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South Korea: National Security Law continues to restrict freedom of expression

Amnesty International urges the South Korea government to curb the mounting restrictions on freedom of expression through the excessive use of the National Security Law (NSL). Recently, South Korea broadened the application of the NSL to new categories and additional groups of individuals, such as politicians and even serving parliamentarians, and now foreign nationals.

The latest clamp down on free speech involves two women who organized and spoke about North Korea during a speaking tour in South Korea. The tour took place in November 2014. US national Shin Eun-mi was deported over the weekend for allegedly speaking positively about North Korea, while South Korean citizen Hwang Seon was arrested on 14 January and has been charged under the NSL for causing social confusion through a speaking tour and allegedly praising the North Korean regime.

Ironically, Shin's speech was based on her book, which was previously selected as an excellent book by the South Korean Ministry of Culture, Sport and Tourism. She was also interviewed in a documentary of the South Korean Ministry of Reunification in September 2014.

Investigations over alleged violations of the NSL have dropped in 2014, according to official sources. However, there were 129 cases involving alleged violations of the NSL in 2013 which was the highest number in a decade, and had almost tripled since 2008.

Among the cases of alleged NSL violations in 2013 were criminal prosecutions of lawmaker Lee Seok-ki and six other members of the Unified Progressive Party (UPP). In February 2014, the group was found guilty of NSL and other charges.

On appeal, the Seoul High Court re-sentenced Lee to an imprisonment of nine years for NSL violations and "inciting an insurrection." This was a reduction from the initial sentence of twelve years, with Lee being acquitted of the charge of "conspiracy to insurrection". The Supreme Court will soon decide on the final appeals by Lee and the other UPP members.

In parallel judicial proceedings, the Constitutional Court in December 2014 ruled to dissolve the UPP because the party had violated the country's "basic democratic order." This is a particularly alarming sign, as it is the first time a political party in South Korea was disbanded since 1958.

Authorities should ensure that the right to freedom of expression and association is stringently upheld. Any efforts to limit such rights must be proportionate and necessary to address actual threats to national security.