

URGENT ACTION

ACTIVIST DETAINED FOR RUNNING ONLINE LIBRARY

Lee Jin-young has been arrested for the online distribution of materials that are deemed, by South Korean authorities, to 'benefit' North Korea. Detained since 5 January 2017, the prosecutor has until 4 February to either release or formally charge him.

Lee Jin-young, owner of the online library 'Labour Books', was arrested and detained on 5 January 2017 for violating the National Security Law (NSL) after distributing materials that allegedly benefit "anti-government organizations". Although a court has upheld his continued pre-trial detention for fear that he would "run away or destroy evidence", the prosecution needs to charge him within 30 days of being detained.

During Lee Jin-young's arrest, more than 100 books, 10 research documents, a hard drive, and other electronic storage devices were seized by police allegedly for violating the NSL, a law that is consistently used by authorities in South Korea to undermine the rights to freedom of expression, opinion, peaceful assembly or association. Although the seized titles were seen to benefit an "anti-government organization", meaning North Korea, many of the books can easily be found in public libraries and bookstores.

Lee Jin-young, 67, is an activist who was convicted twice in the 1980s and 1990s under the NSL for organizing study groups on political philosophy during the democratization movement in South Korea. In 2010 he was dismissed from his job as a railway worker and fined for leading a strike, and in 2016 he took part in a 74-day strike. Lee Jin-young could face up to 7 years in prison if found guilty of violating the NSL.

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

- Immediately and unconditionally release Lee Jin-young if he is being detained solely for exercising his right to freedom of expression;
- Stop the arbitrary use of, and fundamentally amend or abolish, the National Security Law and ensure that South Korea meets its international obligations to respect, protect and fulfil the rights to freedom of expression, opinion, peaceful assembly and association.

PLEASE SEND APPEALS BEFORE 4 FEBRUARY 2017 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

Prime Minister

Hwang Kyo-ahn
Government Complex Sejong,
261 Dasom-ro,
Sejong-si, Republic of Korea
Twitter: @PrimeMinisterKR
Facebook:
<https://www.facebook.com/PM0415HwangKyoahn/>

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country:

HIS EXCELLENCY MR SUNGNAM LIM
Embassy of the Republic of Korea, 60 Buckingham Gate SW1E 6AJ
Tel: 020 7227 5500/2
Fax: 020 7227 5503
Website <http://gbr.mofa.go.kr>

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Lee Jin-young has been arrested and detained for violating Article 7 of the National Security Law (NSL), a vaguely-worded clause that is often used by the South Korean government to detain people who pose no threat to security. Investigations, detentions and prosecutions under the NSL have been used as a form of censorship to intimidate and imprison people exercising their rights to freedom of expression, including individuals accused of publishing and distributing material deemed to “benefit” North Korea. These investigations, detentions and prosecutions have led to violations of the freedoms of expression, opinion and association, particularly among those individuals perceived to be critical of the South Korean government’s policies.

Article 7 of the NSL stipulates punishment for anyone who “manufactures, imports, reproduces, holds, carries, distributes, sells or acquires any documents or drawings or other expression materials” with the intention to “praise, incite or propagate the activities of an anti-government organization,” commonly regarded as the government of North Korea. The words “praise” or “incite” are not defined clearly in the law, and the provision has been arbitrarily used against organizations or individuals who may hold alternative views to the government on various issues, including how to approach North Korea. Individuals discussing issues relating to North Korea on traditional or social media, having meetings on the subject or even just singing North Korean songs, risk criminal investigation and prosecution.

Amnesty International recognizes that every government has the right and duty to protect its citizens, and that some countries have specific security concerns that differ from others. South Korea has special security concerns with regard to North Korea, however these should never be used to deny people the right to express different political views and to exercise their human rights, including the right to freedom of expression as established in international law and standards such as the International Covenant on Civil and Political Rights (ICCPR).

Amnesty International and other national and international human rights organizations have urged the South Korean government to fundamentally repeal or amend the NSL so that it conforms to international human rights law and standards.