

South Korea: Soldier convicted in outrageous military gay witch-hunt

Friday 26 May 2017, by [Amnesty International](#) (Date first published: 24 May 2017).

South Korea's military must immediately end a bigoted hunt to root out gay personnel, Amnesty International said, after a serving soldier was convicted of having a same-sex relationship.

"This unjust conviction should be immediately overturned. No-one should be persecuted based on their sexual orientation, activity or gender identity alone."

Roseann Rife, East Asia Research Director at Amnesty International.

The soldier, whose identity remains anonymous, was given a six month prison sentence suspended for one year at a military trial on Wednesday. The soldier fell down when the judgment was delivered and was taken to hospital.

"This unjust conviction should be immediately overturned. No-one should be persecuted based on their sexual orientation, activity or gender identity alone. What counts is their service not their sexuality," said Roseann Rife, East Asia Research Director at Amnesty International.

The soldier was charged under the country's military law that prohibits military personnel from engaging in same-sex consensual sexual activity. He is now suspended from duty and risks being discharged from the army.

The conviction raises fears that dozens of other military personnel will face a similar fate. Last month, a national NGO – Military Human Rights Centre of Korea (MHRCK) – accused the army of setting up fake profiles on dating apps to entrap military personnel and subjecting those identified to homophobic interrogations.

"President Moon Jae-in needs to send an unequivocal message that discrimination on the basis of sexual orientation or gender identity will not be tolerated, including in the military," said Roseann Rife.

"It is long overdue for South Korea to repeal this archaic and discriminatory provision in the military criminal code, and get up-to-date when it comes to the rights of lesbian, gay, bisexual, transsexual and intersex people."

Background

In April, MHRCK published an investigation which found that General Jang Jun-kyu, South Korea's army chief of staff, ordered a hunt to identify gay military personnel. MHRCK reported the military drew up a 'gay list' with approximately 40-50 names of serving personnel.

Those identified in the apparent military sting face possible punishment under the Military Criminal Act 92(6), which prohibits members of the military having consensual sexual activity with people of

the same-sex.

Military service is compulsory for all men in South Korea and gay men face enormous difficulties in fulfilling their military obligations free from violence, bullying or verbal abuse.

The government has been slow to respect and protect the equal rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people in society at large. In its 2015 review of South Korea, the UN Human Rights Committee also mentioned the continuing, widespread violence and hate speech against LGBTI individuals.

Amnesty International

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* 24 May 2017, 12:05 UTC:

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