

## **Open Letter to the Chairperson of the ICC-NHRIs regarding the serious infringement and regulation on NHRCK's independency by the Blue House**

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Greetings and peace from human rights activists in South Korea,

According to the coverage from the Korean media (the translated article is attached below), it has been revealed that the Blue House has almost total control over the NHRCK. In October 2009, an executive officer from the Secretary for Civil Society demanded that a senior executive of the NHRCK regulate the so-called 'left leaning' employees by handing over about 10 workers' personnel records, which discussed the employees' ideological inclinations. The blacklist from the Blue House included the investigator who had examined the current government's infringement of human rights and professional employees from the civil society. These workers are labeled as 'leftist' by the Blue House for adhering to their personal convictions, as well as the law of the NHRCK. This shows that the Blue House regarded the watchdog work of the NHRCK as political activism and thus, incapacitated it. This situation provides evidence once again of the current government's limited understanding of the NHRCK's meaning and activities.

As a result of the Blue House's arbitrary decision and categorization on the employees' political inclination (as well as making and handing a blacklist to the NHRCK), some employees were pressured to resign and some others were disciplined unfairly. This is a weighty matter because the Blue House has damaged the NHRCK's independence, which is the core principle of this organization.

The current government has tried to control the NHRCK by all means available. They severely limited the budget and nominated unqualified individuals as the chairperson and as commissioners. As a consequence, the NHRCK has kept silent on significant human rights infringements. Korean civil society has pointed out the current government's unacceptable regulations on the NHRCK several times and has reported it to the international community. Despite the concerns of Korean civil society and the international community, the Korean government has violated the independence of the NHRCK continuously. Recent media reports revealed that the Blue House was behind the attempt to incapacitate the NHRCK.

In spite of the media coverage, the Blue House has not offered explanation thus far. This means that the Blue House still does not understand the significance of this case as a severe violation of the human rights of workers on the blacklist and the independence of the NHRCK.

We are asking the ICC to inquire the Korean government about the blacklist. It should be revealed who made the list and what the purpose of the list was. Thus, the people concerned can be reprimanded and this situation can be prevented from reoccurring. Otherwise, the NHRCK would become subordinated to the government and would not be able to fulfill its role. We politely request the ICC's prompt action.

Yours Sincerely,

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**<Reference>**

10 April, 2012, Hankyoreh, [http://www.hani.co.kr/arti/society/society\\_general/527562.html](http://www.hani.co.kr/arti/society/society_general/527562.html)

**The Blue House's intervention in the 'expel the liberals in the NHRCK'**

**3 months after Hyun Byung Chul's accession as the chairperson, a 'list of left leaning employees' is revealed**

**The Secretary-General says, "the Secretary for Civil Society handed over the records of about 10 members".**

It was revealed that in 2009, the Blue House had categorized some of the employees of NHRCK as "the left leaning" and had passed their personnel records to the then Secretary-General. This event is expected to have a large impact, as this constitutes the Blue House's direct intervention in the internal matters of the NHRCK, which is an independent body.

Lawyer Kim, who came into office as the NHRCK's Secretary-General in early October 2009 and resigned after serving only seven months, met Hankyoreh on the 9<sup>th</sup> of April and said "I have met the Secretary for Civil Society executive officer in late October 2009 and he had given me a copy of the personnel records of about 10 employees of NHRCK. According to the circumstances, it seemed to be a list comprising of so-called 'problematic workers'."

In the records that had been passed over, the list consisted mainly of major employees from civil society organizations, such as Kim Hyung Wan (the chief of the Korea Human Rights Policy Institute; former headperson of the NHRCK's Human Rights Policy Division), Nam Kyu Sun (former headperson of the NHRCK's Human Rights Education Division), and a Kim (NHRCK investigator) were noted. Lawyer Kim stated, "Afterwards, I was curious as to why the Secretary for Civil Society had contacted me because the official contact line of the Blue House to the NHRCK is the Senior Secretary for Civil Affairs." He also stated, "the official who had passed me the list might have worked with the approval of the Secretary for Civil Society". Hankyoreh called Hyun Jin Kwon, who was the then the Secretary for Civil Society and the economics professor of Ajou University several times, but wasn't able to get in touch.

The transmission of the list happened only 3 months after the accession of the NHRCK's chairperson, Hyun Byung Chul. The humanitarian organizations assessed the circumstances after Chairperson Hyun's accession as the defamation of independence, considering that the NHRCK doesn't voice its opinions strongly on the current issues of society. The Plenary Committee of the NHRCK rejected the bill concerning the voicing of opinion on the prosecution's

investigation of the MBC PD NOTE's coverage on BSE in December 2009. Also, the NHRCK refused to express their opinions on the damage claim suit of the National Intelligence Service against lawyer Park Won Soon (current mayor of Seoul). Additionally, they are barely limping along, as they are going through chain resignations of about 60 members of their policy advisory committee and expert advisory committee in November 2010 who are opposing the current chairperson's dogmatic operation of the NHRCK.

Lawyer Kim Chil Jun, who had worked as the Secretary-General of the NHRCK from January 2007 to August 2009, says "I have never heard the stories about the NHRCK's human resources in the Blue House before the Chairperson Hyun Byung Chul's accession... If the Blue House passed on the list of employees, it was with the intent to negatively affect the HR of the NHRCK."