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South Korea must release activist charged over Kim Jong-il tweet

The South Korean authorities should immediately release a social media activist accused of helping "the enemy" for re-tweeting messages from North Korea's official government Twitter account, Amnesty International said today.

Park Jeonggeun, a 24-year-old Socialist Party activist, was yesterday charged by South Korean law enforcement authorities with violating the country's national security law for re-tweeting the message "long live Kim Jong-il" from North Korea's official Twitter account.

Park, who says his re-tweets were meant to ridicule North Korea's leaders rather than support them, has been held at Seoul Detention Centre since 11 January and could face up to seven years in jail.

"This is not a national security case, it's a sad case of the South Korean authorities' complete failure to understand sarcasm," said Sam Zarifi, Amnesty International's Asia-Pacific Director.

"Imprisoning anyone for peaceful expression of their opinions violates international law but in this case, the charges against Park Jeonggeun are simply ludicrous and should be dropped immediately," he said.

The South Korean Socialist Party, of which Park Jeonggeun is a member, has frequently criticized North Korea for exploiting its labour force, outlawing trade unions and forcing people to work under appalling conditions.

"Park is a member of a party which openly criticizes North Korea but the absurd case against him is not an isolated one. For too long South Korean authorities have been using the National Security Law (NSL) to restrict basic freedoms and gag civil society in the name of national security," he added.

Police have accused Park Jeonggeun of spreading North Korean propaganda.

"My intention was to lampoon North Korea's leaders for a joke; I did it for fun," Park Jeonggeun told Amnesty International.

"I also uploaded and changed North Korean propaganda posters on Twitter - I replaced a smiling North Korean soldier's face with a downcast version of my own face and the soldier's weapon with a bottle of whisky."

"Even though I disagree with North Korean communism, I'm interested in North Korean culture and have a right to know about it," he added.

"The NSL has a chilling effect on freedom of expression in South Korea. It is used not to address threats to national security, but instead to intimidate people and limit their rights to free speech. It should be reformed in line with human rights law, and if the government cannot do this, it must be abolished," said

Sam Zarifi.

During South Korea's military rule in the 1970s and 80s, people were regularly imprisoned under the NSL. Torture, forced confessions and unfair trials were commonplace within the criminal justice system.

Despite the end of military rule in South Korea, authorities have increasingly used the NSL to harass critics of the government's North Korea policies since 2008.

South Korean authorities – especially the police, the prosecution and the National Intelligence Service - continue to use the NSL as a tool to suppress dissent, in particular critics of the government's policy towards North Korea.

Numerous arrests have been made under the NSL for “propagating or instigating a rebellion against the state”, under which an individual found guilty of praising, inciting or propagating the activities of an “anti-government organisation” could face up to seven years in prison.

The criteria that would define "praise", "incite" or "propagate" are open to interpretation.

There are currently a number of investigations under way against those who have posted materials related to North Korea, where authorities have deemed the materials to be “enemy benefiting”.