

URGENT ACTION

PROTESTOR SERIOUSLY INJURED BY WATER CANNON

Baek Nam-gi was injured critically by the use of a water cannon during a demonstration in Seoul on 14 November 2015. He suffered brain damage and remains unconscious but his condition is deteriorating. None of the officials involved in the use of the water cannons during that protest has faced disciplinary action to date.

Baek Nam-gi, a 69-year-old farmer participated in the People's Rally on 14 November 2015 as a member of Catholic Farmer Association, and was knocked down by the jet spray of a water cannon fired at protesters by the police during the largely peaceful protest. He suffered brain damage (traumatic subdural haemorrhage) and remains unconscious to date.

The way in which water cannons were being used when Baek Nam-gi was injured did not meet international law and standards for the use of force and firearms by law enforcement officials. The water cannon was operated at too close a distance, at too high a strength, and struck the head of Baek Nam-gi, all of which did not meet even the South Korean police guidelines for the operation of such equipment.

After Baek Nam-gi's injury, his family accused seven police officers of attempted murder and a violation of the Act on the Performance of Duties by Police Officers on 18 November 2015. They also filed a separate compensation lawsuit against the state on 22 March 2016.

The Korean Prosecutors' Office has thus far called four officers in for questioning but has not yet indicted any officers involved in the incident. Although the National Police Agency conducted an internal investigation, the result of the investigation has not yet been made public. Even Baek Nam-gi's lawyer and family have not yet been informed of the outcome.

Please write immediately in Korean, English or your own language:

- Urging authorities to undertake a thorough, prompt, impartial, independent and effective investigation into all reports of excessive use of force by law enforcement officials, which may include an inquiry by the National Assembly;
- Urging the authorities to bring charges against and hold accountable those responsible for unnecessary or excessive use of force by law enforcement officials;
- Urging the authorities to provide Baek Nam-gi and his family with full and effective reparation, including appropriate compensation, such as for all medical and related expenses incurred due to the injuries sustained by the excessive use of police force, and satisfaction which could include a public apology.

PLEASE SEND APPEALS BEFORE 8 September 2016 TO:

Prosecutor General

Kim Soo-nam
157 Banpo-daero, Seocho-gu Seoul,
Republic of Korea 06590
Tel: +82-2-34802337
Fax: +82-2-3480-2700
Email: koreapros@spo.go.kr

Salutation: Dear Prosecutor General Kim

Chair of the Security and Public Administration Committee

Yoo jae-jung
Room 1007, National Assembly Member's
Office Building, 1 Uisadang-
daero, Yeongdeungpo-gu, Seoul
Fax: +82-2-788-0277
Email: yoo@na.go.kr

Salutation: Dear Chair Yoo

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Baek Nam-gi was protesting against agricultural policies of the government, which could adversely affect agricultural prices. Some 130,000 participants representing numerous groups gathered to take part in the demonstration on 14 November 2015 and 20,000 police officers were mobilized.

The police blocked the paths of the protestors using walls of buses and other barricades. Baek Nam-gi was trying to remove these bus barricades by pulling ropes which were tied to the vehicle's wheels just before he was knocked down by the jet spray. The police banned 19 assemblies and marches organized by various organizations on that day, on the grounds that they would obstruct the flow of traffic. There were confrontations between the police and participants when the participants moved beyond the permitted lines and headed to the presidential office.

According to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, use of force must meet the principles of legality, necessity and proportionality, and full and transparent accountability must be ensured. In detail, this means that police must exercise restraint in the use of force in order to minimize injury and preserve human life as well as ensure that adequate medical assistance is provided to the injured at the earliest possible moment (Article 5). The police should also ensure that everyone enjoys the right to peaceful assembly (Article 12) and limit the use of force during assemblies to the minimum extent necessary (Article 13). Furthermore, it is the duty of the South Korean government to ensure that law enforcement officers are held accountable through criminal punishment for any arbitrary or abusive use of force (Article 7).

South Korean police guidelines specify that the strength of the water cannon should be within 1,000rpm (revolutions per minute) if the distance between the person(s) being targeted and the water cannon is less than 10m and that water cannons should always be aimed at or below the chest area. According to calculations made by lawyer's association, Minbyun, based on the public images of the incident, the water cannon was only 7 to 8m from Baek Nam-gi when he was struck, and the images show him being struck in the head by the water jet. According to a response from the National Police Agency to inquiries, the water cannons were being operated with a strength of 2,500~2,800rpm at the time Baek Nam-gi was struck.

Name: Baek Nam-gi

Gender m/f: M

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