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**PUBLIC STATEMENT
REPUBLIC OF KOREA (SOUTH KOREA)
HUMAN RIGHTS COMMISSION MUST BE INDEPENDENT**

South Korea's proposed human rights commission must be fully independent of the Ministry of Justice and other government departments in order to function effectively, Amnesty International said today. The organization is deeply concerned that the draft law prepared by the Ministry of Justice is flawed and proposes the establishment of a weak commission which lacks independence.

The government proposes to establish the commission as a 'corporate body', but under South Korean law this would appear to place it under the control of the Ministry of Justice. Law enforcement agencies, often responsible for human rights violations, are also supervised by the Ministry of Justice and the commission's investigations would therefore not be independent and impartial.

Amnesty International reiterates its firm opposition to the establishment of such a commission, which does not conform with international standards. The organization calls on the government to respect the expertise of South Korean human rights groups -- who have suggested establishing the commission as an independent state agency.

Amnesty International believes recent claims by Korean officials that the draft law has been endorsed by "international human rights experts" are misleading. It is calling on the government to revise the draft in accordance with international standards and to submit it to domestic and international human rights experts for comment and discussion. The organization believes the process of establishing the commission should not be rushed and time allowed for full public scrutiny and debate of the law.

Background

In October 1998 Amnesty International wrote to President Kim Dae-jung and Minister of Justice Park Sang-cheon to express concern about the proposed draft law. A revised draft published in November was not substantially changed. In addition to the lack of independence, Amnesty International is concerned that the proposed legislation would create a commission with weak investigative powers over a limited range of violations.

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