

Framework Act on Clearing up Past Incidents for Truth and Reconciliation

Enacted by Law No. 7542, May 31, 2005

Chapter 1

General Provisions

Article 1 (Purpose)

The purpose of the Framework Act on Clearing up Past Incidents for Truth and Reconciliation (hereinafter referred to as the Act) is to foster national legitimacy and reconcile the past for the sake of national unity by honoring those who participated in the anti-Japanese movements and investigating incidents regarding human rights abuses, violence, and massacres occurring since the period of Japanese rule to the present time; specifically during the nation's authoritarian regimes.

Article 2 (Scope of Investigation)

① The Committee on Clearing up Past Incidents for Truth and Reconciliation (Hereinafter referred to as the Commission), in accordance with Article 3, shall determine the facts for the following cases.

1. Anti-Japanese movements during Japanese rule, as well as in the years following Korea's liberation
2. Efforts by overseas Koreans to uphold Korea's sovereignty and enhance Korea's national prestige since the Japanese occupation to the enforcement date of this Act
3. Mass illegal victimization of civilians from August 15, 1945 to the Korean War period
4. Incidents of death, injury or disappearance, and other major acts of human rights violations, including politically fabricated trials, that were committed through illegal or seriously unjust exercise of state power, such as violating the constitutional order, from August 15, 1945 to the end of the authoritarian regimes
5. Terrorist acts, human rights violations, violence, massacres and suspicious deaths by parties that denied the legitimacy or were hostile towards the Republic of Korea from August 15, 1945 to the end of the authoritarian regimes
6. Incidents that are historically important and incidents that the Commission deems necessary under paragraph 3 to investigate in order to achieve the purpose of this Act

② In the case that there is final and conclusive judgment from a court, incidents under paragraph 1 shall be excluded provided that the incidents may be included as a cause for a retrial according to the Civil Proceedings Act and the Criminal Procedure Act and being deemed necessary for the investigation by resolution of the Commission under paragraph 3.

Article 3 (Establishment and Independence of the Committee on Clearing up Past Incidents for Truth and Reconciliation)

- ① The Committee on Clearing up Past Incidents for Truth and Reconciliation shall be established to address matters defined under this Act.
- ② The Commission shall carry out the following work.
 1. Decisions on matters for investigation and its initiation
 2. Investigation proceedings
 3. Decision of results on investigations and determination of feasibility of investigations
 4. Research for measures on reconciliation and other necessary work
- ③ The Commission independently addresses matters which fall within the purview of its authority.

Chapter 2

Organization and Operation of the Commission

Article 4 (Composition of Commission)

- ① The Commission shall be comprised of fifteen commissioners, including four standing commissioners.
- ② The President shall appoint, by or with recommendation from the National Assembly, eight persons to be commissioners (including two standing commissioners) and nominate four persons (including two standing commissioners). The Chief Justice of the Supreme Court shall nominate three persons.
 1. A person who has been working as a full-time professor in an authorized university for ten years or more
 2. A person who has been working as a judge, prosecutor, military judicial officer, or lawyer for ten years or more
 3. A person who has been working as a public official with grade III or higher for ten years or more
 4. A person who has been working on historical research or the compilation of historical documents for ten years or more

- ③ The President shall appoint a commissioner as the Chairperson of the Commission.
- ④ The Chairperson and standing commissioners of the Commission shall be appointed as public officials serving a political service.

Article 5 (Terms of Chairperson and Commissioners of the Commission)

- ① The term of office for the Chairperson and commissioners of the Commission shall be two years. The consecutive appointment may be extended for one additional term. If the investigation period expires in accordance with Article 25, then the term of the commissioner expires six months after the expired date of the investigation.
- ② In the event the term of office of a commissioner expires or is vacant, his/her successor shall be recommended or nominated within 30 days after the expired date or vacancy and immediately appointed by the President.
- ③ The term of office for the succeeding commissioner shall start anew.

Article 6 (Establishment of Subcommittee)

- ① The Commission may establish a subcommittee to conduct any necessary work, including investigations.
- ② The provision of the subcommittee regarding organization, duties, and operation is based on the rules of the Commission.

Article 7 (Duties of Chairperson)

- ① The Chairperson shall act as a representative and supervise the administration and duties of the Commission.
- ② In the event the Chairperson of the Commission is unable to perform his/her duties for an unforeseen reason; a standing commissioner pre-designated by the Chairperson shall act on behalf of the Chairperson.
- ③ The Chairperson of the Commission may recommend to the President to introduce bills on affairs falling under the jurisdiction of the Commission.
- ④ When the Chairperson of the Commission performs duties related to the budget of the Commission, he/she shall be deemed to be the head of a central governmental institution under the provision of Article 14 of the Budget and Accounts Act.

Article 8 (Guarantee of Commissioners' Status)

① The commissioners shall independently conduct their investigation without any instruction or interference.

② The commissioners shall not be removed from his/her office against his/her will except in the following events.

1. In the event that any physical or mental handicap prevents him/her from performing his/her duties

2. In the event that he/she has been sentenced to imprisonment

③ A commissioner falling under subparagraph 1 of paragraph 2 above may be dismissed from his/her office by the resolution of consent of 2/3 or more of all commissioners

Article 9 (Disqualifications)

① A person who falls under any of the following subparagraphs shall be disqualified for the position of commissioner:

1. A person other than a citizen of the Republic of Korea;

2. A person who falls under any subparagraphs of Article 33 of the State Public Officials Act;

3. A person from a political party; and

4. A person who is registered as a candidate (including preliminary candidate) in any such election as held under the Act of the Election of Public Officials and the Prevention of Election Malpractices.

② A commissioner falling under any subparagraph of paragraph 1 above shall ipso facto, retire from his/her office.

Article 10 (Prohibition of Concurrent Offices of Commissioner)

① The commissioner shall neither concurrently take the office falling under any of the following subparagraphs nor perform the duties thereof during his/her tenure of office:

1. A member of the National Assembly or any local council;

2. A public official from another state institution or local government (excluding a public educational official); and

3. Other positions or affairs as determined by the rule of the Commission.

② The commissioners shall neither join a political party nor participate in political activities.

Article 11 (Recusal of Commissioner)

① A commissioner shall, if falling under any of the following subparagraphs, be excluded from participation in the deliberation and resolution.

1. If the commissioner or any person who is or was the commissioner's spouse is an offender or victim concerned in the relevant investigation of past incidents.
2. If the commissioner is or was a blood relative of the offender or victim concerned in the relevant investigation of past incidents.
3. If the commissioner was involved in any criminal investigation or trial procedures with respect to the relevant investigation of past incidents.
4. If the commissioner has testified or conducted an evaluation with respect to the relevant investigation of past incidents.
5. If the commissioner participates or participated in the relevant investigation of past incidents as an agent of the party concerned.

② The party concerned may, if any cause for difficulty exists in expecting the impartial deliberation and resolution of the commissioner, make a request for recusal to the Commission.

③ Any commissioner may voluntarily refrain from the deliberation and resolution on the relevant petition if he/she falls under any of the subparagraphs of paragraph 1 or paragraph 2.

Article 12 (Meeting Proceedings and Resolution Quorum)

Each Chairperson of the Commission and the subcommittee shall individually preside over the meeting of the Commission and the subcommittee, and the resolution thereof shall, except as otherwise provided by this Act, require the consent of a majority of the incumbent commissioners.

Article 13 (Publication of Proceedings)

The proceedings of the Commission shall be accessible to the public unless deemed otherwise by the Commission or subcommittees.

Article 14 (Secretariat)

① A Secretariat shall be established to address the general affairs of the Commission.

② There shall be one Secretary General and the necessary staff members in the Secretariat. The Secretary General shall be appointed by the President on the recommendation of the Chairperson of the Commission after deliberation of the Commission.

③ Public officials of Grade III or higher from among Secretariat staff shall be appointed by the President on the recommendation of the Chairperson of the Commission. Public officials of Grade IV or lower shall be appointed by the Chairperson of the Commission on the recommendation of the Secretary General.

④ The Secretary General shall, under the direction of the Chairperson of the Commission, exercise overall control of the affairs of the Secretariat and command and supervise the staff belonging thereto.

⑤ Necessary matters concerning the organization and operation of the Secretariat shall be prescribed by the rule of the Commission.

Article 15 (Advisory Organ)

① The Commission may establish an advisory organ in order to seek advice on matters necessary for the performance of its duties.

② The members of the Advisory Organ under paragraph 1 are appointed by the Chairperson by resolution of the Commission from among the following; researchers of history, forensic medical specialists, social or religious leaders, public officials with professional knowledge and experience, and representatives of the relevant non-governmental organizations.

③ The Commission may have an advisory organ for each subcommittee.

④ Necessary matters concerning the organization and operation of the advisory organ shall be prescribed by the rule of the Commission.

Article 16 (Guarantee of Staff Status)

① The staff members of the Commission shall not be retired, suspended, demoted, or removed from his/her office against his/her will except in instances involving confirmation of punishment or disciplinary action.

② The staff members of the Commission, excluding dispatched public officials, secure rights and responsibilities as an official in the special government service under the National Public Service Law for the duration of the Commission's activities.

Article 17 (Establishment of Disciplinary Committee)

① Under the Commission, a disciplinary committee shall be established to resolve disciplinary action against the Commission staff.

② The composition, authority and deliberation procedure, types and effects of disciplinary actions, and other necessary matters shall be prescribed by the rule of the Commission.

Article 18 (Composition and Operation of Commission)

Except as provided by this Act, matters necessary for the organization of the Commission shall be prescribed by Presidential Decree, and matters necessary for its operation shall be prescribed by the rule of the Commission.

Chapter 3

Duties and Authorities of Commission

Article 19 (Petition of Investigation)

① A victim, sufferer, his/her family or relatives, or a person who has known specific facts regarding an issue to be investigated by the Commission may file a petition.

② The petition under paragraph 1 (referred to above) shall be submitted within one year after the enforcement date of this Act.

③ The scope of any blood relatives or person possessing specific knowledge under paragraph 1 is defined by the Presidential Decree.

Article 20 (Method of Petition)

① The petition under Article 19 shall be written and include the following subparagraphs. If special circumstances prevent it from being written, an oral petition may be substituted.

1. Name and address of petitioner
2. Objectives of petition and reason for filing

② Necessary matters related to the procedure and method of the petition that falls under paragraph 1 shall be prescribed by Presidential Decree

Article 21 (Rejection of Petition)

① The Commission shall reject a petition that falls under any of the following subparagraphs.

1. The contents of the petition does not fall within the scope of the matters subject to investigation by the Commission
 2. The contents of the petition are deemed evidently false or ill-founded.
 3. The petition contains identical facts to previously dismissed petitions
 - a. Exceptions of this are any petitions containing critical material not included in previous petitions and requiring further investigation.
- ② The Commission may, after initiating the investigation of a petition, reject it if it falls under any subparagraph of paragraph 1.

Article 22 (Initiation of Investigation)

- ① In the event that a petition of the investigation does not fall under paragraph 1 of Article 21, the Commission will initiate an investigation of a petition and conduct the necessary investigation without delay.
- ② The Commission, if deemed necessary before the investigation, may conduct a preliminary investigation to determine whether or not to initiate the investigation.
- ③ The Commission may investigate a petition under official authority if it has sufficient support to admit it as a historically important event considered critical to identifying the truth.

Article 23 (Methods of Investigation)

- ① The Commission may investigate petitions by such methods as prescribed in the following.
 1. To require a respondent or reference witness to submit a written statement
 2. To request a respondent or reference witness to be present or to hear his/her statement
 3. To require the party concerned, a person involved, or the related entity/facility/organization to submit such materials as deemed relevant to matters subject to investigation
 4. To refer to the party concerned, facility, organization, or the related entity for such facts or information as deemed relevant to matters subject to investigation
 5. To appoint an appraiser and request an appraisal
- ② The Commission may, if deemed necessary for the investigation, have a commissioner or its staff conduct the methods of the investigation under paragraph I above.

③ The Commission may allow a commissioner or its staff to conduct an on-site inspection or evaluation of any such place, facility (hereinafter referred to as the party concerned), or material as deemed relevant to matters subject to investigation.

④ In the case that the Commissioner or its staff records a statement in accordance with subparagraph 2 of paragraph 1 above, the provision of Article 147 or Article 149 or paragraph 2 of Article 200 in Criminal Procedure shall apply.

⑤ The Commissioner or its staff may request any party concerned in an on-site investigation to submit relevant materials or articles. The party concerned is required to respond to the request without delay.

⑥ In the case of any request for necessary materials or articles under subparagraph 3 of paragraph 1 and paragraph 5; provision of Article 110, Article 112, Article 129, Article 131, and Article 133 may apply, provided that any relevant party that rejects such submission shall explain in detail to the Commission.

⑦ In the event that the Commission concludes there is no reason to reject such submission after the explanation under paragraph 6; it may instruct the party concerned to submit the materials or articles by resolution of the Commission.

⑧ A concerned party that receives a request for materials or articles related to the on-site inspection or investigation from the Commission should not reject such submission without reasonable ground. An exception may be permitted if the appropriate minister (a head of any relevant institution belonging to the President and the National Assembly) submits an explanation within five days after the date the request for the materials or articles was received. The minister must quote that the information the Commission requested is classified information regarding the military, diplomacy, or North Korean relations, and the release of such material would endanger national security.

⑨ In spite of the provision of paragraph 8, the head of any relevant institution that is requested to submit related material or articles shall allow exclusive inspections of the materials or articles by the commissioners, provided that the Commission shall not release the articles or materials to the public.

Article 24 (Order of Accompanying)

① The Commission may issue an order of accompanying by resolution if a person possesses critical material regarding distortions or obstructions of truth, such as anti-democratic and human rights abuses. The order of accompanying may also be issued for a person requested to be present under subparagraph 2 of paragraph 1 in Article 23 and does not respond to the order three times or more without reasonable explanation.

② The warrant of accompanying under paragraph 1 shall contain the name and address of the person subject to the warrant of accompanying, reason for the order of accompanying, place to accompany, issued date, expiration date, written assurance that after the expiration date the warrant of accompanying shall be returned, and also, in case of a rejection of the order, a person subject to the warrant of accompanying shall be fined for negligence with his/her signature or the seal of the Chairperson of the Commission. For the person whose name is

unclear and subject to the warrant; appearance, physique and other characteristics that may distinguish the person may be stated, and in the case that the address of a person subject to the warrant is unclear, the address may be omitted.

③ The order of accompanying is executed by presenting the warrant of accompanying to a person subject to the investigation.

④ The order of accompanying is executed by a staff member of the Commission.

⑤ If a respondent is in prison or a detention center (including military prison or military detention center), the order of accompanying is executed by a prison officer entrusted by a staff member of the Commission.

⑥ If a respondent is a serviceperson on active duty within the territory, a commander belonging to the territory has a duty to cooperate with the staff member of the Commission to execute the order of accompanying.

Article 25 (Period of Investigation)

① The Commission shall investigate petitions for two years with a possible two year extension if needed.

② If unable to complete the investigation within the period defined in paragraph 1, the Commission may request an extension of two years from the President and the National Assembly three month before the expiration of the investigation.

③ Under paragraph 1 and paragraph 2, the Commission may conclude the investigation before the expiration date if it decides it is unnecessary to continue.

Article 26 (Decision of Investigation)

After the Commission completes an investigation, and if they determine the facts of the incident, the conclusion of the investigation shall be decided by resolution of the Commission.

Article 27 (Decision of Impossibility of Investigation)

If unable to resolve an investigated case, the Commission may determine it unverified providing they state reasons for this decision.

Article 28 (Notification of Decision and Raising of an Objection)

① In the event of a decision of rejection under Article 21, a decision of initiation of the investigation under Article 22, a decision of investigation under Article 26, and a decision of impossibility of investigation, the Commission shall immediately notify related petitioners under Article 19 and respondents and reference witnesses under Article 23 of its decision by specifying the cause.

② If a petitioner or respondent of the investigation is dead or whereabouts is unknown, his/her spouse or linear ascendants or descendants shall be informed.

③ When providing a notification under paragraph 1 and paragraph 2, the Commission shall inform the petitioner of the procedure, period, and other necessary matters, including information to raise an objection if needed.

④ In the event that a person notified under paragraph 1 and paragraph 2 objects to the contents of the notification, the person may raise a written objection to the Commission within 60 days after receiving the notification.

⑤ The Commission shall make a decision on an objection within 60 days after receiving the objection, and provide a written decision to the person responsible for raising an objection of the result without delay.

⑥ Necessary matters regarding procedure under Article 4 shall be prescribed by Presidential Decree.

Article 29 (Dispatch of Public Official)

① The Commission may, if deemed necessary for the performance of its duties, request the head of any related entity to dispatch a public official under his/her control to the Commission. The dispatched official shall cooperate with the Commission on the condition that it does not impede on his/her duties.

② The public official who is dispatched to the Commission under paragraph 1 shall perform duties for the Commission; separate from the entity to which he/she belongs.

③ The head of the related entity responsible for dispatching a public official under his/her control to the Commission under paragraph 1 shall not take unfavorable measures against the dispatched public official in terms of personnel matters and treatment.

Article 30 (Protection of Commissioner)

① A person shall not assault or threaten a commissioner, staff member, reference witness or appraiser, nor shall any person coerce or interfere with the duties of a commissioner, staff member, or appraiser for an investigation. This includes assaults or threats intended to coerce resignation or interruption of an investigation.

② A person shall not suffer any disadvantage such as dismissal, suspension from office, reduction of salary, or transference for cooperating with or providing related information for an investigation.

③ The Commission shall prepare necessary measures to protect reference witnesses and appraisers, secure relevant materials, and prevent any obstruction of the investigation.

④ The Commission may provide necessary compensation or support to a person who obtains or submits critical materials for the investigation, and may recommend he/she be granted amnesty. The contents, procedures, and other necessary matters for this support or compensation are prescribed by the rule of the Commission.

Article 31 (Protection of Respondents)

① A person shall not be misrepresented as a suspect in any newspapers, magazines, broadcast programs (including internet newspaper and broadcasting), and other publications solely based on a past position he/she held in an administrative, military, judicial or other organization subject to the investigation, except in a case that is proven factual and related to the public good.

② Under paragraph 1 or paragraph 2 of Article 32, a person shall not disclose the contents of the investigation regarding the respondents and its accused to newspapers, magazines, broadcasting media (including internet newspapers and broadcasting) and other publications before the release of the Commission's final report.

③ The Commission shall prepare measures to protect the privacy and honor of the respondents during the investigation proceedings.

Article 32 (Report and Presentation of Opinions)

① The Commission shall prepare an investigation report and present it to the President and the National Assembly twice a year.

② The Commission shall be given six months before and an additional six months after the expiration of the investigation to prepare a comprehensive report to submit to the President and the National Assembly.

③ The Commission shall provide a respondent under Article 23, his/her spouse, lineal descendant, or concerned person with an opportunity to state his/her opinion. In this case, the person who states his/her opinion may request to read related material of the evidence based on the investigation report and may appoint a lawyer.

④ The overall report under paragraph 2 shall include recommendations under any of the following subparagraphs.

1. State Remedial measures to rectify the damage and honor of the victims and sufferers

2. State Remedial measures to account for unverified investigation results
 3. State Remedial measures to prevent past incidents from reoccurring in the future
 4. Matters related to correction and reorganization of the Act, System, Policy and Common Practice
 5. Matters related to legal and political reconciliation involving the victimizer of the past incidents
 6. State Remedial measures for the further development of national reconciliation and democracy
 7. State Remedial measures to conduct education and promotion to foster historical consciousness
 8. Other matters that the Commission deems necessary to achieve the purpose of this Act
- ⑤ The related entities receiving any recommendation under paragraph 4 shall respect and endeavor to implement the proposed recommendations.
- ⑥ The Commission shall release the report to the public, provided that sections of the report may be inaccessible to the public if the Commission deems it an endangerment to national security, reconciliation, or democracy.
- ⑦ The Commission shall not release any information pertaining to ongoing investigations to the public.

Article 33 (Consultation with State Institutions)

- ① A related state administrative institution or local governmental institution has a duty to provide active cooperation and facilities necessary for the Commission to perform its duties and investigation.
- ② The Commission may, if deemed necessary for the performance of its duties, entrust a relative institution, such as a local governmental institution, with certain tasks or collaborate with the related institution on the investigation.
- ③ A related state institution involved in the investigation may establish a special organization, such as a commission or an investigation under its institution.

Chapter 4

Measures of State and Commission

Article 34 (Duties of the State)

The State shall endeavor to rectify damage and restore the honor of the victims of past incidents, to take measures of appropriate legal / political reconciliation, and to take necessary measures to reconcile and unify the nation.

Article 35 (Prohibition of Unfavorable Measure)

A person shall not inflict unfavorable measures towards another person due to the results of the investigation.

Article 36 (Damage and Rectification)

① The Executive Administration shall take appropriate measures to rectify damage and restore the honor of the victims, sufferers, and bereaved family in accordance with the results from the investigation.

② The provision under paragraph 1 shall not be applied if other legal regulations are applying similar provisions.

Article 37 (Recommendation of Special Release and Rectification for Victims)

The Commission may recommend the President to pardon or exonerate a person convicted, forfeited, or suspended due to obstructed facts. The related state institution shall respect the decision and recommendation by the Commission.

Article 38 (Reconciliation for Victimizer Cooperating with the Investigation)

① For a victimizer actively cooperating with the Commission by confessing his/her crime during the investigation, and his/her admitted contents comply with the facts of the investigation, the Commission may recommend to the relative institution that immunity be granted during the criminal investigation or trial procedure or to mitigate the punishment. In the case of being convicted in the criminal procedure, the Commission may recommend the President to grant a pardon or exoneration as prescribed in the Act.

② The related state institution shall respect the decision and recommendation of the Commission.

Article 39 (Settlement between Victimizer and Victim or Bereaved Family)

The Commission and the Executive Administration actively recommend a compromise between victimizer and victim, or for the victimizer to offer repentance to the bereaved family and for the bereaved family to offer forgiveness to the victimizer.

Article 40 (Establishment of Foundation on Clearing up Past Incidents)

① The Executive Administration may fund the establishment of a research foundation for past incidents. The foundation would operate and manage a memorial business and historic materials center.

② Under paragraph 1, different types of funds shall not obstruct or negatively affect one another.

③ The foundation of clearing up past incidents executes duties described in the following subparagraph.

1. Operation and management of memorial business and historic materials center
2. Support for further investigation
3. Support for cultural and academic activities related to clearing up past incidents
4. Other necessary duties

④ The independence of the foundation of clearing up past incidents is guaranteed.

Chapter 5

Supplementary Rules

Article 41 (Confidentiality)

A person, who is or was a commissioner, advisory member, or staff member of the Commission, and any other person who performed or performs affairs for the Commission after having been dispatched or entrusted by the Commission, shall not disclose any confidential information including materials and articles, nor shall they use them for other purposes.

Article 42 (Prohibition of False Impersonation)

A person shall not exercise the authority of the Commission by impersonating a commissioner or its staff.

Article 43 (Prohibition of Use of Similar Name)

Any persons other than the Commission shall not use the name of the Commission on Clearing up Past Incidents for Truth and Reconciliation or any other name that is similar thereto.

Chapter 6

Penal Provisions

Article 44 (Legal Fiction in Application of Penal Provisions)

A person other than a public official from among the commissioners of the Commission shall be deemed to be a public official in the application of penal provisions under the Criminal Act or any other Act.

Article 45 (Penal)

① A person who falls under any of the following subparagraphs shall be punished by imprisonment for no more than 3 years or by a fine not exceeding 20 million won:

1. A person who files a false petition under Article 19 with the intentions of damaging another person's honor or being aware that it obstructs the performance of duties of a commissioner

2. A person damages the honor of another person; living or deceased, by publishing material in violation of the provision of paragraph 1 and paragraph 2 of Article 31

② A person under any of the following subparagraphs shall be punished by imprisonment for no more than 2 years or by a fine not exceeding 10 million won:

1. A person who discloses confidential information in violation of the provision of Article 41

2. A person who exercised the authority of the Commission by impersonating a commissioner in violation of the provision of Article 42

Article 46 (Mitigation of Punishment)

① In the case of a confession before detecting a criminal act, the punishment may be mitigated or remitted.

② The confession under paragraph 1 shall be done before the expiration of the decision on the investigation by the Commission.

Article 47 (Fine for Negligence)

① A person who falls under any of the following subparagraphs shall be punished by a fine not exceeding 10 million won:

1. A person who submits false materials or provides a false statement for the purpose of harming a respondent or reference witness under paragraph 1 of Article 23

2. A person who responds falsely to inquiry under subparagraph 4 of paragraph 1 in Article 23

3. A person who rejects or refuses the on-site investigation under paragraph 3 of Article 23 without reasonable ground

4. A person who does not follow the order of accompanying under Article 24 without reasonable ground

5. A person who is in violation of paragraph 2 of Article 30; imposing unfavorable measures on a person providing or has provided information related to the investigation

6. A person who is in violation of provisions of Article 35; imposing unfavorable measures on other persons

7. A person who is in violation of provisions of Article 43; using the name of the commission or any other name that is similar thereto

② A fine for negligence as prescribed in paragraph 1 shall be imposed by the Chairperson of the Commission in accordance with the Presidential Decree.

③ A person dissatisfied with any disposition of a fine for negligence as prescribed in paragraph 1 may raise an objection to the Chairperson of the Commission within 14 days after being notified of such disposition.

④ If a person subject to a disposition of a fine for negligence under paragraph 1 raises an objection under paragraph 3, the imposition authority shall notify the appropriate court without delay, which in turn, shall proceed to conduct a trial for the fine for negligence pursuant to the Non-Contentious Case Litigation Procedure Act.

⑤ If an objection is not raised within the period as prescribed in paragraph 3 and the fine for negligence is not paid, the fine for negligence shall be collected by referring to the practices of dispositions on default of national taxes.

Article 1 (Enforcement Date)

This Act shall enter into force 6 months after the date of its promulgation. Provided that the commissioners and staff of the Commission are appointed and the rule concerning the enforcement of this Act has been enacted and promulgated, then the preparation for its establishment may be conducted before this Act enters into force.

Article 2 (Application Example Concerning Commencement of Term of Office of Commissioners)

The term of offices of commissioners initially appointed under this Act shall be deemed to commence on the date when this Act enters into force.

Article 3 (Interim Measures of Suspicious Death Incidents and Suspicious Death Cases in the Military)

① Cases that were insufficiently investigated by the Presidential Truth Commission on Suspicious Deaths for reasons such as lack of time may be reopened if the Commission deems it necessary for further investigation under Article 22.

② In the case of an investigation subject to paragraph 1, the statute of limitations of public prosecution shall be from the date of the criminal act to the time of the accusation or request for an investigation.