

Status of Criminal Defamation/Insult in Korea

General Comment 34 of the Human Rights Committee ("GC34") said "State Parties Shall Not Criminally Punish Statements that are True."

→ In Korea, many people are punished for true statements, e.g., a female worker truthfully protesting about her former employer's workplace abuses. The list goes on.

GC 34 said "State Parties Shall Not Criminally Punish Statements Not Subject to Verification" → In Korea, close to 10,000 people¹ are being punished for expressing their negative opinions and feelings annually where about 10% of them are being punished for insulting police officers.² Thousands are being punished for expressing negative feelings and opinions toward election candidates.

GC 34 said "State Parties Shall Never Use Incarceration as Punishment for Defamation" → In Korea, about 50 people are incarcerated for defamation every year.³

All these defamation laws make the perfect environment for abuse whereby the government uses criminal defamation/insult laws to suppress critics and dissent. Please see PSPD's report for more. It is a great opportunity for Human Rights Committee to enforce international law as interpreted by GC 34.

¹ Prosecutors' Office Year Book of 2014, Chapter 6, Pages 926, 966

² MP Park Nam-chun's press release, March 26, 2015, available at <http://bit.ly/1FR5YG1>

³ MP LEE Chun-Seok's Press Release, October 19, 2009