

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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South Korea: National Security Law must be abolished or reformed

With 1 December marking the 62nd anniversary of the National Security Law (NSL), Amnesty International again calls for the NSL to be abolished or fundamentally reformed.

Amnesty International appreciates that South Korea has serious security concerns with regard to North Korea. However, security concerns should never be used to deny people the right to exercise their human rights, in particular the right to express their views peacefully. We would like to remind the government that this right extends to political views opposing the positions or policies of the government.

The NSL contains clauses that prohibit 'anti-state', 'enemy-benefitting' and 'espionage' activities but does not clearly define them. The law continues to be used as a tool to silence dissent and to arbitrarily prosecute individuals who are peacefully exercising their rights to freedom of expression and association.

The NSL has also been used as a form of censorship, to punish people for publishing and distributing material deemed to 'benefit' North Korea.

As of August 2010, 13 people were detained for violating the NSL, all of whom were charged with engaging in pro-North Korean activities. At least eight of the arrested individuals were peacefully exercising their right to freedom of expression, a right which is provided for in treaties that are legally binding on South Korea, in particular the International Covenant on Civil and Political Rights (ICCPR), to which South Korea is a state party, as well as in South Korea's constitution.

Amnesty International calls on South Korea to fundamentally reform the NSL to bring it into line with international human rights standards, or else to abolish it completely.

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