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South Korea: Government authorities and KEPCO should halt their project until genuine consultation with Miryang residents directly affected by power transmission development is conducted

The government authorities and Korea Electric Power Corporation (KEPCO) should provide adequate information on the human rights impact of the KEPCO project, ensure genuine consultation with local villagers directly affected by the project, and provide them with adequate compensation or alternatives for any lost housing or livelihoods.

The KEPCO project to transmit electricity from Busan power station to Seoul envisages sixty-nine 765kV power transmission towers and 39.15 km long power lines to pass through or in close proximity to 5 villages in Miryang in south east South Korea.

The villagers claim that consultation in 2005 prior to government approval of the project in November 2007 did not involve those most directly affected, and did not provide sufficient information for them to participate effectively. Relevant regulations required KEPCO to consult and compensate only a narrow definition of those directly affected, that is owners of land within 30m of a transmission tower, or 3m of the power line. KEPCO informed lawmakers that 0.6% of the population of the affected villages participated in the consultation, whereas residents from a larger area are already suffering the economic consequences of the impending development and have received no reassurances over their fears for health and environmental impacts. Residents told Amnesty International they were not informed of the consultation meetings. Those who attended said they were unclear of the importance of the meetings, were given a one-sided picture and left with the impression that the development was small scale with minimal negative impact.

Internal KEPCO reports from 2010 on the potential effects on the health of people living in the vicinity of other 765kV transmission towers were made available to National Assembly members in 2013 but the findings were not made public. No such impact assessments were made available prior or during a consultation process.

The villagers have a right to full and timely disclosure of information on how the proposed transmission towers will affect their human rights. In addition, risks to the population should be identified through an inclusive process with villagers and take their views and their knowledge into account. An independent and impartial human rights and environmental impact assessment of the proposed KEPCO project should be conducted and the findings made public.

Farmers' land is acquired under Electric Source Development and Promotion Act, which includes provisions allowing KEPCO to expropriate without consent. Farmers whose land was expropriated received significantly less than the market value. In addition, villagers with land beyond 30 metres from the proposed transmission towers who are not eligible for compensation have also suffered serious economic consequences. Land values have seriously depreciated in the vicinity of the KEPCO project, and villagers report there are no buyers. Many of the residents are elderly farmers who sustain their farming enterprise via bank loans using their land as collateral. Banks are now also refusing to extend loans against affected land. The combined effect is that villagers are unable to sell up, or to maintain their current livelihoods. In September 2013 the Prime minister announced one-off payments of US\$ 3780 for affected households. Some farmers have requested they be moved to other areas to farm, or that the government buy their land to facilitate such a move. Others believe that alternatives, such as routing the power lines underground, have not been fully explored.

After her recent visit to South Korea from 29 May to 7 June 2013, United Nations Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya pointed to the serious challenges faced by individuals who try to exercise their legitimate right to protest against large-scale development projects such as the local residents in Miryang.

Amnesty International is deeply concerned that villagers, mostly in their 60s and 70s, protesting against KEPCO project are facing harassment and threats of arrests from the police. The arbitrary use of police force to deny access of villagers and their supporters to sit-in sites are unwarranted restrictions on freedom of expression and assembly. Since reopening of the construction on 1 October 2013, 14 people including villagers and human rights defenders have been arrested on provisions such as 'obstruction of business' in the Criminal Code which may be used to unduly criminalize those exercising their right to peaceful assembly. Two individuals remain in detention while the others have been released.

Amnesty International calls on the government and KEPCO to:

- halt the project until a genuine consultation is undertaken and the risk assessment is completed.

Amnesty International also calls on the government to:

- Ensure that laws and measures such as the Electric Source Development and Promotion Act (1978) that may affect residents undergo a process of genuine consultation with those directly affected.
- Ensure that those negatively affected receive adequate compensation or alternatives for their lost housing or livelihood.

- Release immediately all those detained for peacefully protesting against the project.