

17 June 2014

The Honourable Park Geun-hye
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Dear Madam President,

Re: Condemn Crackdown on Miryang Protestors and Halt Construction Plans

The Asian Forum for Human Rights and Development (FORUM-ASIA) writes to you to register our condemnation of the government's latest violent crackdown on 11 June 2014 against environmental rights defenders as well as communities affected by the construction of high-voltage power transmission towers in Miryang, Gyeongsangnam-do Province, Republic of Korea.

FORUM-ASIA deplores the disproportionate deployment and excessive use of force by around 2,000 law enforcement personnel against less than 100 elderly citizens residing in the community for exercising their legitimate right to freedom of peaceful assembly. The violent dispersal included the forceful dragging of protestors from and subsequent demolition of their encampments. We further regret that the violent actions resulted in around 20 casualties who required urgent medical attention.

Despite the international outcry and condemnation that followed the initial crackdown in Miryang in October 2013, the government has not actively taken steps to address the grievances of the Miryang residents.¹ Instead, the authorities issued an order demanding the complete withdrawal of protestors by 2 June 2014 before resuming construction. FORUM-ASIA reiterates that token offers of monetary compensatory are meaningless in the absence of genuine consultation and effective participation in decisions affecting the Miryang residents.

FORUM-ASIA notes and deplores the recurring trend of reprisals against human rights defenders and protestors opposing large-scale development projects in the Republic of Korea. In addition, the continued arrests of protestors in Miryang, mostly on spurious grounds such as "obstruction of business" and "obstruction of justice", further highlights serious shortcomings in the legal framework and a lack of protection mechanisms for defenders. This has also been highlighted in the report of the former United Nations Special Rapporteur on the situation of Human Rights Defenders, Madam Margaret Sekaggya, after her official visit to the Republic of Korea in 2013.²

We remind the Republic of Korea government of its obligations as a state party to the International Covenant on Civil and Political Rights to respect and protect the right to peaceful assembly as well

¹ [FORUM-ASIA press release on the Miryang incident on 10 October 2013](#)

² [Country Visits report: Mission to Republic of Korea \(A/HRC/55/Add.1\), 23 December 2013](#)

as its recent commitment to the Human Rights Council to ensure a conducive environment for human rights defenders to carry out their work and the effective protection of their activities.³

We thus strongly urge the government of the Republic of Korea to:

1. Cease all powerline constructions in Miryang and establish avenues for dialogue and negotiation that ensure the right to effective and meaningful participation of people in all decision-making that affect their lives. Satisfy the process of free, prior, informed consent (FPIC) with the affected communities and conduct a thorough risk assessment before embarking on implementation of development projects.
2. Respect the right to freedom of peaceful assembly. Facilitate people's creative expressions of grievance and protests with maximum tolerance. Refrain from imposing undue or arbitrary restrictions.
3. Refrain from using excessive force. Educate the police and strengthen the capacity of law enforcement and security agencies in human rights standards and crowd control such as the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
4. Make rights violators accountable. Ensure independent and transparent investigations of human rights violations and abuses in the latest violent dispersal. Desist from providing immunity and do not perpetuate impunity among government officials and their instrumentalities.
5. Stop criminalization and imposition of heavy penalties, including all compensation lawsuits, against defenders and conduct a thorough review of laws that unduly restrict the exercise of the rights to freedoms of peaceful assembly, with a view to bring these laws into compliance with international standards.

Yours truly,



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CC:

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³[Statement of the Republic of Korea at the Interactive Dialogue with UN Special Rapporteur on Human Rights defenders at 25th Session of the Human Rights Council](#)

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