

UPR Intervention for the Republic of Korea, 14th Session October 25, 2012

The United States welcomes [Head of Delegation] and the delegation of the Republic of Korea to the UPR working group.

We commend the Republic of Korea for its longstanding commitment to the promotion of human rights, including through the creation of a National Human Rights Policy Council in 2008 and the issuance of a second National Action Plan for the Protection and Promotion of Human Rights this year.

However, we are concerned by the significant increase in detentions under the National Security Law since 2008. We note that the Republic of Korea has stated the law remains necessary, but we remain concerned that the law is vague and as applied in some cases restricts freedom of expression, including internet freedom.

We are also concerned that the Republic of Korea does not provide alternatives to military service for conscientious objectors. We acknowledge efforts by the Republic of Korea to explore alternative forms of service; however, more than 700 conscientious objectors are currently serving jail terms, waiting for another option to become available.

Bearing in mind these concerns, the United States makes the following recommendations:

1. Amend the National Security Law to provide clarity and prevent abusive interpretations of the law.
2. Provide training to law enforcement officers on proper enforcement of the National Security Law to avoid investigations, detentions, and charges that restrict freedom of expression and result in a climate of self-censorship.
3. Immediately introduce an alternative military service option for conscientious objectors, ensuring it has a non-combatant or civilian character and is not of a punitive nature. Also review the possibility of repealing laws that criminalize on the basis of sexual orientation within the military.

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