

2 October 2013

Individual Complaint to

- the Special Rapporteur on the Situation of Human Rights Defenders;
- the Special Rapporteur on the right to freedom of peaceful assembly and of association;
- the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

Re: Republic of Korea - Suppression on the Villagers who are against Miryang 765kV Power Transmission Tower

We are writing to you today to express our grave concerns over the ongoing human rights violations against environmental defenders and villagers affected by the highly controversial construction of 765kV Power Transmission Tower in Miryang, the Republic of Korea.

Miryang is located at the southeast part of the Republic of Korea and close to Busan which is the second largest city in the country. Nuclear plant is being constructed in Busan and to transmit electricity to Seoul, 69 transmission towers are decided to be constructed in 5 villages of Miryang. Villagers have protested against the construction for eight years to protect their land and environment.

The Electric Source Development Promotion Act Article 6(2) says that an electric source developer may expropriate or use land necessary for the electric source development business. Accordingly, Korea Electronic Power Corporation (KEPCO) has enforced construction rather than having a proper consultation with villagers. In the process, physical, mental and economic damages as well as human rights violations are prevalent.

Situation gets work after one villager burnt himself to death to protest against the construction of transmission power in January 2012. Private security forces hired by project operator contacted to KEPCO verbally, sexually, and physically harass women human rights defenders including Buddhist monks and villagers but the government has not effectively addressed the situation. KEPCO also brought a legal action requesting damages of 1 billion won and obstruction of business against villagers. Most villagers are over 80 years old. They built small huts on the way to the construction site and stay there for 24 hours to prevent constructions and protect their land and environment.

On 30 September 2013, the Korea Electric Power Corporation(KEPCO) reopened the transmission tower construction in Miryang after 126 days of suspension without proper consultation with villagers. As a result, human rights violations against environmental defenders and villagers have continuously reported since 30 September 2013.

For more details of the conflicts, please see the enclosed background information on the Miryang 765kV Power Transmission Tower at the end of this document.

1. Name of Alleged Victims

Environmental defenders including villagers who are against Miryang 765kV Power Transmission Tower

2. Status of the victim as a human rights defender

Miryang villagers and environmental rights defenders have continued peaceful protest against the construction of Miryang 765kV Power Transmission Tower for more than eight years.

3. Alleged violations committed against the victims (since 30 September 2013)

- On the night of 30 September 2013, the KEPCO deployed construction equipment at Badeu-ri, Danjang-myon, Miryang-si, to reopen construction after 126 days of suspension. During the suspension period, there were no proper consultations or dialogues with villagers.
- Most villagers who are against the construction of transmission tower are in their 70~80s, and temperature of protest site is low since they locate in the middle of mountains. Last May 2013, approximately 30 senior villagers aged 70-80 were taken to a hospital as a result of a confrontation between the police. Based on this, violent crackdown and excessive use of force is also expected this time.
- To stop the construction of 765kV Power Transmission Tower, villagers from various small towns in Miryang built protest tents on 30 September 2013 and started sit-in protest.
- Around 2,000 police officers (20 squadrons) are dispatched for vicarious administrative execution to stop around 150 villagers who are in their 70~80s.
- Since 30 September 2013, many physical conflicts were reported between villagers and the police. The police blocked the road to prevent villagers from coming in and out of the protest site.
- As of 2 October 2013 7am, 30 villagers from Boobook-myon continue all-night sit-in demonstration and 50 vilalgers from Sangdong-myon, 10 villagers from Dongwha-ri Danjang-myon, 50 villagers from Bade-ri Danjang-myon continue sit-in demonstration. Some villagers bind their bodies with metal chain to stop construction.
- On 2 October 2013 at around 7:30am, Ms. Soon-ok KANG(age 63) fell to the ground during the protest and she was sent to a hospital. Around at the same time, Ms. Phil-gwi KIM(agee 77), Mr. Soo-chul LEE(age 73), Ms. Gab-soon PARK(age 80) also fainted during the conflict with the police and were sent to the hospital.
- At the construction site of Yeosu village, Sangdong-myon, the police did not allow to bring food to around 50 villagers who were protesting on 1 October 2013, and a violent clash was continued for around 2 hours.
- 2 October 2013 at 11am, Mr. Jong-hoe KIM, the chairperson of the Miryang Danjang-myeon Donghwajun Village Committee Against Power Transmission Tower, wife of Mr. KIM, and Catholic Priest Sung-jae CHO, co-representatives of Miryang Committee Against 756kV Power

Transmission Tower, started hunger strike in front of the KEPCO, calling for stopping the construction of Miryang 765kV Power Transmission Tower.

4. Alleged Perpetrators

- The Korea Electric Power Corporation(KEPCO)
- The Ministry of Trade, Industry & Energy

5. Chronology of Conflicts related to the construction of Miryang 765kV Power Transmission Tower

- Nov. 2007: The Government approved construction of 765kV Power Transmission Tower line.
- Jul. 2008: First demonstration calling for rescinding the construction plan (Since the first demonstration, villagers had candlelight vigils for 119 times)
- Aug. 2008: The KEPCO started a construction.
- Dec. 2009: Conflict Mediation Committee was established.
- Nov. 2010: Promotion Committee to Improve Compensation System for Transmission Tower was established.
- 16 Jan. 2012: Mr. Chi-woo LEE, a villager, burnt himself to death in protest to the police's violence and oppression of government and the KEPCO.
- 7 Mar. 2012: Cessation of the Miryang 765kV Power Transmission Tower construction. (Since then, it repeated to restart and cease for 11 times.
- 5 Jun. 2013: A consultative group of experts was formed for 40 days. The consultative group included members recommended by each party; 3 from KEPCO, 3 from Miryang Committee Against 756kV Power Transmission Tower, 3 from the National Assembly. The National Assembly did not adopt the final report from the consultative group of experts.
- 20 Jul. 2013: Mr. Sang-jick YOON, the Minister of Trade, Industry & Energy, visited Miryang
- 11 Sep. 2013: Mr. Hongwon CHUNG, the Prime Minister, visited Miryang and announced his plan for compensation.
- 1 Oct. 2013: The KEPCO announced restart of the construction.

6. Who is submitting this information?

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<Background Information>

Suppression on the villagers that are against Miryang 765kV Power Transmission Tower

The Republic of Korea has an energy policy that runs counter to the worldwide trends of decreasing nuclear reliance even after the Fukushima nuclear power plant disaster in 2011. If the construction of a new Gori nuclear power plant proceeds as planned, there will be a total of 10 nuclear power plants including Gori plant within a 20km radius and make Busan/Ulsan/Eastern part of South Gyeongsang Province the world's largest reactor-crowded region.

Since transmission lines with large-capacity such as 765kV which are indispensable for transmitting to heavily populated areas, state power and public corporation have been brought human rights violation and stimulated conflicts among villagers. For instance, in the case of the 8 year-long conflict regarding construction of Miryang transmission tower, massive conflicts among villagers have broken out, and a 74-year-old villager immolated himself in protest and a monk was sexually abused in the process.

On-Site Violence against Residents

Korea Electric Power Corporation(KEPCO) pushed ahead with the construction when they couldn't reach a mutual agreement with the villagers. They mobilized privately hired security forces and workers to use insults and violence on the villagers who tried to stop the construction. In the course, many people were injured and hospitalized.



In late August, 2012, workers from subcontractors tied up Jung-Hoe KIM, the chairperson of Donghawjun village in Danjang-myon, and assaulted him © Miryang Committee Against 756kV Power Transmission Tower



In August, 2012, the construction workers assaulted Moon Jung-Sun, a Miryang city council (They pushed her down for an hour so that she couldn't approach the heliport. She had to be hospitalized for months after getting treatments and several surgical operations). © Miryang Committee Against 756kV Power Transmission Tower

1) Monk Beopseong, the chief priest of Taegojong Yaksan temple

Alleged Perpetrators: Korea Electric Power Corporation(KEPCO) Gyeongin Construction Corporation(Construction supervisor), Daedong Electricity (Subcontractor), The Ministry of Trade, Industry & Energy

An incident of sexual violence committed by a staff of Daedong Electricity and the supervisor of KEPCO on 10 November 2011: Two men (supervisor of the KEPCO, director of Daedong Electricity) attacked Monk Beopseong who was trying to stop construction with old villagers. They forced to spread Monk Beopseong's legs, assaulted her genital area with fists for numerous times, and threatened her several times with unspeakable abusive language, such as "I will rip your legs and kill you" and "I will come find you and kill you." Monk Beopseong suffered serious damages not only physically but also emotionally, and has been getting psychiatric help ever since.

2) Mr. Lee Chi-Woo's burning himself to death, in protest to the police's violence and oppression of government and KEPCO

Alleged Perpetrators: Service Providers hired by the Korea Electric Power Corporation(KEPCO) Gyeongin Construction Corporation(Construction supervisor), The Ministry of Trade, Industry & Energy, The National Police Agency (Miryang Police Station)

On 16 January 2012, about 50 privately hired security forces were dispatched to the construction site of steel tower No. 102 in Sanyoe-myŏn Bora village at 4am. They used unspeakably coarse language to the elderly and assaulted villagers who tried to block them. In the evening of that day, deeply frustrated and despairing Mr. Chi-Woo LEE who served as the head of the village, a 74-year-old elder, said, "This problem will be solved when I die," and burned himself to death with gasoline in protest against the construction of the power transmission tower. The Miryang police reported that "He died in an accidental fire that he lit on a bundle of sesame leaves in order to warm himself" in their initial report on Mr. Lee's suicide, distorting the meaning of the deceased's death by releasing false information through media.¹



A photo taken shortly after Mr. Lee Chi-Woo burned himself to death on January 16, 2012
© Miryang Committee Against 756kV Power Transmission Tower

¹ The Hankyoreh, KEPCO takes legal action against poor, elderly protesters, 6 July 2012, http://english.hani.co.kr/arti/english_edition/e_national/541363.html

Inciting conflict among residents through compensation dividing the village community

In 2007, the construction of 765kV power transmission tower between Shingori and Northern South Gyeongsang Province received an approval from the Ministry of Commerce, Industry & Energy and started the construction. However, it has been in a state of drift for 7 years, due to Miryang villagers' fierce opposition. As construction is blocked off with the residents' fierce opposition, KEPCO has fomented extreme conflicts among the villagers through the means of compensation, so as to make people fight over receipt and execution of the compensation money.

1) Compensation payment to Goe-gok village in Miryang-si Sanwoe-myŏn and division of village community

Alleged Perpetrators: Busan Kyungnam Province Office of the KEPCO, The Ministry of Trade, Industry&Energy

A staff at the level of director, along with one director and one section chief from the Division of Busan, South Kyeongsang development at KEPC agreed with five of the village residents on a local support project worth 10.5 billion KRW. Accordingly, they managed to have the resident promise that they will cooperate in the construction of transmission tower that goes through that village. In turn, this agreement brought about massive confusion and conflict to the Goegok community, a village of 87 households. The residents who made the agreement were not representatives of the residents. Although the KEPC was aware of such fact, they still sealed the agreement and induced a division of the village community by contracting the agreement with only a portion of the residents rather than all the residents.

In addition, the KEPCO aggravated the conflicts among the villagers on the issue of for and against the power transmission tower, by negotiating only with those who suffered less damage from the power transmission tower construction. When the other villagers found about the negotiation, the village fell into disarray. The head of the village was replaced and the village community was in indescribable despair due to extreme division surrounding the issue.

<Updated Information Since May 2013 to August 2013>

Last May 2013, approximately 30 senior villagers aged 70-80 were taken to a hospital as a result of a confrontation between the police, Korea Electric Power Corporation(KEPCO), and villagers, and afterwards, a consultative group of experts was formed for 40 days. The consultative group included members recommended by each party; 3 from KEPCO, 3 from Miryang Committee Against 756kV Power Transmission Tower, 3 from the National Assembly. However, KEPCO caused difficulties for the group's activities by maintaining an insincere attitude in submitting data, and the draft report submitted on July 2 was almost identical to the existing report written by KEPCO. Moreover, the group was unable to be maintained after evidence was found that the report was not written by the group members recommended by KEPCO, but by KEPCO themselves. The group was dissolved with the National Assembly issuing recommendations to both parties. After the dissolution of the consultative group, the streets of Miryang were covered with banners criticizing and slandering the Miryang Committee Against 756kV Power Transmission Tower, and the government is continuing to

stigmatize activists and civil society organizations as “external forces” and interfering with their activities.

On 10 July 2013, the National Assembly urged the government to mediate the dispute, but the government continued to assert the importance of constructing the transmission towers and is trying to push forward with the construction. In addition, even though the National Assembly requested KEPCO to “actively engage in dialogue with the villagers and rebuild trust”, KEPCO is putting pressure on the villagers by filing injunctions. On 12 August 2013, KEPCO filed an injunction against the disruption of construction by the co-representatives of Miryang Committee Against 756kV Power Transmission Tower Fr. Jun-han KIM and executive director Kye-sam LEE as well as 24 villagers. In the application of the injunction, it says that KEPCO will demand compensation for damages of 1million KRW (around 1,000USD) per person a day when there is disruption in construction. This clearly shows that KEPCO is trying to suppress the villagers’ activities through financial means. At dawn on 26 August 2013, 11 police officers stormed into the house of Jung-hoe KIM, the chairperson of the Miryang Danjang-myeon Donghwajun Village Committee Against Power Transmission Tower, and took him to the police station after handcuffing him with excessive force in front of his young children. The Miryang Police Department requested an arrest warrant for Jung-hoe KIM on the 27th for charges of obstruction of business. Jung Hoe Kim is being charged for leading the disruption of construction from May 21 to 24 when the transmission tower dispute had reached its peak.