The Anti-Terrorism Act of South Korea and the Controversy Surrounding It

In continuation of the story of how South Korea is fighting against international terrorism, we would like to note the discussions around the potential adoption of a special Act on the matter. This Act is supposed to create a legal platform that will enable measures to be taken for the prevention of terrorism, and the draft Act was submitted to the National Assembly 14 years ago, after the terrorist attack in New York on September 11, 2001. However, it has still not been approved.

This is due to the fact that the opposition forces, generally in agreement that it is necessary to adopt the Anti-Terrorism Act, oppose, however, the expansion of authorities of the National Intelligence Service. Currently, in case of a terrorist threat, a special working group is created, which is headed by the Prime Minister; but the new Act that is promoted by the governing party, envisages the creation of a counter-terrorism system, the main role in which will be taken on by the National Intelligence Service. In light of a number of scandals associated with the attempts of the security services to get into internal politics, it is perceived as an attempt to increase its authority, and most importantly, to get financing to counter the threat.

The authorities justify the need to adopt the Act by the fact that there is no legal basis for a number of actions and the current law does not provide for effective work in this area. For example, when two citizens of South Korea tried to go to the Middle East and join the ISIS, all the intelligence service could do was catch them at the airport and confiscate their passports, thus preventing their departure.

It is also not clear to the authorities, what to do with ten Korean users who, according to their online activity, actively support the ideas of the IS and are trying to find ways to join the militants. Under the current law, counter-intelligence is unable to establish IP-addresses and conduct operations, connected with the full disclosure of personal information, as such actions, it turns out (!), are not criminal. Even the illegal immigrant from Indonesia, openly expressing extremist statements on the web, may only be sent home, without any criminal proceedings initiated against him.

Park Geun-hye supports the adoption of the Act and she has once again stressed that South Korea still does not have its own legal platform for preventing terrorism. This not only well known to the whole world, but also to the terrorist organization "Islamic State". However, politicians, preoccupied with their own disputes, are not in a hurry to adopt the law, and are thus endangering the safety of the people.

So, a number of questions arise in this regard: if the Indonesian Islamist has long been known, why was he arrested only after the terrorist attacks in Paris, when the matter began to “resound”? How is it so that the security services cannot establish the names of users, if there’s been no anonymous Internet in South Korea for a long time already? Is it that terrorist activities unrelated to the DPRK have not been considered worthy of punishment all this time?

In general, the question arises - what prevents the rewording of the long-existing National Security Act, and the extension of its draconian restrictions on the storage and distribution of materials related to organizations like the IS? Or is it the case, that up until now there have been good and bad terrorists?
In this context, we may also recall Kim Ki-jeong, who back in the days tried to kill the Japanese Ambassador and got a total of a three year suspended sentence, as well as the notorious scandal involving a citizen of South Korea, who was arrested in Japan for the exploding toilet at the Yasukuni Shrine...

What else is being done to fight against terrorism that is not just words but action? Security measures have been strengthened at airports and during the boarding the KTX high-speed trains. They began to take fingerprints from "foreign citizens": ethnic Koreans with foreign citizenship; they are purchasing new equipment, have increased patrolling: 100 billion wons (approx. $ 86 million) were allocated for the new measures.

They are trying to resolve the issue with refugees: on the one hand, it is clear that some of them may be hidden militants, on the other, the West is applying gentle pressure on South Korea to make it participate in common programs of admitting them. So far, according to incoming reports, from January to September 2015, around 200 refugees arrived in South Korea from Syria, 65 of which are still in the Incheon Airport without any status.

The ‘cracking’ of the 32-year-old Indonesian, mentioned in the previous article, who is associated with the Al-Nusra Front, led to the detection of three other Indonesian citizens who were present on the territory of Korea and have been linked with the Islamist terrorist groups. During the interrogation, some of them confessed to the intention to "die fighting against the US and Russia," while others were trying to raise money for terrorists and were calling for jihad. All three were deported to their homeland on charges of violating immigration laws.

All this is quite actively portrayed in the media, which is why there are signs of xenophobia among the citizens of South Korea, which was previously not an inherent trait of theirs: comments made to the articles comprise hostile remarks against Muslims in general or demands to significantly tighten the immigration regime especially for migrants from Muslim countries. To sum up: the probability of a terrorist threat in South Korea has increased, but not enough to be talked about seriously. We can assume that the South Korean authorities, once burned twice shy, are acting with caution in advance, but a more likely version in my opinion is related to the fact that juggling the terrorist threat creates an impression at least that this time South Korean intelligence services are struggling with a non-fictional enemy and doing something unequivocally useful for the country. This is what the opposition is warning about, as they consider that the authority that the security services will gain, will be used against the left-wing movement.

This was what I wanted to finish with, when the latest news broke: "The head of South Korea's intelligence has not excluded cooperation between the DPRK and the IS." More specifically, when at a recent briefing he was asked whether the IS could get assistance from North Korea among others, without any further ado he replied: "I think such a scenario is possible... But there is no evidence of this." A classic case of the South willing the North’s evil plans into existence.

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