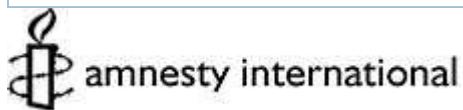


[EN](#) | [DE](#)

- **Source:**  
AI - Amnesty International
- **Title:**  
Amnesty International Report 2015/16 - The State of the World's Human Rights - South Korea
- **Publication date:**  
24 February 2016
- **ecoi.net summary:** Annual report 2015/16 (covering 2015) [ID 319740]
- **Countries:**  
Korea, Republic
- **Original link** <https://www.amnesty.org/en/countries/asia-and-the-pacific/south-korea/report-korea-republic-of/>

**Recommended citation:**

AI - Amnesty International: Amnesty International Report 2015/16 - The State of the World's Human Rights - South Korea, 24 February 2016 (available at [ecoi.net](http://www.ecoi.net))  
[http://www.ecoi.net/local\\_link/319740/445110\\_en.html](http://www.ecoi.net/local_link/319740/445110_en.html) (accessed 13 April 2016)



## Amnesty International Report 2015/16 - The State of the World's Human Rights - South Korea

The authorities continued to restrict the rights to freedom of expression, association and peaceful assembly. Police used unnecessary force during a vigil walk in memory of the victims of the Sewol ferry accident, and a protester was seriously injured in a demonstration where police used water cannons. Although the right of conscientious objectors to be exempted from military service continued to be denied, lower courts made a number of decisions in favour of recognizing conscientious objection. Migrant agricultural workers faced trafficking for exploitation.

### Background

The outbreak of the Middle East Respiratory Syndrome (Mers) resulted in 38 deaths, restrictions to daily life and a severe blow to the economy of the Republic of Korea. The government was criticized by the public and international actors for inadequate preparation and delay in the response to the virus. The selection of the new Chairperson of the National Human Rights Commission of Korea lacked transparency and there was insufficient consultation with civil society groups and other relevant stakeholders.<sup>1</sup> The annual Pride Parade took place peacefully in June although police initially rejected the application, citing clashes between lesbian, gay, bisexual, transgender and intersex participants and conservative protesters in 2014.

### Freedom of expression

Detentions and prosecutions under the National Security Law (NSL) were used to intimidate and imprison people exercising their right to freedom of expression. The government broadened the application of the NSL to include new categories and additional groups of individuals such as politicians, serving parliamentarians and foreign nationals.

In January, the Supreme Court upheld an earlier Seoul High Court decision which found Lee Seok-ki and six other members of the opposition Unified Progressive Party (UPP) guilty of charges under the NSL, shortly after the Constitutional Court decision in late 2014 that dissolved the UPP because it had violated the country's "basic democratic order".

Also in January, US national Shin Eun-mi was deported for allegedly speaking positively about the Democratic People's Republic of Korea (North Korea). Hwang Seon, a national of South Korea, was arrested the same month, charged in February under the NSL with "causing social confusion" through a speaking tour allegedly praising the North Korea regime, and was released on bail in June.<sup>2</sup>

### Conscientious objectors

No effective steps were taken to recognize the right of conscientious objectors to be exempted from military service.<sup>3</sup> More than 600 conscientious objectors remained in prison, facing economic and social disadvantages beyond their jail terms due to their criminal records.

However, a number of decisions recognizing conscientious objection have been made by lower courts, including three in 2015. While the Constitutional Court was still examining the legality of conscientious objection, in May the Gwangju District Court acquitted three conscientious objectors accused of breaking the law by refusing military duty. District courts in Suwon and Gwangju further acquitted three other conscientious objectors in August.

The revision of the Military Service Act and the Enforcement Decree of the Military Service Act came into force on 1 July. Based on this revision, information on individuals refusing to perform military service without “justifiable” reasons was liable to be made public on the internet, potentially leading to violations of the rights to freedom of thought, conscience and religion, to privacy and to freedom from discrimination.<sup>4</sup>

## Freedom of association

In May, the Constitutional Court upheld the constitutionality of Article 2 of the Teachers' Union Act, which provided the government with the legal basis to strip the Korean Teachers and Education Workers Union of its official status. At the end of the year the original case challenging the government's action was still pending at the Seoul High Court.

The Supreme Court ruled in June that irregular migrant workers had the same rights to form and join a union as other South Korean workers, but the authorities continued to delay registering the Seoul-Gyeonggi-Incheon Migrants' Trade Union (MTU). The Seoul Regional Labour Office demanded that the MTU change its rules and regulations before finally granting registration in August.

## Freedom of assembly

The Sewol ferry accident in April 2014, which resulted in the deaths of more than 300 people, many of them students, generated a series of overwhelmingly peaceful demonstrations expressing discontent about the government's response. Police blockaded street rallies marking the one-year anniversary and used unnecessary force against participants on a vigil walk in memory of the victims, near Gwanghwamun in central Seoul on 16 April.<sup>5</sup>

In July, two prominent human rights defenders, Park Rae-goon and Kim Hye-jin, were detained by police for organizing demonstrations to seek additional action from the government in response to the accident.<sup>6</sup> The two were members of the standing committee for the group “April 16 Alliance” calling for an investigation into the accident. They had been under investigation for three months on charges which included violation of the Assembly and Demonstration Act and obstructing police in relation to the rallies. The police claimed that some of these protests were illegal, even though the protesters said they were lawfully exercising their rights to freedom of expression and peaceful assembly.

## Migrant workers' rights

Migrant agricultural workers continued to be trafficked for exploitation, including forced labour. Many were compelled to work in conditions they had not agreed to – including excessive working hours and underpayment – under the threat of punishment such as dismissal and violence. Under the terms of the Employment Permit System, it was extremely difficult for migrant workers to seek and secure alternative employment if they were subject to exploitation or other abuse by their employer.

## Death penalty

In July, lawmaker Yu In-tae of the New Politics Alliance for Democracy submitted a bill to the National Assembly that would abolish the death penalty. This was the seventh time that such a bill had been introduced but none were brought to a vote before the full Assembly.

1. South Korea: Secrecy of Chair appointment undermines independence of National Human Rights Commission of Korea ([ASA 25/2161/2015](#))
2. South Korea: National Security Law continues to restrict freedom of expression ([ASA 25/001/2015](#))
3. South Korea: Sentenced to life – conscientious objectors in South Korea ([ASA 25/1512/2015](#))
4. South Korea: Amnesty International's submission to the UN Human Rights Committee, 115th Session (19 October - 6 November 2015) ([ASA 25/2372/2015](#))

5. South Korea: Clampdown against Sewol ferry anniversary protest an insult to the victims ([Press Release, 17 April](#))
6. South Korea: Arrest of two human rights defenders for organizing demonstrations ([ASA 25/2129/2015](#))

© Amnesty International

---

published on

