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## **South Korean rights defenders convicted for helping victims of violations**

Amnesty International has condemned the conviction of two South Korean human rights defenders for peacefully protesting in support of families whose loved ones died while demonstrating against forced evictions.

Park Rae-gun and Lee Jong-hoe were convicted for their roles in a campaign seeking justice and reparations for the families of victims who died in a January 2009 fire while protesting evictions from their homes and businesses in Seoul's central Yongsan district.

Park received a four year suspended sentence and Lee a three year suspended sentence for organizing a demonstration that did not have police permission.

“Park and Lee have been convicted solely for exercising their rights to freedom of expression and peaceful assembly. Their convictions must be overturned,” said Catherine Baber, Amnesty International's Asia-Pacific Deputy Programme Director.

Park and Lee had joined with other human rights activists to organize protests calling for reparations for the families of those who died in what became known as the Yongsan Fire Incident.

On 19 January 2009, protestors fighting the evictions barricaded themselves inside a watchtower they had erected on the roof of a building earmarked for demolition. They gathered paint thinner and other flammable materials to deter police in the event of an attack.

Early the next morning, police commandos mounted a raid on the watchtower. As police landed on the roof to arrest the protesters, a fire broke out that claimed the lives of five protesters and a police officer.

Park, Lee and the other activists demanded an official apology, adequate compensation and a thorough and impartial investigation into events leading to the deaths. They submitted the necessary police notification for protests but were turned down five times by police who said the protests could become violent.

When the protests went ahead without police permission, Park and Lee were accused of “hosting an illegal protest” and “blocking traffic” even though the duration of any traffic obstruction was not substantial during the demonstrations, in some cases just half an hour.

“The broad discretion police have to issue prohibition notices effectively means that protests can only take place with police permission,” said Catherine Baber. “This discretion has been used to silence dissenting voices.”

Detention orders for Park and Lee were issued in March 2009 and January 2010 respectively. In 2009

Park wrote to the Seoul Central District Court, saying he would only hand himself in to the authorities after the government had met the demands of the families for an official apology and compensation.

On 30 December 2009 the Prime Minister issued an apology and compensation was awarded to the families of those who had died. Park and Lee turned themselves in to the police on 11 January 2010.

In March 2010, the Constitutional Court of South Korea noted that the traffic disruptions that inevitably result from peaceful assemblies and protests should not be punished as “blocking traffic” under the Criminal Code.

“The South Korean government needs to ensure that the right to freedom of expression and peaceful assembly are guaranteed in law and practice” said Catherine Baber.