

Table of Contents

- ***South Korea separates hundreds of conscientious objectors from criminals***
 - ***Injustice in South Korea causes international outcry***
-

South Korea separates hundreds of conscientious objectors from criminals

Official Website of JW (09.12.2013) - The government of South Korea provided a measure of relief to hundreds of Jehovah's Witnesses who are imprisoned for conscientious objection to military service. How so? By separating Witness inmates from the general prison population.

This move is the positive outcome of a meeting in December 2012 between Korean representatives of Jehovah's Witnesses and a high-ranking official in the Korea Correctional Service. The Witness delegation, including a worried father whose son is currently serving a prison term, expressed their concern that the young Witness men are often incarcerated in the same cells with serious offenders. Within five months of that meeting, more than 70 percent of Witness inmates were separated from other inmates and placed in cells with fellow Witnesses.

A long history of imprisoning conscientious objectors. South Korea has a long history of imprisoning Jehovah's Witnesses for their Scripturally-based refusal to bear arms. At present, approximately 600 Witnesses are being held for conscientious objection. Over the past 60 years more than 17,000 Witnesses have served prison sentences for refusing compulsory military service—a requirement for males between 19 and 35 years of age.

It is not uncommon for several generations of a Witness family to share the same experience of conviction, sentencing, and imprisonment as criminals. "I was sentenced to the same prison that my father was sent to when he was young—and the conditions in that prison had not changed since my father's time" said Seungkuk Noh, a second-generation Witness who completed his three-year prison sentence in 2000. Today the average prison sentence for a conscientious objector is 18 months, and South Korea has made no provision for non-military alternative service.

Ho Gyu Kang was 21 years old when sentenced to prison for refusing induction. This was the first time he had been separated from his family. "I was so scared and nervous," recalls Mr. Kang. He and another young Witness were detained with a group of older inmates deemed incorrigible by the prison. Some of these inmates were convicted murderers and gang members.

From the start of detention to their release, Witness inmates—who are usually younger than most inmates—are exposed to physically and emotionally abusive behavior. Inmates often target and mistreat their Witness cell mates, creating an environment that hinders the Witnesses' free practice of religion, such as prayer and personal Bible study. Year after year, decade after decade, many young Witnesses quietly suffered the indignities of confinement with convicted felons.

Separating prisoners conforms to international norms. By separating most Witness inmates from criminals, South Korea's efforts harmonize with the universal principles of

treatment of prisoners such as those embodied in Article 8 of the UN Standard Minimum Rules for the Treatment of Prisoners. South Korea follows the pattern set over 20 years ago by the European Union member nation of Greece when its Ministries of National Defense and Justice approved measures to completely separate Witness conscientious objectors from other prisoners. In 1992, the Ministry of National Defense transformed a military camp in Sindos, Thessalonica, into a prison exclusively for Jehovah's Witnesses. An official report acknowledged that "the spirit of sensitivity being shown by the Ministry of National Defense, due to the extraordinary nature of the detainees [Jehovah's Witnesses]," led to the decision to separate Witness prisoners and detain them in a single prison. Greece stopped imprisoning Witness conscientious objectors in 1998.

In separating the majority of Witness inmates from other inmates, South Korea has likewise shown a spirit of sensitivity to young men who are imprisoned for adhering to personal, deep-seated religious convictions. [*](#) Several detention centers and prisons with the highest number of Witnesses have successfully implemented the initiative, providing a safer environment for prisoners of conscience. Regarding the benefits the separation affords, a Witness inmate at Gunsan Prison says: "We are free from negative influences such as immorality and abusive speech. We can enjoy wholesome spiritual conversation with our Witness brothers."

Injustice in South Korea causes international outcry

JW.ORG (01.10.2013) - South Korea imprisons hundreds of young men who are not criminals. Why? They are Jehovah's Witnesses and have chosen to follow the dictates of their conscience by refusing to perform military service. Because Korea does not protect the rights of conscientious objectors, conscripted Witnesses are sentenced to prison. In fact, for the past 60 years more than 17,000 Jehovah's Witnesses have been imprisoned for their conscientious objection to military service.

To draw attention to this issue, the national office of Jehovah's Witnesses in South Korea prepared a brochure entitled *Conscientious Objection to Military Service in Korea* (*). The brochure highlights Korea's failure to apply international standards and protect conscientious objectors. It also provides a brief history of young Witness men who have endured imprisonment because they would not violate their conscience. Mr. Dae-il Hong, representative of the Korea office of Jehovah's Witnesses, and Philip Brumley, General Counsel for Jehovah's Witnesses in New York, give further insight into this long-running injustice.

How has the international community responded to the injustice evident in South Korea?

Philip Brumley: A number of countries have spoken out against Korea's failure to recognize the fundamental right of conscientious objection. During a recent UN Universal Periodic Review session, eight countries—Hungary, France, Germany, Poland, Slovakia, Spain, the United States, and Australia—urged Korea to end the prosecution of conscientious objectors and to establish non-military civilian service for them. [*](#)

Dae-il Hong: In 4 cases involving a total of 501 conscientious objectors, the UN Human Rights Committee (CCPR) ruled that the Republic of Korea violated their rights when it convicted and imprisoned them. The Committee stated that "the right to conscientious objection to military service is inherent to the right to freedom of thought, conscience and religion. It entitles any individual to an exemption from compulsory military service if

the latter cannot be reconciled with the individual's religion or beliefs. That right must not be impaired by coercion." *

- The Human Rights Council, another UN body, likewise drew attention to this issue in its recently released report entitled "Analytical report on conscientious objection to military service." This document sets out the international legal framework that both recognizes the right of conscientious objection and prohibits coercion through repeated trial or punishment of conscientious objectors. *

- **What has been the response of the Korean government to this international outcry?**

- **Philip Brumley:** The Korean government has not implemented the CCPR rulings. Therefore, it has failed to abide by its international treaty commitments and has refused to recognize the fundamental rights of conscientious objectors. Further, South Korea's Supreme Court and Constitutional Court ignored the CCPR rulings when they rejected the appeals of conscientious objectors. The Korean National Assembly has not implemented any alternative form of civilian service for conscientious objectors and has not adopted any provisions to protect them.

In general, how has imprisonment affected these young Jehovah's Witnesses?

Dae-il Hong: These are brave young men. They respond to the government's call-up, knowing they will be convicted and sent to prison under the current system. They do not hide. They are model citizens before imprisonment, and they are model prisoners. Sadly, when they are released they have a criminal record that makes it nearly impossible for them to find employment in the public sector or with larger corporations. They have been robbed of a year and a half of their life in prison. Their families have had to continue without them while they served their prison sentence. These hardships are unnecessary.

Do Jehovah's Witnesses in Korea deserve to be convicted and imprisoned as criminals for refusing compulsory military service?

- **Dae-il Hong:** Absolutely not! These young men are not criminals. Jehovah's Witnesses are known in Korea and worldwide as peaceful law-abiding citizens willing to serve their community. They respect government authorities, obey the law, pay taxes, and cooperate with government initiatives for the public benefit. Recently, a Korean district court judge sentenced a young Witness to prison for conscientiously objecting to military service. After saying there was no other way to rule but render a guilty verdict, the judge read the decision. Suddenly, the judge covered her face with the papers and sobbed. It seems that the injustice of criminalizing the young man so distressed the judge that she momentarily lost her composure. Others in attendance also recognized the injustice and shed tears.

Philip Brumley: Truly, now is the time for the Korean authorities to resolve this long-standing issue and implement a system that respects the fundamental human rights of conscientious objectors.

(*)http://assets.jw.org/assets/m/ijw13lg/802013500/ijw13lg_id-802013500_E/802013500_E_cnt_2.pdf
