

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Republic of Korea (South Korea): Grave Concerns for the Future Independence of the National Human Rights Commission of South Korea

Amnesty International is concerned that President-elect Lee Myung-bak has announced plans to change the status of the National Human Rights Commission (NHRC) from an independent body and place it under the Presidential Office. This move is part of the reorganisation plans announced on 16 January 2008 by President Lee Myung-bak's transition team.

The NHRC was established in 2001 as an independent body by the National Human Rights Commission Act. Article 3 of this Act allows for the independence of the NHRC in accordance with the Principles relating to the status of national institutions ("Paris Principles"). The independence of the NHRC is also provided for in the Constitution under Article 10 on the duty to protect human rights.

Lack of independence would undermine the objectivity and authority of the NHRC to speak out on human rights concerns in the country without fear of censorship. It would also deter victims, relatives and other individuals or organizations from complaining to the NHRC, for fear of reprisals or lack of hope to obtain justice. Amnesty international believes that placing the NHRC under the Presidential Office will be a setback for the promotion and protection of human rights in South Korea.

The purpose of national human rights institutes is to promote and protect human rights, through effective investigation of broad human rights concerns and individuals' complaints about human rights violations they have suffered, and through making recommendations accordingly. Since most of the human rights violations are perpetrated by the State, international standards, in particular the Paris Principles emphasise the importance of the independence of national human rights institutions from the executive functions of government for their proper functioning.

Amnesty International strongly urges President-elect Lee Myung-bak to commit to keeping the present status of the NHRC as an independent body.

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