Joint Statement of South Korean Civil Society on the Prohibition of the
Dissemination of Anti-Pyeongyang Leaflets Threatening the Right to Live in Peace

Tom Lantos Human Rights Commission
5100 O'Neil House Office Building
200 C Street SW
Washington, D.C. 20515

January 29, 2021

Dear Tom Lantos Human Rights Commission,

We wish you peace.
We are from civic groups representing Korean civil society.
We would like to share our joint view on the legislation of the Korean National
Assembly to ban the distribution of anti-Pyeongyang leaflets.
The following joint statement was signed by 421 organizations from a variety of
sectors and regions in Korea, out of aspiration for peace on the Korean Peninsula.
Please pay attention to it.
Thank you.

January 29, 2021
On behalf of Korean civil society

LEE, ChangBok
Chief Chairperson, South Korean Committee on June 15th Joint Declaration

Rev. LEE, Hong-Jung
General Secretary, National Council of Churches in Korea(NCCK)

KIM, Kyoung-Min
Secretary General, National Council YMCAs of KOREA
KIM, Sam-Yeol
Chairperson, Independent Merit Bereaved Society

KIM, Jeong-Gil
Chairperson, Gwangju branch, South Korean Committee on June 15th Joint Declaration

KIM, Jeong-Soo
Standing Representative, Women Making Peace

KIM, Tea-Dong
Chairperson, South Korean Committee on June 15th Joint Declaration

PARK, Man-Kyu
Chairperson, Young Korean Academy(YKA)

PARK, Heung-Sik
Chairperson, Korean Peasants League

YANG, Kyung-Su
Chairperson, Korean Confederation of Trade Unions

WON, Young-Hee
Chairperson, National YWCA of Korea

LEE, Gu-Jae
Chairperson, Pan-Korea Alliance for Reunification

LEE, Cheong-San
Chairperson, The Korean People Artist Federation

CHO, Sung-Woo
Chairperson, Movement For One Korea

CHO, Heon-Jeong
Chairperson, Seoul branch, South Korean Committee on June 15th Joint Declaration

HAN, Chung-Mok
Standing Representative, Korea Alliance For Progressive Movement(KAPM)

CHO, Young-Mi
Executive Director, Korean Women's Movement for Peace
Joint Statement of South Korean Civil Society on the Prohibition of the Dissemination of Anti-Pyeongyang Leaflets Threatening the Right to Live in Peace
- Washington's interference in Seoul's internal affairs should be stopped -

In December 2020, South Korea's National Assembly passed "the revised Development of Inter-Korean Relations Act" to ban actions that cause harm to the lives and bodies of the people or pose serious risks near the Military Demarcation Line on the Peninsula such as loudspeaker messages along the border, publishing posts, and leaflet activities against North Korea. Regarding the ban on the distribution of propaganda leaflets in the revised bill, so-called the 'Anti-Leaflet Act', some within the US congress and administration have recently attempted to interfere with the decision. And we express serious concern over such unfair intervention as follows.

1. The ban on anti-Pyeongyang leaflets is an agreement between the two Koreas and a minimum measure for us to move toward reconciliation and peace.

South Korea and North Korea have been making efforts to recognize each other and solidify trust from the 「July 4 Joint Statement」 in 1972 to the 「Inter-Korean Basic Agreement」 in 1992, 「June 15 South-North Joint Declaration」 in 2000 and 「Panmunjom Declaration」 in 2018, and have specifically agreed to mutually stop slander and mud-sliding and ban the spread of leaflets. In particular, the leaders of the two Koreas agreed to "stop all the hostile acts including the loud-speaker broadcasting and scattering of leaflets in the areas along the Military Demarcation Line (MDL), to dismantle their means, and further to transform the DMZ into a peace zone in a genuine sense."

The leaflet dissemination at the border is not just an expression, but an apparent act of hostility that harms peace on the Korean Peninsula. The suspension of
hostile acts against each other is the minimum step toward mutual trust, dialogue and peace.

2. The purpose of the ban on the leaflet scattering is to protect the rights to life, safety and peace of residents near the border.

The border area is home to 1.12 million residents in South Korea alone. The area is under constant anxiety and danger unless the division of Korea is completely ended, which becomes a place of war where the safety and lives of the residents are threatened in the event of heightened tensions between the two Koreas. The leaflet distribution in such a space is no different from military provocation. Indeed, the risk of accidental clashes escalated in 2014 as the North fired at the leaflets disseminated by some South Korean groups and the South fired back at the North. Furthermore, in June 2020, the North strongly protested the leaflet spread calling it a 'violation of the inter-Korean agreement' and exploded the Inter-Korean Joint Liaison Office in Kaesong, which led to serious aggravation of inter-Korean relations. Also, many of the anti-Pyeongyang leaflets do not go to the North but fall to the South, causing serious instability and inconvenience in the residents' lives by inviting property damage and environmental pollution, and dampening the local economy.

So far, the residents of the border area have tried to physically block the leaflet scattering and 77% of the residents supported the Gyeonggi Province's administrative order to ban the distribution of leaflets. In July and August in 2020, South Korea's 4,900 civil society organizations publicly demanded to stop the leaflet propagation. Provincial governments near the inter-Korean border, namely Gyeonggi Province, Gangwon Province and Incheon Metropolitan City, as well as civic groups have jointly called for a legislation on this matter. The anti-Pyeongyang leaflets have rather become a clear and present threat to the people near the border than an influx of information into the North. This is also a problem for the entire Korean Peninsula, given the fact that conflicts and clashes along the demarcation line are a threat to inter-Korean relations and peace on the
Peninsula.
We, civic groups, clearly state that if there is one human right to be protected, it is the sovereignty of the people of the Korean Peninsula, who have pursued the improvement of inter-Korean relations, peace on the Peninsula, and the lives and safety of the people near the border.

3. The leaflet scattering is an anti-peace act that deviates from the protection of freedom of expression.
Some argue that the distribution of the propaganda leaflets to North Korea is "freedom of expression" and "free influx of information."
However, the contents of the leaflets are filled with hostility and hatred. If you look at the actual leaflets distributed to North Korea, there are not only simple criticism of the regime and unauthenticated fake news, but also many obscene expressions such as sexual derogation.
The UN's 「International Covenant on Civil and Political Rights」 stipulates that freedom of expression may be subject to restrictions if provided by law and are necessary for respect of the rights of others and for the protection of national security or of public order, and so does the Constitution of the Republic of Korea. South Korea's Constitutional Court once ruled that "Freedom of speech and the press shall not violate public morals or social ethics, and pornographic expression does not fall within the scope of protection of freedom of expression."
We cannot help but ask whether it can be accepted as freedom of expression if flyers are distributed all over Washington D.C., which sexually belittles American political leaders.
More importantly, the anti-Pyongyang leaflets do not promote human rights, but rather deteriorate human rights and add to an already clear and present danger. The rights to life, safety and peace of the people of the Korean Peninsula cannot be violated in the name of improving human rights in North Korea. As the leaflet scattering lead to the escalation of tensions and threats between the two Koreas, it is only an act that gives rise to an anti-humanitarian situation.
We recommend that Washington should look back on its Supreme Court's Schenck
decision in 1919, Gitlow decision in 1925, and Dennis decision in 1951. In Gitlow's case, the court held that “Restrictions may be applied when an expression bears a tendency of causing danger although there is no “clear and present danger.” Also, it should be recognized that free influx of information can be realized in both Koreas only when the hostile relationship ends and active exchanges and cooperation increase. It should be considered that the sanctions of the UN and the US are the ones disturbing free exchange of information.

4. It is a clear infringement of Korea's sovereignty and an interference in its domestic affairs to hold a hearing on the legislative acts of the Korean National Assembly.

The Supreme Court of Korea already ruled that the propaganda leaflet scattering cannot be seen as freedom of expression since it poses risks to the lives and bodies of the people according to the Korean Constitution and other laws in 2016. The executive branch and provincial governments have also exercised their administrative authority to prevent the spread of leaflets and stop further escalation of inter-Korean relations. Accordingly, the legislative branch of Korea passed partial revision of the 「Development of Inter-Korean Relations Act」 which introduces ban on violations of the inter-Korean agreement such as loud-speaker broadcasting and scattering of leaflets in the areas along the Military Demarcation Line, publishing posts, and leaflet activities against North Korea.

In other words, the judicial, administrative, and legislative branches of the Republic of Korea have played their respective roles to protect the lives and safety of the people in accordance with democratic procedures. Even if there is a shortfall, it is to be addressed by the people, the government, and the National Assembly of Korea.

However, some members of the US Congress have been calling for a reconsideration of the National Assembly's decision, mentioning their plan to bring South Korean government officials to a hearing. This is a clear intervention in Korea's domestic affairs. Would it be acceptable if the Korean National Assembly plans to hold a hearing on
the issue of racism, which has caused the recent "BLM movement" across the US? The US Congress and the government should immediately stop any undue interference in Korea's domestic matters and intervention in its sovereign action.

5. The US should stop providing aid and political maneuvering related to the distribution of leaflets into North Korea.

The U.S. has been politically and financially supporting organizations that distribute anti-Pyeongyang leaflets. The US State Department has developed 'Annual Program for Human Rights, Accountability, and Access to Information in the Democratic People's Republic of Korea' to support the influx of information into North Korea and promote information leakage from it. With the program, 2 to 15 of the leaflet organizations will be provided with financial support, worth between $50,000 million and $3 million. For instance, National Endowment for Democracy (NED), which receives budget from the Department of State to support the relevant organizations, provided a total of $11,222,553 to the so-called "North Korean human rights organizations" over the four years between 2016 and 2019, about 20 percent of which have been used in supporting information liberty in North Korea. Furthermore, the Human Rights Foundation (HRF), which has supported the leaflet organizations together with NED, not only financially sponsored the Fighters For Free North Korea (FFNK), the most representative leaflet organization in South Korea, but also carried out the spread together.

The above-mentioned and other related organizations in the US, who have been financially and politically sponsoring the leaflet scattering, joined with some politicians to criticize the passage of the revised bill. But such action is no different from showing their interests in maintaining hostile policy toward North Korea and aggravating inter-Korean conflict.

The related organizations and politicians in the US should stop meddling in the domestic affairs which undermines peace, reconciliation and cooperation on the Korean Peninsula, and should no longer continue political maneuvering that unilaterally glorifies or supports conflicts and acts of peace destruction in the name
January 29, 2021

Jointly signed by 421 Korean civil society organizations

*Organization(Representative)

South Korean Committee on June 15th Joint Declaration (ChangBok Lee)
National Council of Churches in Korea (HongJung Lee)
National Council YMCAs of KOREA (KyoungMin Kim)
Independent Merit Bereaved society (SamYeol Kim)
South Korean Committee on June 15th Joint Declaration Gwangju branch (JeongGil Kim)
Women Making Peace (JeongSoo Kim)
South Korean Committee on June 15th Joint Declaration (TeaDong Kim)
Young Korean Academy (YKA) (ManKyu Park)
Korean Peasants League (HeungSik Park)
Korean Confederation of Trade Unions (KyungSu Yang)
National YWCA of Korea (YoungHee Won)
Pan-Korea Alliance for Reunification (GuJae Lee)
The Korean People Artist Federation (CheongSan Lee)
Movement For One Korea (SungWoo Cho)
South Korean Committee on June 15th Joint Declaration Seoul branch (HeonJeong Cho)
Korea Alliance For Progressive Movement (KAPM) (ChungMok Han)
Korean Women's Movement for Peace (YoungMi Cho)

18May Democratic Patriot Union of BuULKy(Chongse Kim), 6.15th Age Road Comrade New Day(Younghuy Park), A Better Society' Research Institute at Ansan(Gyeongwon Lee), Aansan Young Women's Christian Association(Ae-ja Yang), Action One Korea(Jean Chung, Kimyo Lee), Ansan Solidarity for New Society ILDA(KwangHoon Park), Ansan&Siheung The Center for Historical Truth and Justice(Jungsub Lee), Ansanicoop(JeongSuk Kim), Anyang sharing woman's association(Kyunghie Kim), April 27 Panmunjom Declaration on Peace Kaesong Park(Jeong Sun Noh, SeongEun Kim, SuTaek Park, GilSu An, ChangHo Jin & 80), April revolution association(Dukyong Jun), Artmadang Siuteo(Jongwook Park), Asia Farmer Ally(Kitae Kim), Asia Pacific Workers Solidarity Links (APWSL) Korea Changweon Jang), ASyouth2030(Bumsu Park), Baegun church(Cheomyoung Gwon), Busan Citizens' Coalition for Democratic Media(Sungkyung Bok), Busan Democratic Movement Memorial Association(Jungsu Mun), Busan forest(Jasang Koo), Busan Irregullar Labor Center(ByungRyul Min), Busan kyung nam jukueon yundae(Eunhee Gong), Busan Parent Solidarity(Jongeun Lee), Busan People's Solidarity(Jeyear Mun), Busan Regional Headquarters of the Korean Government Employees' Union(Jungbæ Park), BUSAN WOMEN ASSOCIATION(Sunhwa Chang), BUSAN WOMEN'S ASSOCIATION UNITED(Youngmi Seok), Busan-Gyeongnam Peace Relion Union(YeongSik Bang), Busan-Kyongnam Peasants League(SungMan Kim), Busanhekbi a trade union(Jinju Kim), CBONGMIN(Dokyoung Kim), Center for Peaceful Reunification - HANA(Dong-yun Kim), Changnyeong Peasants League(Su-chul Hoang), Changwon jinbo(Jinho Kim),
of Korean Peasant League(Dae Jong Lee), Jeonbuk Christian Action for Life Peace & Justice(San Kuk), Jeonbuk Corporation Acting for One Korea Inc., Assoc.(EunKyung Kim), JeonBuk EDU-Madang Inc., Assoc.(ByungGil Han), Jeonbuk Korean Federation for Environmental Movements(YoungJin Yoo), Jeonbuk Lawyers for Democratic Society(HyunSeung Kim), Jeonbuk Network of Buddhism(Jung Hee You), Jeonbuk Peace Council(YongSeung Bang), Jeonbuk Youth for One Korea(JungWoo Lim), Jeonju YMCA(JeUk Han), Jeonju YWCA(JeongSeon Lee), Jeonnam Alliance For Progressive Movement(Kyungskik Mun), Jesus Action(Yungho Sheo), Jesus Heart Methodist Church(Sho Kwangho), Jeungeub tongilende(Gapsang Lee), Jinhajeinboyunhab(Miyun Kim), Jinju peasants league(GAPSANG PARK), Jinju Progressives Solidarity(GOONSEOP KIM), JINJU WOMEN(HYEJEOUNG PARK), Junyeonong(Okhee Yang), Justice Party in Jeonbuk(Hyoung Soo, Oh), Justice Party Jeon Nam(BoRaMi Lee), KAESONG BIKE TOUR(YongIl Choi & 19), Kaesong bird watching(YongYeong Park, SeungJun Min, YongIck Choi), KAESONG COUNCIL(DongHwan Kim, HyeRyeong Jung & 8), Kaesong Eight Story One korea(SeongKuk & 18), KAESONG TOURISM CENTER(JongTae Bae, ByeonLok Lee, SuTaek Park), kbegik(ChanGyo Lee), KCTUBS(Jaenam Kim), KCTUIS(Inhwa Lee), KCTUSRC(KOREAN CONFEDERATION OF TRADE UNIONS SEOUL REGIONAL COUNCIL)(Jineok Kim), KDSC ANSAN(Kwajung Lee), KDSC Ansan 5-day market(Kyuho Lee, Kinam Han), KDSC ANSAN-DONGBU(Sugeun Hwang), KDSC BUSAN-GJANG(Gyuri Sim), KDSC CHUNGCHEONG(Sungnam Kim), KDSC DAEGU-JISAN(Youngsoo Park), KDSC DAEGU-MOGLYEON(Soojo Hyeong), KDSC DAEGU-SINMAE(Bujeong Lee), KDSC DONGULSAN(Buyeop Kim), KDSC GIMPO(Jaeyoung Kim), KDSC Gwangju GREENWAY(Yongshin Jeong), KDSC Gwangju MALBAWOO(Chulyong Kim), KDSC Gwangju SANGMU(Panbo Kim), KDSC Gwangju YANGDONG(Youngshim Im), KDSC Gyeongsan(Sungrok Kim), KDSC Haenam(Sooncheol Hwang), KDSC HAMAN(Yunho Nam), KDSC Hwasung Osan(Okja Sim), KDSC Incheon(Jinyoung Lee), KDSC Incheon-Seobu(Heumok Suhn), KDSC Jinju(Jungnam Jo), KDSC Miryang(soonkwon Park), KDSC Muan(Youngsang Kim), KDSC NAMHANSANSEONG(Inman Lee), KDSC Pohang-Jukdo(Seoyong Kim), KDSC Pohang-Ocheon(Sehyeon Kweon), KDSC Seoul-Bukbu(Goojun Jeong), KDSC Seoul-Bukdongbu(Jinhak Kim), KDSC Seoul-DongJack(Jonggo Kim), KDSC Seoul-DongJung(Byunghun Jeong), KDSC Seoul-Guro Geumcheon(Bumseok Lee), KDSC Seoul-Gwangseong(Kinam Kim), KDSC Seoul-Jongro(Sungho Bae), KDSC Seoul-Jungbu(Jongsook Woo), KDSC Seoul-Namdong(Kicheol Lee), KDSC Seoul-Noryangjin(Jaesoo Jeon), KDSC Seoul-Noryangjin Fishmarket(Heonjoo Yoon,Sangbeom Han), KDSC Seoul-Seobu(Jeongsik Jang), KDSC Seoul-Seogang(Sanggyu Choi), KDSC Seoul-Songpa(Heesuk Kim), KDSC Seoul-Yeongdeungpo(Taejun Yoo), KDSC Shiung(Youngran Jo), KDSC Ulsan(soonshim Kim), KDSC Yangju(Myungskik Lee), KDSC Yeosu(Haebung Yoo), KDSC Yongin(Heesoo Wee), Keollabukdo Citizens' Coalition for Democratic Media(EunGyu Kim, JongGyu Lee), KFCITU(Korean Federation of Construction Industry Trade Unions)(Okki Jang), Kfem in puran(Heungman Lee), KHMU(Jinkyung Kim), KJUDC(SeokHo Choi), KNCS(Haerang Jung), Korea Democratic Street Venders Confederation(KDSC)(Youngchan Choi), Korea female peasant union - Gyeongsan(Yeongju Jeong), Korea female peasant union - KwangjuJeonnam(Songja Go), Korea Goverment Employees' Union(Hoil Jeon), Korea InterNational Peace Forum(Chungmok Han), Korea power plant industry union(Yeonkyeong Ha), Korea teachers and educational worker's union(Jaeok Kim), Korea Urban Poor Association(EulSang Choi),
Korea Veterans For Peace(Gijun Kim), Korea Women's Allianc(Mikyeong Han), Korea Youth Solidarity(Kim Sic, Jongsung Jung), Korean Children's Book Association Jeonju(Jinhee An),
Korean Confederation Of Trade Unions - Daegu Regional Council(Gilwoo Lee), Korean Confederation Of Trade Unions - GangWon Regional Council(WonDae Kim),
Korean Confederation Of Trade Unions - Gwang Ju Regional Council(Chonguk Lee), Korean confederation of trade unions - Gyeonggi Regional Council(Seongmyeong Choi),
Korean Confederation Of Trade Unions - Jeonnam Regional Council(Bushik Yoon),
Korean Confederation Of Trade Unions - Jinju Regional Council(Soodong Kang),
Korean Confederation Of Trade Unions - Kyeonggi Regional Council AnSan Regional Branch(Sungseup Yang),
Korean Confederation Of Trade Unions - Kyeonggi Regional Council Central Kyeonggi Regional Branch(Sikhwada Jeong),
Korean Confederation Of Trade Unions Jeonbuk Regional Council(DoYoung Park),
KOREAN CONFEDERATION OF TRADE UNIONS Ulsan Regional Council(Junseok Park),
Korean Construction Workers' Union, Daegu-gyeongbuk Branch office(Ohjwun Oh),
Korean Construction Workers' Union, Electrical Daegu-Gyeongbuk Branch office(Kwangwoon Choi),
Korean Construction Workers' Union, Heavy equipment Daegu-Gyeongbuk Branch office (Seungho Cho),
Korean Construction Workers' Union, Tower Crane Daegu-Gyeongbuk Branch Office(ByongKook You),
Korean Democratic Federation of General Labor Unions(Youjin Kim),
Korean Federation of Service Workers' Union(KFSU)(GyuHyok Kang),
Korean government employees union(Seokje Cho),
Korean Government Employees Union jeonnam(Haewon Lee),
Korean Health and Medical Workers' Union Jeonbuk Branch Office(JungWon Park),
Korean Metal Workers Union Daegu Branch office(Jonghwa Yoon),
Korean Metal Workers' Union Daegu Daeyoung R&T Branch(ManBok Lee),
Korean Peasants League, gyeonggi headquarters(Gilyeon Lee),
Korean People Early Childhood Education and Childcare Solidarity Meeting JeonBuk(JeongKeun Lee),
Korean People's Artists Federation in Ansan(JaeYong Lee),
Korean Public Service and Transport Worker's Union(KPTU)(Jeonghee Hyun),
Korean Teachers & Educational Worker's Union Ansan(JungTack Lim),
Korean Teachers & Educational Worker's Union Jeonbuk Regional Council(UkJin Song),
Korean Teachers and Education Workers Union(KTU) Pusan(Lim Jung Tack),
Korean Teachers and Educational Worker's Union(Heeeyeong Jeon),
Korean Women Peasants Association(Okim Kim),
KoreanFederationEnvironmentMovements in Ansan(HakSoo Kim),
KoreaYouthMovementUnion Nalda(Aran Lee), KPL(ByoungOk Cho), KPL Asan(Jaegil Kim),
KPL Boryung(Yungsuck Kim), KPL Buyoe(Jongchul Kim),
KPL Chunan(Gwanhyung Yoo),
KPL ChungNam(Hyojin Jung), KPL Chungyang(Junbum Kim),
KPL Dangjin(Manyoung Lee),
KPL Gongju(Oonju Choi), KPL Gwangju-Jeonnam(Yongsik Gwon),
KPL kjpeasants(Jongwon Oh), KPL Nonsan(Hongje Kim),
KPL Suchun(Yongju Cho), KPL
KPL Yesan(Gwangnam Cho), Kwangju-peace-education center(ChangHoon Oh),
Kyeonggi Youth Solidarity(BumSu Park), Life Poli(Dallsung Jung),
Listen, Americal(Wonho Cho),
May Mothers House(Myungja Lee), Mayplaza(Seonghyo Wang),
Memory KIMJUNBae(Mangyo Lee),
Menokjajoo puengohtatongel wokingjojernam heyehkhoeye(Hoejoong Yang),
MINBYUN-Lawyers for a Democratic Society(DoHyeong Kim),
Mindle(Haejin Lee),
Miryang Peasants League(Heonsik Lee),
Movement for one korea Busan(Eunjoo Ji),
Movement For One Korea Gwangju Jeonnam regional headquarters(Raphael Kim),
Movement for One Korea Kimhae(Jong-Geun Kim),
Movement for one Korea of Daegu-Gyeongbuk(Jongguk Kim, Namhee Lee, Younggyun Park, Jinhyang Kim),
Movement for One Korea