

## PRESS RELEASE - THE OBSERVATORY

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### **REPUBLIC OF KOREA: Lack of consultation with national NGOs in the framework of an international conference hosted by the NHRCK raises further concerns about the NHRCK's independence and credibility**

**Geneva-Paris, April 14, 2011. *The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), expresses its deep concern about the lack of consultation with South Korean NGOs in the framework of the "Consultation of International Civic Groups to Strengthen the United Nations Human Rights Treaty Body System" gathering civil society representatives and Treaty Bodies experts that is to take place in Seoul on April 19 and 20, 2011 and is hosted by the National Human Rights Commission of Korea (NHRCK).***

The "Consultation of International Civic Groups to Strengthen the United Nations Human Rights Treaty Body System" takes place as a follow-up to the UN High Commissioner for Human Rights' call in 2009 to strengthen and streamline the UN human rights treaty body system, which was followed by a series of consultative meetings of former and current members of UN treaty bodies in 2009 and 2010. In that framework, consultation meetings with NGOs were scheduled in Seoul in April mainly for international NGOs and in Pretoria for national NGOs from all over the world (in June 2011). A consultation meeting is also planned in May 2011 for States parties to the different UN human rights treaties.

However, even though the conference is mainly about forging cooperation with international NGOs to strengthen the international human rights treaty body system, the NHRCK has prepared the event without any advance preparations or consultation whatsoever with South Korean human rights organisations. Indeed, the latter were first made aware of the consultation through press coverage. A few days later, on March 21, 2011, six South Korean human rights NGOs received an email invitation to attend the meeting and a programme of the conference in English, i.e. less than a month before the event, but without being informed of the exact contents, composition and position of the conference.

Given the lack of sufficient information they received from the NHRCK, 57 human rights NGOs, including five out of the six NGOs that were arbitrarily selected by the NHRCK to attend the Consultation, decided to boycott the coming consultation, in particular as they were fearing that the NHRCK's real intention is to improve its international image one month before the meeting of the Sub-Committee on Accreditation of the International Coordinating Committee of National Human Rights Institutions (ICC) in May, where the NHRCK's special review of its status as an National Human Rights Institution (NHRI) is expected to be discussed.

The Observatory recalls that the credibility and independence of the NHRCK have been seriously challenged since the appointment in July 2009 of Mr. Byung-Chul Hyun, who lacked experience and expertise in the field of human rights, as new Chairperson of NHRCK. Mr. Byung-Chul Hyun's appointment was considered by many civil society organisations as further evidence of the subordination of NHRCK to the ruling administration. Since then, the NHRCK has neglected and disregarded cooperation with the civil society. These concerns were backed up by the UN Committee on Economic, Social and Cultural Rights when considering the third periodic report of the Republic of Korea at its 43<sup>rd</sup> session in 2009.

In addition, to protest the current malfunctions of the NHRCK, and in particular the dismissal of a human rights investigator who was the leader of the Commission labour union, which had criticised Mr. Hyun's management of the NHRCK, three Commissioners, including two standing Commissioners, and 61 members of the special committee, the advisory committee

and the consultation committee have resigned from their posts. Subsequently, two new Standing Commissioners were appointed and have taken office: one was appointed by the South Korean President and the other was appointed by the ruling party. Neither one has any substantive human rights experience.

The Observatory regrets that South Korean human rights NGOs that have been actively engaged with various UN human rights treaty bodies for many years are not in a position to participate in such an important Consultation, and accordingly urges the NHRCK to make sure it adheres to the United Nations principles regulating the status and functioning of NHRIs (“Paris Principles”) and its original mission to promote and protect human rights as an independent watchdog.

*“The lack of communication and consultation of local NGOs in such an important human rights meeting violates the UN Declaration on Human Rights Defenders and the spirit of the Paris Principles, and we regret that this Consultation be a lost opportunity to trigger an efficient discussion at the local level on reforms towards a strengthened Human Rights Treaty Body System”*, deplored Eric Sottas, Secretary General of OMCT.

*“We strongly urge the South Korea to conform with the provisions of the United Nations Declaration on Human Rights Defenders and ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and instruments ratified by the Republic of Korea”*, concluded Ms. Souhayr Belhassen, FIDH President.

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