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# The features and future task of societal disasters in Korea

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**Abstract:** The definition of Disaster is divided by Natural and Societal in Korea. As our history shows that the Natural disaster has been managed by MOIS properly, but the Societal disaster's situation is different. In the case of societal disasters, the responsible disaster management agency is determined based on the type of incident or accident at the time of the disaster. It is necessary to rely on the unique expertise of each relevant ministry according to the type of disaster. Societal disasters have a structural limitation in that they are difficult to recognize as disasters until the government designates specific events or accidents as societal disaster officially. While there are events and accidents, such as building collapses or plane crashes, that can be immediately perceived as causing damage, there are limitations in recognizing and responding to events where the scale of damage gradually expands. Therefore, there is an urgent need for the Ministry of Interior and Safety to maintain collaborative disaster management capabilities, based on various experiences and cooperative relationships with local governments

**Keywords:** Societal disaster, Disaster related Laws, Governance of Disaster Management

## 1. Introduction

Recently, the number of social disasters in South Korea has increased more than ten-fold, from 2 cases in 2012 to 23 cases in 2021. Property damage has also more than doubled, from 301.4 billion won in 2012 to 676.7 billion won in 2021. The increasing occurrence and scale of social disasters can be attributed to the increasing complexity and diversification of Korean society. Therefore, it is necessary to understand the uniqueness of social disasters, in addition to natural disaster management, and identify future tasks to be explored and improved.

In this study, I aim to understand the concept of disasters within South Korea's disaster-related legal system and to identify the differences and peculiarities between natural and social disaster management systems. The goal is to uncover future tasks for improving the social disaster management system.

## 2. The concept of disaster within the legal framework

In our country, the concept of disaster is defined in Article 3 (Definition) of the "Disaster and Safety Management Basic Act: hereinafter referred to as the Disaster Safety Act," as "anything that can cause harm to the lives, bodies, properties of the people, or to the nation." It categorizes disasters into natural disasters, societal disasters, and overseas disasters. The meanings of the terms used in the Disaster Safety Act are as follows:

"Disaster" refers to the following items that can cause harm to the lives, bodies, properties of the people, or to the nation:

a. Natural disasters: typhoons, floods, heavy rain, strong winds, storms, tidal waves, heavy snowfall, cold waves, lightning, droughts, heatwaves, earthquakes, yellow dust, massive algal blooms, tides, volcanic activities, falling or colliding of natural space objects such as asteroids or meteorites, and other disasters caused by natural phenomena.

b. Societal disasters: fires, collapses, explosions, accidents in transportation (including aviation and maritime accidents), nuclear accidents, environmental pollution accidents, and other disasters that cause damages beyond the scale prescribed by the Presidential Decree and lead to the paralysis of the nation's critical infrastructure, the spread of infectious diseases according to the "Infectious Disease Prevention and Management Act," or the spread of livestock infectious diseases according to the "Livestock Infectious Diseases Prevention Act," and damages caused by fine dust according to the "Special Act on Fine Dust Reduction and Management."

"Overseas disaster" refers to a disaster outside the territory of the Republic of Korea that can cause harm to the lives, bodies, or properties of Korean nationals and requires a government-level response.

Natural disasters represent disasters caused by natural phenomena, and this concept is universally used worldwide. In contrast, societal disasters refer to disasters that require responses at the national or local government level due to damages to human lives or properties and the paralysis of critical infrastructure caused by fires, collapses, explosions, transportation accidents (including aviation and maritime accidents), nuclear accidents, infectious diseases, livestock infectious diseases, fine dust, etc. The term "societal disaster" is almost exclusively used in academic and practical contexts in South Korea. Similar concepts may include terms such as "man-made" or "man-caused" disasters. As our society becomes increasingly complex and diversified, the term "societal disaster" is used as a conceptual framework for dealing with various incidents, accidents, and social disruptions at the local and national levels. The concept of "societal disaster" was first introduced in the amended "Disaster Safety Act" in August 2013. Incidents such as the collapse of the Seongsu Bridge in 1994, the collapse of the Sampoong Department Store in 1995, the Daegu subway arson attack and the logistics crisis caused by the cargo truckers' strike in 2003 are examples of large-scale national disasters, emphasizing the need for authorities to manage and respond to such events.

Finally, "overseas disasters" refer to disasters that occur outside the territory of the Republic of Korea but require a government-level response. Rather than classifying disasters based on their causes and outcomes, the concept of overseas disasters is more of a managerial necessity.

In contrast to South Korea's classification of disasters into natural and social disasters, other countries use the term "emergency" or "civil contingency" to encompass a broader range of situations. Emergencies in foreign countries include natural disasters, man-made disasters (man-caused events), technical failures, special events, terrorism, riots, etc. They do not have a separate classification for wars and terrorism, as South Korea does with the Civil Defense Act and the Terrorism Management Act. Instead, they are encompassed within the Civil Defense Act. In practical terms, South Korea uses the concept of "societal disaster" as a conceptual category to manage emergencies other than natural disasters. Defining the concept of disaster involves incorporating the diverse legal, institutional, geographical, environmental, and cultural characteristics of a given country. While there may be variations in how different countries express or define disasters, the ultimate goal is to establish the necessary institutional frameworks and legal foundations for local governments and the nation to effectively respond to and manage emergency situations.

### **3. The features of Societal disaster within the legal framework in Korea**

In the past, the disaster-related laws in our country were primarily focused on natural disasters such as typhoons, floods, and other natural calamities. The "Maritime Rescue Act" and "River Act" were enacted in 1961, followed by the "Disaster Relief Act" in the same year, marking the first disaster-related laws established domestically. In 1967, the "Countermeasures Against Typhoons and Floods Act" was enacted, establishing a practical disaster management system. Subsequently, in 1996, the "Countermeasures Against Typhoons and Floods Act" was completely revised and became the "Natural Disaster Countermeasures Act," which remains in effect today. The "Natural Disaster

Countermeasures Act" served as the foundation of domestic disaster management policies for over 37 years until the enactment of the "Disaster Safety Act" in 2004, providing significant legal basis for natural disaster management.

On the other hand, the concept of societal disasters emerged only about a decade ago. One significant characteristic of societal disasters is that the responsible ministries and relevant laws differ depending on the type of disaster, unlike natural disasters. The legal basis for societal disaster is mostly legislation enacted to promote policies of the respective ministries, with disaster management being one of their various responsibilities. For example, the "Forest Protection Act" serves as the legal basis for forest fire disasters, regulating fire prevention, suppression, and recovery measures. However, the "Forest Protection Act" is a law enacted in 2010 with the aim of complementing the dualized forest protection zone system, integrating forest pest management, fire prevention, and suppression, and other comprehensive forest protection measures. It is a law that governs certain tasks related to forest fire disasters as part of the broader mandate of protecting and nurturing forests.

#### **4. Governance system of the societal disaster**

Central ministries, local governments, and public institutions refer to various laws, regulations, and manuals in order to carry out disaster management tasks. The National Crisis Management Manual, in particular, is a document that specifies the duties and roles of disaster management agencies and relevant organizations for each type of disaster. The standard manual consists of a total of 41 types, including 13 types of natural disasters and 28 types of societal disasters. As mentioned earlier in the concept of societal disasters, each type of disaster has a designated disaster management agency and separate laws that the agency follows.

In the case of societal disasters, the responsible disaster management agency is determined based on the type of incident or accident at the time of the disaster, and the agency is responsible for handling the incident. However, as our society becomes increasingly complex and the scale of disasters grows, it becomes more challenging and burdensome to clearly determine the responsible disaster management agency and swiftly assign the duties and roles of relevant organizations accordingly. Moreover, in the case of novel disasters that have not been experienced in the past, the responsible disaster management agency may be unclear, and blind spots in disaster management can occur. This is precisely the difficulty in managing societal disasters in Korea.

#### **5. The role and future task of MOIS**

The Ministry of Interior and Safety is the comprehensive coordinating agency for disaster and safety management tasks, and its responsibilities and roles are becoming increasingly important and significant when disasters occur. In the case of natural disasters, the MOIS works in close and cooperative relationships with local governments for prevention and recovery operations in accordance with the Natural Disaster Countermeasures Act. However, as discussed earlier, in the case of societal disasters, the agencies responsible for incident response are determined based on the type of disaster after it occurs, and many of these agencies may have limited capabilities in disaster management compared to the MOIS. Nevertheless, apart from core disaster management tasks, it is necessary to rely on the unique expertise of each relevant ministry according to the type of disaster. For example, in the case of an outbreak of livestock infectious diseases, decisions such as culling and disposal of animals are determined based on the situation assessment by the quarantine officials of the Ministry of Agriculture, Food and Rural Affairs. However, tasks such as support for affected farms by local governments, utilization of disaster management funds held by local governments, and the establishment of animal disease control centers through special grants from the MOIS play an important role in coordination and support by the MOIS, which is a specialized disaster management agency. In

addition, cooperation between the MOIS and local governments, including personnel exchanges and the transfer of experience, through the formation of interpersonal networks, is a crucial factor in enhancing disaster management capabilities. Therefore, the MOIS needs to make efforts to strengthen its capacity for improving the societal disaster management system, such as enhancing situational assessment at the time of social disaster occurrence and coordinating the missions and roles among relevant agencies.

## **6. Conclusions**

In South Korea, disasters are classified into natural disasters and societal disasters. Within this framework, societal disasters refer to all incidents and accidents, excluding disasters caused by natural phenomena, that require national and local government-level management.

Societal disasters have a structural limitation in that they are difficult to recognize as disasters until the government designates specific events or accidents as societal disaster officially. While there are events and accidents, such as building collapses or plane crashes, that can be immediately perceived as causing damage, there are limitations in recognizing and responding to events where the scale of damage gradually expands. Therefore, there is an urgent need for the Ministry of Interior and Safety to maintain collaborative disaster management capabilities, based on various experiences and cooperative relationships with local governments.