocial thinking, poor self-awareness), △ Emotional regulation problems (anger and jealousy).
- Obsession with victims, △ Certain mental illnesses (e.g., erotomania, delusional disorders, pathological fixations), △ Poor coping skills, substance abuse (particularly alcohol), antisocial lifestyles (e.g., associating with deviant peers), △ Unstable employment or lack

of productive activities, difficulties in forming healthy interpersonal relationships, and unhealthy sexual interests (e.g., fear of rejection).

- Establish training programs for psychological treatment specialists to assess offenders' therapeutic needs, design tailored intervention programs, and monitor progress based on a deep understanding of the unique characteristics and triggers of stalking behavior.

○ Improving the Stalking Victim Support System

- **Develop a Response System for Intimate-Partner Stalking from a Gender-Based Violence Perspective:** Considering the characteristics of stalking perpetrators and victims, it is necessary to build a system that differentiates between intimate-partner stalking and other forms of stalking (e.g., noise complaints, illegal debt collection). Policies should encompass not only stalking within intimate relationships but also a broader range of violence, integrating these into victim protection and support systems. In the long term, consolidating the existing women's violence prevention laws could form a comprehensive framework for gender-based violence policies.
- **Strengthening Expertise for Responding to Ongoing Stalking:** Enhance professional capacity to provide counseling and support for victims experiencing active stalking. This includes developing and distributing educational programs and protocols to help counselors understand different types of offenders and their characteristics, providing manuals on victim response strategies (e.g., safety planning), and offering technical training for responding to online stalking.
- **Building a Support System for Stalking Offenders:** Beyond psychological interventions, social welfare interventions aimed at preventing recidivism and protecting victims are essential. This enables a societal-level approach to transforming offender behavior.
- **Investigating and Developing Policies for Non-Intimate Stalking:** Conduct empirical research on stalking cases involving non-intimate relationships (e.g., neighbors, customers, coworkers) to understand their characteristics and evaluate the need for specialized response systems.
- **Building Safe Communities to Prevent and Respond to Stalking:** Strengthen community capacity to recognize, prevent, and respond to stalking. This includes educating third parties on their role in preventing stalking, establishing organizational systems within workplaces and other institutions for handling stalking incidents, and developing community-based safety nets for victims.

3

Establishing a Legal Framework for the Birth, Care and Protection of Infants

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Keywords

Birth Notification System, anonymous Delivery System, UN Convention on the Rights of the Child, Family Relationship Registration Act, the Act on Protection of Crisis Pregnancies



Summary

- The amendments to the Family Relationship Registration Act and the enactment of the Act on Protection of Crisis Pregnancies in 2023 mark significant institutional changes aimed at ensuring the right to life and rights protection of infants. However, there remain challenges regarding the effectiveness of these systems, consistency between laws, and the comprehensive protection of rights.
- This paper examines key issues in the current legal framework, focusing on the Birth Notification System and Anonymous Delivery System, and proposes more inclusive and substantive legal reforms grounded in the UN Convention on the Rights of the Child and General Comment No. 7.
- Specifically, it suggests directions for improving the Family Relationship Registration Act and the Act on Protection of Crisis Pregnancies, including ensuring enforcement of the birth notification system, strengthening rights safeguards within the anonymous delivery system, and improving the support system for women in crisis pregnancies.

1 Background and Research Objectives

○ Background

- Cases of abuse and deaths of children whose births were never registered reveal the structural limitations of the current birth registration system.
 - In response, the government pursued the introduction of the Birth Notification System and the Anonymous Delivery System. However, due to a rushed legislative process, these systems are now being implemented without sufficient deliberation and adjustments to ensure the protection of children's rights.
- This study focuses on analyzing the issues in the amended Family Relationship Registration Act and the newly enacted Act on Protection of Crisis Pregnancies, and aims to identify reform tasks from a rights-based perspective.

[Table 1] Infant-Related Laws Amended and Enacted in 2023

Law Name	Effective Date	Proposed Reasons and Key Provisions
Family Relationship Registration Act (Amended)	July 19, 2024	<ul style="list-style-type: none"> • When a birth occurs at a medical institution, the attending medical professional must record the birth information, and the head of the medical institution must submit this information to the Health Insurance Review and Assessment Service (HIRA) within 14 days. The mayor, town, or township head who receives the birth notification from HIRA must then verify whether the birth has been registered (New Articles 44-3 to 44-5, etc.).
Criminal Act (Amended)	February 9, 2024	<ul style="list-style-type: none"> • Repeals the crimes of infanticide and abandonment of an infant to strengthen protection for infants, who are socially vulnerable and incapable of self-defense (Deleted Articles 251 and 272, etc.).
Act on Protection of Crisis Pregnancies (Enacted)	July 19, 2024	<ul style="list-style-type: none"> • Establishes a protection system for pregnant women facing economic, psychological, or physical difficulties in childbirth and childcare by providing counseling and support linkages. Even after counseling on raising the child in their biological family, if the pregnant woman wishes to proceed with an anonymous delivery, this choice is respected to ensure the safe birth and upbringing of the fetus and child, thereby promoting the welfare of the biological parents and their child.

2 Key Findings

Analysis of Domestic and International Legal Frameworks on Infant Birth and Protection, and Reform Tasks

○ Analysis of International Human Rights Standards:

- General Comment No. 7 (Implementing child rights in early childhood) under the UN Convention on the Rights of the Child comprehensively stipulates fundamental human rights such as the right to survival in early childhood, the right to birth registration, and the right to know one's identity.

[Table 2] Structure of General Comment No. 7

No.	Title	Paragraph(s)
I	Introduction	Paragraph 1
II	Objectives of the General Comment	Paragraph 2
III	Human Rights and Young Children	Paragraphs 3-8
III	General Principles and Rights in Early Childhood	Paragraphs 9-14
IV	Parental Responsibilities and Assistance from States Parties	Paragraphs 15-21
V	Comprehensive Policies and Programmes for Early Childhood, Especially for Vulnerable Children	Paragraphs 22-35
VI	Young Children in Need of Special Protection	Paragraphs 36-37
VII	Capacity-Building for Early Childhood	Paragraphs 38-43

- It emphasizes the State's responsibility to ensure protection and registration of a child immediately after birth, advocating for the introduction of universal birth registration systems and guaranteeing access to information as international standards.
- This study analyzes the core principles presented by international human rights standards and explores how they can be applied to the amended Family Relationship Registration Act and the Act on Protection of Crisis Pregnancies.

○ Analysis of Current Legal Frameworks:

- Amended Family Relationship Registration Act (2023): Introduced the Birth Notification System, requiring medical institutions to notify national authorities of a child's birth. While this aims to establish State recognition of a child's existence as the starting point for child protection responsibilities, the system's effectiveness is limited due to the lack of enforcement measures for births outside medical institutions or cases where notification obligations are not fulfilled.

- **New Act on Protection of Crisis Pregnancies:** Allows women in crisis pregnancies to give birth anonymously and provides integrated medical, counseling, and protective support. While partially intended to address issues such as baby boxes, concerns have been raised that it inadequately guarantees the child’s right to know their biological parents in the future. The procedures for issuing birth certificates and requesting information disclosure are insufficiently regulated, lowering the feasibility of fulfilling the child’s right to know and raising concerns about the long-term sustainability of the system.

○ **Directions for Legal Reform:**

- **Ensuring the Effectiveness of Universal Birth Registration:** While the birth notification system enables the State to recognize births ex officio, the birth registration process still depends on individual reporting obligations. The scope of reporting obligations and eligibility should be adjusted, and mechanisms to secure and record birth information in diverse circumstances—including births outside medical institutions—must be established.
- **Rights-Based Approach for Crisis Pregnancies and Anonymous Deliveries:** Procedures such as proxy applications for anonymous delivery, protective applications after birth, and requests for birth certificate disclosure require supplementation to align with legislative intent and maintain system coherence. Concrete measures for information disclosure and ensuring access rights are needed to balance the protection of women in crisis situations with children’s rights to birth registration and knowledge of their origins.
- **Establishing a Legal Position on Baby Boxes and Transitioning to New Systems:** With the institutionalization of the anonymous delivery system, the government must articulate a clear policy stance on the abolition of baby boxes. The UN Committee on the Rights of the Child has also recommended prohibiting baby boxes, citing their structural limitations. Legal reforms and public discussions are needed to ensure the anonymous delivery system effectively replaces baby boxes.
- **Ensuring Coherence Among Laws for Child Rights Protection:** Related laws—including the Family Relationship Registration Act, the Act on Protection of Crisis Pregnancies, and the Special Adoption Act—are fragmented, leading to inconsistencies in procedural links and concepts. The entire process from birth to protection, caregiving, and adoption should be connected under a coherent, rights-based framework, requiring alignment of concepts, terminology, and procedures across these laws.
- **Centralizing the State’s Responsibility for All Children’s Birth and Protection:** The ultimate goal of these reform measures is to create a unified structure where the State assumes responsibility for the starting point of every child’s birth and protection. While prioritizing support for children to grow up in their biological families, systems must also ensure access to birth records and the possibility of family reunification in cases requiring protective measures.

3 Policy Recommendations

- Infants' rights are not merely passive rights to be protected but active rights that the State must proactively realize. A consistent, child-centered legal design is required, which is also essential for implementing the UN Convention on the Rights of the Child and General Comment No. 7. Responding to diverse crisis situations surrounding childbirth and child-rearing necessitates a shift toward rights-based and preventive policies.
- Ultimately, these structural reforms can serve as a critical policy foundation for reinforcing State responsibility in an era of declining birth rates.