

37TH SESSION OF HUMAN RIGHTS COUNCIL

Item 6

Adoption of the UPR Report on Republic of Korea

Oral Statement by the International Fellowship of Reconciliation

Speaker: Derek BRETT

While regretting that the Republic of Korea felt unable unequivocally to accept Recommendations **132.94–132.105, concerning conscientious objection to military service, the International Fellowship of Reconciliation welcomes the more positive tone of its response than to similar recommendations in previous cycles.**

While continuing to invoke “the unique security landscape of the Korean Peninsula” and the need for public consensus and “equity”, the Government expresses its willingness to “conform to the decision of the Constitutional Court” in the pending ‘s ruling on “the pending case on the punishment of the conscientious objectors” (in fact the Court is considering together several groups of cases bearing on this issue, but a decision has been delayed because new appointments to the Court are still awaiting parliamentary approval.).

There are good reasons to hope that parallel to, but separately from the recent encouraging developments in South-North relations, the atmosphere in the Republic of Korea is at last changing for the better on this issue. The result of opinion polls on the subject vary widely depending on exactly how the question is phrased, but all the evidence is that a majority of the population would now support allowing those who have a conscientious objection to bearing arms to perform an alternative civilian form of national service. The number of cases being referred by lower Courts to the Constitutional Court only a few years since its last discouraging decision on the subject indicates a growing unwillingness to imprison persons the sincerity of whose objections is obvious. In recent months there have been unprecedented acquittals, while many cases have been postponed pending the outcome of the Constitutional Court’s deliberations.

The International Fellowship of Reconciliation thanks the unprecedented number of States which made recommendations on this subject in the Working Group and hopes that even by the time of the mid-term review the Republic of Korea will have accepted its obligation under the International Covenant on Civil and Political Rights to recognise the right of conscientious objection to military service and will be on its way to making retribution to the many thousands of conscientious objectors who have suffered criminalisation and imprisonment over the years.