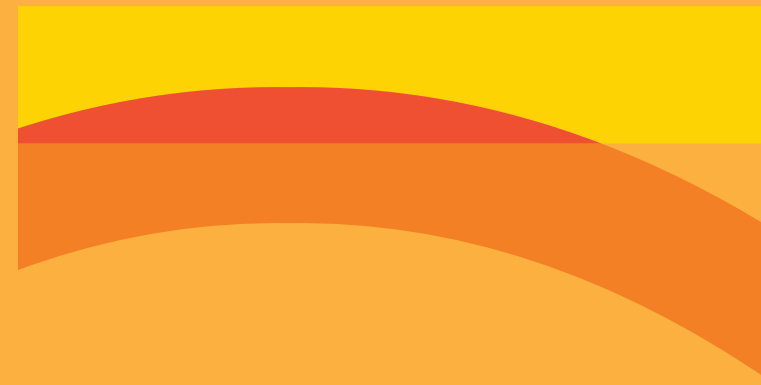


Major Mandates of the Press Arbitration Commission



03

01 Counseling Related to Press Disputes

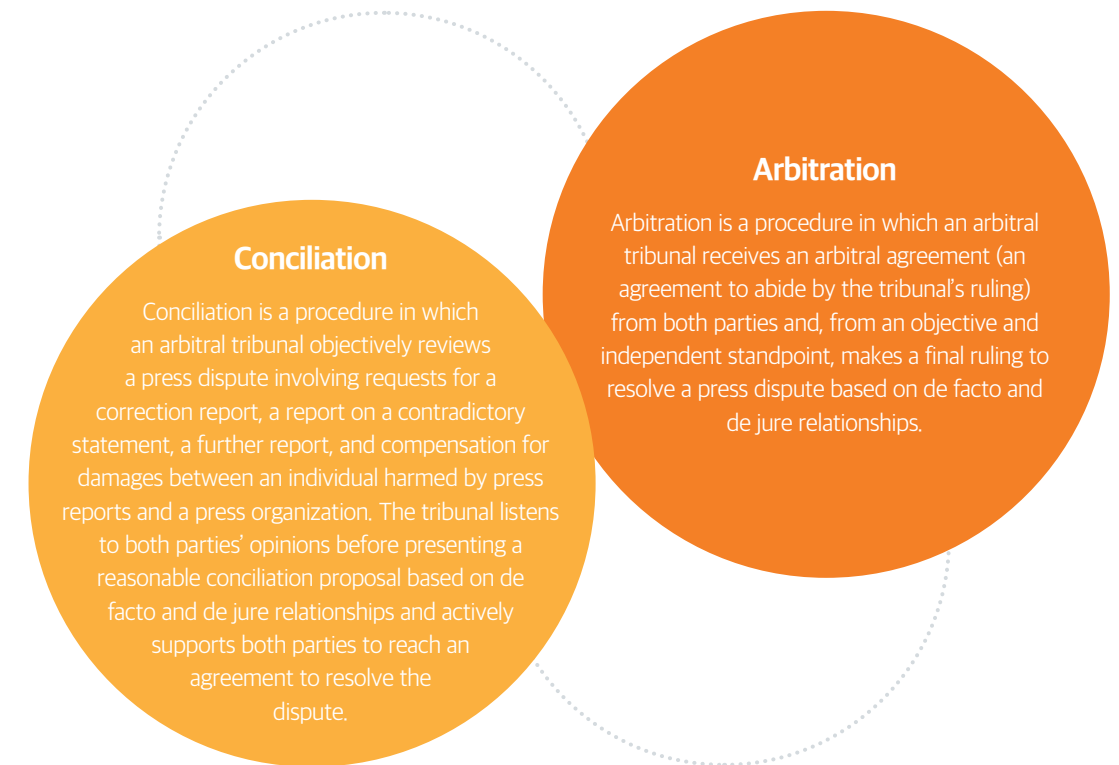


- Experienced professional counselors provide free one-stop counseling services for general matters related to press disputes.
- The professional counselors of the PAC offer systematic counseling services on matters related to disputes arising from press reports. Users of counseling services can receive assistance on responding to press disputes and understanding the overall conciliation and arbitration procedures (i.e., how to apply, prepare, and submit the application form).
- Counseling is provided free of charge. Users can consult professional counselors in person at the PAC, by phone, email, or through one-on-one inquiries on the website.

Counseling for Damages due to the Press

For visitors: Seoul office (Counseling Team, 15th floor, Press Center) and regional offices
Representative Tel. no.: +82-2-397-3000
E-mail: counsel@pac.or.kr Website: <https://www.pac.or.kr>

02 Conciliation and Arbitration of Press Disputes



- The 'press conciliation and arbitration system' offers the advantage of quickly resolving press disputes through a simple, cost-free procedure, in contrast to the complicated court proceedings that can be lengthy and expensive.
- The 'press conciliation and arbitration system' is a procedure in which an independent and objective arbitral tribunal, composed of experts in press disputes, thoroughly listens to the positions and claims of the relevant parties. It offers a reasonable recommendation based on mutual concessions and compromises to help both parties reach an agreement and aims to resolve the dispute, increasing the likelihood of a satisfactory outcome for all parties.

Requirements for Application and Types of Requests

| Media Subject to Application

Newspaper, broadcasting, periodicals including magazines, news communications, online newspapers, Internet news services (portals), Internet multimedia broadcasting (IPTV).

| Applicants

Individuals, general organizations, public institutions, companies, and local governments that have suffered damages due to press reports* can file an application. If an agent (for a minor or a person with parental rights) submits an application on behalf of the applicant, a document or power of attorney proving the right of representation must be included.

| Application Period

A party that has incurred damages can file an application within 3 months from the date the party became aware of the press report and within 6 months from the date of the press report.

However, a request for a further report must be made within 3 months from the date the party became aware that the criminal procedure has been terminated by a judgment of acquittal or dismissed charges, and a document proving this termination must be submitted.

* The term "press report" refers to any report on factual allegations made by the press (Article 2 of *the Act on Press Arbitration and Damage Remedies*). The term "factual allegation" denotes any claim regarding actual facts whose existence can be verified by evidence. Reports consisting of a press organization's opinions or evaluations do not fall under this definition.

| Types of Requests

The right to apply for conciliation and arbitration to the Commission includes requests for a report on a corrected statement, requests for a report on a contradictory statement, requests for a further report, and requests for compensation for damages.

An aggrieved party may file a combined application for multiple requests (e.g., a request for a report on corrected statement and a request for compensation for damages) and may change the type of request even during the conciliation procedure.

① Request for Report on a Corrected Statement

If a press report is partially or wholly false, one can request the concerned press organization to issue a corrected statement clarifying the incorrect information.

Example of Report on a Corrected Statement

On May 5, we published an article on the front page of our newspaper under the title: "E.coli found in Frozen Processed Food," which reported that "E.coli was found in frozen processed foods manufactured and distributed by corporation A."

However, upon fact-checking, it was discovered that E.coli was not found in the frozen processed foods manufactured and distributed by corporation A. We hereby correct our previous statement. This report has been issued in accordance with the conciliation of the Press Arbitration Commission.

② Request for Report on a Contradictory Statement

Individuals who suffered damages due to a press report can request the concerned press organization to provide their position regarding the relevant content of the report.

Example of Report on a Contradictory Statement

On May 5, we published an article on the front page of our newspaper under the title: "E.coli found in Frozen Processed Food," which reported that "E.coli was found in frozen processed foods manufactured and distributed by corporation A."

In response, Company A has stated that a thorough inspection of the frozen processed foods showed that they fall below the processing product standards, indicating that there are no issues in any respect.

This report has been issued in accordance with the conciliation of the Press Arbitration Commission.

③ Request for a Further Report

In case a person reported by a press organization to have a criminal charge or to have faced criminal proceedings is later found not guilty or cleared of the charges, that individual has the right to request the press organization to report this fact (the acquittal or dismissal of charges).

Example of a further report

On May 5, we published an article on the front page of our newspaper under the title: "John Doe caught drunk driving" which reported that "John Doe is under police investigation on charges of drinking under the influence of alcohol."

However, we hereby report that he has recently been cleared of charges by the prosecution.

This report has been issued in accordance with the conciliation of the Press Arbitration Commission.

④ Request for compensation for damages

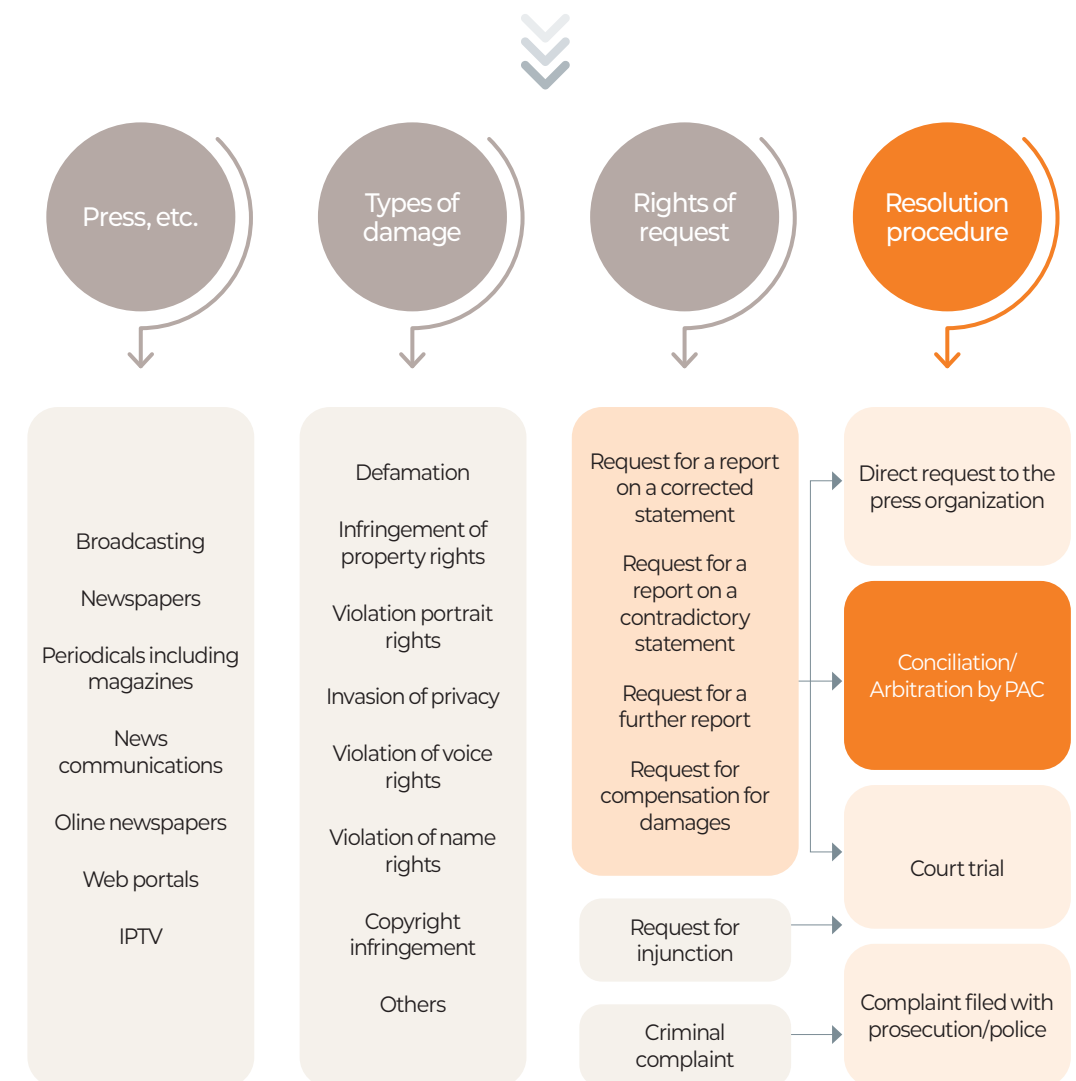
One can request for monetary compensation from the press organization for damages caused by press reports.

Example of settlement agreement for damages

The respondent shall pay the applicant KRW 1 million.



Procedure for resolving disputes due to press reports, etc.



※ Requests for a corrected statement or a contradictory statement, requests for a further report, and requests for compensation can be made directly to the press organization without going through the Commission, or a lawsuit can be filed directly in court.

Applying for Press Conciliation

| How to Apply for Press conciliation

① Application in Writing

- Specify the applicant's personal information, the target media outlet, and the date and time of the report on the press conciliation application form. The applicant must detail the reasons for requesting a corrected statement, a contradictory statement, a further report, or compensation for damages, along with the requested report and the amount of compensation. The completed form should be submitted to the Commission either in person or by mail.
- Applicants must submit the text of the disputed report when submitting the application form for newspapers and periodicals, including magazines. For broadcasts subject to conciliation, video/voice recordings and transcripts must also be included. If the news report subject to conciliation is from an online newspaper or internet news service (web portal), the URL of the article must be provided.
- Applicants must submit evidence to support their claims.



② Application by Electronic Document

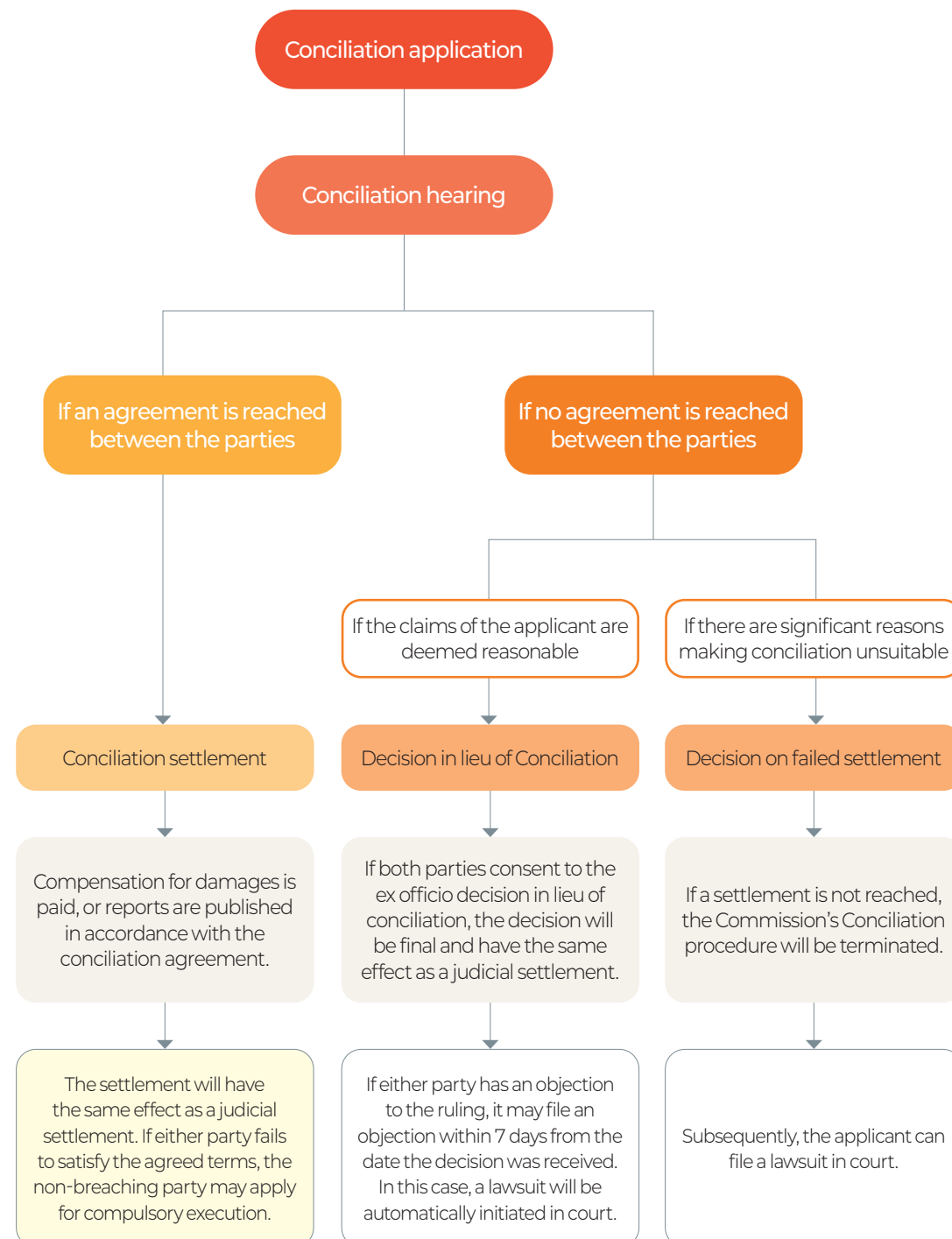
- Applicants can submit their applications electronically by visiting the Commission's website (<https://www.pac.or.kr>).
- On the Commission's website, navigate to the "Press Damage Remedy Procedures > Conciliation Application Method" section. Click on "Electronic Application," agree to the "Collection and Use of Personal Information," complete the "Mobile Phone Verification," and follow the instructions to complete the press conciliation application form.
- The press conciliation application form can also be submitted via email (counsel@pac.or.kr).

③ Application by Oral Statement

- Applicants may provide an oral statement detailing the required information for the application, allowing one of our professional counselors to complete the press conciliation application form on their behalf. The applicant can then review the content and sign or seal the application form for submission.

* You can download the press conciliation and arbitration application forms from the PAC website (<https://www.pac.or.kr>) and find instructions on how to complete them. Since the conciliation and arbitration forms are different, they must be filled out separately.

Procedure Flow Chart



- If the application for conciliation is received, the arbitral tribunal will designate a conciliation date and send a written request for attendance to both the applicant and the respondent (the press organization).
- On the conciliation date, a conciliation hearing will be held in the presence of the applicant and the respondent.
 - The parties who receive the written request for attendance must attend the hearing with their identification cards.
 - If the applicant fails to attend the hearing on two occasions after receiving a written request for attendance, the application for conciliation will be considered withdrawn. If the respondent fails to attend on two occasions, it will be deemed that the respondent agrees to the applicant's request.
 - If it is difficult for a relevant party to attend the hearing in person, their agent may attend after obtaining approval from the arbitral tribunal by submitting a power of attorney and an application for permission to appoint a conciliation representative.
 - The Conciliation is conducted behind closed doors; however, parties with a vested interest in the case may attend the hearing with prior approval from the arbitral tribunal.
- At the hearing, the arbitral tribunal listens to the opinions of both parties and mediates to facilitate a mutually satisfactory agreement.
- In principle, the conciliation procedure is completed within 14 days from the submission date. If the arbitral tribunal makes a decision in lieu of conciliation (i.e., an ex officio decision), it will be processed within 21 days.

Results and Effects of Press Conciliation

① Conciliation Settlement

- This refers to cases where both parties have reached an amicable agreement regarding a corrected statement, a contradictory statement, a further report, and compensation for damages. The conciliation settlement by the Press Arbitration Commission has the same effect as a judicial settlement.
- If the press organization fails to comply with the settlement terms, the applicant may seek court enforcement to compel the organization to fulfill the agreed-upon terms.

② Decision in Lieu of Conciliation (Ex Officio Decision on Conciliation)

- Even if the parties do not reach a conciliation settlement, the arbitral tribunal may issue an ex officio decision if the applicant's claim is valid, considering all circumstances. This may involve a report on a corrected statement, a contradictory statement, further reporting, and compensation for damages. If the ex officio ruling is finalized without objection, it will have the same effect as a judicial settlement.
- Either party may file an objection to the ruling within 7 days of its delivery.
- Upon receiving an objection, the ruling becomes null and void, and a lawsuit will be automatically initiated in court. In this case, the applicant will be the plaintiff, while the respondent, including the press organization, will be the defendant.

③ Decision on Failed Settlement

- If the arbitral tribunal determines there is significant reason for the unsuitability of conciliation, such as the parties' inability to reach an agreement, it may terminate the conciliation process and issue a decision on failed settlement.
- Once the decision on the failed settlement is made, the conciliation procedure by the Commission is terminated, and the applicant may file a separate lawsuit in court.



④ Dismissal

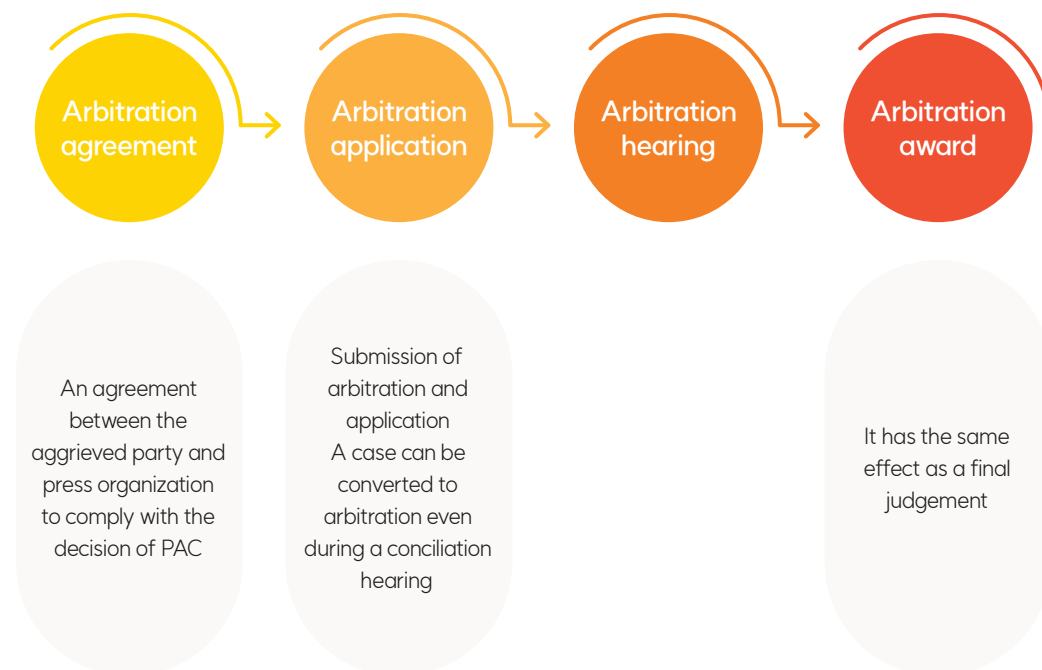
- If the applicant's claim is deemed clearly unfounded, the arbitral tribunal may dismiss the conciliation application.
- Such instances include cases where the applicant lacks a legitimate interest, where the content of the requested corrected statement is clearly contrary to the facts, and where the application is made solely for commercial purposes.

⑤ Rejection

- If an applicant applies for conciliation after the specific period (i.e., more than 3 months from when the applicant became aware of the news report and more than 6 months from the date of the report), the arbitral tribunal may reject the application.

Applying for Press Arbitration, Arbitration Procedures and Effects

- To apply for arbitration, both the applicant and the press organization must agree to comply with the arbitral tribunal's decision. A letter confirming this agreement (arbitration agreement form) must be submitted with the application.
- The arbitration decision of the Commission has the same effect as a final judgment.
- If the arbitral tribunal issues an arbitration award, the press organization must provide a report on a corrected statement, a contradictory statement, or a further report, or pay compensation for damages as determined.
- If the press organization fails to comply with the arbitration award, the applicant may request the court to compel the organization to fulfill it.
- Other application conciliation (e.g., applicant qualifications, applicable media, application period, etc.) are the same as those for the conciliation process.



03

Deliberation on Recommendation for Correction

| Recommendation for Correction of a Report that Violates Personal and Social Legal Interests

- The PAC recommends corrections to press organizations that issue or publish reports violating personal, social, or national legal interests through the Correction Recommendation Subcommittee, which consists of seven commissioners, in accordance with Article 32 of the *Act on Press Arbitration and Damage Remedies*.
- The Correction Recommendation Subcommittee establishes standards for deliberating correction recommendations based on the *Constitution of the Republic of Korea*, the *Family Litigation Act*, the *Act on Special Cases concerning the Punishment of Sexual Crimes*, the *Juvenile Act*, the *Act on Special Cases concerning the Punishment of Child*

Abuse Crimes, the Act on the Prevention of Suicide and the Creation of a Culture of Respect for Life, the Protection of Communications Secrets Act, and the Act on the Disclosure of Personal Information of Specific Serious Crime Suspects. These standards are used when making decisions on recommendations for correction.

- Reports subject to deliberation for a recommendation for correction include the following: disclosures of private information; defamation; revelations about individuals involved in criminal cases (such as victims, suspects, defendants, and witnesses) and those related to sexual violence and child abuse; biased, discriminatory, or derogatory expressions based on factors such as race, nationality, region, gender, and physical or mental illness; detailed reports concerning narcotics and drugs (including specific usage and dosage); and detailed accounts related to suicide (such as the disclosure of locations and methods).
- The Correction Recommendation Subcommittee provides guidance and recommends corrective measures that a press organization can take to prevent the further spread and recurrence of violations of legal interests upon delivering its decision on a recommendation for correction. The recommendation serves as an advisory measure and is not legally binding.



04 Deliberation on Election News

| Establishment and operation of Election News Deliberation Commission to promote fair reporting of elections

- The PAC establishes and operates the Election News Deliberation Commission in accordance with the *Public Official Election Act* during elections held for reasons such as the expiration of an official's term (e.g., presidential elections, elections for National Assembly members, and local elections) as well as during by-elections.*
- The Election News Deliberation Commission independently reviews the fairness of election-related news articles reported in newspapers, periodicals including magazines, and news communications. The Commission also deliberates on articles for which election candidates have requested corrections. It is committed to ensuring fair elections by issuing decisions that may require corrected or contradictory statements, warnings, or recommendations.
- Furthermore, if a press organization rejects a candidate's or affected party's request for a contradictory statement regarding an election article and the request is submitted to the Commission, it will be processed within 48 hours.



* In the case of an election held due to the expiration of a term of office, the Election News Deliberation Commission will convene one day before the start of preliminary candidate registration. For a by-election, the Commission will be established 60 days before election day (or, if the reason for the by-election is confirmed within 60 days prior to election day, then it will start 10 days after the confirmation date) and continue for 30 days after election day.

05 Providing Training Programs and Education on Press Damage Prevention and Remedy

| The PAC operates the 'Press Arbitration Academy' to provide free education on press damage remedies and prevention, along with various training programs.

Anyone can easily register for education and training online at the PAC website.

① Press Damage Remedy and Prevention Education

- We offer education on remedying and preventing damages caused by press reports for press organizations, national and public institutions, local governments, companies, universities, and other entities.
- The lecturers, who are experts in press-related legal systems and remedies for damages caused by press reports, provide education on the types of personal rights that may be violated by press reports, press dispute cases and resolution methods, the PAC's conciliation procedures, and other related topics, drawing on various conciliation cases and precedents.
- Education is offered upon group requests of 10 or more individuals and is available both at the PAC and through on-site training.

② Training Program

Customized lectures are offered by invited external speakers, along with training on remedying and preventing damages caused by the press, for journalists, aspiring legal professionals, college students, public officials, employees of public institutions, and the general public.

- Training Program for Journalists: We provide training on important considerations when covering and reporting to prevent press disputes, along with information aimed at enhancing journalistic practices.
- Workshop for Local Journalists: We conduct educational workshops for local journalists in collaboration with press organizations.

- Training for Prospective Legal Professionals: We offer practical training to help law school students understand the press law system and the press conciliation process.
- Training for College Students (Prospective Journalists): Students can receive education on remedying and preventing damages caused by press reports and learn from the experiences of current journalists in the media industry.
- Press Arbitration School for Youth: We offer programs that include lectures and field trips aimed at helping teenagers build their legal knowledge regarding freedom of the press and the protection of personal rights.
- Customized Entrusted Training: We conduct tailored educational programs entrusted to us by various organizations and groups.
- Training for the General Public: We offer educational sessions conducted by invited lecturers specializing in media, including training on remedying damages caused by the press, for anyone interested in enrolling in the PAC courses.
- Education on Election News Deliberation System: We provide clear and easy-to-understand information about the PAC election news deliberation and resolution procedures, deliberation standards, and significant cases relevant to political parties (including their sub-organizations), prospective candidates, press organizations, and others.



③ Hosting of Mock Conciliation Competitions

- To enhance young people's understanding of the press conciliation system and foster a positive perception of our Commission, we have hosted a mock conciliation competition each year since 2021.
- Any college or graduate school students interested in the press conciliation system may participate as teams.
- The competition is conducted in two stages: a mock conciliation scenario screening focused on a press dispute incident, followed by a mock conciliation contest.

Applications for and Inquiries about Education

Application for education: Commission's website (<https://pac.or.kr>) > Press Arbitration Academy
Inquiries on education: +82-2-397-3062

06 Academic Research on Press Laws

We conduct various academic research and support activities related to press laws, as well as press conciliation and arbitration systems.

The PAC conducts projects such as publishing a specialized academic journal, hosting academic seminars, and operating a resource center to promote research, academic advancement, and support in the fields of press law and press conciliation and arbitration systems.

The various academic materials published by the PAC are available for free on the PAC website.

① Publication of Academic Books

- We contribute to the revitalization and promotion of academic research related to press laws through the publication of the journal **<Media and Personal Rights>**, which serves as a platform for high-quality theses on press laws, freedom of expression, personal rights, and press conciliation and arbitration systems (published three times a year).
- The quarterly journal **<Press Arbitration>** provides insightful perspectives on the latest trends and key issues in the field of press law (published four times a year).
- Through publication of **<Report on Analysis of Press-Related Court Judgments>** which collects, analyzes, and summarizes press-related judgments throughout the year, the PAC examines trends in domestic press-related litigation, applicable laws, and significant developments (published annually).
- By publishing the **<Research Report on Foreign Press Laws>**, the PAC identifies and presents the current status of foreign press damage remedy systems and press laws, highlighting major issues and their implications (published annually).

② Academic Seminars

- The PAC holds in-depth discussions with experts from the journalism, law, and academia on important issues related to press laws in response to changes in the media environment and society.

③ Resource Center

- We provide essential materials for research related to press laws through a resource center that houses over 5,000 books, along with various academic periodicals and publications.

