

The alleged insurrection conspiracy case led by Rep. Lee Seok-ki

## Knocked on the UN's door

Individual Complaint submitted to the UN Human Rights Committee on the occasion of World Human Rights Day

The seven arrested people including former Rep. Lee Seok-ki, victims of the alleged insurrection conspiracy case submitted an individual complaint to the UN Human Rights Committee (HRC) in Geneva on the occasion of World Human Rights Day (Dec. 10). The complaint was officially accepted by the Committee.

The arrested requested a remedy for their sufferings from the human rights violations by the Korean government, having breached its obligations under Article 19 of the International Covenant on Civil and Political Rights (Everyone has the right to freedom of opinion and expression).

The individual communication asserted that the remarks delivered by the seven defendants including Rep. Lee neither fall under insurrection provocation nor present any clear danger of substantial threats to the national security, therefore, punishing them severely is against the principle of "*Ultima Ratio*" and the Principle of Proportionality.

Before submitting the individual communication to the ICCPR, a press conference was also held at the Franciscan Education Center on December 9, 2015. In the press conference, lawyer Kim Chil-jun, former secretary general of the National Human Rights Commission of Korea (NHRCK), who was one of the defense team for the victims, pointed out that "the UN Human Rights Committee has maintained consistent and clear concerns over infringed rights to freedom of expression in Korea for a long time." He emphasized that "it is reasonable for the HRC to conclude the Korean government violated the international human rights documents. I am confident that the HRC will find human rights violation by the government in this case."

Right after the Supreme Court decision was made, lawyer Kim already expressed the plan to file an individual communication to the HRC, saying that "the struggle for the truth and human rights will never end. The exhaustion of domestic judicial procedures means the beginning of resorting to international remedies through international human rights bodies."

# Freedom to the arrested

Public figures in and out of Korea have urged for

**'Social Integration and Human Rights'**

Marking the 67th World Human Rights Day, a total of 488 prominent figures at home and abroad joined the Declaration demanding the immediate release of the arrested in the alleged insurrection conspiracy case.

The Declaration was initiated by the 18 representatives of civil society and religious communities and signed by the 488 domestic and international figures (the 18 initiators included). The participants of the Declaration include Dr. Donald W. Shriver (former president of Union Theological College, NY), Michel Chossudovsky (professor of the University of Ottawa, Canada), Tae-Ung Baik (member of Working Group on Enforced or Involuntary Disappearances), Yasukumi Ishiko (石河康国, vice-chairperson of New Socialist Party, Japan), and other influential people from all walks of life.

In the Declaration, the 488 signers noted that “democracy is tolerance and coexistence” and urged the immediate release of the arrested, saying “the Park Geun-hye administration should not hand over its responsibility of reconciliation and tolerance to the next government.”

## The meeting with the UN Special Rapporteur

Han Dong-geun, one of the victims of 'the alleged insurrection conspiracy case'

On the request of Mr. Maina Kiai, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, the meeting with victims of the alleged insurrection conspiracy case was arranged during his official visit to Korea in January 2016. Mr. Maina Kiai saw the dissolution of the Unified Progressive Party (UPP) as the violation of freedom of association.

**“What was said in the May Lecture?”**

In the meeting, the Special Rapporteur showed a great interest in the contents of the May lecture, which had been used as evidence proving the charges of insurrection conspiracy. I (Han Dong-geun) explained the intention and contents of the lecture that was one of the efforts for anti-war and peace movement by the UPP.

**“Is it true that there is no other evidence except the recorded file by your friend (informant for the National Intelligence Service)?”**

I confirmed that there was no material evidence at all except the recording.

**“Where is the so-called RO (revolutionary organization) now? Did your friend (informant for the NIS) argue that the RO was an armed-group?”**

Several questions about the RO followed. I answered that the Supreme Court finally did not accept the RO in its ruling. In addition, the informant for the NIS didn't argue the RO as an armed-group in the court.

Actually, it was difficult to explain the cruel reality of the divided nation to Mr. Kiai in a short time. However, I tried to deliver the issues facing Korean people where the National Security Law which has been repeatedly recommended to be abolished by the UN bodies is still abused to suppress political dissidents by denouncing them as Pro-North Korean traitors.

I also expressed my concerns over the fact that the Korean government does not accept even the UN recommendations upon his question on the Korean government's position to the Concluding observations on the fourth periodic report of the Republic of Korea issued by the HRC in 2015 which said "the Committee is concerned that the dissolution of the Unified Progressive Party ... was substantially based on the alleged propagation of the ideology of the Democratic People's Republic of Korea by the party members, who have already faced charges ... In view of the particularly far-reaching consequences of dissolving a political party, the State party should ensure that the measure is used with utmost restraint and as a last resort only, and that it reflects the principle of proportionality."

# **Amnesty International Report 2015/16**

## **The State of the World's Human Rights**

In its annual report for 2015/16, Amnesty International indicated “the authorities continued to restrict the rights to freedom of expression, association and peaceful assembly.” It also informed “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” by citing the conviction to Rep. Lee Seok-ki and six other members of the UPP as a specific incident of violation of freedom of expression.

## **English version of the website opened**

Korean Committee for Saving Victims of Lawmaker Lee Seok Ki Rebellion Conspiracy Case newly opened its English website (<http://en.savelee.kr>)

Please visit the website for detailed information.