

2024 광주민주포럼

# Gwangju Democracy Forum 2024

## Crisis of Freedom

-The Future We Want-

14th May ~ 18th May 2024

| Venue | The May 18 Memorial Cultural Center

| Host |  5·18기념재단  
The May 18 Foundation

| Co-organizer |  ADN ASIA DEMOCRACY NETWORK  AJAR ASIA JUSTICE AND RIGHTS  JISEAS

 한국영상기자협회  
Korea Video Journalist Association | Memory Record Healing Cooperative

| Sponser |  GTO  
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## The May 18 Foundation (eng.518.org)



**5·18기념재단**

**The May 18 Foundation**

Settlement of the May 18

Punishment, Compensation for Victims, Regaining the Impaired Reputation,

Commemoration. The Foundation try to realize the civic self-governing community

that existed during the Uprising and inherit the sprit and value of the May 18 to

youth through history education. Moreover, the Foundation takes the lead in

human rights and peace activity beyond the border to promote the May 18

Uprising and shares solidarity and equality. And it does research, education

projects, international and solidarity activities, culture projects for truth revealing,

archive, research, publication to reveal the truth.

The May 18 Foundation is a non-profit organization established by the surviving victims of the May 18 Democratic Uprising, the Victims' families, the citizens of South Korea, and the overseas Koreans.

Since it was established on August 30, 1994, the

Foundation has carried out numerous projects in

various fields for performing the Five Principles of

Settlement of the May 18 Democratic Uprising; Truth Ascertainment, Perpetrator

Punishment, Compensation for Victims, Regaining the Impaired Reputation,

Commemoration. The Foundation try to realize the civic self-governing community

that existed during the Uprising and inherit the sprit and value of the May 18 to

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Uprising and shares solidarity and equality. And it does research, education

projects, international and solidarity activities, culture projects for truth revealing,

archive, research, publication to reveal the truth.

## Gwangju Democracy Forum Since 2010



democracy and peace, This year, we would like to invite you under the main

theme “Crisis of Freedom – The Future We Want.”

The Gwangju Democracy is aims to make a better future through strengthening international solidarity

between the Foundation and foreign activists

working for democracy, human rights, and peace. It

is a platform for discussing and sharing alternative

ideas. The Forum would like to contribute itself to

promote Gwangju as a city of human rights,

democracy and peace, This year, we would like to invite you under the main

theme “Crisis of Freedom – The Future We Want.”

## Welcome Remarks

Soonsuk Won  
Chairperson from the May 18 Foundation

I warmly welcome you all human rights defenders from abroad.

I am Soonsuk Won, the Chairperson from the May 18 Foundation.

The main theme of this year's Gwangju Democracy Forum is 'The Future We Want'. In order to create the 'better future' we dream of, we should understand what 'the future we want' is.

Humanity is facing various social issues such as war, state violence, inequality and injustice, crisis of climate and environment, and many people around the world are living under the threat of survival day by day.

I hope, through this forum, that we can actively explore various ways of cooperation and new approaches to overcome the challenges facing humanity and reach 'the future we want,'

Even small changes can act like stepping stones. I am truly honored to be with you as we take on new challenges towards the future we want to create.

This year marks the 44th anniversary of the May 18 Democratic Uprising and the 30th anniversary of the May 18 Foundation, which was established to inherit the spirit of May through the sacrifices and efforts of citizens.

On that day in 1980, I imagine the future they had dreamed of even in those frightening and terrifying moments. I have no doubt that the future they hoped for is the world the Foundation and you want to build.

I and the Foundation support a sustainable future for all of us.

Thank you.

May 16 2024



# Gwangju Democracy Forum 2024 Program Schedule



## Gwangju Democracy Forum 2024

14th ~ 18th May 2024, The May 18 Cultural Center, Kor.-Eng. simultaneous interpretation



Time \ Date	May 14 (Tue)	May 15 (Wed)	May 16 (Thu)	May 17 (Fri)	May 18 (Sat.)
9:00~9:30	May 18 Archive	Daedong Hall	Daedong Hall	Minjoo Hall	
9:30~10:00				(Thematic Cluster 2) Election VS Democracy?	(Thematic Cluster 3-1) Transitional Justice: International Norms and Trends
10:00~10:30			GDF Opening Ceremony and Keynote Session	Myanmar People's Movement	The 44th Anniversary of the May 18 Democratic Uprising National Ceremony
10:30~11:00			Lunch	(Thematic Cluster 3-2) Transitional Justice: Impunity	
11:00~11:30				Lunch	Lunch
11:30~12:00					
12:00~12:30					
12:30~13:00	Gwangju Youth Democracy Forum (Y-GDF, Eng.)	Gwangju Youth Democracy Forum (Y-GDF, Eng.)	(Thematic Cluster 1-1) The Future What We Want : Global Crisis	(Thematic Cluster 1-2) The Future What We Want II: We Are the Future	
13:00~13:30			Coffee Break	The Crisis of Public Broadcasting and Democracy	(Optional) Back-to-Back Meeting
13:30~14:00					Closing Session
14:00~14:30					
14:30~15:00					
15:00~15:30					
15:30~16:00					
16:00~16:30					
16:30~17:00					
17:00~17:30					
17:30~18:00					
Related Event	- Screening of Myanmar Documentary: 7 PM, May 16 (Venue: Daedong Hall) - May 18 Eve March & Eve Festival: 5:30 PM, May 17 (Venue: Geunnam-ro) - 2024 Gwangju Prize for Human Rights(GPHR) Award Ceremony: 6 PM, May 18 (Venue: Minjoo Hall)				



## Keynote Session.

### The Future We Want

Democracy is more and more backsliding, and casualties and civilization destruction are due to ongoing wars. The climate crisis has recently morphed into a climate catastrophe, and it is threatening lives. Despite appeals for overcoming the crisis, the most basic conditions to sustain life as a human being are destroyed, and freedom and democracy are forced into the corner because of the blind eyes of international organizations and Western nations and extreme selfishness. In the keynote session, we analyze the causes of freedom and democracy and discuss what efforts are needed for sustainable development.

**Moderator** Cho Hyo-Je (Sungkonghoe University)

#### Speakers

1. Forty Four Years After the Gwangju Uprising: Reflections of an Asia Activist  
Walden Bello (The State University of New York at Binghamton)
2. Why Has Inequality Grown After Democratization?:  
The Effects of Power, Institutions, and Ideology  
Kim Yuntae (Korea University)
3. Who Is at Risk? What Can Be Done?  
International Solidarity for Sustainable Development and Human Rights  
Park Jin (National Human Rights Commission of Korea)



## Gwangju and Gaza: The Struggle against Unjust Wars and for a Just Peace

Walden Bello

Co-Chair of the Board of Focus on the Global South and Adjunct  
Professor of Sociology at the State University of New York at Binghamton

It was with great gratitude that I received your invitation to speak at the 44th anniversary of the Gwangju Uprising. At the time of the insurrection, I was an activist in the United States working for an end to the Marcos dictatorship in the Philippines, and along with so many others seeking an end to their countries' authoritarian rulers, I embraced the people's insurrection in Gwangju as my own. I followed the events in Gwangju closely and felt a stab in my heart when I heard how the troops of Chun Doo-Hwan massacred thousands of people, most of them young people and students. I was likewise angered by the news that the United States was complicit in the atrocities that marked the military retaking of the city by releasing the units involved from the joint US–Republic of Korea military command.

Many lives were sacrificed in Gwangju, but it was their blood that paved the way for the coming of democracy to South Korea in the late 1980's and 1990's. The Gwangju Uprising was one of the events that started my long academic and activist association with the peoples of Korea, both North and South of the 38th Parallel. Like the stab I felt when I heard about the horrific killings by Chun's troops in Gwangju, I also felt the 38th Parallel as a long gash in my heart when I approached the DMZ in June 1988 after a three week journey from Mount Paektu near the Manchurian Border to Pyongyang and Wonsan, then to the world's most militarized border separating the two halves of this blood-drenched peninsula.

I have been asked by the organizers to speak about war and peace in the world today, and how we can tilt the global balance towards peace. This is, as the Americans say, a tall order.

However, let be begin by saying that wars can have many and diverse causes, but it is when local conflicts are intertwined with geopolitics and geoeconomics that they become especially dangerous and destabilizing.

### Volatile Intersections of the Local and the Global

The three major wars or conflicts that are ongoing today demonstrate how volatile this intersection between the local and the global is.

In the Hamas–Israeli conflict, we see how the maintenance of the Israeli settler–colonial state is intertwined with the preservation of the global hegemony of

the US.

In the war in the Ukraine, a bloody war of attrition between two countries was provoked by Washington's push to expand NATO to a country of the former Soviet Union.

In the South China Sea, we are witnessing how disputes over territory and natural resources have been elevated to a global conflict by the US's effort to maintain its global hegemony against China, to which it is losing the geoeconomic competition but over which it continues to enjoy absolute military superiority.

*In short, the main cause of global instability today lies in the fusion of the local and the global, geopolitics and geoeconomics, empire and capitalism.*

### Balance of Power, Balance of Terror

What makes current conflicts especially volatile is that they are occurring amidst the absence of any effective multilateral coercive authority to impose a peaceful settlement. In the Ukraine, it is the balance of military might that will determine the outcome of the war, and here Russia seems to be prevailing over the Ukraine–NATO–US axis.

In the Middle East, there is no effective coercive power to oppose the Israeli–US military behemoth—which makes it all the more remarkable that despite a genocidal campaign that has been going on for nearly four months now, Israel has not achieved its principal war aim of destroying Hamas.

In the South China Sea, what determines the course of events is the balance of power between China and the US. There are no “rules of the game,” so that there is always a possibility that American and Chinese ships playing “chicken,” or heading for each other, then swerving at the last minute, can accidentally collide, and this collision can escalate to a higher form of conflict such as a conventional war.

Without effective coercive constraints imposed by a multilateral organization on the hegemon and its allies, the latter can easily descend into genocide and mass murder. Whether in Vietnam, Iraq, Afghanistan, or Gaza, the Geneva Convention and the Convention against Genocide, have been shown to be mere pieces of paper. Some will ask, what about the United Nations. Unfortunately, the United Nations has become nothing but a talk shop, paralyzed by the power of the veto enjoyed by the permanent members of the Security Council.

### The Right of Self Defense

Given the absence of a multilateral referee that can impose its will, it is only the development of political, diplomatic, and military counterpower that can restrain the hegemon. This is the lesson that national liberation wars in Algeria and Vietnam taught the world. This is the lesson that the Palestinian resistance today

teaches us.

This is why even as we condemn wars of empire waged by the hegemon, we must defend the right of people to resort to armed self-defense.

### The Role of Global Civil Society

This does not mean that efforts at peacemaking by global civil society have no role to play. They do. I still remember how shortly before the invasion of Iraq, the New York Times came out with an editorial on Feb 17, 2003, in response to massive mobilizations against the planned invasion of Iraq, that said that there were only two superpowers left in the world, and they were the United States and global public opinion, and that then President George W. Bush ignored this outpouring of global resistance at his peril.

Global civil society did contribute to the ending of the wars in Afghanistan and Iraq by eroding the legitimacy of those wars among the US public, making them so unpopular that even Donald Trump denounced them, in retrospect that is, as did many personalities that had voted for war in the US Congress.

The recent decision of the International Court of Justice that ordered Israel to prevent genocide in Gaza is likely to have a similar impact as the global civil society's resistance to Bush, Jr's, invasion of Iraq. The ICJ decision may not have an immediate impact on the ongoing war, but it will erode the legitimacy of the project of settler colonialism and apartheid in the long run, deepening the isolation of Israel in the long run.

### Gaza and Gwangju

Since we are on the subject of Gaza, allow me to tell you more of my reflections on the events in taking place in that small part of the world, for the war there is a test for us all, and we either pass this test or fail. What is this test? It is the test of our humanity.

Over the last six months, Gaza has been the scene of genocide, where Israeli troops have already killed some over 30,000 Palestinians, 70 per cent of whom have been women and children. Now these fascist forces are poised to enter the city of Rafah, promising more slaughter, more sorrow.

I have not had a good night's sleep since the Israeli invasion of Gaza. Indeed, one cannot enjoy one moment of personal happiness while massive carnage is taking place somewhere in the world. This ability to empathize with others' sufferings is the basis of human solidarity. It stems from our common humanity.

We ask ourselves, why is Israel so committed to totally destroy the Palestinians as a people? We ask, why is the United States so committed to providing the weapons and ammunition to enable genocide? We ask, why is Europe, which once told us in the global South that it was the pinnacle of civilization, supporting

barbarism?

It is not hard to imagine the condition of the people of Gaza. You need only put yourselves in the shoes of the people of Gwangju 44 years ago. An uprising against the repressive regime had broken out, with people taking to the streets and seizing the provincial government offices. Students form a civilian militia, armed with a few light weapons they seized at police stations. They appeal to the rest of South Korea to join them, and some communities do show their support. But it soon becomes clear your city is alone, and that paratroopers and other units armed with US weapons are coming to crush you, with the blessings of the United States. Do you run away, go home? Well, some people do, but thousands of young people, even middle school students, decide to face the soldiers in the streets, convinced that fighting and dying to preserve the flame of freedom won by the insurrection is more important than dying.

### A Just Peace

We often see peace as an ideal state. But the peace of the graveyard is not peace. A peace bought at the price of fascist repression not only is not desirable but it will not last.

Like the people of Gwangju 44 years ago, the Palestinian people will refuse peace at any price, peace that is obtained at the price of humiliation. As they have shown in the 76 years since the Nakba, their massive expulsion from their lands and homes, the Palestinians will not settle for anything less than peace with justice, one that enables them to recover their lands seized by Israelis, establish a sovereign state “from the river to the sea,” and allow them to hold their heads up in pride.

They want peace, but it must be peace with justice.

Does this not sound familiar? Was this not the same spirit that animated the people of Gwangju 44 years ago, the sense that it was better to die on their feet than live on their knees.

Palestine needs us. And Korean people can support the Palestinian struggle in many ways, among them by stopping the South Korean government from selling arms to the Israeli military that the latter then uses to kill Palestinians. In fact, from 2014 to 2022, the South Korean government exported \$43.9 million (57 billion won) worth of weapons to Israel. Expressing solidarity with the Palestinian people can be very concrete, like the way 150 people in Daejeon did last January when they protested in front of the Defense Acquisition Program Administration (DAPA) office, demanding the South Korean government stop arming Israel. The protesters in Daejeon have set an example for all of us, and I have been elated to hear that Ms. Kang Eun-Mi, an MP with the Justice Party who was born in Gwangju, has signed a petition asking the Korean government to stop arming Israel.

In 1980, at a time of darkness throughout the global South, when dictators like Chun, Marcos, Mobutu, and Suharto ruled unchallenged, the people of Gwangju



revolted and lit the way forward for the rest of the world. Today, it is the Palestinians who are lighting the way forward in the struggle to defend democratic rights, justice, national sovereignty, and peace. Palestine needs us. But we also need Palestine. And let us thank our Palestinian sisters and brothers for leading the way, for lighting the way for the rest of the world.

## Why Has Inequality Grown After Democratization?: The Effects of Power, Institutions, and Ideology

Kim Yuntae

Professor of Sociology, College of Public Policy, Korea University

### Introduction: The Tragedy of Unequal Democracy

Several years ago, as Bong Joon-ho's "Parasite" and Hwang Dong-hyuk's "Squid Game" garnered attention globally, articles praising South Korea's pop culture for gaining immense popularity poured out. *The New York Times* and *The Guardian*, on the other hand, highlighted the severe inequality in South Korea depicted in these films. Should we celebrate the fact that Korea's social tragedy has become entertainment commodity just as the Brazilian favela has been turned into a tourism attraction? In effect, "Parasite" and "Squid Game" serve as uncomfortable mirrors reflecting the realities of Korean society.

Though it may be difficult for South Koreans today to believe, severe inequality in South is a relatively recent phenomenon. In the 1950s, the nation was one of the most equal societies in the world. The Farmland Reform Act of 1949 (Land reform) eliminated landlords, making the nation one of the most equal countries in the world, second only to communist states. Although the gap between the rich and poor widened with capitalism-based industrialization after the Economic Development Plan in 1962, it was not severe.

Contrary to assumptions that elections and democracy generally reduce inequality (Acemoglu and Robinson, 2012), inequality in South Korea intensified following democratization in 1987. The thirty year period from 1992 to 2022 saw an unprecedented increase in inequality, generating a 'great divide' in society (Kim, 2023). As of 2022, the top 1% of the population accounts for 12.3% of income, with the top 10% accounting for 36.1%. Income concentration in South Korea is third after the advanced economies of the United States and the United Kingdom. The relative poverty rate for those below 50% of median income is over 14.9%, and 16.9% for of low-wage workers, ranking South Korea high among advanced industrialized countries. In addition, inequality in South Korea is evident in various income distribution indicators such as industry, class, and gender (Shin, 2012).

South Korea's severe inequality is paradoxical considering its rapid economic growth. South Korea received high praise for transforming itself from one of the poorest countries in the world in the 1960s to the 10th largest economy in the world. Thanks to advances in information technology, the nation ranks first in per capita internet and smartphone usage. The resistance movements of students and citizens against military regimes following the Gwangju Uprising in 1980 has significantly contributed to South Korea's rebirth and maintenance of democracy, enabling free elections and regime change.

However, the quality of democracy worsened. South Koreans have very low levels

of satisfaction with their lives, happiness, and confidence in society. The nation has recorded the lowest birth rate and highest suicide rate in the world which reflects the unhappiness of the society. The number of South Koreans who feel safe when they encounter a stranger and the number who have someone to ask for help is the lowest among developed nations. Private education expenses, household debt, and plastic surgery expenses are the highest in the world. Fierce competition for survival and socioeconomic status has led to high anxiety and depression. South Korea's tragedy exposes the social failure under the surface of material success and is deeply related to extreme inequality (Kim, 2017).<sup>1)</sup>

This paper explains how economic inequality has grown since South Korea's political democratization in 1987 and how inequality threatens democracy. To that end, it employs a comparative approach as it analyzes South Korea's political history, economic structure, and social policies and Europe and the U.S.'s institutions. First, it focuses on the imbalance in power relations between capital and labor, which contributes to South Korea's growing inequality. This analysis includes structural changes such as globalization and technological advances along with the effects of 'Chaebol capitalism', company-based labor unions, and a weak welfare state. It argues that "unequal democracies" such as the United States have emerged as governments adopted policies biased toward conglomerates and the rich. Second, as in Europe and the U.S., the government's tax and social policies should be viewed as a result of political struggles, emphasizing the role of politicians and political parties. Political battles and pledges for regional development have drawn attention in Korea, while socioeconomic democratization has largely disappeared from the agenda. This shift may result from 'winner-take-all politics' due to the Majoritarian Representation System. Third, it analyzes the power effects of various ideologies, including meritocracy, elitism, 'trickle-down economics', and self development, that legitimize inequality. Finally, it puts forth qualitative development of democracy and the reinforcement of the welfare state as methods to address Korea's unequal democracy.

### **Imbalances in Power Relations: State and Social Institutions as a Battlefield**

In sociology, inequality refers to the unequal distribution of life, social, and economic resources as well as power. According to the Swedish sociologist Göran Therborn, inequality can be categorized into vital, existential, and material or resource inequalities (Therborn, 2013). Vital inequality refers to inequalities in birth, death, and health status. Human life expectancy and health are influenced by society. Existential inequality refers to inequalities of status and recognition within

---

1) According to research by the British social epidemiologists Richard Wilkinson and Kate Pickett, the United States, with its high levels of inequality compared to Sweden, exhibits higher rates of child mortality, illiteracy, prison incarceration, drug addiction, depression, mental illness, and homicide than Sweden, which boasts high levels of equality. The excessive concentration of wealth and the spread of poverty can dampen psychological stability, weaken economic engines, and reduce the well-being of society as a whole (Wilkinson and Pickett, 2009).

social relationships, manifested in various forms such as discrimination and exclusion. The prime examples include racism and sexism. Material or resource inequality refers to inequalities in economic income, wealth, and political power. Economic inequality, which receives significant attention, focuses on quantitative disparities in goods, particularly inequalities in income and wealth.

Studies on the causes of inequality in academia can be classified into three main approaches (Kim, 2023). First, the structural perspective argues that inevitable increases in inequality stem from structural changes such as globalization, technological progress, and demographic shifts.

Second, the political economy perspective focuses on actor-level factors including corporate governance, corporate investment, human resource management strategies, and the collective bargaining power of labor unions, highlighting imbalances in the power relations between capital and labor.

Third, the institutional perspective addresses various social systems, electoral systems, and political systems such as education and welfare. In particular, it looks at the role of government taxation and social policies.

In the real world, structure, agency, and institution are closely intertwined, influencing one another and making clear delineation difficult. Nevertheless, it is crucial to focus on the impact of the role of agencies on inequality including Chaebol conglomerates, company-based labor unions, and government officials rather than attributing inequality solely to structural conditions such as globalization and technological progress. This is because different levels of inequality exist among nations despite similar structural conditions. Germany and Sweden exhibit relatively low levels of inequality compared to South Korea, despite sharing a high dependence on trade and a focus on manufacturing.

Economic liberalization and factory automation do not automatically exacerbate poverty and inequality in South Korea. Power dynamics between companies, labor unions, and the government, along with various institutional structures within each country, determine the level of inequality. An “inclusive social system” that provides equal opportunity for all and embraces the marginalized reduces inequalities, unlike an “exclusive social system” that prioritizes the privileged few (Kim, 2017). In case of South Korea, inequality has continued to grow owing to wage and employment strategies inherent in ‘Chaebol capitalism’, the labor union systems of different companies, and ‘developmentalism’ as a national strategy that heavily emphasizes economic growth.

‘Chaebol capitalism’ in South Korea is largely responsible for the increased inequality in the country. The characteristics of Chaebol capitalism have persisted despite criticism of the concentration of economic power, collusion between politics and business, and crony capitalism following the 1997 Asian Financial Crisis. Chaebol capitalism impacts inequality through four dimensions: astronomical annual salary increases for conglomerate CEOs and executives, wage increases for conglomerate employees through companies’ labor union system, the growing wage

gap between conglomerates and Small and Medium-sized Enterprises through vertical integration of industrial structure, and increased low-wage non-standard workers (such as part time and temporary workers) through labor flexibilization. Despite the evident role of Chaebol conglomerates in exacerbating inequality, there is little interest in corporate governance reforms and democratic regulatory mechanisms among political circles with demands from civil society often being disregarded.

In South Korea, the government's tax and social policies have wielded significant influence on inequality. Following the surge in unemployment triggered by the 1997 Asian Financial Crisis, the Kim Dae-jung administration faced political pressure to expand welfare. However, under pressure from the International Monetary Fund (IMF), the government radically pursued neoliberal economic reforms, including the opening of capital markets and flexibilization of the labor market, while also introducing social insurance and public assistance for laborers and the poor.

The historical significance of strengthening the welfare state during economic crises cannot be overstated. However, a "weak welfare state" proved insufficient to prevent the rise in inequality resulting from neoliberal reforms. First, the welfare state could not develop sufficiently as the government cut corporate taxes and income taxes for high-income earners while limiting fiscal burden to the bare minimum. Second, blind spots in social insurance were excessively large, with half of the population not covered by the national pension and employment insurance schemes. In particular, an aging population has led to a surge in the poverty rate among the elderly.

Shortly after taking office in 2003, the Roh Moo-hyun government declared the "\$20,000 Era" as proposed by Samsung Economic Research Institute (SERI), emphasizing a growth-oriented model. A weak welfare state failed to stem growing inequality. First, government welfare spending increased slightly, but labor market inequality continued to worsen. Second, although the childcare budget increased, it failed to address the declining birthrate. Third, while health insurance coverage expanded and the cost of major illnesses decreased for ratepayers, the expansion of stop-loss insurance by large enterprises worsened the public nature of the program. Lastly, the enactment of the Temporary Worker Protection Law that allowed two-year employment did not prevent the rapid growth of non standard workers.

The Lee Myung-bak government temporarily implemented tax increases and welfare expansion policies after the 2008 Global Financial Crisis. At the same time, however, wealth was further concentrated to the wealthy class and large corporations due to the lowering of the Comprehensive Real Estate Holding Tax and corporate tax rates. In 2012, the Park Geun-hye government, facing the public's calls for economic democratization and a welfare state, also campaigned on welfare expansion pledges. However, the government reversed its stance on the Old Age Basic pension for the elderly and other campaign promises after winning the election. Progressive governments were proactive in introducing new welfare systems, while conservative governments were passive, only expanding welfare in

response to natural increases such as the aging population (Kim, 2023).

Although inequality levels in South Korea have risen, it is true that the country entered the welfare state era during the decade of the Kim Dae-jung and Roh Moo-hyun governments. Consequently, the welfare budget continued to grow during the conservative Lee Myung-bak and Park Geun-hye administrations. Over the past two decades, South Korea's welfare spending ratio has grown at one of the fastest rates in the world. Nevertheless, the weak welfare state has failed to address social problems stemming from inequality, such as a low birth rate, a high elderly poverty rate, and rising suicides, even with a GDP of more than \$30,000 per capita.

Since the mid-2000s, public assistance and public pensions have incrementally contributed to reducing income inequality, but public transfers to the poor adjacent are insufficient and have not significantly reduced elderly poverty either. The elderly poverty rate stands at 45%, the highest among developed nations. The effectiveness of social insurance in reducing inequality is limited, as non-standard workers are excluded from employment insurance and national pension systems.

The main reason for South Korea's ineffective redistribution is its excessively low tax burden and social expenditure ratio. In 1980, the highest income tax rate stood at 70%, but it was halved in the 1990s, leading to a regression in the progressive income taxes. Additionally, the consumption tax rate also remains relatively low. Since the Moon Jae-in administration came to power after the 2016 candlelight rallies, the income tax ceiling was raised slightly, but the tax burden ratio has barely risen. As of 2022, South Korea's tax revenue ratio of GDP stands at 23.8%, lower than the OECD average.

As a result, the social expenditure ratio relative to GDP ranks at the bottom of the OECD. Under the Moon Jae-in administration, South Korea's public social expenditure budget as a percentage of GDP in 2022 was 14.8%, significantly lower than the OECD average of 21.1%. This figure falls well below that of countries like France (31.6%), Germany (26.7%), Japan (24.9%), Greece (24.1%), Sweden (23.7%), and the United States (22.7%).

South Korea's growing inequality should not be seen as the inevitable result of structural changes in technology and industry. Technological determinism overlooks the impact of human behavior and social institutions. Even phenomena that are considered structural factors do not occur by accident. The rise of the global economy is a social transformation driven by the United States, the United Kingdom, as well as transnational corporations. Technological progress is also influenced by government industrial policies and corporate investment. The financialization of the economy, 'shareholder capitalism', and the weakening of labor unions are also institutional outcomes shaped by human decisions.

When considering the various changes influencing inequality, it is crucial to recognize that inequality arises when the balance of power between rich and poor is disrupted or biased in favor of one side. This power dynamic is most visibly

manifested in government policy-making. Even now, conservative politicians and economists in South Korea argue that economic growth takes precedence over reducing inequality. They argue that the paramount concern should be how to expand the economic pie rather than how to divide it. In the 2023 presidential election, the leading candidates adhered to the discourse of economic growth and paid scant attention to tax and welfare reform. They disregarded the fact that the most important responsibility of politicians is to ensure the fair distribution of prosperity across all populations of society, not promoting economic growth. What was behind this?

### The Limits of Electoral Systems and Political Parties: The Rise of the 'Brahmin Left' or 'Gangnam Left'

South Korean politics is marked by a presidential system that centralizes power in the hands of a single individual alongside the Simple Plurality Rule System, where only the top vote-getter in a constituency wins. Following war and the division of the Korean peninsula, anti-communism emerged as a dominant ideological force in South Korean politics, leaving the country without a party to take the lead on class issues (Choi, 2010). After democratization in 1987, the direct presidential election system and Majoritarian Representation System (first-past-the-post voting) were reintroduced, leading to a structure where the opposition party was the majority. However, there were no parties to represent workers and marginalized groups in the regionalism-based party system.

In 1997, the first regime change occurred in South Korea which led to the Kim Dae-jung government and Roh Moo-hyun government coming to power but redistribution was not high on the agenda in the Majoritarian Representation System. Even now, the National Assembly is more concerned about securing local constituency budgets than taxation and welfare. It is less likely for marginalized groups, such as the working class, the poor, youth, women, and the elderly, to be elected as a representative. Consequently, it is challenging for the voices of marginalized groups to be heard in the legislative and budgetary process, reinforcing the 'politics of exclusion'.

Many studies focus on the electoral system and strategies of political parties rather than the president's philosophy and the ideological orientation of political parties which influence the growth of inequality. First, inequality is closely related to electoral systems. The American political scientist Toben Iversen and British political scientist David Soskice argue that differences in electoral systems impact inequality (Iversen and Soskice, 2006). Europe has a Parliamentary System of government with Proportional Representation System, while the United States operates under the Majoritarian Representation System and a Presidential system. Although Europe was more unequal than the United States until the early 20th century, Europe is now much less unequal than the United States. Despite Europe's historical inequality exceeding that of the United States until the early 20th

century, Europe has since become significantly less unequal than the United States.

In Europe, the Proportional Representation System seldom leads to majority governments seizing power, and parties compromise by forming coalition governments. In consequence, an inclusive social system that reduces inequality develops, known as Consensus Democracy. Conversely, the Majoritarian Representation System in the United States and South Korea fosters a two-party system allowing the party that wins the election to monopolize power. Majoritarian democracies are highly competitive and spur political polarization. Conservative parties opposing higher taxes and welfare expansion more often hold power in such systems. Majoritarian democracies, exemplified by the United States and South Korea, have exclusive social institutions and elective affinity that deepen inequality.

Majoritarian democracies are less inclined to develop inclusive social systems, such as public education and social insurance. The American political scientists Jacob Hacker and Paul Pierson argue that “winner-take-all politics” has emerged in majoritarian democracies in the United States, diminishing the influence of parties representing marginalized groups (Hacker and Pierson, 2011). Conglomerates donate substantial sums to media, universities, and research institutes, recruit high-ranking public officials, and influence political parties through campaign funds. Similarly, in South Korea, the systematic exclusion of the working class, the poor, and the marginalized has resulted in government policy-making favoring conglomerates and the wealthy.

South Korean civil society has long advocated for expanding the Proportional Representation System and adopting a German-style electoral system to reform the country's politics. It emphasized the need to prevent wasted votes, uphold the principle of proportionality, and ensure the democratic election of proportional representatives. Just before the 2020 general election, the National Assembly enacted a quasi-consolidated Proportional Representation System, a variant of the German electoral system. However, the United Future Party (renamed as People Power Party now) strongly opposed it and enforced a satellite party. Lee In-young, the floor leader of the Democratic Party of Korea, largely responsible for the absurd electoral reform, irresponsibly created a deformed satellite party in a move criticized for worsening the electoral system. In the Open Democratic Party, Kim Eui-kyeom, accused of real estate speculation, was elected as a proportional representative. Since then, the big two-party system has been strengthened, real estate prices have skyrocketed, and the lives of low-income people have further deteriorated.

Second, the electoral strategy of progressive parties affects inequality. Since the 1990s, poverty and inequality have persisted without improvement despite the presence of progressive parties in power. In his book *Unequal Democracy*, the American political scientist Larry Bartels analyzes how deep-pocketed corporations have changed not only the policies of the Republican Party, but also those of the Democratic Party in the United States (Bartels, 2008). In the late 1990s, the Democratic Party shifted away from its traditional policies of progressive taxation



and fiscal expansion in favor of tax cuts for the wealthy and fiscal balance reflecting demands from conglomerates. Additionally, in response to pressure from Wall Street, they rolled back financial regulations and introduced policies that fueled real estate speculation.

This trend was not limited to the United States but also extended to Europe. During the rise of 'Third Way politics' around the world in the 1990s, the British Labour Party, the German Social Democratic Party, and the Swedish Social Democratic Party pursued lower taxes, fiscal balance, and welfare reform while supporting trade and financial liberalization at the same time.

In South Korea as well, Third Way politics also gained popularity during the administrations of Kim Dae-jung and Roh Moo-hyun. However, Third Way politics exacerbated poverty and inequality. It also diminished the values of social justice and equality. In particular, Third Way politics underestimated the negative effects of economic globalization, resulting in the 2008 Global Financial Crisis (Kim, 2012).

Why did this happen? We should look at actions rather than words. Since being in office since the late 1990s, the Democratic Party of Korea claimed to represent the middle class and the working class. However, actions such as privatizing public enterprises, enacting laws on layoff and flexible labor market legislation, lowering income taxes for the wealthy and corporate taxes for corporations, and promoting private health insurance had a significant impact on inequality. While the government pursued policies of economic liberalization and tax cuts for the wealthy, the salaries and wealth of the Chaebol and the wealthy skyrocketed, while the incomes of the middle and working class stagnated or declined.

Why have progressive parties around the world, including in Korea, abandoned policies to reduce inequality over the past two decades? This is closely linked to the social bases of political parties. It has become a widespread phenomenon for progressive parties, which have long represented the working class, to turn away their traditional party base in advanced industrialized countries. This trend is also closely related to party strategies. Deindustrialization, which began in the 1960s, has led to a decline in the working class and a weakening of labor movements, while highly educated white-collar and information services jobs have increased dramatically. Progressive parties recruited highly educated white-collar workers in large numbers to win elections.

In the 1990s and beyond, the proportion of highly educated, high-income members increased in the U.S. Democratic Party and European social democratic parties. Though this shift led to cultural issues such as abortion, homosexuality, and identity politics taking the forefront, this diminished the voice of economic progressives. The influence of labor unions waned, and redistribution was put on the backburner. Progressive parties, like their conservative counterparts, eased financial regulations and cut taxes for the rich, while also seeking to cut welfare for the poor and privatize the social security system.

The French economist Thomas Piketty coined the term 'Brahmin Left' in his work *Capital and Ideology* to describe highly educated, high-income progressives who, despite their rhetoric of progressiveness, enact policies that primarily benefit the wealthy. They advocate for tax cuts for the affluent and prioritize the inheritance of social status through education (Piketty, 2019). The Brahmin Left turned a blind eye to poverty and inequality and focused on identity politics, including middle-class lifestyles, homosexuality, feminism, and abortion.

Since the 2000s, South Korea's democratic and progressive parties have also attracted a growing number of highly educated, white-collar members. In particular, those included lawyers, professors, and other professionals who have been dubbed the "Gangnam Left." Since the Roh Moo-hyun government came to power, some scholars have condemned those who emphasize economic inequality as the 'old left.' They emphasize the rise of the 'new left,' which promotes a culture of anti-authoritarianism, arguing that the middle class has become the new mainstream.

Since the 2016 candlelight rallies, the proportion of the highly educated middle class from the Seoul and Gyeonggi area has risen within the Democratic Party, weakening its interest in policies related to basic pensions, non-standard workers, and the balanced regional development of the country. Further, there were instances of hypocrisy where words and actions did not align. Contrary to the Democratic Party's policy direction which introduced the Comprehensive Real Estate Holding Tax in the 2020 general elections, party representative Lee In-young called for cuts in the Comprehensive Real Estate Holding Tax in Gangnam. Policy Committee Chairman Kim Sung-hwan, who criticized real estate inequality in the 2022 local elections, advocated easing property tax for those who owned multiple residential properties.

Since political democratization, the limitations of delegative democracy, which entrusts policy-making to elite politicians, have become apparent. South Korea boasts the highest percentage of the population with political party membership and the most bill proposals among legislative bodies worldwide. However, the major parties concentrated on electioneering and focused on winning elections by mobilizing their core support base. The Democratic Party of Korea, in particular, advocated universal welfare and formed the Euljiro Committee during its time as the opposition party. After coming to power, however, it distanced itself from labor unions, ignored temporary workers, and began to be concerned about the backlash of the wealthy and the interests of the middle and upper classes. Not only has politics hit rock bottom, it is actively working to prop up those at the top.

The turnout of the low-income voters who traditionally supported the party is declining amidst shifts in the Democratic Party's electoral strategy. South Korea is also experiencing the "income gap in voter participation" phenomenon found in the West (Kwon and Han, 2018). This is a phenomenon in which low-income individuals are more likely than higher-income individuals not to vote, while

higher-income individuals are more likely to vote. This is closely related to "unequal responsiveness," wherein elected representatives are unresponsive to the needs of low-income groups but respond keenly to the economic interests of high-income groups. Income inequality in voting and unequal responsiveness of elected representatives are linked, leading to unequal democracy. Income inequality and political inequality are closely intertwined.

While the 2016 candlelight rallies as well as the 2016 South Korean political scandal and politics-business collusion highlighted growing dissatisfaction with socioeconomic inequality, significant improvements in inequality have not materialized even after the Moon Jae-in administration took power in 2017. The highly educated middle class, which has become the core of the ruling Democratic Party of Korea, remains sensitive to political and ideological issues, but less concerned with socioeconomic issues affecting the poor. The rapidly growing influence of enthusiastic supporters through podcasts, YouTube, and online comments has given rise to fandom politics and have made hate speech against opponents popular (Park, 2023). While fandom politics has its roots in democratic institutions, it poses a threat to democracy over time.

In his work *Post-Democracy*, the British sociologist Colin Crouch analyzed the characteristics of contemporary politics using the new term 'post-democracy' (Crouch, 2004). Post-democracy describes the paradoxical situation of a state that is technically characterized by procedural democracy and rule by law, but betrays the fundamental objectives of democracy. In post-democracies, ideological distinctions between political parties become blurred and a candidate's image supersedes social issues. Elections have become a spectacle of marketing and advertising, rather than a competition of policies. Voters are excluded from the policy-making process and are either relegated to the role of spectators watching campaigns as a show or those focused on commenting on the internet as a political hobby.

South Korea is also exhibiting signs of post-democracy. The influence of the corporate elite that dominates politics has become excessive. The government is swayed by corporate lobbies as it engages in backroom deals to sell off or privatize public companies and make decisions on deregulation. Senior government officials transition into roles within large corporations, law firms, investment firms, and accounting firms after retirement. The National Assembly is distorted into a mechanism that legitimizes the special interests of the economic elite rather than serving the universal good. In this way, the essential meaning and objectives of democracy are gradually eroded.

### **Ideologies and Justification of the System: Meritocracy, Elitism, Trickle-Down Economics, and Self-Development**

In 2021, the Organization for Economic Cooperation and Development (OECD) examined perceptions of inequality for eight major countries, including South

Korea, from the 1980s to the recent past (OECD, 2021). Overall, "inequality perception," a subjective assessment of inequality, displayed an upward curve, peaking in 2008 and falling slightly in recent years. 'Inequality favorability,' the degree to which people tolerate inequality, has followed a similar trend. This indicates that while people are concerned about rising inequality, they are also increasingly adapting to it.

South Korea shows the most contradictory perceptions of inequality. When asked about the causes of inequality, 46% of South Koreans cite parental wealth, which is much higher than the average (26%). However, 86% also believe that individual efforts are important to mitigate inequality, which is higher than the average (74%). While Koreans are concerned about inequality, they are more likely to address it on an individual level rather than emphasizing the government's responsibility or addressing it on a societal level. Where does this perception stem from?

The ideological mechanisms that maintain inequality around the world are affected by power effects in the socio-political, economic, and psychological domains. The ideology of inequality encompasses diverse discourses, but meritocracy, elitism, 'trickle-down economics', and self-development exert particularly compelling power effects (Kim, 2018). These four discourses are closely linked to legitimize ideologies that rationalize inequality.

First, meritocracy argues that individuals should be rewarded differently based on their abilities. It is based on the logic that anyone can succeed through hard work, regardless of their parental background. The term meritocracy did not have positive connotations at first. In the 1950s, British sociologist Michael Young described a society in the year 2033 where everyone in the upper class is smart while everyone in the lower class is stupid despite equal opportunities given to everyone in *The Rise of Meritocracy* (Young, 1958). Young warned that a future society in which one's job is determined by their ability could be a grim dystopia.

Despite Michael Young's critical satire, meritocracy has acquired positive connotations. American functionalist sociologists believed that a society with differentiated rewards would promote motivation to work, justifying inequalities in class structure. In the United States, meritocracy became popular as an alternative to the mechanical egalitarianism of the Soviet Union.

In South Korea, meritocracy was also embraced as the opposite of egalitarianism. In particular, the education craze was considered an important means of achieving upward social mobility. The combination of familism, which posits that a child's success leads to the success of its family, and the ideology of meritocracy has significantly contributed to the highest university admission rates in the world.

However, meritocratic discourse cunningly conceals the hereditary nature of not only wealth, but of status on a societal level behind the veil of individualism. Jung Yoo-ra, the daughter of Choi Soon-Sil, sparked a controversy over illicit university admission. When she remarked "If you are incapable, blame your

parents," it sparked widespread outrage among the young generation. The daughter of a professor at Seoul National University, Cho Gook, was also bombarded with criticism for her illicit university admission. The myth that South Korea is a meritocracy has been shattered.

The discourse of meritocracy, which separates individual ability from society and deems it absolute, has been used as a tool to justify inequality in society. An individual's abilities cannot be considered merely the result of happenstances like being endowed by nature with special talents or being born to wealthy parents. Meritocracy adherents deny or ignore the fact that their wealth and income are acquired by the contributions of other people and the community.

Second, in South Korea, elitism has become a potent ideology that rationalizes inequality. Until recently, columnists in conservative media openly advocated for inequality, stating that "inequality is what drives society." They also argued that "organizations should be led by leaders selected based on their ability."

The term elite comes from the Latin term meaning "to choose" and was used in late 19th-century France to refer to a top group of people who were superior in ability to the public. In the late 19th century, the Italian sociologist and economist Vilfredo Pareto argued that the emergence of elites is inevitable, no matter how much equality is advocated for, and that the rapid changes in society are nothing more than a "circulation of elites" through transitions in the ruling class.

Elitism is a clear negation of democracy. However, after being elected recently as the leader of the People Power Party, Lee Joon-seok said, "Basically, a few people with skills or abilities change the world," adding, "I'm willing to be bear criticism that I am being elitist." He called for "fair competition," criticizing policies that protect socially disadvantaged groups such as women, the disabled, and the elderly. However, he rejected or turned a blind eye to equal opportunity and affirmative action policies that achieve social fairness.

Third, 'trickle-down economics' argues that when taxes are reduced for the rich and corporations, and economic growth is achieved, wealth is distributed to everyone, creating a "trickle-down effect." The idea that an unequal distribution of wealth benefits everyone in the long term was considered a scientific theory. In the United States since the 1980s, 'trickle-down economics' convinced politicians to adopt neoliberal economic reforms.

Even today, mainstream economists are concerned about high tax burdens and continue to criticize the welfare state as a disincentive to work and an obstacle to economic growth. But despite enormous tax cuts for the wealthy after the Reagan administration in the 1980s, corporate domestic investment did not increase and prolonged economic stagnation continued. Over the past three decades, inequality has been aggravated overall as advanced industrialized countries adopted trickle-down economics.

The situation in South Korea is similar. Since the 1997 Asian Financial Crisis, 'trickle-down economics' has dominated economic policy, leading to the highest

concentration of wealth rather than distribution of wealth. Trickle-down economics effectively functioned as a political project to expand the profits of those in high-income tax brackets and corporations. Trickle-down economics operates as more of an ideology that dominates academia and politics, rather than as a scientific theory based on empirical evidence.

Fourth, self-development has become a survival strategy for individuals living in unequal societies. It has become a new discipline and industry, even acquiring a religious characteristic. With meritocracy and endless competition intensifying, three significant cultural and psychological changes occur in real life: the enthusiasm for self-development, the emphasis on positive thinking, and the emergence of the culture of "healing."

Today, self-development is not just a means of competing for jobs, but a psychological variant of economics' "human capital" theory, which gives people strong economic motivation. Rather than changing society, conformity to the present state is encouraged and achieving individual competitiveness through self-development becomes the sole goal of life. Taking care of one's appearance is also considered a crucial aspect of self-development, especially imposing excessive burdens on women.

Perspectives that emphasize self-development ignore the structural conditions of society and praise the positive attitude of the individual. A prominent academic theory that emphasizes a positive attitude toward life is Positive Psychology. Although originating in the United States, Positive Psychology is also gaining popularity in South Korea. Positive Psychology claims that a positive attitude can increase happiness and enhance the quality of life. It convinces individuals to abandon externally oriented, materialistic values in favor of inner peace.

"Healing" is a psychological mechanism for those who fail in infinite competition. As not everyone can succeed and there are more who fail than succeed, there is a greater demand for psychological healing. While *It Hurts Because You're Young* became a bestseller, it does not raise questions about youth unemployment. The popularity of popular psychology, such as *The Power of Alone Time* and *Don't Get Hurt For Being Nice To Others By Yourself* has led more and more people to view societal problems as individual problems.

The American sociologist Richard Sennett pointed out in *The Corrosion of Character: The Personal Consequences of Work in the New Capitalism* that those laid off in the United States due to restructuring blamed themselves (Sennett, 1998). Similarly, Korean youths attribute their unemployment to their academic backgrounds and credentials. Systematic analysis of inequality, the rising number of temporary workers, and over-competition has disappeared and lectures prescribing individual solutions have become popular. Techniques for managing emotions created a "happiness industry," reproducing a conformist ideology that ignores the pain of inequality.

Corporations compel individuals to consume more for instant gratification instead

of thinking deeply. Those who flock to high-end restaurants and luxury resorts perceive themselves superior to others. Today, "YOLO," or "spend for your own happiness," has become the new zeitgeist. As capitalism penetrates into the human psyche, the logic of economics and consumption dominates people's way of thinking and their spirit.

In Korean society, despite efforts toward scientific, moral, and psychological justifications, the ideologies of meritocracy, 'trickle-down economics', and self-development, have logical fallacies leading to destructive social consequences. The logic that describes inequality as an individual problem, not a societal one, has fundamental limitations. While a certain level of economic inequality is inevitable in capitalism, excessive inequality conflicts with the principles of democracy. Ideologies justifying inequality cannot coexist with the ideals of a democratic political community, where all people are equal, have equal rights, and cooperate with each other (Kim, 2018).

### Conclusion: Toward Qualitative Development of Democracy and The Welfare State

Democracy as a democratic political system should be understood as an ongoing process rather than a fixed endpoint. Democratic ideals of civil liberties, social justice, and equality are achieved through policies that are fit for these ideals. As proponents of democracy forecast and strive for future outcomes, it is essential for them to learn from past experiences. Let us listen to the words of regret by President Roh Moo-hyun in his autobiographical book *The Future of Progress* after leaving office.

"What I did wrong was that when I got the budget, I should have just grabbed a colored pencil and drawn a line upwards saying 'Increase social policy spending.' I should have just said 'What are you talking about, just raise welfare spending by 30% this year, 40% next year, 50% the year after,' and drawn a line. Instead, I just sat down and said, 'What percentage did it go up?' Now that I think about it, yeah, I should have done it brazenly, but I did it stupidly..."

Still, South Korea's Chaebol conglomerates and economic bureaucrats vehemently oppose welfare expansion and tax increases while emphasizing economic growth. The phenomenon of high-ranking bureaucrats who control economic policy moving on to careers at Chaebol conglomerates, large law firms, and accounting firms after retiring continues. Inequality is exacerbated and democracy is declining as self-serving politicians pursue policies that favor the wealthy.

After the Global Financial Crisis that hit the global economy in 2007-2008, perceptions of inequality began to change. In 2012, the World Economic Forum, a gathering of the wealthy and of business leaders, identified "income inequality" as the gravest threat. A 2014 report by the international aid organization Oxfam claimed that policies that favor the rich, tax evasion, and austerity policies that cut welfare were the causes of growing inequality (Oxfam, 2014). The report warned

that the wealthy are dictating government policy and dominating the economy, which is undermining democracy.

Since 2012, there has been a shift in the policies of the conservative World Bank and International Monetary Fund (IMF). The World Bank has argued that policies that reduce income inequality help economic growth in the long run. The emphasis shifted from growth alone to redistribution. The OECD has also proposed "inclusive growth" (OECD, 2013). Solutions such as tax reform, minimum wage increases, and strengthening social safety nets were recommended to governments worldwide.

In South Korea, inequality has been a growing concern since the 2016 candlelight rallies. In 2019, the Moon Jae-in administration proposed an "inclusive state" and released the Basic Livelihood Security Plan, which is similar to the international community's advocacy for "inclusive growth." However, South Korea's inclusive state strategy has been largely ineffective as it pursued fiscal expansion without aggressive tax increases. While income inequality has improved slightly, wealth inequality has further worsened, and South Korea remains the country with the most severe inequality in the developed world.

Inequality is now a major challenge for South Korean society. Moving away from the dominance of free market fundamentalism, the country should prioritize the active role of the government. It is urgent for the government to shift its policies to simultaneously pursue economic efficiency and social equity. Economic growth alone does not automatically eliminate poverty and reduce inequality. Economic and social policies should be considered in an integrated way. During the Industrial Revolution in Britain 200 years ago, legislation regarding the prohibition of child labor, the eight-hour workday, and labor unions significantly contributed to the reduction of poverty. Inequality would not have been reduced without the inclusive social systems that countries implemented after World War II, including public education, public health, national pensions, and universal social insurance.

Inclusive social systems oppose mechanical egalitarianism and free market fundamentalism. The historical experience of Soviet communism demonstrates that absolute, mechanical equality is neither feasible nor desirable. The nationalization of the means of production and the autocracy of the Communist Party legitimized the privilege of political elites and totalitarian domination. On the other hand, we must also reject the extreme worship of the free market and the jungle capitalism of extreme self-reliance and infinite competition. This is because while market economy seeks efficiency it inevitably fosters inequality. Strengthening the welfare state, which pursues both market efficiency and social solidarity, is necessary.

Implementing a 'dual strategy' is essential to strengthen inclusive social systems in South Korean society. First, Consensus Democracy must be strengthened through electoral reform in the political system. Second, Chaebol reform, tax justice, and labor-management agreements must be pursued in the economic system. However, institutional reforms take time and face obstacles. The future is particularly bleak in the absence of change in the political sphere. This is why it is crucial for



progressive civil society to play an active role in proactively pressuring political parties and the National Assembly. It is necessary to go beyond party participation and voting and change party platforms, election pledges, and government policies. Democracy is at risk if the political sphere continues to favor a free-market approach, neglect universal social security, and disregard the vulnerable.

In his 1944 book *The Great Transformation*, Karl Polanyi argued that free markets do not transcend history and are a human invention. As Polanyi describes that "satanic mill ground men into masses", an unregulated free market inevitably destroys society (Polanyi, 1944). Social integration should be pursued through the role of the state, by emphasizing quality of life and social justice, not quantitative growth and endless competition. Only with an active role of the state can democracy develop.

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## Who Is at Risk? What Can Be Done? International Solidarity for Sustainable Development and Human Rights

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### 1. Introduction: Who is at risk?

We live in a time often characterized by crisis. This is fueled by a confluence of factors: growing inequality, persistent conflicts and non-peaceful states, ecological changes driven by the climate crisis, and the routine occurrence of disasters and catastrophes. These red flags for humanity aren't equally distributed – the most vulnerable face the harshest consequences. In August 2022, torrential rains in Seoul tragically killed three members of a disabled family living in a semi-basement apartment in Shinlim-dong. While residents in safer areas remained relatively unscathed, for those dwelling in unsuitable housing, heavy rains became a life-or-death situation.

Over the past three years, the ongoing La Niña phenomenon, marked by temperatures drop by more than half a degree Celsius in the eastern Pacific Ocean, has caused devastating floods in Pakistan, Nigeria, and Brazil. Conversely, northeastern Africa has endured six consecutive years of drought, displacing an estimated 2.2 million people. Rising sea levels threaten island nations like Fiji, Tuvalu, and Kiribati, potentially rendering them uninhabitable. The UN International Organization for Migration (IOM) estimates climate change could displace up to one billion people by 2050, while the UNHCR reports an annual average of over 20 million climate refugees since 2008.

One of the most vulnerable groups during COVID-19 were patients in closed psychiatric wards. In February 19, 2020, Daenam Hospital at the city of Cheongdo experienced a massive COVID-19 outbreak. All 103 patients on the 5th-floor psychiatric ward were infected, resulting in 13 deaths. The close quarters of the ward facilitated a 100% infection rate and a 7.8% mortality rate, leading to the city to be designated as a special disaster zone.<sup>2)</sup>

The elderly were another highly vulnerable group. While everyone faced difficulties, those reliant on in-person social care services were especially challenged. The suspension of meal programs, public healthcare gaps, and reduced social care services exacerbated survival and health issues for the homeless and care gaps for the disabled, elderly, and children. Tragically, increased care burdens led to cases of suicide by individuals with developmental disabilities and their caregivers, alongside a rise in reported elder and child abuse.

The rapid spread of COVID-19 exposed and amplified existing economic

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2) [https://ilyo.co.kr/?ac=article\\_view&entry\\_id=371267](https://ilyo.co.kr/?ac=article_view&entry_id=371267)

polarization, discrimination, and racial inequalities across the globe. Data revealed a stark reality: socially marginalized minorities in multicultural countries like the US and UK faced a higher risk of contracting and succumbing to the virus. This ignited a critical discussion on health inequities. Dr. Eliseo J. Pérez-Stable, director of the National Institute on Minority Health and Health Disparities (NIMHD) at the National Institutes of Health, and his team reported in *The BMJ* that “disparities in COVID-19 cases and deaths in some parts of the United States reached up to two to three times higher for people of color compared to white Americans.” Dr. Eric Rubin from the U.S. National Institute on Aging added, “In Louisiana, 70% of COVID-19 patients were African-American and Latino, yet these groups comprised only 30% of intensive care unit capacity.”

Furthermore, the pandemic triggered mass unemployment, replicating the worst aspects of the Great Depression. Temporary, irregular workers, and ethnic minorities bore the brunt of job losses. This highlighted the double burden faced by the most vulnerable: discrimination in healthcare access and the economic devastation of unemployment. Low-income individuals trapped in temporary jobs, refugees fleeing instability, and foreign laborers seeking a better life – all marginalized groups – were disproportionately impacted by the pandemic's economic fallout.

Disasters and catastrophes strike indiscriminately, but their consequences are far from equal. To fully understand a crisis, it is crucial to examine the faces of those most affected. Who is at risk? Who is most vulnerable? The third presentation of "Crisis of Freedom: The Future We Want," titled "International Solidarity for Sustainable Development and Human Rights," begins with the questions: "Who is most vulnerable in a crisis?" and "What can be done?"

## 2. The nature of the crisis

### The Age of Climate Crisis

'Climate change' refers to changes in the climate system caused by changes in the concentration of greenhouse gases due to human activities, resulting in changes beyond the natural climate variability that has been observed for a considerable period of time, and 'climate crisis' refers to the condition in which such changes pose irreparable risks to human civilization, including not only extreme weather, but also water shortages, food shortages, ocean acidification, sea level rise, and ecosystem collapse, requiring dramatic greenhouse gas reductions.<sup>3)</sup> The climate crisis poses the greatest threat to human rights directly and indirectly on a wide range and scale unparalleled by any other human rights violation.

The Paris Agreement, adopted by 2015 COP21 in Paris, aims to limit global warming to well below 2° C above pre-industrial levels, ideally striving for 1.5° C. Despite Article 2.1 of the Paris Agreement, the year 2023, eight years after

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3) Article of the “Framework Act On Carbon Neutrality And Green Growth For Coping With Climate Crisis”

the agreement's adoption, marked the hottest year in the 174-year history of weather observations. The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report warns of potential abrupt and irreversible changes to our planet's climate. Even if all countries achieve their current Nationally Determined Contributions (NDCs) for emissions reductions by 2030, global temperatures are projected to rise above 1.5° C by 2040 and could reach 2.8° C or even 4.4° C by 2100.

The World Meteorological Organization's (WMO) 2023 State of the Global Climate report shows that global average surface temperatures are already 1.45° C higher than pre-industrial levels, sea surface temperatures are also at record highs, and in February 2023, Antarctic sea ice reached its lowest recorded extent since satellite observations began, mirroring significant losses in Arctic sea ice and the Greenland ice sheet.

Extreme weather events fueled by climate change are intensifying across the planet. In southern Europe and North Africa, scorching heat waves caused widespread devastation. Meanwhile, Canada witnessed wildfires that burned down more than seven times the usual land area, and the Hawaiian wildfires were the most destructive ever recorded in the United States. These extreme conditions contribute to severe food insecurity. The number of people facing food crises has more than doubled, rising from 149 million pre-pandemic to a staggering 333 million in 2022.<sup>4)</sup>

Over the past three decades (1991–2020), South Korea's average annual temperature has risen by 1.6° C compared to the historical average (1912–1940), with a steady increase of 0.2° C per decade. In 2020, the country experienced its longest monsoon season on record (54 days in the central region) and heavy summer downpours that resulted in 46 deaths and missing persons. In 2022, torrential rains in the metropolitan area south of the Han River caused severe flooding. Additionally, a 9-day wildfire ravaged the city of Uljin and Samcheok, the longest continuous wildfire since record-keeping began in 1986, burning down approximately 20,000 hectares of forest.

"Heatwaves, floods, and droughts are impacting every continent, causing immense socio-economic losses," stated WMO Secretary-General Celeste Saulo. "These extreme weather events disproportionately burden vulnerable populations, highlighting the urgency of addressing climate change."

### Disasters in everyday life

The Universal Declaration of Human Rights states that everyone has the right to life, liberty and security of person (Article 3). Similarly, the Constitution of the Republic of Korea states that all citizens shall be entitled to a life worthy of human beings and the State shall endeavor to prevent disasters and to protect citizens from harm therefrom (Article 34). Despite these legal protections, disasters

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4) 2023 State of the Global Climate report published by the World Meteorological Organization (WMO)

and catastrophes, large and small, continue to plague our society. The root causes are multifaceted: prioritizing corporate profits over people's well-being, persistent discrimination against the most vulnerable, the escalating climate crisis, and inadequate practices in disaster prevention and management.

Over the past decade, South Korea has witnessed a string of tragedies that starkly expose the prioritization of corporate profits over human safety and well-being. Incidents such as the Sewol ferry disaster (2014), the humidifier disinfectant scandal (2016), and leukemia cases at semiconductor industry (ongoing) highlight the structural inequalities within the labor market, where the most vulnerable workers – subcontractors, interns, and migrant laborers – bear the brunt of occupational hazards. Furthermore, the repeated occurrence of preventable disasters, such as the Itaewon Halloween crowd crush (2022), the Osong underpass tragedy (2014), and the semi-basement flooding deaths (2022), underscores the government's and local authorities' apathy towards public safety and their tendency to evade responsibility. In the wake of numerous tragic events, the Korean government enacted the "Serious Accidents Punishment Act" in January 2021, holding individuals accountable for large-scale accidents. Additionally, the "Framework Act on Disaster and Safety Management" was revised to enhance support for victims and recognize various causes of social disasters. These are positive steps, but more needs to be done to address underlying structural problems. Superficial disaster prevention and management practices must be replaced with a robust system that tackles the root causes of disasters.

### 3. What can be done?

#### International trends toward the climate crisis

The UN Human Rights Council has consistently recognized the climate crisis as a threat to human rights. Since 2014, annual resolutions address the issue, and in 2021, a Special Rapporteur was appointed to investigate its impact and advocate for human rights protection. The Rapporteur reports on various human rights concerns arising from the climate crisis, including climate displacement, state actions through legislation, climate litigation, and inter-generational equity. These reports raise global awareness of how the climate crisis jeopardizes human rights.

#### Climate justice and the human rights

The climate crisis is an urgent human rights issue, and the National Human Rights Institutions(NHRIs) are leading the charge in recognizing it. The National Human Rights Commission of Korea filed an amicus curiae brief on the climate crisis's constitutionality exemplifies this growing trend. However, a significant disparity exists between major polluters and the nations most affected. Holding these polluters accountable remains a critical challenge. The crisis disproportionately impacts vulnerable groups, including the elderly, people with disabilities, refugees, and low-income individuals. Recognizing this, concrete actions are being

formulated to address their specific vulnerabilities.

### Solidarity in Climate Crisis Action by NHRIs

NHRIs have been working to address the human rights challenges posed by the climate crisis. Recognizing their crucial role, the UN Human Rights Council passed resolutions in 2022 and 2023 affirming the importance of NHRIs in protecting human rights during climate change. Building on this momentum, the Global Alliance of National Human Rights Institutions (GANHRI) established a dedicated caucus group on climate change and human rights. This group serves as a platform for NHRIs to share best practices and experiences, fostering collaboration and strengthening their collective response to the crisis. Additionally, GANHRI organized a symposium at COP 28 specifically focused on the role of NHRIs in addressing the climate crisis and protecting human rights.

The European Network of National Human Rights Institutions (ENNHRI) published an amicus curiae brief and made statements verbally in the climate case at the European Court of Human Rights, arguing that governments have an obligation to protect human rights in the context of climate change. The Philippine Commission on Human Rights also conducted a seven-year investigation into the role of the climate crisis and government and corporate accountability. In addition, as discussed above, the Korean Human Rights Commission submitted an amicus curiae brief challenging the government's climate response before their Constitutional Court.

### Sustainable Development Goals (SDGs)

The UN's Sustainable Development Goals (SDGs), designed to be implemented by 2030, encompass 17 goals. Each July, a high-level forum at UN headquarters focuses on specific goals, such as poverty reduction (SDG 1), hunger eradication (SDG 2), climate action (SDG 13), and peace with strong institutions (SDG 16).

One of SDG 16's key indicators is the existence of independent national human rights institutions (NHRIs) aligned with the Paris Principles. Reinforcing this commitment, the UN Secretary-General recently launched the UN Protection Pledge and Agenda for Protection, ensuring human rights are prioritized across all UN agencies. This underlines the ongoing emphasis on mainstreaming human rights within the UN framework. To effectively integrate human rights into UN discussions, enhanced participation by certified NHRIs is crucial. Empowering NHRIs to diagnose the climate crisis as a human rights issue and raise concerns is vital in overcoming this global challenge. The World Alliance of National Human Rights Institutions and others advocate for greater NHRIs participation within the UN to achieve this goal.

To effectively address this generational crisis, strengthening the role of NHRIs is crucial. This would empower them to frame the climate crisis as a human rights issue and raise these concerns within the UN. While NHRIs currently enjoy formal participation and speaking rights in bodies like the UN Human Rights Council,

their involvement in forums such as the Economic and Social Council and the High-Level Political Forum on Sustainable Development remains limited. For mainstreaming human rights across the UN, organizations like GANHRI advocate for expanded NHRIs participation within the UN system.



## Thematic Session 1.

### The Future We Want: Global Crisis

We will explore the causes and solutions for the freedom crises discussed in the keynote. We will discuss how international solidarity and global leadership are needed to create a peaceful world free of war. As the debt relief for poor countries, we want to find ways of cooperation for a sustainable future for all countries. We will also discuss international solidarity to build a sustainable future where freedom, peace, democracy, and human rights are guaranteed.

**Moderator** Cho Hyo-Je (Sungkonghoe University)

#### **Speakers**

1. Breaking Away from War Discourse in the Age of War  
Chung Jujin (Center for Peace & Conflict Resoultion)
2. International Cooperation for Just Resoultion of Sovereign Debt  
Focus on Global South Countries in Asia  
Mae Buenaventura (Asian People's Movement on Debt and Development)
3. The Crisis of Freedom in the Age of Artificial Intelligence  
Lee Jinwoo (POSTECH)



## Breaking Away from War Discourse in the Age of War

Chung Jujin  
Center for Peace and Conflict Resolution

### The Age of War

As of early March 2024 when I am writing this, the war in Ukraine has entered its third year and the war in the Gaza Strip of Palestine is in its sixth month. The Ukraine war has been at a stalemate for more than a year and the war in Gaza has mostly been a one-sided attack and strategy to level Gaza by Israel. These two wars have numerous implications. A particularly noteworthy point is that through these wars, the world is now paying attention to war itself and whether or not a war can be justified. Another point is that there is growing interest in the loss of life and injuries and social destruction caused by war as the wars are being broadcast in real-time around the world. The humanitarian crisis brought about by war is increasingly garnering attention from the international community. However, what deserves the most attention is that despite all this, the world has failed to end the wars and has failed to prevent a humanitarian crisis. In terms of the war in Gaza, the international community has reproached Israel for the genocide in the Gaza Strip. Earlier this year on January 26th, the International Court of Justice (ICJ) held hearings regarding the charge of genocide that the Republic of South Africa brought against Israel and, in effect, admitted the charge against Israel for genocide, ordering provisional measures to be taken to prevent this and Israel to submit a report within a month. However, Israel did not cease their indiscriminate attacks nor did they submit a report, sparking criticism of the ICJ for not ordering a ceasefire in the first place. The international community and the people of the world failed to find a way to stop Israel. Though the international community swiftly levied sanctions against Russia for its attack on Ukraine, this did not result in much.

The civilian death toll in the Ukraine war reached 10,582 as of February 15, 2024, the second anniversary of the start of the war. This includes 587 children. 19,875 were injured, among those, 1,298 were children. As of late January 2023, roughly a year after the war started, there were 8 million Ukrainian refugees. As the war enters its third year in early March 2024, there are still roughly 6.48 million refugees residing outside of the country. The war in Gaza is much more severe. As of March 10, 2024, five months after the war started, 30,960 Gaza residents were killed and 72,524 injured. Women and children accounted for roughly 70% of the fatalities. Israeli deaths remained at the 1,139 fatalities caused by the October 7th Hamas attack and more than 100 hostages being held in the Gaza strip. The war in Gaza resulted in the most deaths and injuries in the shortest period of time among all the wars of the past several decades. Furthermore, though there are not any refugees due to Israel's blockade, 85% of Gaza's 2.3 million residents have

been displaced. In particular, Gaza is facing the worst humanitarian crisis due to Israel's blockade and restriction of humanitarian aid. The UN and relief organizations have feared large scale deaths due to starvation since mid-February. Their fears became a reality in late February as starvation related deaths, particularly among children, started to occur. In addition to the fatalities and injuries, social destruction is severe in both Ukraine and the Gaza strip. It is forecasted that reconstruction will take decades, and in the case of Gaza, it is unclear if reconstruction is even possible.

The Ukraine war and the war in Gaza highlight issues facing the world in other ways as well. Both wars have continued based on full support from the U.S. and Europe in order to pursue their own interest. The war in Ukraine is a proxy war waged against Russia by the U.S. and Europe and Israel is committing genocide and leveling the Gaza strip backed by U.S. military aid and support from Europe. Underlying the conflict is a web of the U.S.'s strategy to strengthen their hegemony in the Middle East and Europe's efforts to sustain military cooperation with the U.S. and desire to secure their interests. This shows us that the two wars that have immensely impacted the world both politically and economically and have led to the worst humanitarian aid crisis have been sustained for the benefit of the U.S. and the countries cooperating with it. In addition, this shows that the world has suffered greatly for the sake of these countries' national interest. Most of all, irreparable damage has been done to Ukraine and Gaza where countless people have lost their homes and their lives.

Wars are taking place not only in Ukraine and Gaza. Yemen, Somalia, Syria, Sudan, Afghanistan, Myanmar and other countries around the world are in the midst of civil war. Though civil wars fail to garner as much attention as wars between countries as they tend to be considered domestic issues, the scale of harm to life and the humanitarian crisis are no less severe than that of wars between countries. In addition, in most civil wars, so called international interest and the interest of global powers are tangled up in the conflict resulting in blatant military intervention by foreign powers. Not until the conflicts lead to tragic humanitarian crises and refugee crises, and not until the news relays the situation via images, does the world care. Furthermore, the world continues to erase war with war. This is another point that the two wars shed light upon. The world's civil wars were forgotten with start of the Ukraine war. Then, with the start of the war in Gaza, the Ukraine war was forgotten. This exposed the bare face of the international community and people of the world.

### **The globalization of the impacts of war**

The world found out through the Ukraine war that in an age of globalization, a war cannot simply remain a localized combat. Though the refugee crisis brought about by the Syrian civil war left the world with a hefty concern, it did not have the global impact that the Ukraine war has had. The Ukraine war was a big blow

to the everyday lives of people around the world. The most immediate and serious problem was soaring grain prices. The war between Russia and Ukraine disrupted wheat export from Ukraine, the world's largest exporter of wheat. Russia blocked Ukraine's wheat exports and Russia could not export wheat due to international sanctions. After around a month of war, global wheat prices went up between 20% to 50%. In parts of Africa, the price skyrocketed up to 60%. As such, countries that had an 80% to 90% reliance on Russian and Ukrainian wheat imports were hit hard. Many of these countries were low-income countries. Countries struggling with internal armed conflict that were dependent on aid from the international community were also impacted severely due to the fact that the rise in wheat prices meant a decrease in wheat that international relief organizations could secure. The price of cooking oil rose as well as Ukraine supplied 48%, and Russia 23%, of the world's sunflower oil. The disruption in sunflower oil exports led to an increase of prices for all cooking oils on the international market. Energy prices increased as well. All of these price increases deepened economic hardships and poverty for people around the world.

As war posed a significant threat to not only the daily lives of the people of the world but to their survival, in particular those in low-income countries and those living in poverty, international organizations including the UN and low-income countries pleaded for a ceasefire. However, this did not align with the interests of Russia, Ukraine, the U.S., and Europe. The U.S. and Europe argued that effective punishment of Russia was necessary to prevent further such conflict from arising in the future. They provided huge amounts of arms to Ukraine and when their stocks ran low, they secured arms and provided arms indirectly from countries like South Korea. The U.S. and Europe used Ukraine as an excellent shield while avoiding harm to their own troops. As the victim of invasion, Ukraine was justified in its war. Still, it is clear that the war must come to an end at some point and the sooner the better. Ukraine and the U.S., however, were not interested in a ceasefire. There was no attempt at holding peace talks for a ceasefire even once after March 2022, right after the start of the war.

The creation of refugees is one of the clearest and most common indicators of the globalization of war. Syrian refugees were instrumental for the world to become more sensitive to war and refugee crises. However, this was distorted. The reason the refugee crisis made international news was because Syrian refugees became a headache for European countries. This was not because European countries took in the most refugees. The largest recipient countries of refugees were neighboring countries that were going through armed conflict themselves. Further, countries with middle to low-income economies took in the most refugees and migrants. According to the 2023 UN High Committee on Refugees (UNHCR) annual report, these countries took in 76% of all refugees and migrants. The Ukraine war has created roughly 8 million refugees, most of whom remain in neighboring European countries, but this has not impacted overall figures. As of the end of 2022, Türkiye was the top refugee recipient with Iran being second.

War refugees and migrants often cause serious social stress and social conflict in the countries accepting them. The more fundamental issue, however, is not taking in refugees but in their repatriation. The end goal of taking in and protecting refugees is their repatriation. However, due to ongoing wars, the rate of repatriation of refugees and migrants is extremely low. In 2022, roughly 6 million refugees and migrants were repatriated. Considering that there were roughly 184 million refugees and migrants globally at the end of 2022, this is a very low figure. Syrian refugees and migrants account for the largest number of refugees around the world at roughly 52%. These were all persons who left their country due to war. Even now, more than a year after that statistic was calculated, it is unclear as to when they will be able to be repatriated. It is possible that many will live out their lives uprooted in a foreign country. This means that they will continue to have a low quality of life for the rest of their lives.

Along with economic problems and refugees, the threat to safety is another problem that has dire impacts on the world. The destructive nature of war, the political instability, and the economic crisis brought upon by war is a threat not only to those living in war zones but to the safety everyone around the world. The Ukraine war led to the intensification of the arms race and a Cold War-level division and creation of blocs in the international community. The war in Gaza has increased the threat of war in the Middle East which is already unstable due to armed conflict and political confrontation. Civil wars being waged around the world and intervention by regional and global powers has transformed parts of the world into a powder keg. We live in a time when the political dynamics surrounding war has a detrimental impact on the safety and everyday livelihoods of everyone around the world. In other words, we live in a time when war poses a dire threat to human security. Furthermore, we are being dragged deeper into an even more dangerous world.

Another serious consequence of war that has been largely overlooked by the international community and the people of the world is the large scale carbon emissions that aggravate climate change. According to a study conducted last January by Lviv Polytechnic National University in Ukraine and Poland's WBS University, the carbon emissions emitted during the 18 months of war in Ukraine exceeded the annual emissions of countries such as Austria, Portugal, and Hungary. Carbon emissions were the result of missile launches and explosions, the use of fossil fuels in military vehicles, fires in crude oil storage facilities, the destruction of buildings and industrial infrastructure, forest and agricultural land fires, the destruction of wooden structures, and others. The war in Gaza also led to significant GHG emissions. Based on the results of the Social Science Research Network's study released last January, the carbon emissions from 60 days of war were equivalent to the emissions that would be emitted if 75 thermal power plants burned 150 thousand tons of coal for a year. This exceeds the combined annual emissions of the 20 countries most vulnerable to climate change. 99% of the Gaza war's carbon emissions were from Israeli air strikes and ground operations.

With the globalization of war, regardless of whether it is a war between countries or a war within a country, war in a particular area is no longer a domestic problem nor a regional one. War in a particular place impacts the world and at the same time, the world impacts war in a particular country and regional security. Despite this, we are still work hard to turn a blind eye to the many problems caused by war because of geographical distance and national interest.

### The spread of war discourse

War always accompanies ethical issues. One human killing another is not considered a crime during war – in fact, it is praised as a heroic act. The act of killing the enemy's citizens and destroying their society is regarded as a justified way of protecting the interest of one's own country. War becomes an excuse to ignore basic ethical and moral responsibilities required of all humans such as preserving humanity and respecting the life and livelihood of others. Just war theory and related discourse are employed to justify this excuse. Just war discourse appeared right from the offset of the Ukraine war and the war in Gaza. Not only the countries directly involved in the wars, but the international community and people of the world looked for grounds to either support or oppose them. Unlike with civil wars, whether or not war can be justified greatly influences the direction of public opinion in the international community. As the war in Gaza is between Israel and the Hamas regime, it can be viewed as a war between countries. War discourse played a pivotal role in shaping public opinion in the international community.

The foundation of war discourse is the theory of just war. This theory is comprised of the principles of “justice of war” (*jus ad belleum*) and “justice in war” (*jus in bello*). Justice of war looks at whether a country started a war with just cause and is primarily concerned with whether or not there was a invasion. Countries that have been invaded can secure justice of war as they have the right to protect the community and its citizens and defend its territory. Still, war must be the last resort. The basic standard to judge the justice of a war is whether war will lead to less damage than alternative means of solving a problem. What is important here is the principle of proportionality. To be deemed proportional, it is key that civilian damage is lesser than damage to combatants.<sup>5)</sup> Civilian damages, of course, includes not only damage to lives but damage to society as well.

Ukraine was attacked by Russia and Israel was attacked by Hamas which justified their going to war in order to protect the community and its citizens. Even without knowledge of the just war theory, the people of the world were certain that both wars were started justly. As justice of war was secured, war discourse spread quickly and there was increasing public opinion supporting the two countries. The idea that countries that were attacked could rightfully defend

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5) Jujin Chung. 『Peace Studies』, Cholsoo and Young-hee 2022, pp.49-53.

themselves or retaliate with military force and that this was indeed necessary for their future security was at the center of war discourse. Thus, war was inevitable in guaranteeing a safe and “peaceful” life. The people of the world supported Ukraine’s and Israel’s choice and were not concerned that war should only be the last resort and that it can create “hell.” War discourse spread while antiwar discourse remained in the margins, unable to gain momentum.

As the wars continued, war discourse naturally moved on to the issue of justice in war. When it came to the Ukraine war, the international community and the people of the world scrutinized Russia’s war crimes and condemned Russia. There were no difference in opinions. However, such differences arose when it came to Israel’s war crimes. After Hamas attacked Israel killing 1,139 and taking over 240 hostages on October 7, 2023, Israel launched a large-scale attack on the Gaza strip. In a mostly one-sided attack, Israel leveled all corners of Gaza around the clock, leading to record casualties and injuries in a short period of time. The principle of proportionality was not abided by. With the justification of eradicating Hamas, Israel justified large scale civilian killing and attacks on hospitals, schools, bakeries, refugee camps, and other facilities that should be protected even in wartime. Approximately 85% of Gaza’s residents were displaced by Israel’s attacks. These residents had to fight for their lives every day in the face of water, food, medicine, and power shortages due to a shortage of aid caused by Israel’s blockade and restrictions on the Gaza strip. If it had been a different war, most of these residents would have crossed the border, becoming international refugees. However, the residents of Gaza were trapped in hell under Israel’s blockade. Though they moved from north to south, south to central Gaza, no place was safe. Though Israel caused immense loss of life and injuries and a humanitarian crisis under the guise of exterminating Hamas, they did not disclose how much damage they did to Hamas or how many Hamas agents and militants they took out.

Despite Israel committing serious war crimes throughout the war in Gaza, the public opinion of the international community and people of the world remained split. The U.S. and Europe continued to call Hamas a terrorist group and supported Israel’s right to self defense. They protected Israel, deeming them justified, even though Israel’s retaliation went far beyond the damage they suffered. They justified Israel’s devastation of Gaza as a means of preventing future attacks. Much of the world agreed with this. In fact, they even attacked the UN and international humanitarian organizations’ strong criticism of Israel for these reasons. Their condoning and approval of Israel’s war crimes differed from their judgment of Russia’s war crimes. This shows both how generous war discourse is to the use of arms and war itself and the flaws of war discourse.

If we focus on war discourse, it is impossible to accurately judge the Ukraine war. As Ukraine was attacked, they were able to secure justice of war and there have not been significant issues with their conduct in terms of justice in war. However,



it is debatable whether continuing the war and not even attempting peace talks is how a country should conduct itself considering its citizens. This is because war should be avoided until it is unavoidable and when it is started inescapably, it should be finished in a short period of time. Ukraine, on the other hand, staunchly continued a war that had no guarantee of success while depending on support from the U.S. and Europe. At the same time, the U.S. and Europe supported or neglected the Ukraine war based on their own interests even though it was unclear whether that was right for the safety of the Ukrainian people and the future of the country. Deep reflection and discussion about the Ukraine war should have revolved around the safety and peace of the Ukrainian people rather than war discourse.

### Breaking away from war discourse

We are living in the 21st century, the age of war. With the end of the Cold War which suppressed warfare, the world has witnessed countless wars, the majority of which were civil wars. But not long after the start of the 21st century, wars between countries started again. It started with the Afghanistan war which began with U.S. invasion and the Iraq war that followed it. At the same time, civil wars frequently became international wars upon intervention from global powers and neighboring countries. The 20-year war waged by the U.S. in Afghanistan ended on August 20, 2021 and the Ukraine war began in February 2022 with Russia's invasion of Ukraine. With the start of the Afghanistan war, the U.S. unjustly forced the world to cooperate and this situation was repeated during the Ukraine war. As with the Afghanistan war, the Ukraine war's influence and impact on the international community was immense. On top of that, the war in Gaza started in October 2023 leading to enormous impacts on not only the Middle East but global politics and economy as well. We live in the age of war; a time when war significantly impacts our lives. Ironically, war discourse is getting stronger even as the destruction of war becomes more severe.

The fundamental reason that war discourse can gain such power is based on the widespread belief that warfare and the use of arms by a state is always just and that if a state declares war, it is for the safety of its people and the nation's interest. However, many wars show that this is not the case. At the same time, they also show that a country's judgment can be wrong. The U.S. wars in Afghanistan and Iraq are such cases. The Iraq war was even based on wrong information. The biggest problem with wars declared by the state is that they are based on the decision of a minority with power. Citizens cannot participate in the decision-making process and their opinions are deliberately excluded. It is the same with ceasefires. Even if the majority of citizens want a ceasefire after experiencing loss of life and the destruction of livelihoods, politicians and top military officials who live relatively comfortable lives even during wartime are sure of victory and do not work towards ceasefire even in the face of defeat. What is worse is that

leaders, politicians, and the military abuse war for political purposes. The Afghanistan war, Iraq war, Ukraine war, and the war in Gaza all have this in common. In general, it is a lie that the state, or in other words, politicians, start and continue wars unavoidably for the safety of their citizens and national interest.

Another reason that war discourse can gain so much power is the baseless faith that justice in war is possible. Many people believe that in a war started by a country for just reasons, just military action will be guaranteed through the protection of civilians and minimization of damage. But such war does not exist. In general, civilian casualties are several times more, or even over tens of times more, than casualties among soldiers. The world has witnessed this in the Afghanistan war, Iraq war, Ukraine war, and the war in Gaza, and statistics have confirmed that it is true. Even with such facts, people assume that in modern warfare, the development of high-tech arms and precision strike technology means there is hardly any errors in bombing and thus, minimal civilian loss of life or injuries. Although even minimal harm to human life is a problem, war discourse easily justifies this with the double effect logic stating that these are unavoidable damages that occur during combat.<sup>6)</sup> The gravest problem is war crimes. All countries fighting in a war commit war crimes. This is true even for countries that are justified by the principle of justice of war. However, war crimes committed by countries with the justification of justice in war are easily covered up and not even mentioned.

War discourse is focused on victory. It is emphasized that the countries and citizens who fight hard in a just war can be rewarded with victory. Though applying retributive justice logic and using psychological consolation to the immensely real and desperate situation of harm to life and social destruction is very duplicitous and inappropriate, war discourse condones and even goads on wars with such logic. Large numbers of refugees and migrants, the destruction of infrastructure, war crimes, the continuation of unstable lives are all deemed unavoidable in the process of securing victory. The distorted logic that a state's warfare is right and based on national interest strengthens war discourse.

War discourse is continuing to spread globally. As a result, arms deals are increasing and dependence on military power is growing as well. Statistics confirm this. In particular, European countries are arming themselves further following the Ukraine war and this has led to an increase in arms deals. As a result, U.S. arms and defense related transactions shot up 55.9% in 2023 compared to 2022. This is a record high.<sup>7)</sup> Germany's arms exports also recorded a new high in 2023.<sup>8)</sup>

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6) *ibid.* p.55.

7) US Department of State. Fact Sheet: Fiscal Year 2023 US Arms Transfers and Defense Trade. January 29, 2024.

<https://www.state.gov/fiscal-year-2023-u-s-arms-transfers-and-defense-trade/>

8) Defense News. German weapons exports reached record high in 2023. January 2, 2024. <https://www.defensenews.com/global/europe/2024/01/02/german-weapons-exports-reached-record-high-in-2023/>

South Korea, where military tensions between North and South Korea is fixed and war discourse is prevalent throughout society, is among the countries showing a sustained increase in arms imports. South Korea's arms imports increased 61% during the period of 2018–2022 compared to 2013–2017.<sup>9)</sup>

There are two problems at the core of war discourse. One is that it not only argues that war is unavoidable, but it emphasizes the necessity of war. Another problem is that it ignores the specific damage caused by wars taking place and does not acknowledge the need to work towards a ceasefire. This leads to easy approval and sustaining of war. The option to not choose war is overlooked while at the same time, it ignores the immense human and social destruction that the world has experienced repeatedly through numerous wars. It ignores the point that war should be the last resort and is quick to allow a military approach over a diplomatic one. It is overly generous to military action by countries that have secured “justice of war” and claim that war is unavoidable. By easily permitting use of force and war, war discourse deepens armed confrontation between countries and between communities, making war more likely. It makes it difficult to surveil and punish war crimes. In order to imagine peaceful coexistence in an age of war, we must break away from this weak, biased, and dangerous war discourse. We will then be able to break free of the illusion that justice of war and armed force will guarantee national security and the safety of individuals.

War is one of the crises threatening the world. In order to escape this crisis, we must take concrete steps to break away from the war discourse discussed. The top priority is to understand the distorted delusion of war discourse and develop a new discourse that centers peace and coexistence. Furthermore efforts to develop and spread a new discourse must be made in each social domain while being pursued comprehensively through exchange across domains.

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9) SIPRI (Stockholm International Peace Research Institute). Fact sheet: Trends in international arms transfers, 2022. March 2023.

## International cooperation for Just Resolution of Sovereign Debt Focus on Global South countries in Asia

Mae Buenaventura  
Asian Peoples' Movement on Debt and Development

### Dangerous times for the Global South

More than two years after the UN declared an end to the COVID-19 pandemic, we remain in a context of increasing uncertainty and precariousness. We continue to feel spillovers and cascading effects on our societies and economies, and our very households and daily lives. The heaviest impacts are suffered by the poorest and low-income groups in the Global South that were hit by the pandemic in the midst of decades-long, unresolved economic and financial crises, and in a context of intensifying climate change.

Unsustainable debt immediately stood out as a major red flag endangering peoples' survival. There was common concern the global community that the accumulation of public in the last couple of decades preceding the pandemic would be a significant factor in recovery, and that borrowing countries would no doubt need more financial resources to survive and hurdle the multiple crises. This holds true today. Little has changed. If anything, with the swift accumulation of debt on previously high levels of borrowings, we are now faced with a growing mountain of public debt and at higher interest rates, thus raising the cost of debt servicing. High debt levels figure as well in the inevitable fate of the Sustainable Development Goals (SDGs), that clearly, these will not be met even partially by 2030. According to the OECD, the financing gap to reach the SDGs in developing countries increased by 56% during the COVID-19 years, totalling USD 3.9 trillion in 2020. Unsurprisingly, inequalities within and between countries have also deepened, and are projected to further worsen, especially for those called "low-skilled", youth and women.

### Record-breaking debt

More than 60 countries are today in or approaching debt distress, from 46 in January 2021. Global sovereign debt as reported by the International Finance Institute now stands at an unprecedented \$313 trillion, an increase of \$15 trillion in 2023. World Bank data show that developing countries spent a record-breaking \$443.5 billion to service their external public and publicly guaranteed debt in 2022 alone. Debt Service Watch unequivocally calls the current debt situation as "the worst debt crisis the Global South has faced since global records have begun".

Debt service has also unsurprisingly ballooned. Data from Debt Service Watch reports that this already averages almost 30% in all countries. The heaviest burdens fall on lower income countries (39% of spending), lower middle-income countries

(33%), least developed countries (33%) and landlocked countries.

Several of these countries are in the Asian region. Sri Lanka defaulted in 2022, following defaults of Zambia, Chad and Ghana. Not far behind is Pakistan, still struggling to address the enduring impacts of catastrophic floods in 2022 while saddled with a \$127-billion external debt for which it coughed up \$16.6 billion in debt service that year.

### Flawed and futile solutions

The Group of 20, at the urging of the International Monetary Fund and the World Bank, set up in 2020 the Debt Service Suspension Initiative (DSSI). Aiming only to provide immediate liquidity interventions for a year and a half, covering only bilateral loans and limited to Low Income countries, (LICs) the DSSI failed to deliver the relief needed by developing countries to be able to shift their financial resources from debt service payments to

essential services. After the DSSI closed in December 2021, participating countries had to resume paying debt service notwithstanding worsening socio-economic conditions and fiscal position. Only 43 countries of the 73 LICs eligible for DSSI applied, resulting in the suspension of only \$13 billion in debt service or a mere quarter of the amounts projected by the G20.

Another scheme of the G20 is the Common Framework for debt treatments beyond DSSI, launched by the G20 in late 2020 with the IMF as lead coordinator and technical adviser. It was meant to accelerate debt restructuring processes, but again, this has failed in enforcing the primary goal of comparability of treatment, i.e., that all creditors including private lenders will participate and agree to losses on the face value of their loans. Like the DSSI, its coverage is limited to bilateral loans and LICs, and does not subject private lenders to the same requirements as official creditors. Like the DSSI, it also excludes Middle-income countries (MICs) from even minimal debt relief despite situations approaching or similar to LIC contexts.

Sourcing public debts from private or commercial sources has become a significant trend in Asia and other Global South regions and is a key factor driving the higher interest rates that are charged to “high risk” developing countries. From only 47% in 2010, the share of privately sourced debts in the composition of external public debt stood at 62% in 2021; in Asia and Oceania, this rose from 39% to 63% during the same period. Private lenders continue to resist attempts to require them to participate in debt relief, on the same terms as lending governments. Without this requirement in the G20 schemes, the influx of new debts during the COVID years only means that public money has become available to bailout private lenders who are often paid first and lose less than bilateral lenders.

### Costly trade-offs, human rights and inequality

As debts accumulate and interest rates rise, so do debt service payments. To keep lending windows open, debt-trapped countries are compelled to keep up with debt repayment obligations even if this results in more constraints to their narrowing fiscal space.

In 2020, UNCTAD reported that developing countries were allocating over 1.5% of GDP and 6.9% of revenues to debt service. Interest payments alone also grew faster than public spending for education and health. More recently for Asia, a number of countries already count among the group of countries with debt service payments eating up more than 30% of revenues. Against health budgets of Asian countries, for example, as much as three times goes to debt service.

#### Debt Service Ratios, selected Asian countries.

Country	Total Debt Service		
	As % of revenue	As % of expenditure	As % of GDP
Pakistan	49.03	34.03	8.32
Bangladesh	48.75	28.16	4.28
Maldives	37.82	32.18	10.05
Sri Lanka	119.86	53.49	14.12
Lao PDR	122.24	89.82	16.60
Indonesia	36.16	29.97	4.60
Myanmar	62.81	46.25	11.58
Philippines	32.33	27.82	6.52

Source: Debt Service Watch

Pressure on borrowing countries is also driven by loan conditionalities which often take the form of fiscal consolidation or so-called austerity measures that require borrowers to cut down on public expenditures, including selling off public service provision to the private sector, freezing the wages of public sector employees, increasing value-added regressive taxes and setting social spending floors, among others. Low-income households and women who most need publicly subsidized essential services end up bearing the brunt of austerity policies, often by increasing both paid and unpaid labor at the expense of their health and well-being.

It is important to remember that State parties to core human rights treaties are legally obliged to create an enabling environment for the progressive realization of economic, social and cultural rights, including through international assistance and cooperation. But there is a grave disconnect with their application in an international financial architecture

that is controlled and dominated by the advanced economies, the world's wealthy elites and leading international financial institutions sometimes described as human

rights-free zones.

As pointed out by Attiya Waris, the UN Independent Expert on foreign debt and human rights: “Debt is a human rights issue...When countries are burdened by debt, they don’t have the money to ensure access to their human rights, including services such as water and food or, during the pandemic, vaccines, hospitals and medical personnel. Human rights require money”.

### Global civil society and social movements – advancing debt justice calls and demands

International cooperation towards changing lending and borrowing practices and policies should start with addressing the serious democratic deficits in decision-making. Currently, decisions are made in the narrow spaces of the G7/G20, the IMF and the World Bank, the Paris Club, the OECD and other formations dominated by the advanced economies and wealthy countries. There is no multilateral space, mechanism or process to democratically address sovereign debt issues, where Global South countries have a meaningful voice and a say over public debt, including the recognition of illegitimate debts claimed from the South – questionable, fraudulent, environmentally harmful, violative of human rights – that must be unconditionally cancelled. **We continue to call for the establishment of a fair, transparent, binding and multilateral framework for debt crisis resolution (under the auspices of the UN and not in lender-dominated arenas) that addresses unsustainable and illegitimate debt.**

It is high time that the dominant “debt sustainability” framework of the IFIs are revamped. Debt continues to be viewed superficially as a problem of liquidity or capacity to pay when it is clearly a systemic problem requiring systemic solutions. Human rights, climate vulnerabilities and risks, multi-dimensional inequalities and other indices must be brought to bear in assessing countries’ debt and fiscal positions.

**Southern governments themselves must be held to account for fraudulent acts (corruption, bribery) in contracting loans and other borrowing practices that do not meet even minimum democratic standards such as ensuring public access to information and ensuring the informed participation especially of communities affected by debt-funded projects. Thorough-going national and global review and changes in lending, borrowing and payment policies and practices must be supported to prevent the re-accumulation of unsustainable and illegitimate debt, strengthening democratic institutions and processes, and upholding human rights and peoples’ self-determination. Citizens should also push for the exercise of the sovereign right to unilaterally repudiate debts that caused harm, including suspending and/or stopping payment where people’s survival, well-being and human rights are at stake.**

More strategically, the Global South calls for reparations for the historical and continuing damage to our societies and economies by unsustainable and illegitimate

debts and the enslaving chains of debt service and loan conditionalities. To see debt from its colonial origins to the present is to realize that this the debts claimed from the Global South have been paid many times over in interest, in human labor, in the plunder of environmental resources, or the net transfer of resources from the South to the North overall.

Crises are mutually reinforcing; without a just resolution to the debt crisis and the deep deprivations and inequalities that it creates within and between countries, other crises of our times will also be exacerbated. There is a long way to go to realize the system change that will usher in the alignment of economies and global finance with sustainable development, justice and human rights, and accordingly, emplace a financial architecture that truly serves people and the planet.

But global civil society and social movements across the world are rising to the challenge of exposing and resisting the impunity of corporations and private lenders as well as the false solutions to the debt crisis pushed by the Global North, international financial institutions, and other lenders. The growing magnitude and widening scale of multiple require much more than international cooperation but a global solidarity that comprehensively seeks profound changes in the international financial architecture (of which one element is the debt problem), and the just transformation of steeply unequal systems, structures and relations of power underpinning the South's indebtedness, increasing vulnerabilities to shocks and perpetual crisis of development.



## The Crisis of Freedom in the Age of Artificial Intelligence

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### 1. The Crisis of Democracy Threatening Freedom

Crises emerge when what was once taken for granted is no longer assured. Following the extended period of peace after World War II, we came to take peace for granted, considering it as our rightful due. We believed that international disputes could be resolved through rational compromise and negotiation. However, the outbreak of the war in Ukraine, sparked by Russia's invasion on February 24, 2022, under the pretext of a special military operation, and continuing to this date, has starkly eroded the legitimacy of peace. It has reminded us that peace hinges on specific prerequisites to endure.

In moments of safety, its true value often eludes us. The COVID-19 pandemic, which erupted in Wuhan, China, in December 2019 and swept across the world, has forced us to reevaluate the delicate equilibrium between safety and freedom. The global health crisis has posed a philosophical challenge, urging us to reassess and redefine the nuanced relationship between our safety and freedoms. Do we embrace the Chinese model where citizen safety and life are prioritized over freedom, or the liberal model that seeks societal safety without compromising individual freedoms and privacy? The pandemic-stricken states have rekindled Hobbes' Leviathan, a concept that guarantees safety and order above all else. Yet, reflecting on John Locke's principle of "life, liberty, and property" as inalienable natural rights of man emphasizes the intrinsic link between life and liberty<sup>10</sup>—freedom is futile without life, just as life is meaningless without freedom. Benjamin Franklin's cautionary stance, "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety," serves as a potent reminder that overly prioritizing safety can indeed jeopardize freedom.

Democracy's peril extends beyond external threats like wars and pandemics, unraveling from within due to systemic imperfections. In times when democracy was universally revered as the pinnacle of political systems, there was an overarching assumption that it would only strengthen. Societies were expected to progress materially and culturally via capitalism, naturally fostering democratic governance. Contrary to these beliefs, the emergence of various forms of neo-authoritarianism across the globe today poses a grave challenge to liberal democracy. The threat of neo-authoritarianism is not restricted to countries with differing social systems, like Putin's Russia or Xi Jinping's China; it equally challenges the stability of established free democracies, as notably seen during

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10) John Locke, *Second Treatise of Government* (1690), §10, in *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven and London: Yale University Press, 2003), 102.

Trump's presidency in the United States.

When our freedom is threatened by authoritarianism, resistance might seem more straightforward, as the enemy is clearly defined. However, the most significant danger arises when democratic systems start to compromise their foundational values under the pretense of upholding democracy itself. Steven Levitsky and Daniel Ziblatt, in their seminal work *How Democracies Die*, highlight that “democratic backsliding today begins at the ballot box.”<sup>11)</sup> While the oppression of freedom by overt forms of dictatorship like fascism and communism is commonly understood, the erosion of our freedom in subtle yet dangerous ways through the collapse of democratic norms, starting with elections, is not easily recognized. If leaders chosen through legitimate elections abuse democratic institutions as political weapons to wield power, democratic norms will collapse.

How can democratically elected leaders dismantle democratic norms? The undeniable culprit is extreme populism. Regardless of democracy's robust foundation, no society is immune to the emergence of extremist agitators who exploit societal divisions. These demagogues fragment societies in the name of ‘the people,’ a term they narrowly define to only include those loyal to their faction. The degradation of democratic norms originates from partisan polarization, which obliterates the critical democratic values of mutual tolerance and understanding, essential for democracy's viability. Political parties, viewing each other not as legitimate competitors but as foes to be vanquished, create a hostile divide. Such partisan polarization perpetuates a destructive cycle that undermines democratic norms, where extreme polarization threatens to extinguish democracy itself—the very condition for freedom.<sup>12)</sup>

## 2. What is the Greatest Threat to Freedom?

Freedom is facing a grave crisis from both external enemies like wars and pandemics and internal threats such as neo-authoritarianism. The optimistic assertion by Francis Fukuyama, heralding the victory of democracy, has been debunked as a hopeful fallacy. In his famous 1989 essay *The End of History?*, Fukuyama posited that the end of the Cold War would mark “the end point of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government.”<sup>13)</sup>

The misconception that democracy could signify the ‘end of history’ was not entirely baseless. Observations of post-war history showed that in countries where economic prosperity and democratization advanced in tandem, democracy solidified, leading to remarkably stable political environments. Dictators, even when offering their citizens a high standard of living, were often ousted, while democratization

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11) Steven Levitsky and Daniel Ziblatt, *어떻게 민주주의는 무너지는가* (Seoul: Across, 2018), 11; originally published as *How Democracies Die*.

12) *Ibid.*, 16.

13) Francis Fukuyama, "The End of History?" *National Interest*, no. 16 (Summer 1989): 4 (3-18); and Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992).

efforts in poorer nations were prone to failure. For democracy to be sustainable, it was essential not only for a nation to achieve wealth but also for the rights of citizens to be extensively realized. A harmonious blend of capitalism, fostering national growth, and liberalism, bolstering citizen rights, was deemed necessary for sustainable democracy. Countries in North America and Western Europe, which advocated for this combination, were confident in the enduring strength and future prosperity of democracy.

However, as the case of Trump demonstrates, even at the heart of democracy, sustainable democracy faces peril. Until recently, it was assumed without question that democracy inherently meant 'liberal democracy.' We have long equated liberalism with democracy, where democracy, as an antithesis to dictatorship, strives for the rule of law on the premise that power emanates from the people. Democratic states consider the protection of individual rights as their foremost responsibility, safeguarding minority group rights and ensuring the press's freedom to critique the government, thereby enabling citizens to elect and replace their leaders through free and fair elections. This capacity for peaceful transition of power is the quintessence of citizens' freedom. A system granting sovereignty to citizens ensures that a min

ority of elites and powerholders cannot trample on the rights of the less well-off. The intertwined nature of individual freedoms and democratic self-governance is as inseparable as the relationship between a needle and thread, constituting a fundamental prerequisite for the viability of democracy.

The peril to democracy lies in the deteriorating bond between individual freedoms and civic self-governance, that is, between liberalism and democracy. This decoupling represents the most significant threat to democracy's integrity. People have lost faith in the self-evidence of liberal democracy. Democracy has morphed into populism, masquerading as civic self-governance while alluring and misleading the populace. Today's neo-authoritarian leaders consistently put 'the people' at the center of their rhetoric, professing to understand precisely what the populace wants and positioning themselves as the bearers of solutions to our era's most pressing issues. For instance, they frame refugees as a threat to America and propose erecting barriers along the borders as the optimal solution. In doing so, populists oversimplify politics, presenting one-size-fits-all solutions to nuanced problems.

At its core, democracy embodies civic self-governance. Yet, neo-authoritarian leaders pervert this essence into populism, claiming they alone can truly represent the will of the people. They argue that this will must be unequivocal, not hindered by the diverse voices of minority groups. Such populist leaders, by purporting to fulfill the people's will, infringe upon the very freedoms of citizens. Dissenters are deemed to be opposing the people's will, effectively narrowing "the will" to reflect only the views of their supporters. Populism, by asserting that individual rights should not diminish the voice of the people, ultimately undermines the very conditions for freedom. Within neo-authoritarian regimes based on populism, the will of the people becomes omnipotent. Neo-authoritarian democracy, severed from

its liberal roots, institutionalizes a singular will at the expense of suppressing the rights of minority groups and individuals with critical views. Though ostensibly democratic, neo-authoritarianism fails to uphold individual rights, revealing its inherent opposition to liberal principles.

Neo-authoritarianism may appear at first glance to oppose elite rule and seek governance by the people. Yet, this raises the question: Why is there such pronounced disdain for the elite? As Western democracies solidified the principle that the state must guarantee individual freedoms and rights, they became increasingly bureaucratized. Political leaders, despite being elected through fair democratic procedures, gradually formed a secluded elite group. Essentially, these leaders have transformed into technocrats. While technocrats still respect individual rights and strictly follow democratic procedures, they represent an undemocratic element in that citizens find themselves with limited opportunities to engage in public policy beyond the ballot box. In societies governed by technocratic bureaucracies, political elites exhibit behaviors that are inherently undemocratic.

Yascha Mounk outlines two degenerative trends of liberal democracy in his book *The People vs. Democracy: “democracy without rights” and “rights without democracy”*<sup>14)</sup> Consequently, the union of liberalism and democracy, which once underpinned sustainable democracy, is disintegrating. Populism, while outwardly democratic, suppresses and dismantles citizens’ freedoms, and the technocracy of political elites displays undemocratic tendencies. Exposed to the allure of populism, the public is increasingly becoming anti-liberal, and political elites are growing more undemocratic.

Will these trends intensify, or will the inherent resilience of democracy sustain liberal democracy? Regardless of the answer, the crisis confronting liberal democracy is undeniable. As external pressures and threats mount, the decoupling of liberalism and democracy deepens. This trend has been confirmed by the COVID-19 pandemic and the war in Ukraine. The question remains: Can the traditions of liberal democracy be revitalized and reinforced after these external pressures diminish? Unfortunately, the threats to liberal democracy extend beyond wars and pandemics. Artificial Intelligence (AI), hailed as a monumental wave of civilization in the 21st century, now represents a considerable challenge to liberal democracy. AI stands as the most significant threat, not merely amplifying the forces of populism and technocracy but also undermining the essential conditions for liberal democracy itself.

### 3. The Socio-Political Effects of Artificial Intelligence: Polarization of Society and the Emergence of a New Class Society

We are living in the age of artificial intelligence (AI). The age of AI, hinted at by

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14) Yascha Mounk, *위험한 민주주의* (Seoul: Wiseberry, 2018), 39; originally published as *The People vs. Democracy: Why Our Freedom Is in Danger and How to Save It* (Cambridge: Harvard University Press, 2018). The original title “The People vs. Democracy” more aptly represents the two principles of democracy and its issues.

AlphaGo's debut, has finally unfolded. The moment Google DeepMind's AlphaGo triumphed over Go champion Lee Sedol 4-1 in 2016 marked a prelude to AI transforming from science fiction into our reality. With the launch of ChatGPT by OpenAI on December 1, 2022, a generative AI capable of understanding and conversing like a human, society began to normalize the presence of AI. Unbeknownst to us, AI has rapidly advanced, permeating every facet of our lives. Now, AI is a common topic of conversation everywhere.

Yet, the discourse around AI often lacks depth, with insufficient consideration of its potential repercussions on future society. Perhaps the sheer pace of AI development leaves us no time to ponder. For perspective, ChatGPT reached 100 million users in just eight weeks post-launch, a milestone that took Instagram two and a half years and TikTok nine months. The rapid adoption of this conversational AI is astonishing, and the profound transformations and challenges it will bring are almost beyond our imagination. As Bill Gates declared in his blog Gates Notes, "The age of AI has begun."

Conversations about AI invariably begin with its revolutionary potential. Bill Gates heralds ChatGPT as a breakthrough akin to the invention of the microprocessor, personal computer, internet, and smartphone. Sundar Pichai, CEO of Google, went further in 2018, asserting the impact of AI will surpass that of fire or electricity. Henry Kissinger posits that conversational AIs like ChatGPT will fundamentally alter human intelligence, likening this shift to an 'intellectual revolution' on par with the Gutenberg press of 1455.<sup>15)</sup>

Where, then, is the AI revolution leading us? The response varies with the dual sentiments AI invokes. Perspectives on ChatGPT also reflect this duality: some view AI, if controlled by humans, as a harbinger of prosperity, while others caution against its significant threats to society and humanity, advocating for its restraint. We view AI through the lens of both hope and fear. The issue is that AI, even in such a context, continues to evolve, having fundamentally transformed our lives. AI could either be our salvation or the seed of catastrophe.

The advancement of generative AI has furnished us with machines capable of engaging in human conversation, seen by some as 'intellectual companions.' However, our new mechanical partners do not merely remain as tools of convenience. AI will influence how we understand the world, "redefine human knowledge, accelerate changes in the fabric of our reality, and reorganize politics and society"<sup>16)</sup> Israeli historian Yuval Noah Harari states that AI holds "the master key to civilization"<sup>17)</sup> The societal shifts catalyzed by AI are manifest. New sciences and technologies emerge, revolutionary inventions are created, production methods change, and along with them, human communication evolves. AI has the potential

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15) Henry Kissinger, Eric Schmidt, and Daniel Huttenlocher, *AI 이후의 세계* (Seoul: Will Books, 2023), 17; originally published as *The Age of AI: And Our Human Future*.

16) Ibid.

17) "The AI is 'grabbing the master key of civilization,' and we 'can't afford to lose,' warns Sapiens author Yuval Harari," *Fortune*, March 24, 2024, <https://fortune.com/2023/03/24/yuval-harari-artificial-intelligence-openai-ai-chatbots-gpt-4-chatpt-warning/>.

to beat cancer, discover life-saving medicines, and provide solutions to climate and energy crises. However, as AI's capacity to benefit humanity grows clearer and its remarkable achievements mount, we risk neglecting its political and social ramifications. Before our politics, economy, and daily lives grow dependent on it, we must examine the threats posed by AI.

The danger posed by AI originates from its capacity to mimic human understanding and speech. How can 'talking AI machines' potentially encroach upon human freedom and even profoundly challenge our identity? Envisioning the transformations AI could bring to our external environments may provide some answers. Many fear AI will take away our jobs. Goldman Sachs predicted in a 2023 report released shortly after ChatGPT's launch that 300 million jobs could be lost or diminished by AI.<sup>18)</sup> While AI-driven automation might spur innovation and new job categories, it will undoubtedly eliminate or substitute numerous jobs through its replacement of simple, repetitive labor.

In the past, automation posed a threat primarily to manual labor; now, AI extends this threat to intellectual tasks. If industrialization automated physical assembly lines, AI has begun to automate intellectual ones. Where workers once competed with machines, the development of AI is now putting pressure on humans across more domains. The question, "Is your job truly irreplaceable?" looms large. However, focusing solely on the fear of job loss might blind us to AI's potential to fundamentally alter the essence of work.

AI is poised to amplify capitalism's strengths and weaknesses alike. Capitalism's paramount economic advantage is undoubtedly the rational maximization of profits, and AI will introduce mechanisms that reduce costs and maximize profits. When capitalism was synonymous with democracy, economic growth offered many chances for self-realization. Capitalism promises to satisfy individual desires and aspirations. Despite these merits, capitalism has consistently produced inequality in reality. Academic research indicates that automation has been a primary driver of income inequality in advanced North American and European countries over the last half-century. Various studies and reports suggest that 50-70% of wage changes in the US since 1980 are attributed to the wage reductions of production workers replaced by automation.

AI will exacerbate income inequality, further dividing society. AI, robotics, and new technologies have significantly widened the wealth and income gap. For now, white-collar professionals with a college education have escaped the fate that befell their less-educated counterparts. Yet, AI has the potential to blur the distinctions between physical and mental labor, blue-collar and white-collar work, leaving no refuge from AI's reach. Even well-trained and experienced doctors could be ousted by sophisticated robots capable of detecting cancer cells invisible to the human eye

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18) Jack Kelly, "Goldman Sachs Predicts 300 Million Jobs Will Be Lost Or Degraded By Artificial Intelligence," *Forbes*, March 31, 2023, <https://www.forbes.com/sites/jackkelly/2023/03/31/goldman-sachs-predicts-300-million-jobs-will-be-lost-or-degraded-by-artificial-intelligence/amp/>.

for more precise surgeries. Software engineers, too, might see their demand diminish as generative AI progresses to autonomously design and develop software. Lower-level intellectual tasks will also be overtaken by AI, accelerating a trend that could adversely affect workers across all strata. AI's expansion of income inequality will further polarize society. A future dominated by AI may see a bifurcation into two distinct classes: those proficient in AI and those who are not, deepening social strife. The rise of a new class society is in itself the greatest threat to liberal democracy.

#### 4. AI's Destruction of the Possibility of Freedom

AI promises to exacerbate economic inequality and socio-political polarization, undermining the conditions necessary for sustainable democracy and ultimately endangering human freedom itself. Until now, we have discussed the crisis and challenges within the political system of liberal democracy. However, the advent of AI forces us to question the very possibility of freedom, as we are now facing not just a technological crisis but a philosophical one as well. Why do humans need freedom? What is freedom? What does it mean to be human? The emergence of these questions signals that what we have long taken for granted about 'freedom' and 'democracy' is no longer self-evident.

We need not define freedom in detail here; it suffices to acknowledge a fact that has always seemed self-evident to us. Freedom is a condition for politics, and the essence of politics is freedom itself. Hannah Arendt, renowned for her thorough examination of totalitarianism's extreme suppression of freedom, succinctly articulates the prerequisites of politics in *The Human Condition*: "Action corresponds to the human condition of plurality, to the fact that men, not Man, live on the earth and inhabit the world. While all aspects of the human condition are somehow related to politics, this plurality is specifically the condition—not only the *conditio sine qua non*, but the *conditio per quam*—of all political life."<sup>19)</sup> Just as public opinion cannot crystallize in the absence of diverse viewpoints, politics loses viability without a plurality of ideologies, values, and opinions, regardless of the number of participants.

Arendt argues that the ultimate purpose of politics is freedom—"The meaning of politics is freedom"<sup>20)</sup>. If we no longer question the meaning of politics today, it is because we equate politics with freedom. Here, freedom implies the ability and conditions to initiate one's own life, not living a life imposed upon one but choosing one's own path. It is no coincidence that Arendt concludes her seminal work, *The Origins of Totalitarianism*, with Augustine's words, "That a beginning be made man was created." "Beginning [...] politically, it is identical with man's freedom."<sup>21)</sup> The essence of liberal democracy lies in ensuring that all individuals

19) Hannah Arendt, *인간의 조건* (*The Human Condition*), revised ed., trans. by Lee Jin-woo (Seoul: HanGilSa, 2017), 73-74.

20) Hannah Arendt, *정치의 약속* (*The Promise of Politics*), trans. by Kim Sun-wook (Seoul: PureunSup, 2007), 148.

have the right to start life in their own way.

From this perspective, two critical prerequisites of freedom are ‘plurality’ and ‘autonomy,’ both of which are endangered by AI. Modern populism incites people with fake news, a phenomenon exacerbated by AI technology. In Lewis Carroll’s *Alice’s Adventures in Wonderland*, Alice follows a white rabbit into a rabbit hole, leading her into the surreal world of Wonderland. The derived term ‘rabbit hole’ is a metaphor for plunging into a state or situation that is astonishingly or troublingly surreal. The rapid proliferation of fake news generated by AI deprives us of the ability to distinguish between reality and virtuality, truth and falsehood. We have fallen into the rabbit hole of virtual reality created by AI and social media.

When social media platforms such as YouTube, Twitter, and TikTok combine with AI’s text and image generation capabilities, they possess the power to change our world. Notably, OpenAI, the developer behind ChatGPT, recently introduced Sora, an AI capable of swiftly generating hyper-realistic images and movies with simple commands, ushering us into the deep fake era. Deep fakes, a portmanteau of ‘deep learning’ and ‘fake,’ excel not only in replicating existing imagery but also in fabricating entirely novel visuals and characters. Just as we use ChatGPT, inputting desired text prompts Sora to rapidly generate high-quality videos. In a society where more images are created with such precision and speed than originals, can we truly distinguish the real from the fake? Or are people increasingly losing interest in reality and truth? One certainty prevails: AI technology can be wielded for propaganda and agitation, shattering the bedrock of freedom—plurality. Plurality is possible only when individuals independently exercise discernment; relying on AI-dominated social media instead of making our own judgment renders plurality untenable.

The other precondition for freedom is autonomy. Liberals highly value individual freedom because they believe in human free will. According to liberal beliefs, neither consumer nor voter choices and decisions are deterministic or random. Making random, haphazard choices without any purpose or simply following a path laid out by external forces does not constitute freedom. Freedom is an ethical judgment about values, not a factual statement about the world. Indeed, freedom is the goal we all strive for in our lives.

Science does not delve into values; it cannot conclusively prove whether liberalism’s prioritization of freedom over equality or the individual over the collective is correct. Today, science attempts to treat and verify free will as a factual statement, suggesting that what we perceive as free will is merely the outcome of brain activity. Each choice and decision we make is preceded by electro-chemical processes in the brain. Even as we believe we act freely based on our own desires and decisions, we must question the nature of our autonomy. Do we truly choose our desires, or are we merely responding to them, unable to

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21) Hannah Arendt, *전체주의의 기원 (The Origins of Totalitarianism)*, trans. by Lee Jin-woo and Park Mi-ae (Seoul: HanGilSa, 2006), 284.



influence their direction? If AI understands our desires better than we do, could it manipulate and control them?

AI has advanced to the point where it can effectively hack humans.<sup>22)</sup> It knows us better than we know ourselves. To hack a human being is to understand what is happening inside us on the level of body, brain, and mind, capable of predicting what we will do. Once AI understands how we feel and identifies and predicts our desires, it gains the potential to manipulate, control, and even replace those desires. Every time we use AI technology, we leave digital footprints, which it uses to track us in reverse. We can never hide our true selves.

AI technology even signals the end of the ‘poker face.’<sup>23)</sup> Emotional AI is predicated on the understanding that despite our best attempts to conceal our feelings, our inner state inevitably surfaces. This transparency extends beyond mere facial expressions, gestures, tone, or attitude. The distribution of body heat, the dynamics of our speech, pupil dilation, and variations in heart rate all reveal our emotions and feelings. We, as humans, desire to keep our inner state just as that—internal. When our deepest feelings become visible to others, it feels like an intrusion into our personal identity. The poker face serves as our shield, protecting certain thoughts and emotions from the outside world. If AI can penetrate these defenses to read our innermost thoughts, it drastically undermines our autonomy. In weakening our belief in free will, AI challenges the very notion of freedom.

## 5. How Should We Address the Threats Posed by AI?

AI represents the greatest threat to our freedom by intensifying existing trends that jeopardize liberal democracy. Liberal democracy, built on the presuppositions of human freedom, rights, dignity, and the sanctity of human life, is now at serious risk. Despite our continued commitment to the ideals of freedom and rights forged during the Enlightenment era of the 18th century, AI threatens to undermine the foundation of these ideals. This underscores the urgent need for a thorough understanding of AI’s impact on society. As we increasingly rely on AI at the expense of our cognitive functions, we risk diminishing certain human capacities, potentially including our sense of freedom.

In an AI-shaped future, decision-making will split into three realms: decisions made by humans, by machines, and collaboratively by humans and machines. AI is evolving from a simple tool to a partner of humans. While there is debate over the timeline for AI to independently make decisions without human input, it is clear that humans are becoming increasingly dependent on it. We are moving towards a future where tasks once thought to be exclusive domains of humans are either autonomously performed by AI or done in cooperation with it. If AI

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22) "When Tech Knows You Better Than You Know Yourself. Historian Yuval Noah Harari and ethicist Tristan Harris discuss the future of artificial intelligence with WIRED editor in chief Nicholas Thompson," *Wired*. <https://www.wired.com/story/artificial-intelligence-yuval-noah-harari-tristan-harris/>.

23) Poppy Crum, "Empathetic Technology and the End of the Poker Face," *LinkedIn*, July 27, 2018. <https://www.linkedin.com/pulse/empathetic-technology-end-poker-face-poppy-crum>.

integration becomes integral to all human endeavors, discerning between decisions made by humans, by AI, or jointly might soon become a complex challenge.

Before AI gains autonomy, we must proactively decide on the nature of our partnership with it, guided by crucial questions such as “Does AI enhance our freedom?” If AI threatens rather than enhances human freedom, we must establish regulatory frameworks to mitigate or eliminate its potential harms. Clearly, individuals alone cannot counter such a formidable technological force. Only through political avenues can we regulate and control AI, reflecting our valuation of freedom in the regulatory frameworks we adopt.

AI is undeniably steering us towards a pivotal shift in civilization. The awe-inspiring capabilities of AI also spark unease among citizens, regulators, and even its creators. Prominent tech enthusiasts like Sam Altman, CEO of OpenAI, and Steve Wozniak, co-founder of Apple, have voiced concerns about the unbridled dangers AI poses to individuals and society at large. Their alarming predictions include its potential to devastate the job market, obsolete human skills, or, in the most extreme scenarios, precipitate the downfall of humanity.

As tech companies vigorously pursue AI development despite facing severe criticism, Washington confronts mounting pressure to craft regulations that balance control with fostering innovation. In the US, China, and Europe, distinct regulatory paradigms, each grounded in unique values and incentives, are taking shape. These approaches are set to not only transform domestic markets but also amplify their digital dominance globally. Each nation is developing its competitive vision for the global digital economy while attempting to expand its influence in the digital world.

The future society that AI ushers in will be shaped by both technological innovations and the ethical and legal frameworks governing them. The US adopts a market-centric regulation model, China a state-centric model, and the EU a rights-centric approach. The American model, emphasizing market faith with minimal government intervention, views digital technology as a source of economic prosperity and political freedom, thus a tool for societal transformation and progress. The American stance on AI regulation, rooted in deep-seated technological optimism and a relentless pursuit of innovation and technological advancement, is hesitant to impose restrictions. The AI Bill of Rights blueprint issued by the White House in October 2022 offers guidelines for AI developers and users on how to protect the rights of the American public in the age of AI while ultimately trusting technology.

In contrast, China has embraced a state-centric model, aligning with its ambition to emerge as a global tech superpower. Beijing’s direct approach to the digital economy employs digital technology as a tool for censorship, surveillance, and propaganda to reinforce the Communist Party’s grip on power. Recognizing the potential economic and political benefits of AI, the Chinese government is investing heavily in new tools that bolster its capability to conduct mass surveillance of citizens under the guise of maintaining social stability. While AI-based facial

recognition could aid the state's political control, generative AI technologies like ChatGPT could weaken it.

The European Union, unlike the US and China, has pioneered its own regulatory model focused on the rights of users and citizens. It believes that AI regulation cannot be left to the autonomy of tech companies, and in order to properly address AI's potential for destruction, regulations must firmly rest on the rule of law and democratic governance. This implies government intervention to protect individual fundamental rights, preserve the democratic structure of society, and ensure the fair distribution of the benefits of the digital economy. The AI Act, a significant piece of legislation within the EU, was proposed by the European Commission on April 21, 2021. After extensive negotiations, a provisional agreement was reached between the Council and the European Parliament on December 9, 2023. The act specifies "unacceptable risks," thus clearly defining AI's limits: "For some uses of artificial intelligence, the risks are deemed unacceptable, so these systems will be banned from use in the EU. These include cognitive behavioral manipulation, predictive policing, emotion recognition in the workplace and educational institutions, and social scoring. Remote biometric identification systems such as facial recognition will also be banned, with some limited exceptions."<sup>24</sup> Once enacted, this binding legislation will become the world's first comprehensive AI regulation.

AI could also starkly reveal the internal contradictions of liberal democracy. When liberalism and democracy are separated, citizens' freedom faces threats from two directions: the market and the state. The US' market-centric model has generated immense wealth and spurred technological progress, but AI technology capable of hacking individuals' desires and wants severely compromises personal autonomy. If leading tech companies like Google monopolize digital advertising technology, we lose the means to resist the tech power that has monopolized information. As global governments now strive to reclaim control over the digital market and regulate leading tech companies to diminish the vast influence of American IT companies on international internet users, China has already established a digital Silk Road and is exporting AI-based surveillance technology and other digital infrastructure worldwide. Authoritarian governments find the Chinese model attractive, given its apparent ability to combine thriving innovation with political control.

We can neither leave the AI threatening our freedom to the 'market' nor entrust it to the 'state.' The US market-centric model is too lenient, and China's state-centric model is too restrictive. If neither the market nor the state is the solution, we must ultimately seek a third path led by the citizens themselves. This approach should safeguard freedom and fundamental rights while preserving democratic institutions and checking the corporate power of AI. We need to find ways to control the technological and digital economic power of AI. Given the

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24) "Artificial intelligence - Consilium," *Council of the European Union*.  
<https://www.consilium.europa.eu/en/policies/artificial-intelligence/#AI%20act>.

unprecedented pace of AI's development and the escalating rivalry surrounding it, human freedom could suffer irreparable harm. Feeling powerless in the face of the inevitable rise of AI signifies a loss of human agency. If AI has the potential to aid in building a future that aligns with our values, we must earnestly examine the possibilities of freedom.

## Thematic Session 1.

### The Future We Want: We Are the Future!

The past decade has seen civil society and youth activism rise in defense of democracy and human rights across Asia. We will reflect on and assess the decade of movements such as Hong Kong's Umbrella Revolution, Taiwan's Sunflower Movement, Milk Tea Alliance, and Myanmar's Civil Disobedience Movement. We will invite leading youth activists and explore their visions for the next decade. We discuss global governance to solve the pile of problems regarding democracy, human rights, and freedom.

**Moderator** Hyun Sinae (Sogang University)

#### **Speakers**

1. Seeds of the Sunflower Movement  
Lin Fei-fan (The New Frontier Foundation)
2. We Are the Future!  
Netiwit Chotiphathaisal (Nisit Sam Yan Publishing House)
3. The Spring Revolution in Myanmar: Resistance Against Oblivion  
Wai New Hnin Soe (Youth Action for Myanmar)
4. Portraits of Contemporary Korean Youth Activists and Their Role Today  
Hong Myungkyo (Platform C)



## Seeds of the Sunflower Movement: Taiwan's Fight for Consolidating Democracy amid China's Threat

Lin Fei-fan

The New Frontier Foundation Director of the Board

Ten years ago, Taiwan experienced its largest student and civic movement since democratization. The 2014 Sunflower Movement was also the first mass occupation of the parliament chamber in the country's history. Without it, Taiwan's economic independence and democratic achievements would likely have led it to a vastly different place today.

### 2013–2014: People's fight against authoritarian expansionism

The years 2013 and 2014 saw several significant grassroots movements emerge, demonstrating against the expansion of authoritarianism, all of which were pivotal in shaping global geopolitics.

The Sunflower Movement began on March 18, 2014 and lasted for 24 days. It opposed the policies of the Kuomintang (KMT) government and the KMT President Ma Ying-jeou (馬英九) which were excessively supportive of deeper cross-strait engagement. It also opposed the signing of the Cross-Strait Service Trade Agreement and further economic integration between Taiwan and the People's Republic of China (PRC). Ultimately, it aimed to safeguard Taiwan's democratic system from external interference.

The second movement to occur that year took place in September, in Hong Kong. What came to be known as the Umbrella Movement demanded that Beijing fulfill its promises to the city by allowing the Hong Kong people to govern Hong Kong, implementing genuine universal suffrage, and opposing the spread of Chinese authoritarianism.

The two movements followed the 2013 Euromaidan revolution in Kyiv, Ukraine, sparked by the decision by former president Viktor Yanukovich to opt for closer ties to Russia rather than with the European Union. While the Sunflower and Umbrella movements saw the PRC as the common denominator, the Euromaidan protests shared the premise of demonstrating against an authoritarian power exerting undue influence on and intervention in the politics of a neighboring democratic polity.

The three movements ended in distinct ways. Following the Euromaidan revolution's conclusion, Russia launched a military invasion, annexing Crimea. This further motivated Ukrainians to strengthen their civil defense preparations, laying the foundation for Ukraine's eventual ability to sustain resistance against Russian aggression—a resistance now approaching two years. The outcome of the

Sunflower Movement was quite different. Although there were some clashes with the police during the occupation of the parliament building, the movement ultimately ended peacefully. Moreover, it was successful in achieving a key aim of blocking the passage of the Cross–Strait Service Trade Agreement in the legislature. It also significantly disrupted the political agenda of the Ma administration, which sought closer integration and the eventual unification with the PRC.

### The Sunflower Movement and Progressive Politics in Taiwan

Before the Sunflower Movement, the international community was not optimistic about Taiwan's future. John Mearsheimer, the well-known international relations theorist, published an article in early 2014 titled "Say Goodbye to Taiwan" (National Interest, February 25, 2014). In it, he argued that "there is a reasonable chance that American policy makers will eventually conclude that it makes good strategic sense to abandon Taiwan and allow China to coerce it into accepting unification," and that the international community would find it challenging to defend the island. However, less than two months after Mearsheimer's article was published, the largest student and social movement in Taiwan's history erupted, suggesting the possibility for a different, more hopeful path than his article might have led observers to foresee.

Following the Sunflower Movement, public opinion in Taiwan shifted. There was a much more widely held view that Taiwan should not move closer to or become more dependent on the PRC. This manifested in the local elections at the end of 2014, which were seen as a midterm referendum on the ruling party. The KMT lost eight municipalities and counties, dropping from holding 14 out of the 22 to just six. Instead, support shifted firmly to the Democratic Progressive Party (DPP), which advocated for Taiwan to diversify its economic and trade relations rather than rely too heavily on the PRC. Subsequently, in 2016, Tsai Ing-wen (蔡英文) won the presidential election representing the DPP and led her party to a majority in the legislature, completing Taiwan's third democratic transition.

Taiwan swiftly adjusted its course after the DPP came to power in 2016. President Tsai proposed the New Southbound Policy (新南向政策), encouraging Taiwanese investment in emerging markets such as Southeast Asia and India in order to diversify the country's economic and trade strategies. Additionally, the DPP introduced forward-looking infrastructure projects (前瞻基礎建設計畫), energy transition initiatives, and efforts towards achieving net-zero emissions. These all strengthened the domestic economy and attracted more Taiwanese businesses back to invest at home. As a result, Taiwan's economy has maintained steady growth over the past few years.

Taiwan's economic dependence on the PRC has indeed continued to decline following eight years on this trajectory. During the Ma administration, the PRC accounted for nearly 45 percent of Taiwan's total exports. However, following eight years of government under the DPP, the proportion of exports to the PRC



reached 35 percent in 2023—the lowest point in 21 years (Ministry of Finance, January 9). This has been accompanied by significant growth in exports to Europe and the United States, reaching historic levels in 2023. Exports to the former amounted to \$42.29 billion last year, accounting for 9.8 percent of total exports—a 2.9 percent increase on the previous year. Meanwhile, the latter received 17.6 percent (\$76.24 billion) of total exports, at an annual growth rate of 1.6 percent. Additionally, 2022 saw investment by Taiwanese companies in Southeast Asia officially surpass investment in the PRC, demonstrating Taiwan’s gradual diversification of its foreign trade.

On the other hand, Taiwan have also achieved its major human rights milestone, passing the marriage equality bill in 2019 marking the first country in Asia to legalize same sex marriage. It was the campaign commitment for the current ruling-DPP party and was a joint effort of a grass-root civil movement and especially the youth movement. Indeed, Taiwan is moving towards a more progressive direction in terms of its social progress, and it would be essential for Taiwan to continue this path.

On January 13, 2024, Taiwan successfully conducted another democratic election. The ruling DPP won a third consecutive term in office, setting a record in Taiwan’s post-democratization history. The international community has largely interpreted this as a sign that public opinion in Taiwan still supports the current government’s national direction. However, the DPP was unable to secure a majority in the legislature. With the Kuomintang (KMT) and the anti-establishment third-force party, the Taiwan People’s Party (TPP), forming a majority in the legislature, the KMT’s pro-China lawmaker Han Kuo-yu (韓國瑜) was elected as speaker. This situation will have an impact on the DPP’s abilities to pursue its legislative agenda, including important reforms such as Taiwan’s defense autonomy. It also brings uncertainties to the future of cross-strait relations.

In the process of campaigning for the presidency, Vice President Lai Ching-te (賴清德), who will be inaugurated as the new president in May, has repeatedly stated that Taiwan will continue to diversify its trade relations and should not continue to lock Taiwan’s economy into a “One China” framework. Taiwan must also accelerate the development of its defense autonomy to strengthen its ability to respond to any contingencies. Taiwan will continue to invest resources in efforts to detach from the Chinese market, assist more Taiwanese companies in shifting towards markets in Europe, America, Southeast Asia, and South Asia, and enhance its resilience in the face of the impact of the PRC’s economic decline. This trajectory is reinforced by geopolitical trends and the PRC’s continued economic downturn.

### The Sunflower Movement as Driver of Political Change

During the Sunflower Movement in 2014, Taiwan faced a choice similar to that of Ukraine. Namely, whether to move towards the world or towards its authoritarian

neighbor. Ten years ago, Taiwanese civil society, through unprecedented large-scale social movements, prevented the ruling government from acquiescing to the policies of its authoritarian neighbor. We cannot predict the course of history. However, it is reasonable to infer that, without the 2014 Sunflower Movement, Taiwan would have continued on the path of KMT governance towards cross-strait integration. This would have led to a very different outcome from the present and may have caused Taiwan to suffer amid the US-China trade war and the COVID-19 pandemic.

Instead, the Sunflower Movement guided Taiwan in a new direction. This direction was towards openness to the world and towards deepening connections with like-minded countries, thus providing a strong and powerful mandate for the new government. Ten years on, Taiwan continues to diversify its trade and strengthen its international democratic connections, signing new trade agreements. These include the 21st Century Taiwan-US Trade Initiative, signed with the United States, and the Enhanced Trade Partnership Agreement, signed with the United Kingdom (USTR, August 18, 2023; UKGOV, November 14, 2023). These efforts effectively mitigate risks for Taiwan.

Taiwan will continue to strive to join multilateral trade agreements such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and Indo-Pacific Economic Framework (IPEF) to further expand connections with more countries in the region, rather than relying solely on the PRC. Today, more than ever before, Taiwan needs support from countries around the world. It requires more substantial assistance and cooperation across military, security, and economic domains. The 2014 Sunflower Movement demonstrated the considerable resilience of the Taiwanese people and their determination for defending themselves and their democracy. With stronger and more substantial international support, Taiwan will undoubtedly continue to serve as a beacon of democracy.

*Note: This article is modified from my previous publication at the Jamestown Foundation: <https://jamestown.org/program/seeds-of-the-sunflower-movement/> Fe*

## We Are The Future!

Netiwit Chotiphathaisal  
Nisit Sam Yan Publishing House Founder

### Introduction

My name is Netiwit. I'm a Thai student activist, and I suppose you could call me a veteran now, having been active for over a decade. My journey in activism began when I was just 14 years old, back in junior school. I used writing as my medium to challenge certain school rules, and as I faced considerable pressure from schools, criticism, and the broader realization of how deeply indoctrinated our society is, my activism grew with age. Over the years, I became involved in various movements, including the Milk Tea Alliance and the issues surrounding conscription in Thailand. I faced the prospect of mandatory military service for one or two years, but I refused. I've also built connections with South Korean activists whom I met in Bangkok five years ago; they've shown consistent support for my work. Last year, I had the privilege of joining South Korean peace activists in Seoul for a conference and a solidarity march to the Thai embassy. Though I've never visited Gwangju before, I've heard about its strong spirit for democracy both locally and globally. The foundation here has significantly contributed to global democracy, and its statements regarding the situation in Thailand have been very encouraging. So when I received the email inviting me to speak here, I didn't hesitate. I'm excited to be here, eager to learn from my fellow panelists, and looking forward to engaging with all of you.

Over the past decade, Thai youth activism has undergone significant changes, reflecting shifts in the country's political climate and the methods of advocacy. Ten years ago, activism was largely centered around student-led initiatives and localized issues. These early efforts focused on education reforms and resisting strict school policies. At the time, Thailand's political scene was marked by a contentious divide between pro-royalist "yellow shirts" and pro-democracy "red shirts." However, in the years following the 2014 military coup, activism became riskier, with greater scrutiny and repression. Despite this, the youth movement continued to find creative ways to express dissent, leveraging social media and online platforms to organize and spread their message. This transition marked a shift in strategies from traditional street protests to more digital-oriented campaigns. In 2020, amid the COVID-19 pandemic, a new wave of youth activism emerged, driven by demands for democratization, human rights, and reform of the monarchy. This movement demonstrated a more confrontational approach, with public protests and open criticism of entrenched power structures. The widespread use of social media, especially Twitter, amplified the reach of the movement, allowing youth activists to engage with a broader audience and gain international attention. The election results of 2023, which saw the pro-democracy Move Forward Party win the most

votes, indicated that the momentum from the 2020 protests had a tangible impact. Yet, the subsequent political maneuvering to exclude Move Forward from forming a government highlighted the ongoing challenges facing Thai democracy. The evolution of Thai youth activism over the past decade has shown remarkable resilience and adaptability. While the intensity of protests may ebb and flow, the broader movement for democratic change remains strong. The journey toward a more democratic Thailand is ongoing, with youth activists playing a crucial role in shaping the country's future.

### Current Status of Youth Activism

My journey into activism started with the inadequate and unjust education system in Thai schools. I wasn't a particularly academic student, but I was keenly aware of the absurdity and injustice that many students faced. Before I became active, other students had made light of these issues through jokes, but I saw them as signs of a deeper problem. Drawing from my interest in history and commonsense, I wrote articles that circulated in high school, only to be punished for expressing my views. This setback silenced me for a while, but I eventually found freedom in writing and realized that speaking the truth can sometimes help curb abuses of power, even if it comes at a personal cost. I was fortunate enough to be accepted into Chulalongkorn University, which I believed would be a step up from my high school experience. However, I quickly realized that despite its prestige, it had its own set of issues. The tradition of freshmen taking an oath to a dead king, even though the king himself had abolished the practice, struck me as absurd. I didn't call for its eradication, but I did suggest that students should be given accurate information and that there should be room for those who preferred alternative ways of showing respect. My requests were ignored by a faculty dominated by professors who claimed to be royalists and experts in Thai knowledge. My activism came at a cost. Although I received support from prominent academics worldwide, including Noam Chomsky and eight Nobel laureates, I was heavily punished by the university and lost my position as student council president. However, I later won a court case and regained my position, becoming president of my faculty and the whole student union. Despite these victories, my impression of the university changed. I saw it as an oligarchy, driven by business interests and preserving the status quo in the guise of education. My friends and I made a documentary called "The Last Breath of Sam Yan," available on Netflix, which explored the darker aspects of Chulalongkorn University's practices. In terms of educational reform, I believe politics and education are deeply intertwined—there can't be good education without democratization, and vice versa. In Thailand, civil education is often like a "survival of the fittest" scenario, where success comes through fighting or ignoring the status quo. I've tried to propose a different way, a win-win situation. Regarding tangible changes, some progress has been made. The rigid haircut rules in schools have relaxed somewhat, though under military influence they may tighten again. Even so,

students now have a stronger voice in negotiating school policies. The strict uniform regulations are also being questioned, with some schools adapting to more relaxed rules. While there is still much work to be done in higher education, the younger generation's willingness to challenge tradition and embrace new ideas gives me hope. The stakes are high because we have inherited a world with severe consequences from past neglect, but the determination and energy of young activists offer a path toward a more just and democratic education system.

### The Role of Youth and Students

Transitioning from student activism to broader civilian activism in Thailand involves a shift in focus and often carries more significant risks. As a student activist, my efforts were initially centered around challenging school policies and pushing for educational reform. As I transitioned into civilian activism, my scope widened to broader issues like democratization, human rights, and opposition to military conscription. Many student leaders in Thailand have moved from campus activism to political parties or activist groups, seeking to continue their advocacy on a larger scale. Notable figures like Rangsiman Rome transitioned into politics, becoming a source of inspiration for many young activists. This transition represents the evolving landscape of activism in Thailand, where some choose the political path while others continue grassroots efforts. Despite the challenges, student activism has proven to be a critical force for change in Thai society. The 2020 youth-led protests, which gathered hundreds of thousands of young people demanding democratic reforms and critiquing the monarchy, demonstrated the significant impact that student activism can have. These protests revealed a new generation of activists willing to challenge traditional power structures and advocate for change. While student activism has been a driving force, it can also be cyclical. The initial surge of energy and enthusiasm often gives way to periods of retraction due to exhaustion or strategic compromises in the political arena. The lack of sustained political infrastructure can limit the long-term impact of these movements. Nevertheless, the youth-led movements have shown resilience and adaptability, and I believe student activism will continue to play a vital role in democratizing and diversifying Thai society. The use of social media and digital platforms has allowed young activists to connect with a broader audience, amplifying their voices and gaining international support. Overall, the transition from student to civilian activism in Thailand is a journey that requires courage and adaptability. It reflects a broader struggle for justice and democracy, and while the path may not always be straightforward, the determination and spirit of young activists provide hope for the future.

### International Alliance

Expanding the Circles In today's interconnected world, the effects of crises such as

climate change transcend national boundaries. The negative impacts, whether on people or animals, are a reminder of our shared vulnerability. To address these issues, we need to expand our circles of empathy, recognizing that the suffering of others ultimately affects us all. This agenda calls for a broader scope of collaboration, encouraging partnerships across borders to alleviate suffering and address global challenges.

**Local Alliances** While a global perspective is essential, local initiatives can also be powerful in promoting change. Building alliances at the regional or neighborhood level can create more grounded and enduring solutions. Many of the world's problems, like pollution and environmental degradation, are not confined to one country but spread across regions. By focusing on local partnerships, we can tackle these issues more effectively and foster a sense of community and cooperation. In environmental activism, there's a concept called bioregionalism, which emphasizes the importance of working within specific ecological regions. Similarly, socio-cultural regionalism can play a crucial role in creating sustainable and collaborative solutions.

**Vulnerability** Although activists are often seen as strong and resilient, it's important to recognize our vulnerability. Sharing our vulnerabilities can lead to greater humility and foster open-hearted connections. By embracing this idea, activists can build a culture of empathy and support. Pop culture, through music, art, and storytelling, can be a powerful medium for expressing and addressing vulnerability. This agenda encourages activists to focus on balance and self-care while advocating for social change.

I believe that, at our core, all human beings share common desires and vulnerabilities, regardless of nationality. We all experience suffering, and we all seek freedom and happiness. Yet, in many parts of the world, people face degradation, humiliation, and coercion. They are often subjected to unequal access to resources, limited opportunities, and oppressive conditions. In this context, rulers often perpetuate divisions, fostering hatred and promoting geopolitical tensions to maintain control. This is where international alliances between youth become critical. They can bridge divides and challenge oppressive structures. Good ideas can spread as effectively as bad ones. While dictatorships often rely on obedience and repression, there's a deep-seated human inclination toward freedom and justice. When Thailand experienced a military coup, countries with poor human rights records, like China, were among the first to support the new regime. This reflects a tendency for authoritarian governments to validate each other, reinforcing the idea that the people should not question authority. Joshua Wong, who is currently imprisoned, understood the importance of international alliances from a young age. He knew that if Hong Kong was to remain free, it needed to resist the encroachment of dictatorial ideologies. His vision resonated with me, and I collaborated with him to create a student-run press in Thailand to publish books that shed light on the situations in Hong Kong, Xinjiang, and Taiwan. We were perhaps the only press in Thailand to do so, and it was inspiring to see young people in Thailand engage with our publications, carrying flags of Hong Kong, Uyghur, and Taiwan during street protests. The power of international youth alliances lies in the exchange of stories and tactics that transcend national

boundaries. Thailand is now moving towards a more democratic state, and as we continue to gain experience, I hope to see more democratic conferences and collaborations across nations. My goal is for Thailand to become a hub where international voices can converge and where Thai activists can take a leading role in supporting global solidarity. In summary, international youth alliances are crucial for democratizing and diversifying societies like Thailand. They offer a way to combat oppressive regimes, share knowledge, and build solidarity. By connecting with others who share the same ideals, we can work toward a world where freedom and equality are universal values.

### Final Remarks

It's an honor to be here today and experience the freedom that has come from the enduring struggle of the people of Gwangju and South Korea. I salute your courage and resilience. However, I want to share with you that this could be my last opportunity to speak abroad. As a conscientious objector, I face the possibility of a prison sentence of up to three years. This could happen soon, and I need your support. Conscientious objectors are often misunderstood, viewed as cowards or disruptors, but I believe they are paving the way for peace—a vital need in our world. If I am arrested in the near future, I hope you will share my story and raise awareness about the plight of conscientious objectors, especially those in countries embroiled in conflict. They are brave individuals who need our solidarity and recognition. I'll be in Seoul next week, and I encourage you to support and share information about conscientious objectors around the world, especially in countries where war and violence are ongoing. Thank you for your time and your attention to this crucial issue. I hope to continue our conversation and look forward to seeing the positive changes that we can make together.

## The Spring Revolution in Myanmar: Resistance Against Oblivion

Wai Nwe Hnin Soe  
Youth Action for Myanmar Leader

*Even if the life granted to me in this world  
were only a single minute, I would live that minute  
justly and without shame*

This is a statement from Ketty, one of the victims of the Spring Revolution. If you were to ask me whether I spent the three years of the coup with this kind of mindset, I would have to admit that I am ashamed I did not.

The first year after the military coup was spent reacting in outrage to the military junta's atrocities. In the second year of 2022, although I felt increasingly weary from a sense of helplessness, I continued fighting with the conviction that giving up would mean that democracy in our country, Myanmar, would remain an unattainable dream.

However, in the third year, which was 2023, I seem to have wasted my time in a state of desperation. This aligns with the military junta's calculated goal of normalizing the abnormal, where people become numb to the daily violence that has become the norm. Regrettably and shamefully, this is how I spent the past year. Today, I take this opportunity to sincerely reflect on the past year.

The most formidable enemy for comrades on the front lines facing death is not the military junta, but rather the indifference and forgetfulness of those once believed to stand for justice. I have experienced anger and frustration at the international community's coldness and lack of concern toward the desperate situation of Myanmar's citizens. Now, I question whether I have become one of them.

Thankfully, the recent news coming from my home country of Myanmar fills us with a sense of new hope and lifts me up once again. Although grim news persists, the great victory of the Three Brotherhood Alliance's Operation 1027 and the growing number of soldiers defecting from the military junta as its unity fractures are undoubtedly encouraging developments.

People say, 'There's no democracy without a cost! There's no revolution without sacrifice!' I am determined to return to the mindset I had at the start of the Spring Revolution. I will quicken the pace of my stalled steps and move forward once again.

Let's move forward together. If we stop, Myanmar's present will become just another typical story of a troubled country in a complex international landscape. We must raise our voices to declare that we are fighting and that justice can



prevail! Let's make the fourth anniversary of the Spring Revolution the first year we overthrow the military junta and achieve success in the Myanmar Spring Revolution.

## Portraits of Contemporary Korean Youth Activists and Their Role Today

Hong Myungkyo  
Platform C

Definitions of social movements vary widely, but historically, social movements that have left a mark in the collective memory have always involved radical transformations against the contradictions defining the lives of people of their times. In the late 19th and early 20th centuries, the primary contradiction was anti-colonialism, with many youth activists dedicating themselves across a broad front from resistant nationalism to socialism. The catalyst for the youth movement on the Korean Peninsula since modern times has been the forced annexation and colonial rule by Japanese imperialism, with youth predominantly leading the practical resistance during this period.

Why, then, do youths emerge as symbolic agents in social movements in certain periods? Who are these agents? To understand this, it is crucial to recognize that the term ‘youth’ has taken on a specific political and social character since modern times. The modern agency of youth has always been discoursed by intellectuals, hailed as either the protagonists who would transcend the old era or as objects of enlightenment. Consequently, youth have naturally been linked with the fate of the nation or ethnicity. Thus, the definition of ‘youth’ does not possess a fixed reality; instead, it is an entity that reflects the prevailing discourse of the period. We must clearly recognize this limitation and discuss the possibilities and impossibilities of ‘youth’ as an agent, while simultaneously exploring the discursive practices necessary to avoid being confined by limitations.

In the history of Korean social movements, the role and achievements of youth activists have been traditionally narrated as victorious and conclusive. However, this mainstream narrative within the democratization movement camp does little to explain the crises facing Korean society today, nor does it account for why today’s youth have not been ‘resistance agents’ as in the past. This paper defines the expiration of the explanatory power of the mainstream narrative and explores why the historical agency of youth activists has failed to overcome its limits. Furthermore, it discusses the contemporary challenges that still lie before youth activists, despite these realities.

### The Formation and Tragedy of Anti-Colonial Youth Activists

The 20th century was indeed a tumultuous time for the Korean Peninsula. The March 1st Movement of 1919, spurred by the principle of national self-determination, saw individuals from various backgrounds—overcoming ancient social hierarchies, gender, regional, religious, and economic divisions—discover a

sense of community as a ‘nation’ and shift their identity from ‘subjects of the king’ to ‘modern citizens.’ Entering the 1920s, a significant number of educated youths quickly embraced Western advancements and went to Japan—then progressing as an ‘empire’ in Asia—for studies or as migrant workers. By 1925, the population of Koreans in Japan had surged from about 40,000 in 1920 to 200,000. During this time, the socialist movement was gaining traction in Japan, with many Japanese socialists actively and passively supporting the struggles of Korean-born workers. This momentum provided fertile ground for the emergence of Korean student and labor movements in Japan. Elsewhere, numerous young activists relocated to mainland Chinese cities such as Beijing, Shanghai, and Guangzhou, where they dedicated themselves to anti-colonial movements rooted in nationalism or socialism. In 1928, the Comintern issued the December Thesis, which presented the anti-imperialist and anti-feudal revolution on the Korean Peninsula as the direction of the movement, allowing the combined nationalist and socialist ‘national liberation movement’ to serve as a model for peripheral-colonial revolutions of the 20th century. However, as the great powers contended over the direction of decolonization on the Korean Peninsula—debating Soviet-style anti-fascist popular fronts, Chinese-style post-war East Asian plans, Japanese-style Greater East Asia Co-Prosperity Sphere concepts, and American-style international joint management plans—activists longing for liberation on the peninsula were inevitably split into different groups, sometimes collaborating and sometimes competing.

Unfortunately, this situation led to the tragedy of young activists dedicated to social movements on the Korean Peninsula. Even though the Japanese occupation ended after World War II, true liberation remained elusive for the residents of the peninsula. Consequently, young activists of that era were inevitably tormented by serious dilemmas and suffering. Throughout the liberation era in Seoul and Pyongyang, anti-communist terror and purges against opposition groups persisted, while in places like Yeosu, Suncheon, and Jeju, anti-communist massacres were carried out. During this tumultuous period, countless young activists lost their lives or were later sacrificed in the civil war, plunging the social movements of the Korean Peninsula into a prolonged period of silence and disconnection.

### Jeon Tae-il’s ‘College Student Friends’ or ‘Jeon Tae-il’

The political nature assigned to ‘youth’ in East Asia, including the Korean Peninsula, is intrinsically linked to the historical experiences of colonial and anti-colonial youth movements of the 20th century. These movements persisted through a long period of disconnection up to the 2000s, although they were not solely characterized by anti-colonial movements. In 1970, when Jeon Tae-il, a worker at a textile factory in Cheonggyecheon, self-immolated while crying out for the enforcement of labor standards laws, his act re-legitimized resistance against the contradictions of labor exploitation under the capitalist system as an orientation for social movements. His expressed wish to have ‘college student

friends' was belatedly conveyed to university campuses, resonating with the intellectual youth.

Following Jeon Tae-il's death on November 13, 1970, university students held memorial services on campuses. They burst through the gates shouting, 'Do not let the death of Jeon Tae-il be in vain' and 'Ensure the rights of workers.' These events sparked an interest in the labor movement among 'Jeon Tae-il's college student friends.' Yet, this surge of activity was not the beginning of South Korea's labor movement. Indeed, as early as the 1920s and 1930s, there were already entities and practices that could be considered the seeds of the labor movement on the peninsula. It is significant, however, that these 'college student friends' from the early 1970s emerged anew after a long silence following the state power's anti-communist suppression of labor movements during the liberation period.

Nevertheless, the burgeoning of the labor movement in the 1970s was not led by these 'college student friends.' The main actors were female workers, who, despite driving South Korea's economic growth, suffered horrific exploitation. During the 1960s and 1970s, Korea's export industries experienced rapid growth. Rural youths flocked to Seoul, and labor-intensive, export-oriented sectors like textiles required the labor of women. The countryside effectively served as a base for continuously supplying labor to the city. Despite their young age, women in their teens and twenties wanted to work in factories, and Jeon Tae-il felt a duty to improve the dire and harsh realities faced by these 'factory girls,' whom he supported. Following Jeon Tae-il's death, these female workers established a labor union (the Chunggye Garment Workers' Union), which became a beacon of hope for about 25,000 workers in the garment industry in the area. The bonds of solidarity that transcended factory affiliation gradually forced the exploitative factory owners to capitulate. These young workers were indeed the true protagonists of the social movements of their time in Korea and played a decisive role in ending the 19-year-long Yushin dictatorship, catalyzed by the protest of the YH Union. Therefore, the legacy we must cherish is not merely 'Jeon Tae-il's college student friends,' but rather the 'Jeon Tae-ils after Jeon Tae-il.' The issue, however, is that the ensuing youth movement has largely been symbolized by intellectual youths.

### The Gwangju Uprising and the Youth's 'Sense of Debt'

In May 1980, a massive uprising erupted in Gwangju, driven by the public's outrage over the military dictatorship and the devastating impact on civilian lives, which culminated in a horrific massacre. Those who survived grappled with a sense of shame for their survival and a consequent sense of debt. This historical experience fueled subsequent efforts to uncover the truth and propelled the democratization movement, and it was no exception for college students. In the universities, youths formed student councils in opposition to state-organized student militias, organizing themselves with a commitment to social responsibility and campus democratization. This led to a significant number of student activists

extending their efforts beyond academic confines into broader social movements.

During this period, the student movement regained its stature as a mass movement and reembraced Marxism as its ideological base. This period marked a stark departure from the humanitarian tendencies of the 1970s, with radicalization and mass mobilization occurring simultaneously. Students, facing challenges in accessing leftist literature, spent considerable time outside of school fervently reading banned books and engaging in debates over the structural causes of social inequality. Consequently, many young activists took undercover factory jobs to organize the working class, which resulted in thousands of student-origin workers being fired or blacklisted. With no way to return to the factories, these individuals became active in their communities or turned to professional activism, sometimes striving to connect workers across various companies and districts within industrial areas.

In the early 1980s, under the severe political repression of the Chun Doo-hwan regime, taking 'practical action' in factories became a key tactic of the student movement. Until the regime implemented measures for educational autonomy in 1983, most of the 1,363 students expelled from universities transitioned into the labor force. By the mid-1980s, the number of student-origin workers had risen to over 3,000, with media reports suggesting a total of about 10,000 nationwide. This backdrop saw the emergence of two competing strategies within the nascent labor movement: one focused on forming 'study groups' within factories to cultivate progressive labor leaders and establish a solid mass base; the other aimed at creating labor organizations across factories based on regional foundations, engaging in political struggles that challenged the existing system. Although these strategies were subject to debate, there was also cooperation, ultimately setting the stage for the Democratic Struggle in early 1987 and the Great Worker Struggle from July to September.

However, the 'sense of debt' among the intellectual youths is also a double-edged sword. As the social movement began to enter a rapid decline, the 'youth activists' who once dominated the era found themselves tormented between their sense of debt (or self-loathing) and the failure of their strategic approaches in social movements. The anger based on these young individuals' sense of debt inevitably led to their own exhaustion. This was distinctly different from Jeon Tae-il's 'cold anger.' His anger chose to be 'for everyone' rather than 'for oneself,' but many intellectual youths could not escape the heat of their intense sense of debt. While a sense of debt acts as a mechanism that drives commitment to generational tasks, it constantly haunts them with the psyche of 'owing a debt.' For some, this turned into narcissistic suffering the moment they believed they had 'paid off' all their debts, changing their attitudes to one that expects compensation for past 'dedications.' For these intellectual youths, this sometimes resulted in 'conversion' or 'forgetfulness.' While the cries of Jeon Tae-il and the tragedy of the Gwangju Uprising remained unresolved, the youths of the past changed in this way. This transformation is not unrelated to the retreat of social movements in Korea in the neoliberal era.

## The Crisis of the 'Crisis Theory'

In 1991, around the time of the dissolution of the Soviet Union, the student movement in South Korea underwent significant changes. In 1990 alone, 1,295 activists were detained due to political incidents, and in May 1991, a series of self-immolation incidents sparked a period of intense activism. The ruling power began to suppress radical student movements starting with the infamous Kang Ki-hoon forged suicide note scandal, and amid escalating tensions, an incident where Prime Minister Chung Won-shik was pelted with eggs provoked considerable public backlash. Concurrently, the collapse of the Soviet Union precipitated a major shift in the influence of radical ideologies.

Waves of postmodernism and revisionism emerged, and calls for reassessing or 'clearing' social movements, accompanied by aftermath literature, spread like a trend. By 1992, a 'crisis theory' began to surface within the student movement, evidenced by a decrease in student council election turnout and a clear reduction in the number of students participating in protests. The growing distance between the student movement and the broader youth population was pointed out as the most critical issue, signaling the end of the combative student movement era.

The leadership conflicts and uncertainties faced by the mainstream leaders of the student movement in the 1990s added further confusion to the student community and movement. After 1993, extreme right and left ideologies alternated annually. These mainstream leaders often attempted to gloss over the crisis through their unique ideological structure that relied on individual-based solutions. For instance, a prevalent argument was that "the problems of the student council movement can only be overcome through cadre innovation," while activist skepticism was merely patched up with a person-centered organizational ideology. This approach deliberately blocked dialogue with the student masses and persisted with dogmatic stances. As a result, in 1996, Yonsei University was thrust into a catastrophic situation known as the 'Hanchongryun incident.' Thousands of students on the Yonsei campus fought vehemently against the suppression by the Kim Young-sam administration, but after the incident, they were overwhelmed by a rising tide of defeatism and skepticism. The situation led to a division into 'solidarity groups' and 'reform groups,' but bureaucratized leaders monopolized the leadership without heeding diverse opinions, making it difficult to correct and renew strategies and directions. Following this incident, as the national stature of Hanchongryun waned, the student movement entered a period of isolation and fragmentation, necessitating discernment and restructuring.

Nevertheless, up to this period, the student movement still maintained a substantive presence, anchored by the general student councils, which enabled it to sustain its vitality for almost 15 years despite varying forms and intensities of the 'crisis theory.' Young activists persevered, autonomously steering their paths through student activism and into broader social movements post-graduation, yet their anxiety over the 'crisis' did not vanish. The unionism within student council movements continued to grapple with crises, and without significant renewal, the

mass line of the student movement faced collapse.

The real crisis, however, was not merely in the clearing of ideologies or the separation between activists and the masses. In 1997, the IMF financial crisis struck, and the tsunami of neoliberal globalization swept over the entire South Korean society. Ironically, the ‘democratic regime,’ composed of political leaders who had led past democratization movements, was keen on restructuring Korean society along neoliberal lines. Layoff systems were introduced, measures for labor flexibility were institutionalized, and the market was opened to transnational financial capital. Following Reaganomics and Thatcherism, monetary policy took precedence over fiscal policy, and the logic of financial profitability spread.

### The Arrival of Neoliberal Agency

The storm of neoliberal restructuring swept through university campuses as well. In the wake of the Kim Dae-jung administration, political forces across the spectrum, alongside capital interests, spearheaded a restructuring of university education to align with their agenda. This resulted in the abolition of select academic programs and the consolidation or elimination of departments with low employment rates. Corporate ‘chaebol’ names began to appear on campus buildings, and global franchises like Starbucks started replacing the social science bookstores and ‘makgeolli houses’ where young activists and political discourse once thrived. Top-tier universities in Seoul were given conditions to monopolize finances and student numbers, relegating regional private and vocational schools to the role of lower-tier labor training centers. Additionally, the mergers and corporatization of national universities led to a further reduction in their numbers. Within the universities, a hierarchy among disciplines was cemented, marginalizing basic sciences. Some private universities, in their crackdown on student resistance to these changes, went beyond imposing excessive measures such as indefinite suspensions and expulsions; they further escalated their response by taking the extreme step of initiating lawsuits for damages against the dissenters, thereby openly intensifying the suppression of any opposition to the capital-driven restructuring process. This restructuring completely overhauled the university structure, intensifying competition among universities and boldly eliminating those that did not adapt to the demands of capital. Under the neoliberal conditions that created a divide between core labor (full-time, administrative jobs) and peripheral labor (temporary, manufacturing/service jobs), producing labor flexibility and precarious work, universities were hierarchized and ranked. The crisis facing Korean universities and academia today is a result of these developments.

While student movements and a significant number of academic intellectuals did offer resistance, their efforts were insufficient. Post-2010, the youth movement saw some noteworthy events, such as the ‘Half-price Tuition Movement’ in 2011 and the ‘Are You Okay?’ movement at the end of 2013. These incidents were sometimes championed by existing traditional student movement organizations, and

sometimes not. Yet, without reversing the challenges posed by neoliberal restructuring within the university system, and without a united front to meet and organize various agents, traditional student movements found it impossible to regain their former glory.

Young people grappling with issues like soaring tuition fees and rampant youth unemployment should be actively seeking solutions to these challenges. The difficulty, however, is in transforming these concerns into radical agendas and broadening them to be recognized as universal rights. Yet, in the process of converting real grievances into immediate resistance, raising the issues of 'right to education' and 'labor rights' often inadvertently reinforces the prevailing ideology. Complaints like 'tuition fees are too high,' when grounded only in the logic that sees education as a commodity—similar to that of universities and governments—perpetuate a consumer ideology. This mindset insists on stripping away the 'excess' from the 'educational product' to make it available at a 'reasonable' price, thus reinforcing a consumerist perspective. This culminated in the illusion that participating in the cost-calculation process of tuition would solve the problem. Consequently, trapped within the limits of neoliberal consumer movements, they failed to advance to the universal right of educational rights. As a result, precarious work and youth unemployment have become rampant in Korean society.

The neoliberal restructuring of universities and the labor market has reshaped the agency of the youth. Universities are no longer hubs of resistance or knowledge production but have become massive factories reproducing 'entrepreneurial selves.' The entrepreneurial subject bases itself on market competition, rational calculations of costs and benefits, and profit-seeking as its physiology, constantly adapting and striving to become more efficient profit-seeking entities, managing themselves like businesses. With the advent of the 'Donghak Retail Investor Phenomenon<sup>25</sup>,' youths are reinventing themselves as investment-oriented entities.

Neoliberal realities have pushed many young people into situations where even considering dating or marriage seems infeasible. The necessity to curb even basic desires underscores the harsh reality faced by today's Korean youth, who are effectively excluded from social reproduction. This is evident from Korea's distinction of having the world's lowest birth rate and a youth suicide rate that exceeds those of many other countries. Thus, the mainstream narrative of the democratization movement generation, which claims they united strongly against military dictatorship and ultimately achieved the victory of democracy, appears to be based more on illusion than reality. Even if history was deemed a victory for some, it was primarily a triumph for a subset of elites from the 1980s who integrated into the mainstream society or ruling class, not for ordinary people.

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25) The prolonged COVID-19 pandemic has led to a unique phenomenon in the Korean stock market, likened to the 1894 Donghak Peasant Revolution, a historic anti-foreign movement. Numerous young people have turned to the stock market, becoming individual investors and purchasing domestic stocks in large quantities. However, many of these young investors have encountered losses in a declining market, with their returns significantly lagging behind those of institutional and foreign investors. Analysts highlight this trend as worsening existing inequalities.



Although Korea's capital market has grown to be among the top ten globally and its economic indicators might rank it among developed nations, life for most people remains challenging. In this sense, if the definition of youth as modern agents and representations still holds, today's Korean society is without a 'future.'

### Beyond Nationalism and Populism

As the COVID19 pandemic subsided, the era of high economic growth that East Asia had enjoyed came to a definitive end. Japan, which had been mired in low growth for over two decades, South Korea, which, after experiencing high growth, found itself unable to escape a recession, and China, once known as the 'world's factory,' showing signs of a halted growth trajectory, are not alone. Major Southeast Asian nations, initially expected to quickly reach and follow the path of the West by replacing China as emerging industrial nations, are facing similar crises. Each region in East Asia is encountering its own social crises in various ways.

The direction of this epoch, marked by the explosion of systemic contradictions, divides into either socially destructive barbarism or new revolutions. For instance, despite varying degrees among nations, the recent surge in anti-China sentiment online over the past few years is interpreted as a sign of intensifying nationalism and deepening right-wing populism. In South Korea, racist remarks that were once confined to subcultures like online gaming are spreading alarmingly across broader segments of society. This trend persists regardless of political affiliations or whether one identifies as 'progressive' or 'conservative.' This exclusionary sentiment is also manifest in the manner of expression, as extreme views are openly expressed across internet gaming culture, YouTube videos, and public reactions to news articles. For many young people, the image of Chinese or Vietnamese people is generalized as being disorderly, unhygienic, and blindly patriotic, which justifies the criticism, hatred, and insults directed at individuals from these countries.

After the Cold War, capitalist nations transitioned from developmental state models, which emphasized industrial capital-centered growth, to neoliberal models focused on financial capital-centered development. Under the developmental state, nationalism was intertwined with goals like middle-class expansion and high growth. However, with the shift to neoliberalism, the middle class became increasingly polarized, and the labor market was thrust into intense competition, fostering widespread individualization throughout society. According to Takahara Motoaki, the nationalism that accompanied high growth under the old developmental state model has lost its effectiveness and has taken on the characteristics of anxious nationalism.

During the 1960s in Japan and the 1980s in Korea, the youth generations went through militant and radical student movements, distancing themselves from nationalism and critically perceiving societal structures, thereby experiencing a particular form of 'subjectification' that enabled them to envision alternative

societies. However, as radical social movements declined in Japan and became institutionalized<sup>26)</sup> within the system in Korea, this form of subjectification gradually shrank or disappeared. Specifically, in Japan during the 1990s, as the bubble economy collapsed and the country entered the so-called 'Lost 20 Years,' phenomena characterized by changes in the labor market, such as 'Freeters,' 'NEETs,' and 'corporate livestock,' emerged. This was a time when the social movement leadership of the Zenkyoto generation lost its influence, leading to a fragmentation of social perception between the Dankai generation and the youth. In Korea too, similar epistemological divisions appeared with the emergence of terms such as the '880,000 Won Generation' in 2007, 'Hell Joseon' in 2010, and 'Passion Pay' in 2012.

Discussions surrounding Japan's 'NEETs,' Korea's '880,000 Won Generation,' or China's 'Kangaroo Tribe' reveal only superficial aspects and fall short of addressing the root causes. Moreover, discourses such as those surrounding the 880,000 Won Generation that suggest generational exploitation fail to become a compelling call for action as they inaccurately frame class contradictions in generational terms. In Korea, the nationalism that intensified following neoliberal restructuring largely exhibits characteristics of anxious nationalism and meritocracy. During periods of heightened anxious nationalism, the youth generation bases itself on new media typified by the internet, urban consumer culture, and subcultures, visualizing movements of semi-playful sentiments. These emotions are linked to a global crisis of war and are replicated and amplified, leading to exclusionary and hostile sentiments towards domestic immigrants. Furthermore, this sentiment solidifies the belief that it is not structural contradictions or the incompetence of top rulers to blame for the job losses or high cost of living suffered by ordinary people, but rather the immigrants. In Western developed countries, such public sentiment has fueled the rise of populism and the emergence of racist far-right parties.

Today, the youth of East Asia exhibit various connectivities that are not entirely confined by national borders. In the era of financial capitalism, marked by inequality and precarious work, the realities faced by these youth are not much different. They endure similar contradictions, from gender discrimination in work and life to obscured realities of labor under platform capitalism, along with low wages and employment difficulties. Their experiences do not remain isolated within individual territories but extend across the globe, and issues such as generational conflicts, patriarchal contradictions, and labor exploitation have emerged as acute social problems. In Korea, the issue of long working hours has been a political hot topic for years and has been cited as a primary source of anxiety among the youth. This is also the case in other East Asian countries. In China, the problem of long working hours is a severe social issue, prompting a popular online petition campaign demanding the abolition of the '996 system' in the IT industry. In 2018,

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26) Since the advent of the neoliberal regime, some social movements that have followed institutionalized paths have built cooperative relationships with the ruling powers under the guise of 'governance,' significantly diminishing their historically transformative nature.

Taiwan's annual working hours were recorded at 2,135 hours, with the intensity of labor also increasing for vulnerable workers and the youth. Similarly, the average weekly working hours in Hong Kong are about 50 hours, longer than in notorious 'overwork nations' like Korea or Japan, and even more severe for low-skilled, low-wage workers.

Today's youth in East Asia are experiencing precarious employment brought on by neoliberal globalization and intensified inequality due to surging asset prices. Until the global financial crisis of 2008–2009, it was understood that social changes in East Asian countries occurred asynchronously, reflecting the varying stages at which each country had developed. However, today, there is a growing perception of synchronicity in issues such as unemployment and exclusionary sentiments towards immigrants. Although these countries have expanded their economies along the paths typical of emerging nations, overcoming crises at the national level has been increasingly difficult since the establishment of robust global production networks and value chains. Indeed, international solidarity in East Asia today is qualitatively more negligible than even a century ago, a legacy of the colonial system and a result of nationalist ideologies. The challenge for social movements lies in breaking through these barriers.

Furthermore, military spending in East Asian countries has increased exponentially in recent years, escalating the risk of war. The common perception that peace and disarmament efforts counter 'national interest' and threaten 'national security' hampers the effectiveness of peace movements within individual countries. Given that Korea, Japan, and Taiwan are all heavily influenced by US policies towards China and East Asia, maintaining neutrality is particularly challenging. Therefore, citizens in East Asia who advocate for reduced military expenditures and greater public welfare and equality must actively form alliances and initiate popular anti-war movements. These movements are essential to prevent governmental misuse of budgets and to explore methods of reducing military spending. This proactive stance is equally crucial in addressing the climate crisis. Carbon colonialism pushes those at the frontline of the climate crisis into suffering, while enriching a handful of capitalists. This underscores why extraordinary actions against the climate crisis must transcend national boundaries. In essence, to overcome these interconnected crises, there is no other way but through international solidarity.

### Current Activities and Roles of Young Activities

Social movements always rely on the role of youth, particularly young activists, as their lifeblood. To expand social movements into mass movements and break through historically accumulated contradictions, the agency and mediation of activists are essential. In the past, when student movements possessed a high level of autonomous capacity, new groups of activists naturally emerged. Today, this dynamic has changed. Although a minority of youth groups continue their

practices within universities, following the decline of traditional student movements, their capabilities are limited. Therefore, both organizational efforts and practical actions are crucial to restructure and revitalize social movements.

Firstly, strategies and plans are needed to foster the emergence of new student movements by discovering various agents and supporting their capacity to form and grow new communities. Secondly, investment must be strengthened to develop youth activist training programs within social movement organizations and labor unions. For instance, since 2021, the Korean Confederation of Trade Unions has been operating a 'New Youth Activist Training Program' and has been expanding the scale of its youth union member initiatives. These programs are expected to transform the aging organizational culture and organize groups of young activists. Thirdly, young activists must be positioned as the main agents of the entire social movement, providing them with opportunities and conditions to undergo significant political experiences. If the social movements continue to be led by those who started as youth activists in the 70s and 80s, both their discourse and practice levels will remain in the past. The wisdom and experience of the older generation should be shared, while the movement itself must embrace innovative approaches to ensure that experiences at various levels are effectively disseminated.

As a result of these efforts, new young activists are emerging in Korean social movements. The high proportion of youth among the 700 participants at the System Change Movement Forum held from February 1–3, 2024, and the 270 participants at the System Change Movement Political Conference on March 23, proves this. Looking at the membership of the social movement organization Platform C, to which the author belongs, confirms these points. Thus, young activists rally depending on how social movement practices are planned, and through this, they grow into more robust activists.

How then do these individuals become subjectified? Climate justice movements, feminism, and labor movements serve as mediums. Initiatives like the young feminism movement that began around 2016, the 'Climate Justice March for System Change' held in Seoul in September 2022 and 2023, and labor movements addressing irregular and special employment have served as catalysts. Furthermore, many young people, dissatisfied with current societal contradictions, gather through various avenues such as book-reading groups. Essentially, as practical efforts to address contemporary contradictions grow, so does the number of engaged young activists. Thus, practical engagement and its organizational planning remain crucial.

It is vital for these gathered youths to recognize their commonalities against contemporary contradictions and to openly discuss the differences that manifest in each society. By understanding that issues such as job shortages, low wages, long working hours, anxiety about the future, and fears associated with war affect the lower classes across borders, they can recognize that it is not simply "because of China," "because of Japan," or "because of Korea." Instead, a popular understanding of these structural contradictions can evolve into a deeper awareness of more systemic issues, leading to contemplations and practices on how to change one's

own society. This understanding should shift external hostility towards solidarity against internal contradictions, discovering new forms of subjectification.

My journey began in 2018 when my interactions with student activists and feminists in Beijing, China, sparked a passion for bolstering international solidarity efforts in the East Asia region. This enthusiasm led to my involvement with the Hong Kong anti-extradition movement in 2019. Engagements with young activists in Hong Kong and with young Hong Kong residents in Korea underscored the profound importance of this solidarity. In February 2021, my commitment extended to the civil disobedience movement against the Myanmar coup, through the formation and activities of the 'Korean Civil Society Group Supporting Myanmar Democracy.' This initiative fostered connections with Myanmar youths in Korea, enhancing our collective efforts. More recently, this movement has grown to include exchanges and collaborative actions with ethnic Koreans and Chinese youths in Korea, as well as active young activists across Taiwan and Japan (Tokyo, Kyoto, Osaka, Okinawa). Such international solidarity and collaborations can lay the groundwork for a nascent East Asian international solidarity network.

The successful cultivation of young activist agents hinges on learning from past failures. This is a crucial and inevitable task for contemporary social movements, and only through this process can social movements fully implement their visions. The role of East Asian international solidarity serves as a critical measure in this endeavor, providing a vital benchmark to assess the progress and impact of these movements.

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## Thematic Session 2.

### Election VS Democracy?

This year, 2024, will host elections for more than a billion people in Asia, with major democracies such as India, Indonesia, Taiwan, Bangladesh, South Korea, and Pakistan holding important suffrage. There are some indications, however, which point to the quality of these elections being questionable. The region faces the spread of misinformation, growing polarization, ever-more-turbulent geopolitical headwinds, the growth of technology and social media, and forceful authoritarian influence. In this discussion, we will discuss how such factors contribute to the degradation of the electoral process in Asia and how do we enable reform to ensure that our elections remain have the citizens in their heart.

**Moderator** Ichal Supriadi (Asia Democracy Network)

#### Speakers

1. Are Our Elections Still Free And Fair  
Khoirunnisa Nur Agustyati (Perludem)
2. Elections and Democracy in India: A Glimpse of Hits and Misses  
Sanjay Kumar (The Centre for the Study of Developing Societies)





## Are Our Elections Still Free and Fair

Khoirunnisa Nur Agustyati

The Association for Election and Democracy, Indonesia (Perludm)

### Background

Indonesia has a complex election. Indonesia itself is a big archipelago country with more than 204 million voters (204,807,222). Indonesia also holds a concurrent election, five elections on the same day. They are the presidential election, national house of representatives, senate, provincial house of representatives, and city/municipal house of representatives.

The concurrent election was first held in 2019. Before the 2019 election, elections were held separately between legislative elections (DPR, Provincial DPRD, Regency/City DPRD, and DPD) and executive elections (presidential and vice-presidential elections). However, in 2013 there was a judicial review before the Constitutional Court which requested that the elections be held simultaneously.

This concurrent election brought its complexity not only for the election management but also for the voters and also for the candidates. In the 2019 election, more than 800 election officers passed away because of the workload. The factor was not only because of the workload, but also the pressure during the election. It was because in 2019 the competition was very tight, and also political identity issues became a major issue that made polarization in the society. It affected the work of election commission officers.

For voters, the 2019 election also brought complexity. It could be seen from the invalid votes in 2019, especially for the national house of representation (DPR RI). More than 17 million votes were wasted or around 11 percent, which is ironic since the voter turnout was pretty high at 81 percent.

Not long after the 2019 election, the legislature proposed to have a revision of the election law. But then this idea was terminated since the government was not willing to revise the law. Therefore, the upcoming 2024 election will use the same law as the previous election, Law No. 7/2017. The incentive for not revising the election law is that all the stakeholders are already aware of the rules of the game since it will be the same as the last election. But on the other hand, there were so many loopholes in the legal framework that also will be faced in organizing the election.

### CANDIDATE REGISTRATION

Indonesia conducts a concurrent election that consists of the presidential election, national parliament, senate, provincial parliament, and city/municipal parliament on

the same day. Therefore, the election participants for the Indonesian election are the presidential and vice presidential candidates, political parties, provincial and city/municipal legislative candidates, and also individual senate candidates.

### Political Parties and Legislative Candidates

There are 18 political parties for the 2024 election. A political party needs to fulfill several requirements to contest the election. Mostly, the requirements are administrative including political parties having to establish office branches in all provinces, 75 percent office branches in city/municipality, and 50% office branches in subdistricts. The election commission then will verify all these requirements by doing administrative and factual verification for all political parties that register to the election commission. After political parties are eligible as a contestants in the election, each political party then registers their candidates for the national House of Representatives, provincial House of Representatives, and city/municipal House of Representatives.

The political parties will nominate the candidate for the legislative election. Based on the election law, political parties should nominate at least 30% of women in each electoral district.

### Presidential Candidate

Based on Indonesia's Constitution, to be a presidential and vice presidential candidate, an individual should be nominated by a political party or a combination of political parties participating in the election.

The election law then regulates that a political party or a combination of political parties that is/are willing to nominate a presidential and vice presidential candidate should fulfill a nomination threshold obtaining 20 percent of seats or 25 percent of votes from the last election. This regulation, however, is hard to fulfill that is why political parties form a coalition to be able to nominate presidential or vice presidential candidates.

Besides that regulation, individuals that are nominated by the political parties to be presidential and vice presidential candidates have to meet several requirements; one of them is the minimum age requirement of 40 years old. It is stated in article 169, letter q on Election Law No. 7/2017.

This article was challenged by some Indonesian citizens in the constitutional court. They argued that this article limits the rights of young people to be nominated as a presidential or vice presidential candidate. One of the petitioners asked the constitutional court to grant that if there's an Indonesian citizen who is below 40 but already has experience being elected as an elected official, then they can be nominated as a presidential or vice presidential candidate.

The Indonesia Constitutional Court granted this judicial review. This decision

brought a negative response from the Indonesian public because there was a conflict of interest in deciding this judicial review. The chief of the Indonesia constitutional court is the brother-in-law of Joko Widodo, and this decision opens the door for Joko Widodo's son to be nominated for vice president since he is under 40 years old but an incumbent elected mayor in Solo, Central Java.

Indonesia adopted an open proportional system for the legislative elections. Meanwhile, for the presidential election, Indonesia adopted a majority for the electoral system. Since the law is the same as the previous election, the 2024 election will use the same electoral system.

Even though there was no revision to the election law, there were still some changes in the law. These changes were through judicial review and also the government regulation of the lieu of law. These changes are related to the number of seats in parliament and the selection mechanism of the election commission in the new provinces, the authority to draw electoral boundaries, and the requirement for presidential candidates. In 2024, Indonesia will also hold local elections in all provinces and city/municipalities simultaneously in November 2024.

### Review of Indonesia's Election Process

We can review the electoral processes in Indonesia with two aspects, first is the pre-election process, second is the vote and counting process. The things we have to highlight is that the irregularities and electoral fraud occurred mostly not during the voting and counting process, but also the all election stages including before the voting and counting process.

### Judicial Impartiality and Ethical Problem

- **Constitutional Court (MK) matters:** The president's political interests were hijacking the Constitutional Court. It began when Anwar Usman, former chairman of MK, became Jokowi's brother-in-law after marrying Jokowi's sister. The conflict of interest can be seen after Constitutional Court Decision 90/2023, which added an alternative president's minimum age requirements and let Gibran (who was underage) become vice-presidential candidate. As the holder of the highest position in the electoral justice system, a conflict of interest on the constitutional court would be a crucial obstacle to electoral integrity.
- **Neglecting Ethics:** after Constitutional Court Decision 90/2023, Anwar Usman was found guilty of ethical violations and removed as chairman, but still holding a judge position. Commissioners of the Election Commission (KPU), were also found guilty of ethical violations due to acceptance of Gibran's candidacy without changing KPU's regulation. Furthermore, Jokowi's statement on the president's partisanship was also seen as

disregarding ethics. Ethics is above the law and neglecting ethics will put democracy in jeopardy.

- **Political dynasty:** favoritism would be the biggest concern after Gibran's candidacy. The president's partisanship without ethical boundaries, this election seems to have incumbent even though Jokowi has reached his second term. The favoritism can be seen in many cases, for instance, violating campaign restriction at Car Free Day, Villages apparatus declaration for Prabowo-Gibran, and social assistance and state resources misuse.

### State Partisanship and The President's Bias

After his son, Gibran Rakabuming, became a vice-presidential candidate, Jokowi has been seen favoring and supporting a particular candidate on several occasions. Recently, Jokowi stated that the President can participate in campaigns and take sides in elections. This certainly has negative implications for the impartiality of the state.

### Some Impacts to State Impartiality

- **Impartiality of Civil Servants (ASN) and Village staff:** The president's partisanship can affect the impartiality of the state apparatus, including village staff. It can be seen from the village's staff organization declaring their support for Prabowo-Gibran. Villages' Heads and staff played prominent roles in local politics. Their influence could affect a candidate's elect-ability and distribute vote-buying.
- **Appointing 'not-so' Temporary Head of Region:** At the local level, the democratic election has already got a place to decide the governor and mayor). Otherwise, after the local election law, Pilkada will be held simultaneously in every region in 2024 and fill the vacuum of power in several provinces (at least 25 provinces/ more than a half). Now, to fill the vacuum of power due to the national simultaneous local election, most of the provinces will be administered by the temporary head of the region, appointed by the national government. Unfortunately, the lack of transparency and meaningful participation of the locals colored the appointment process. It raises the conflict of interest and potentially misuses the state resources to gain electoral benefit.
- **State Resource Misuse:** after the president's statement, direct cash assistance for three months will be distributed in February 2024. The in-kind assistance (which contains basic groceries/staple foods) was given by the president directly and extensively. There are also some posters or billboards for thanking the president for the social assistance. The president's image

will be linked to Prabowo and Gibran, and some assistance will give them electoral gain.

### Greatest Challenges: the Electoral Management Bodies

Electoral integrity became seriously questionable due to the worst track record of EMBs since their period in 2022. They faced many violation and manipulation allegations. Some of them are proven after the decision of Ethical Council of EMBs.

- **Political Party registration:** General Election found guilty after manipulating some data on the Information System for Political Party, to ease the factual verification process for some political parties. Some parties couldn't be registered as participants due to insufficient requirements.
- **Information Transparency:** KPU is also not willing to open some data, including data for political party requirements, CVs of legislative candidates, and campaign funding. KPU has several information systems for political parties, legislative candidacy, and campaign funding. Otherwise, instead of easily open for the public, KPU chooses to protect and close the data, not only for the public but also for The Election Oversight Body.
- **Women Representation:** General Election regulation (PKPU 10/2023) disrespected the women's representation spirit because it decreased the 30% affirmative action for women on the legislative candidate's list. Supreme Court (MA) has canceled the regulation but ignored it by KPU. As a result, almost every party didn't meet the 30% women representation on the candidate list in many electoral districts and still competed without any sanctions.
- **Campaign Period:** some candidates (political parties and presidents) found several obstacles in conducting a campaign because of cancellation permission. Threats to freedom of expression also occurred in the campaign period, after some intimidation received by cultural and public figures. Furthermore, some violations by certain candidates were ignored by KPU and Bawaslu. We also found some political parties and presidential candidates lack commitment to transparency of campaign funding reports. Many items on expenditure were not reported in the initial report, for instance, the expenditure of campaign ads on social media and banners on the street.

### Recommendations

We urge the stakeholders to evaluate comprehensively the electoral law, including the political party law of Indonesia. It means, the stakeholders need to gather all

aspirations, opinions, and review from the experts, academics, CSO, and all the publics about the election management and competition. It is important to have a comprehensive review on our election, including

the lesson learnt from other countries to enhance the election as the tools for the public to exercise their political rights, and also maintaining the consolidation of Indonesia's democracy.

## Elections and Democracy in India: A glimpse of hits and misses

Sanjay Kumar

Professor, Centre for the Study of Developing Societies

On the world map of all the democratic countries, India is always referred to as the largest democracy in the world. This reference to India being the largest democracy in the world is primarily because of the size and magnitude of the electorate in India, which votes for electing their representatives at the national, state and local levels. The effort required for holding elections for electing the representatives for running the government at these three levels is mammoth. Despite India still being a relatively poor country, the electoral democracy has not only survived, but has become stronger with time, with few concerns as well.

### Regular, Free and Fair Elections: A basic tenant of Democracy

There are many tenants/features of what account for the functioning of a vibrant democracy, but free, fair and regular elections are key to any democracy, India being no exception to it. If the Indian democracy is to be purely evaluated on the basis of free, fair and regular elections, India's rating stands at a decent score with India being able to successfully hold free and fair elections at all 3 levels. Elections in India have been held seventeen times to elect the national government and almost half of the times these elections have brought in a new government replacing the previous one. India is in the midst of holding its 18th national election to elect a new government. India has 29 provinces with their own separate governments but sadly elections to the provinces have not been held regularly at the provincial level. All these provinces have gone through a cycle of about 16 to 17 elections and governments have changed numerous times in most of these provinces. In-fact there are few provinces where the government has changed after every election, a record to be broken only recently in one or two provinces. Not that there are no issues and contestations about elections being fair or not on some accounts in these provinces. There are concerns raised by political parties, civil society organisations, media and others, but what is reassuring is that once the results are declared and the new government is in place, there are no contestation about freeness and fairness of elections. Results from the voter survey have also showed that a sizable portion of Indian people support free and fair elections in general.

The credit of holding free and fair elections goes to the Election Commission of India (ECI), an independent institution, entrusted with the powers of holding elections in India. Over the last several decades, the ECI has been able to hold elections in more or less free and fair manner with the exercise of its powers laid down in the Constitution of India. It has also ensured that various rules mentioned in the Representation of the People Act, 1951, are adhered to while conducting elections.

### Increased Electoral Participation: A sign of healthy democracy

It is noteworthy that the last one decade has witnessed an increased voter–turnout in the Indian elections at all 3 levels– National, Provincial and elections to the local bodies (Panchayat and Municipal Election). Lower the level of election, higher has been the turnout—i.e. the local body elections witness higher turnout compared to the provincial elections, while the provincial elections in almost all the provinces witness much higher turnout as compared to the National Elections. The 2014 and 2019 National elections witnessed dramatic increase in voters’ turnout. The 2014 National election witnessed an increase of about eight percent in voters’ turnout, compared to the previous 2009 National elections. The 2019 National election witnessed a turnout only marginally higher than the turnout in 2014, but still the highest ever in the history of all National elections held in India.

Women and youth turned out to vote in very large numbers in these two national elections, certainly in far bigger numbers compared to the previous National elections. Not only has the national elections witnessed higher turnout during the last decade, the provincial elections also witnessed an increased turnout compared to the past elections in different states.

There are clear evidences of women’s participation in much bigger numbers in the Indian elections now, compared to the past. Women lagged behind men in voting when elections were held in the early decades. This turnout gap between men and women started narrowing down over the decades and the last two national elections i.e the elections held in 2019 and 2014 witnessed a massive increase in the women turnout. During the 2019 national elections, men and women voted in almost equal proportions. This is the story not only of the national elections, but reverberates in the Provincial elections as well. There are many states, where women have outnumbered men in voting in the recent elections. This is one of the biggest changes that the Indian elections have experienced over the last few decades. The youth have also started taking greater interest in politics, resulting in their increased participation in voting. The last few decades have also witnessed a participatory upsurge amongst the marginalised sections namely Dalits, Adivasis and the Muslims, though the pattern has not remained consistent over the years. But overall, there is a clear sign of participatory upsurge amongst those who have remained politically marginalised over the last several decades.

While there is clear evidence of an increased electoral participation, often there are varying interpretations of this increased turnout. Some believe that the increase in turnout is an indication of people’s dissatisfaction with the ruling party, while a decline in turnout suggest people are happy with the government and they are not willing to change the government. There are others who hold a completely opposite view. This debate has been going on for several decades and it normally attracts attention at the time of elections. This discussion and argument is non–ending without anyone offering any evidence. At best, people tend to offer evidence from one or two constituencies or one or two elections.



Given the large-scale data of elections held over the last seven decades, an attempt has been made to make sense of the turnout figures. These are evidences that help us understand the turnout figures in a more nuanced manner. For the national elections, constituency wise figures for turnout has been analysed for all the 17 general elections held in the country. The analysis of turnout figures for 7408 Lok Sabha constituencies (spread across 17 general elections) suggest there is no clear evidence as to whether higher turnout is a vote for anti-incumbency or vice-versa. Of the 4418 Lok Sabha constituencies where turnout increased compared to the previous election, the incumbent party got re-elected 47 percent times while the incumbent party lost the election 53 percent times. On the other hand, in the 2990 Lok Sabha constituencies where turnout declined compared to the previous national elections, 54 percent times the incumbent party got re-elected while in 46 percent times the incumbent party got defeated. The data clearly suggests that for the national elections, at the constituency level there is hardly any relationship between the turnout and the electoral outcome.

Table 1.1: National Elections 1962–2019: Comparing turnout among Men and Women

Year	Male Turnout	Female Turnout	Gap
1962	59.31	46.68	12.63
1967	66.73	55.48	11.25
1971	60.90	49.12	11.78
1977	65.63	54.91	10.72
1980	62.16	51.22	10.94
1984	68.46	59.32	9.14
1989	66.13	57.32	8.81
1991	60.65	50.59	10.06
1996	62.06	53.41	8.65
1998	65.64	57.94	7.70
1999	63.96	55.64	8.32
2004	61.98	53.64	8.34
2009	60.24	55.82	4.42
2014	67.00	65.54	1.46
2019	66.89	66.79	0.10

Source: CSDS Data Unit

Table 1.2: National Elections 1996–2019, Turnout amongst Young Voters

Lok Sabha Elections	Turnout amongst all voters (%)	Turnout amongst young voters (18–25 yrs.) (%)
1996	58	54
1998	62	60
1999	60	57
2004	58	55
2009	58	54
2014	66	68

2019	67	66
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Source: CSDS Data Unit

**Table 1.3: Turnout among social communities: National Elections 1996–2019**

Social Communities	Lok Sabha 1996	Lok Sabha 1998	Lok Sabha 1999	Lok Sabha 2004	Lok Sabha 2009	Lok Sabha 2014	Lok Sabha 2019	Average
<i>All</i>	<i>57.9</i>	<i>62.1</i>	<i>60.0</i>	<i>58.1</i>	<i>58.4</i>	<i>66.4</i>	<i>67.4</i>	<i>61.9</i>
Dalits	62	67	63	60	59	67	69	64
Adivasi	56	62	52	61	60	72	74	62
OBC	60	61	59	58	59	69	70	62
Upper Caste	54	62	62	56	58	68	68	61
Muslims	56	65	67	46	59	59	60	59

CSDS Data Unit

Source: [National Election Study (NES) 96, (sample size 9613), National Election Study (NES) 98, (sample size 8133), National Election Study (NES) 99, (sample size 9418) National Elections Study (NES) 04, (sample size 27189), National Elections Study (NES) 09, (sample size 36642), National Elections Study (NES) 2014, (sample size 22303), National Elections Study (NES) 2019, (sample size 24237)]

Note: The turnout figures for the survey have been weighted by the actual turnout figures for all elections.

### Victories are more convincing/decisive

India has adopted a system of First Past the Post (FPTP) electoral system. All the elections, National, provincial and local bodies are held on the principles of FPTP system. Since there are large number of political parties that contest elections, votes usually gets divided between various parties and candidates and in a large number of cases the winner gets elected without a majority support. It is important to mention that in the entire history of Indian elections, none of the parties have ever managed to get more than 50% votes in the 17 National elections held so far, though there are cases of political parties winning elections in provinces with a majority of popular votes (more than 50% votes). Mostly the party or the candidate that manages to get roughly about 40% votes can be sure of its victory. Political parties have managed to win more than 400 Lok Sabha seats with less than 50 percent votes (the Congress during 1984 elections), and most recently, the BJP managed to win 272 seats with merely 31 percent votes (2014 Lok Sabha election) and 303 Lok Sabha seats with 37 percent votes (2019 Lok Sabha election). Even at the provincial level, there have been numerous occasions when political parties have managed to win a majority of seats with about 30 percent votes. This has been a major criticism of the Indian elections that candidates get elected without a majority support, and parties form the government without a majority of popular votes.

The last decade of Indian elections has indicated a big change as far as the nature of representation is concerned. Many political parties have managed to corner more than 50% of the popular votes with the elected government truly representing

the majority support of the people. The state of Delhi witnessed the last two governments of Aam Adami Party (AAP) (2015 and 2020) getting elected with more than the 50% of popular support. Not only are parties getting majority support at the provincial level but even large number of candidates are getting elected for the National Parliament with a majority of popular votes. During the 2019 Lok Sabha elections, of the 303 Lok Sabha seats which the ruling party, BJP won, its 224 candidates polled more than 50% of the popular votes. This is an indication of increasing voter decisiveness in Indian elections now compared to the past.

In our multi-party democracy, with first past the post electoral system, it is generally argued that a very large number of our representatives (MPs and MLAs) get elected with a small number of votes, and they hardly represent the will of the majority. There is a shared argument that our MPs and MLAs hardly get elected with a majority of votes. These arguments are put forward with the help of a few evidences, and at some places, without any evidence. The analysis of the electoral verdict at the constituency level for all the Lok Sabha constituencies for all the general elections suggests it is true that in a large number of constituencies, the winner gets elected with less than 50 percent votes, but the data also suggests, the situation is not as alarming as one tends to believe. There are large number of Lok Sabha constituencies, where winners have polled more than 50 percent votes. The analysis suggest that the number of winners winning elections with less than 50 percent votes was slightly higher during the decade 1989–2009 when India witnessed three decades of coalition government where power was shared by a large number of political parties. But the analysis of the data of the votes polled by the winner and the runner-up suggests, except for these three decades, the situation has not been that bad. Over the years, a sizeable number of MPs are getting elected to the Lok Sabha with more than 50 percent of the valid votes polled. The number of MPs getting elected to the Lok Sabha with more than 50 percent votes increased during the 2014 Lok Sabha elections and their numbers further went up during the 2019 Lok Sabha elections. This analysis, based on a large-scale data, helps in breaking the myth that in the Indian elections, large number of winners get elected to the Indian Parliament and state assemblies with a very small percentage of votes.

### Reasonable level of Satisfaction with Democracy, and efficacy of their vote

People show reasonable level of satisfaction with the way democracy is functioning in India. Various surveys have indicated that in varying degrees between 65–70% of Indian voters feel satisfied with the way democracy has been functioning in Indian during the last seven decades, though in recent years, sections of people have showed some concern about it. Despite having concerns about the proper functioning of democracy, Indians value their vote and have great faith in the power of their vote. Surveys conducted by Lokniti–CSDS has indicated that nearly 70% of Indians feel that their vote makes a difference and it is through their vote

they have the power to change the government.

**Table 2.1: Effect of Vote in the functioning of the country– National Elections 1999–2019**

	1999 Lok Sabha	2004 Lok Sabha	2009 Lok Sabha	2019 Lok Sabha
Vote has no effect	18	18	17	15
Vote has effect	63	68	60	70
No response	19	15	23	15

*Question asked:* Do you think your vote has effect on how things are run in this country or do you think your vote makes no difference?

**Table 2.2: Level of Satisfaction with the working of Democracy– 2013–2019**

Level of satisfaction with current state of Democracy	2013 SDSA	2019 SDSA
Very satisfied	8	16
Fairly satisfied	39	46
Not very satisfied	25	20
Not at all satisfied	10	6
Can't say	18	12

*Question asked:* On the whole, how satisfied or dissatisfied are you with the way democracy works in India. Are you satisfied or dissatisfied?

### But there are concerns as well

Numerous challenges impede the efforts of the election machinery. Lack of awareness among the electors, varying efficiency levels of the election staff, size of the electorate & remoteness, lack of technical back up support, frequency of revisions, attitude of indifference of the political parties and voters and the dynamic nature of the rolls are some of the challenges the election machinery at the district level has to face in the process of keeping the rolls up to date.

### Magnitude of the Population

One of the foremost challenges is the sheer magnitude of the electoral population in India. To maintain a database of millions is a herculean task. Every other activity done for the preparation of Electoral Roll or conduct of an election is in large scale. The number of officials and staff involved in an election or election related activities may sometimes be near to or more than the population of a small country. Such is the enormity of the task that even a mere thought of it sometimes makes it seem impossible.

### Lack of Communication facilities

The remoteness and lack of communication facilities pose another major challenge in the electoral roll management. The election officers are forced to sometimes work for very long distances to collect data of a few voters.

*The lack of technical support*

The lack of technical support in the form of equipment and manpower at remote districts is a huge impediment in the electoral roll management. There is no denying the fact that the computerisation of the electoral roll has immense benefits, but in districts where there is non-availability of hardware/software technicians to attend to faults in the system and in the absence of back-end support, the efforts to be taken to maintain the system are a daunting task.

*Voter's registration still remains a concern*

Voter registration may not be an issue in rural India, but there are serious issues of underrepresentation of voters among the migrant sections, especially the migrants belonging to the lower economic classes. Urban India, especially big metropolitan cities, also faces the problem of a large number of ghost voters due to frequent mobility of voters from one location to another within the city, or from one city to the other, due to various reasons, work and marriage being the most common ones.

*Concern about the Quality of elected representative*

There are also concerns about the quality of candidates who are contesting elections and political representatives who are getting elected to the national Parliament, the assemblies of various states and the elected representatives at the local level. A large number of elected representatives in India at all levels have a tainted background.

It is not that the money and muscle power have come into play in the elections in a big way only during the last couple of decades, as it has been there since some time, but it has become more visible and serious ever since it became mandatory on the part of contesting candidates to declare their asset and criminal record (if any) by way of submitting an affidavit along with their nomination papers. The data about declared record of criminal cases pending against the elected MPs, as declared by them at the time of filing their nomination papers, suggests more and more MPs are getting elected to the Indian Parliament with tainted background. Some of them may be facing cases of minor offences, but number of those facing charges of having committed serious and heinous crimes are increasing day-by-day. The situation is not any different if we look at similar records for the MLAs getting elected to the state assemblies of different states.

**Table 3.1: Contestant and their declared criminal record: National Elections 2004-2019**

Contestants	2004	2009	2014	2019
Without Criminal Cases	86	85	83	81
With Criminal Cases	14	15	17	19
Total number of contestants for which data have been analyzed	3642	7670	8207	7950

Note: All figures are in percent except for the figures for number of contestants

**Table 3.2: Winner and their declared criminal record: National Elections 2004–2019**

Winners	2004	2009	2014	2019
Without Criminal Cases	76	70	66	57
With Criminal Cases	24	30	34	43
Total number of contestants for which data have been analyzed	520	526	517	539

Note: All figures are in percent except for the figures for number of contestants

**Table 3.3: Contestants across Political Parties and their declared criminal record: National elections 2004–2019**

Contestants	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<i>With Criminal Cases</i>				
INC Contestant	16	27	28	39
BJP Contestant	20	27	33	40
<i>Without Criminal Cases</i>				
INC Contestant	84	73	72	61
BJP Contestant	80	72	67	60

Note: All figures are in percent except for the figures for number of contestants

**Table 3.4: Winners across Political Parties and their declared criminal record: National Elections 2004–2019**

Winners	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<i>With Criminal Cases</i>				
INC Winners	29	21	17	56
BJP Winners	29	39	35	38
<i>Without Criminal Cases</i>				
INC Winners	81	78	83	43
BJP Winners	81	61	65	61

Note: All figures are in percent except for the figures for number of contestants

**Table 3.5: Contestants across Political Parties and their declared criminal record: National elections 2004–2019**

Contestants	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<i>With Criminal Cases</i>				
Left Parties	26	26	36	49
Other Regional Parties	15	17	19	20
<i>Without Criminal Cases</i>				
Left Parties	74	74	63	51
Other Regional Parties	85	83	81	80

Note: All figures are in percent except for the figures for number of contestants

**Table 3.6: Winners across Political Parties and their declared criminal record: National Elections 2004–2019**

Winners	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
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<b><i>With Criminal Cases</i></b>				
Left Parties	16	13	63	40
Other Regional Parties	34	38	33	47
<b><i>Without Criminal Cases</i></b>				
Left Parties	84	86	36	60
Other Regional Parties	66	62	66	53

Note: All figures are in percent except for the figures for number of contestants

### Concern about Money Power in Indian Election

Concerns are also raised about the increasing role of money power in the Indian Elections. Elections have become an arena where there is power play of money and other resources. In spite of restrictions imposed by the ECI on how much money can be spent by a candidate in his/her election campaign, candidates go on spending as much as they can afford to spend. Further, even the government ends up incurring huge expenditure for successful conduct of these elections. Thus, there are serious concerns about the elections in Indian becoming very expensive over the years. The trend since 2004 Lok Sabha elections till the most recent 2019 Lok Sabha elections suggests an increasing role of the money power for winning elections.

**Table 3.7: Contestant and their declared assets: National elections 2004–2019**

Contestants	<b>2004 Lok Sabha</b>	<b>2009 Lok Sabha</b>	<b>2014 Lok Sabha</b>	<b>2019 Lok Sabha</b>
One Crore or more	11	15	27	29
Between 50 lacs ~ 1 Crore	10	9	11	11
Below 50 lacs	71	70	61	59
Total number of contestants for which data have been analyzed	3642	7670	8207	7950

Note: All figures are in percent except for the figures for number of contestants

**Table 3.8: Winners and their declared assets: National elections 2004–2019**

Winners	<b>2004 Lok Sabha</b>	<b>2009 Lok Sabha</b>	<b>2014 Lok Sabha</b>	<b>2019 Lok Sabha</b>
One Crore or more	30	57	82	86
Between 50 lacs ~ 1 Crore	22	16	11	6
Below 50 lacs	47	26	7	8
Total number of contestants for which data have been analyzed	520	526	517	539

Note: All figures are in percent except for the figures for number of contestants

**Table 3.9: Contestants across Political Parties and their declared assets: National Elections 2004–2019**

Contestants	<b>2004 Lok Sabha</b>	<b>2009 Lok Sabha</b>	<b>2014 Lok Sabha</b>	<b>2019 Lok Sabha</b>
<i>More than a Crore</i>				

Congress Contestant	37	64	78	82
BJP Contestant	23	41	71	81
<b><i>Below 1 Crore</i></b>				
Congress Contestant	62	35	22	18
BJP Contestant	76	57	28	19

Note: All figures are in percent except for the figures for number of contestants

**Table 3.10: Winners across Political Parties and their declared assets: National Elections 2004–2019**

Winners	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<b><i>More than a Crore</i></b>				
Congress Winner	47	70	81	84
BJP Winner	24	49	84	84
<b><i>Below 1 Crore</i></b>				
Congress Winner	52	30	19	16
BJP Winer	75	50	16	16

Note: All figures are in percent except for the figures for number of contestants

**Table 3.11: Contestants across Political Parties and their declared assets: National Elections 2004–2019**

Candidates	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<b><i>More than a Crore</i></b>				
Left Parties	7	4	13	28
Other Regional Parties	12	17	30	29
<b><i>Below 1 Crore</i></b>				
Left Parties	90	89	86	72
Other Regional Parties	82	78	69	70

Note: All figures are in percent except for the figures for number of contestants

**Table 3.12: Winners across Political Parties and their declared assets: National Elections 2004–2019**

Winners	2004 Lok Sabha	2009 Lok Sabha	2014 Lok Sabha	2019 Lok Sabha
<b><i>More than a Crore</i></b>				
Left Party Winner	2	5	46	20
Other Regional Parties Winner	28	54	81	88
<b><i>Below 1 Crore</i></b>				
Left Party Winner	98	95	54	60
Other Regional Party Winner	71	45	18	10

Note: All figures are in percent except for the figures for number of contestants



## Thematic Cluster 3.

### Transitional Justice: International Norms and Trends

Some may say that the truth has been told, reparations have been made, and the issue is now in the past. But in terms of transitional justice, there is still a long way to go. Restorative justice is far from complete, as the perpetrators of the genocide remain unpunished, and distortions of history are still prevalent.

We are embarking on a two-year journey towards an irreversible and complete resolution of the Gwangju Uprising. International norms will be reviewed to see how transitional justice processes have contributed to restorative justice in various countries and how they are currently implementing transitional justice. These findings will then be used to find ways to unpack the unfinished challenges in Gwangju.

This Session is co-organized by Asia Justice and Rights, a human rights organization that works internationally to implement transitional justice.

**Moderator** Kim Hunjoon (Korea University)

#### **Speakers**

1. Never Gave Up: Transitional Justice Effort for Sustainable Peace and Development in Aceh  
Oni Imeva (The Aceh Truth and Reconciliation Commission)
2. Transitional Justice and The May 18 Fact Finding  
Park Kyeongsup (The May 18 International Research Institute)
3. Statement on WLB and Its Strategy on TJ Works  
Moon Nay Li (The Women's League of Burma)



## Transitional Justice: Identification of International Norms and International Society Trends

Putri Kanesia  
Asia Justice and Rights (AJAR)

First of all, allow me to express my solidarity with the people of Gwangju, people in Myanmar, people in Palestine, people in Papua, and those who are suffering by facing human rights violations around the world.

It is my honor to represent my organization, Asia Justice and Rights (AJAR), to this remarkable annual Forum that aims to extend solidarity among CSOs worldwide. Since its establishment in 2012, Asia Justice and Rights (AJAR) has focused on countries involved in the transition from a context of mass human rights violations to democracy, where it strives to build cultures based on accountability, justice, and willingness to learn from the root causes of mass human rights violations to help prevent the recurrence of state-sanctioned human rights violations.

From 2020 until now, AJAR has had the opportunity to co-host the session at the Gwangju Democracy Forum. We started participating in the online sessions during the pandemic, and since last year, we have been truly happy to finally participate in the offline forum. This year, AJAR is proud to conduct a session with the May 18 Foundation on Thematic 3, Transitional Justice: Identification of International Norms and International Society Trends.

The theme in this session is very contextual to the current situation in Asia. Reflecting on how far transitional justice progress has been achieved in Asia is essential to determining whether it has been fully implemented as people expected.

### Reflection of Transitional Justice

Before we examine how transitional justice is being implemented, let us reflect on how the international community has discussed it in the past. Many countries in Asia have a history of mass human rights violations, with weak mechanisms for judicial accountability. During the transition period, both judicial and non-judicial mechanisms have been established to provide redress to victims and create or enhance opportunities for the transformation of political systems, conflict, and other conditions that may have been at the root of the violations.

As stated in the Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice in 2010, transitional justice can be determined as the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. Transitional justice may

include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting, and dismissals, or a combination thereof.<sup>27)</sup>

The framework for transitional justice has been established in International human rights law through some instruments and conventions, including the Universal Declaration of Human Rights, ICCPR, ICESCR, the Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Gross Human Rights Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, and others.

### The Development of Transitional Justice in Southeast Asia

It is true that the implementation of the four pillars of Transitional Justice does not have to be taken at the same time and should be sequenced according to the needs and opportunities in the context instead.<sup>28)</sup> In some contexts, the prosecution process of those responsible for the gross human rights violations often need more than a decade or even impossible to be implemented due to the power and influence of the perpetrators. Hence, establishing a Truth and Reconciliation Commission (TRC), which is viewed as less threatening to perpetrators, might be possible. During the 54th session of the UN Human Rights Council, the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli, published his report, which he emphasized that States must take the necessary measures to ensure the non-judicial truth-seeking process is independent and effective.<sup>29)</sup> Therefore, the non-judicial mechanism would not eliminate the States' obligation for addressing the gross human rights violations in the countries.

In the Southeast Asia, some countries have initiated support for the truth-seeking mechanism amid the lack of progress in the judicial mechanism. For instance, the Truth and Reconciliation Commission in Timor Leste (CAVR) was established in 2002 to investigate human rights violations that took place between 1975 – 1999, and released their final report entitled “Chega!” (Enough, Never Again) that documented a pattern of systematic abuse. Similarly, the Aceh Truth and Reconciliation Commission was established in Indonesia, in 2017, based on the peace agreement between the Indonesian Government and the Free Aceh Movement. The mandate of Aceh TRC was then regulated in Law Number 11 Year 2006 by Aceh's Government and Aceh Qanun Number 17 Year 2013 by the

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27) Report of the Secretary-General, 'The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies' (2004) UN Doc S/2004/616, para. 8.

28) Patrick Burgess, 'Twenty Lessons from Twenty Years of Transitional Justice in Asia' (AJAR, 2018), <<https://asia-ajar.org/resources/policy-papers/twenty-lessons-from-twenty-years-of-transitional-justice-in-asia/>>, accessed 5 May 2024

29) Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, 'International Legal Standards Underpinning the Pillars of Transitional Justice' (2023) UN Doc A/HRC/54/24, para. 28.

Aceh Truth and Reconciliation Commission. The establishment of the TRC is not only to investigate human rights violations and collect the victims' testimony or statements but also to ensure the victims of human rights violations have the right to access effective remedies as mentioned in principle 31 on the updated set of principles to combat impunity.<sup>30)</sup> Although the TRCs ended their mandate by providing valuable recommendations, unfortunately, they are often not implemented. The Chega! Report implementation, for instance, took more than a decade of continuous advocacy by civil society until the government finally followed up.<sup>31)</sup> The Aceh TRC launched the report on December 2023 after seven years of its establishment, and the report is significant as the only official report in Indonesia that acknowledges that crimes against humanity occurred in Aceh from 1976 to 2005. The finding report entitled "Peulara Damè: Merawat Perdamaian" (Nurturing Peace) provides a framework for acknowledgement and recommends steps for the strengthening of peace, and upholding of justice and reparations.

Some initiatives also have been taken by states in order to fulfill the victims' rights, as well as to acknowledge gross human rights violation cases. In Timor Leste, the Centro Nacional Chega!, or CNC, was established as an independent public institution and has mandate to encompasses memorialization, including research and documentation, promoting education based on Timor-Leste's history, external relations, including dissemination of CAVR's report, and promoting "survivor solidarity". Since 2017, the CNC has made efforts to educate young people about past human rights violations, including cooperate with the National Human Rights Institution, to develop a manual for teaching human rights, and past history, to the police and military.

In Indonesia, last year, President Joko Widodo admitted that the 12 incidents that occurred in the past amounted to gross human rights violations.<sup>32)</sup> However, the President has only expressed his regret instead of stating an official apology to the victims and their families. The President created the Non-Judicial Resolution of Past Gross Human Rights Violations (PPHAM) team to follow up to his commitment to restoring the victim's rights of past gross human rights violations.<sup>33)</sup>

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30) Principle 31 on the Update Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity underlines that victims and their families have the right to reparation and implies a duty of the State to conduct reparation for the victims as well as guarantee for the victims to seek redress from the perpetrators.

31) In December 2005, the President dissolved the CAVR and established the Post-CAVR Technical Secretariat ("STP-CAVR") which had a limited mandate, to publish and distribute copies of "Chega!", and maintain the CAVR's archive and premises.

32) The 12 cases are include the 1965/1966 massacre, the 1989 Talangsari massacre, he disappearances of pro-democracy activists in 1997-1998, the 1998 Rumoh Geudong case in Aceh, the May 1998 Riots, Trisakti Shooting Tragedy, Semanggi I and II Shooting Tragedy, the Banyuwangi Massacre in 1998-1999, the 1993 Simpang Kertas Kraft Aceh (KAA) incident in Aceh, Wasior and Wamena incident in 2001, Jambo Keupok Aceh incident in 2003, Munir's murder, and the Bloody Paniai case.

33) Office of Assistant to Deputy Cabinet Secretary for State Documents and Translation, 'Gov't Committed to Restore Rights of Victims of Human Rights Violations' (Cabinet Secretariat of the Republic Indonesia, 2023)

<<https://setkab.go.id/en/govt-committed-to-restore-rights-of-victims-of-human-rights-violations/>> accessed 5 May 2024

The team led by the coordinating minister for Political, Legal, and Security Affairs will oversee the Government's concrete actions to restore the victims' rights and prevent similar incidents from happening again in the future.<sup>34)</sup> However, this initiative was lack of victims' participation. For instance, the PPHAM team did not involve victims' families in a series of meetings to discuss human rights violations in Wamena, Papua. The team also pushed the victims to accept compensation and assistance without listen to the victims' families' demands.<sup>35)</sup>

### Challenges of Implementation in Transitional Justice

Despite some initiatives taken as an implementation of the transitional justice approach, the political situation in several countries, in particular during the elections in Southeast Asia, tends to increase the tension and bring transitional justice as what we expected was not implemented well. Interestingly, there are similar situations in the general elections in the countries where the electoral come-back of military men with links to past dictators.

In **Myanmar**, the National League for Democracy won the most seats and votes in the 2020 election. However, the military-back opposition has demanded a re-run of the election by accusing fraud or irregularities that occurred before the ballot, though the opposition offered little evidence. In February 2021, the military detained Aung San Suu Kyi and President Win Myint with numerous accusations and declared a military coup to end civilian rule in Myanmar. The military coup unleashed a reign of terror against pro-democracy activists throughout the country. Tens of thousands have been rounded up, tortured, and incarcerated. Thousands have died or disappeared in the crackdown. Many have been subjected to show trials. There appears to be no end in sight to the brutal repression. The military junta promised to conduct re-election, which, unfortunately never been implemented until three years after they seized power.

In **Philippines**, Marcos Jr and Sara Duterte won the presidential election in 2022. The election result carries implications for justice initiatives in the Philippines, in addressing recent human rights violations, as well as relating to the authoritarian past of the Marcos era.<sup>36)</sup> Ferdinand "Bongbong" Marcos Jr is a dictator's son, Ferdinand Marcos Sr who ruled for two decades, including a period of martial law, where he had absolute power, before he was ousted by a popular uprising in 1986, while Sara is the daughter of President incumbent, Rodrigo Duterte. As we know that under the Duterte administration, the "War on Drugs" policy has resulted around 12,000 people were become target of extrajudicial executions.<sup>37)</sup>

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34) Ibid.

35) Human Rights Monitor, 'PPHAM Holds Meeting Without Involving the Families of Victims of Past Gross Human Rights Violations' (Human Rights Monitor, 12 January 2024)

<<https://humanrightsmonitor.org/news/ppham-team-holds-another-meeting-in-wamena-without-involving-the-families-of-victims-of-past-gross-human-rights-violations/>> accessed 6 May 2024

36) Priya Pillai, 'Philippines: Justice and Accountability, Post Elections' (The Interpreter, 18 May 2022) <<https://www.lowyinstitute.org/the-interpreter/philippines-justice-accountability-post-elections>> accessed 7 May 2024

The International Criminal Court began the preliminary examination on the situation in the Philippines in 2018, followed by the claimed of Duterte to withdraw from the Rome Statute.

In **Thailand**, the 2023 General Election ushered in the victory of Move Forward Party, a youth-led reformist party. However, the parliament and the conservative lawmakers blocked the winning party from forming the government over its proposed reform of a law banning criticism of the country's monarchy.<sup>38)</sup>

In **Indonesia**, recent presidential election has left the nation at a crossroads with the victory of Prabowo Subianto, an ex-military general accused of human rights abuses and war crimes during the dark days of the Suharto regime. Prabowo's successful bid for the presidency, alongside the appointment of Gibran Rakabuming Raka, the incumbent president's son, as his vice president, signals a consolidation of power within elite circles and a perpetuation of dynastic-oligarchic politics. The controversy surrounding Gibran's candidacy, which was labeled as nepotism, underscores broader anxieties about political legitimacy and accountability. The political situation during the general election in Indonesia was even discussed at the UN Human Rights Committee (CCPR) meeting in Geneva in March 2024. One of the CCPR members questioned the Indonesian delegation regarding the current Indonesian President's alleged intervention in the 2024 presidential elections, which, unfortunately, was not answered by the Indonesian representatives. Despite legal challenges and allegations of electoral fraud, the Constitutional Court upheld Prabowo and Gibran's victory, solidifying their legal status as Indonesia's new leaders. However, the implications of their presidency extend beyond political maneuverings, posing significant challenges for human rights movements in the country. The fact that a figure associated with human rights abuses now holds the highest office is a devastating blow for victims of past violations. This reality not only strengthens impunity but also undermines the pursuit of justice and accountability.

### CSOs Initiatives

No rule of law reform, justice reconstruction, or transitional justice initiative imposed from the outside can hope to be successful or sustainable.<sup>39)</sup> In the absence of government responsibility, civil society actors, including community-based organizations and international agencies, play important roles in responding to victims' needs.<sup>40)</sup> However, the current trend of solidarity movement in East and Southeast Asia, where a new generation of pro-democracy protesters

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37) Ibid

38) News Agency, 'Party that Won Thai Elections Blocked from Forming Coalition Government' (Al Jazeera, 2 August 2023)

<<https://www.aljazeera.com/news/2023/8/2/party-that-won-thai-elections-blocked-from-forming-coalition-government>> accessed 6 May 2024

39) Report of the Secretary-General, 'The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies' (2004) UN Doc S/2004/616, para. 17

40) Patrick Burgess, (n 2)

combines street protests with online activism, can be an alternative approach to keep voicing their demands. For instance, the Milk Tea Alliance movement, an online solidarity movement, has become popular in social media and connects with activists and the young generation across the region to spread the ‘message’ and expand solidarity. This strategy has expanded the solidarity message in response to the various human rights situations in Thailand, Hong Kong, Taiwan, Myanmar, Indonesia, and many other countries, especially regarding freedom of expression. Of course, the ‘offline’ and traditional movement also must be maintained to gain support from the victim's community and other potential supporters who are not social media users.

From AJAR documentation, some initiatives have been taken by civil society as support to the implementation of the pillars in transitional justice, as below:

In **Indonesia**, several organizations in Indonesia, conducted the #BikeforMyanmar campaign to respond to the ASEAN Leaders Meeting in Jakarta that organized to respond the situation in the country two months after the military coup occurred in **Myanmar**. Around 70 participants joined this campaign with posters and stickers as tools of the campaign. More than 100 participants joined #BikeforMyanmar with different routes in this second campaign because the police closed most of the main roads to the ASEAN Secretariat Office, where the ASEAN Leaders Meeting was located. The participants come from various backgrounds, such as activists, public interest lawyers, students, academicians, labor unions, journalists, artists, religious organizations, etc.

For the past abuses case, the Aceh TRC has actively involved civil society in conducting statement-taking which then being used to collect the findings as mentioned in the Aceh TRC report. The civil society and victims’ community also initiated the establishment of some sites of memorialization in the area where the past gross human rights violations occurred. This memorialization aims not only to remembrance of their family who has become victims of human rights violations but also can be a public awareness and lessons learned.

In **Myanmar**, the civil disobedience movement (CDM) as an ongoing civil resistance movement has evolved from the early days of the Spring Revolution when the Myanmar military attempted a coup d’état on 1 February 2021 and is one of the key reasons why the coup has failed.<sup>41)</sup> The CDM contained a group of students, activists, and civil society from various backgrounds, including medical, education, civil servants, labor, and other groups. Although in their movement, the CDM often being the target of violations by the junta as well as faced a lack of regular support, with the support from the National Unity Government (NUG) and the Committee Representing Pyidaungsu Hluttaw (CRPH), this movement can continue their resistance to build a new Myanmar.<sup>42)</sup> The CDM successfully gained

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41) Progressive Voice, ‘Civil Disobedience Movement: A Foundation of Myanmar’s Spring Revolution and Force Behind Military’s Failed Coup’ (Progressive Voice, 2023)

<[https://progressivevoicemyanmar.org/wp-content/uploads/2023/05/English\\_CDM\\_Report\\_Final\\_25-May-2023.pdf](https://progressivevoicemyanmar.org/wp-content/uploads/2023/05/English_CDM_Report_Final_25-May-2023.pdf)> accessed 6 May 2024



support and solidarity from many students and youth movements in the region and across the world, including Milk Tea Alliance, who actively participated in an online campaign to criticize the Myanmar military coup and the arrest of the CDM members by the military junta.

In **Timor Leste**, to implement their work, CAVR cooperated with civil society, including Fokupers, which used its specialist expertise to interview hundreds of women victims of sexual violations for the CAVR report. Some civil society in Timor Leste, including AJAR and Asosiasaun Chega! ba ita (ACbit) which working to support women victims' groups, to raise public awareness about the importance of learning from the past and to advocate for the protection of human rights. Civil society also actively provides technical assistance to the National Victims' Association as well as government institution such as Ombudsman for Human Rights (PDHJ) and Centro Nacional Chega! (CNC) as well as cooperate with universities to ensure that human rights education becomes a part of their curricula while seeking alternative ways promote these principles for the younger generation such as the edutainment drama series "Waves of Justice."

In **Thailand**, a long CSO-led campaign to enact a new anti-torture law, Prevention and Suppression of Torture and Enforced Disappearance B.E. 2565 (2022), was enacted in February 2023. The law will have a significant national impact and include some truth and reparations elements. Furthermore, despite this national setback, there has been a shift in the Deep South. In October 2023, a Parliamentary extraordinary committee of peacebuilding of Southern Thailand was established with several representatives from civil society organizations. Some of the civil society voices include Anchana Heemina, of Duay Jai and an expert in the Transitional Justice Asia Network (TJAN) as well as Ms. Ayub Jena, a CSO member CAP, and Romadon Panjor, an MP from the Move Forward Party and an expert in Transitional Justice Asian Network (TJAN). This is the first time the conflict in Southern Thailand has become a priority on the national agenda. The Prachachat party proposed this with support from the Poomjaitai party and the Move Forward party, as all three parties have representatives from Pattani, Yala and Narathivath in the parliament. The parliamentary system has gained the trust of locals, and it has become one of the tools that facilitate the peace process.

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I want to conclude my presentation by stating that to implement the transitional justice, it needs the support and involvement of civil society and victims' community.

Civil society and the victims' community will always find new challenges, particularly when human rights have entered a new and uncertain phase, often influenced by the political situation in the countries or regions. As the nation

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42) Ibid, 19.

navigates this precarious political landscape, the need for unwavering dedication to human rights principles has never been more critical, ensuring that the voices of victims are heard and their rights upheld in the face of adversity. Therefore, extending solidarity and support to protect civil society and victims' communities must be a priority. Lastly, those sharing lessons from civil society, like what we are doing now during the Gwangju Democracy Forum, hopefully, can influence and boost our spirit to keep fighting for human rights.

## Never Gave Up: Transitional Justice Effort for Sustainable Peace and Development in Aceh

Oni Imeva

The Aceh Truth and Reconciliation Commission

### Introduction

As introduction I would like to give you short explanation about the Aceh TRC establishment process and the mandates as a legal instrument and work in transitional justice frame work, as an 'alternative mechanism' for resolving human rights violation non-judicially aside from the human right court.

After three decades, since 1976, facing internal arm conflict between Indonesia Government and the Free Aceh Movement (GAM), and tsunami earthquake devastated Aceh on 26 December 2004 killed more than 150 thousand people in the province, both parties reconsidered for ending the conflict that it is impossible for the reconstruction and rehabilitation will proceed smoothly if there is no peace in Aceh.

The length of the armed conflict in Aceh, not only has an impact on economic growth and the welfare of the Acehnese people. The conflict also brought casualties, trauma, insecurity and deep wounds in Acehnese society. The victims are generally civilians who are not directly related to the conflict. Civilians are the targets of every effort of resistance, suppression, subjugation and control in an area. Based on a historical experience, the situation in Aceh is different from other provinces in Indonesia.

Which was facilitated by the Crisis Management Initiative, the negotiations between GAM and the Indonesian government were held in Helsinki Finland, which was chaired by former president of Finland Martti Artisaari. Both Indonesia Government and GAM agreed to establish a peaceful, comprehensive, sustainable and dignified solution for the past Aceh conflict. Signed on 15 August 2005, the agreement became known as the Helsinki MoU. The Beginning of the Peaceful Period in Aceh.

### Main point of MoU

The MoU consists of details agreement and principles, that would guide the process of transformations which concerns human rights. Point #2 of the MoU stressed on at least three main points:

1. The Government of Indonesia would obey the United Nation's International Covenant of Civil Rights, and of economic, social and culture rights;
2. A Human Rights Court would be established for Aceh
3. The National Truth and Reconciliation Commission would establish a Truth and

Reconciliation Commission in Aceh to formulate and determine reconciliation efforts

### Carry out the agreement

In the same year, on October 28th, in line with Indonesia's national agenda of human rights, and to follow up the Helsinki MoU, Indonesia ratified two main human rights covenants. The covenants were the International Covenant on Economic, Social and Cultural Rights authorized through Law No. 11/2005, and the International Covenant on Civil and Political Rights, through Law No. 12/2005.

On August 1st, 2006 the Government of Indonesia had issued a special law on the Governing of Aceh (LoGA) through Law No. 11/2006 to carry out the mandate of the first point from the Helsinki MoU about the Government of Aceh. Referring to MoU, there are two main agendas concerning the human rights. The first is the forming of the human rights court for Aceh, and the second is the establishment of the Aceh TRC as a step toward a full disclosure of human rights violations and reconciliation in Aceh. Both mechanisms couldn't be separated from the scheme of transitional justice and handling of the past violence, which in itself is a vital instrument in a conflict resolution. These mechanisms have been stipulated also in the Aceh Government's Law No. 11/2006.

### CSOs Initiatives

The establishment of the Aceh TRC could not be separated from the initiative of victim's group and both local Aceh, national civil society organizations, to manifest Government's obligation for remedy the victim's right of past conflict and gross human right violations in Aceh. A year after the UUPA was issued, on July 2007 around 200 people consisting of victims and civil society staged a peaceful demonstration in the courtyard of Aceh parliament building demanding the immediate establishment of a Human Rights Court for Aceh and Aceh TRC. CSOs had accompanied the process of producing the Qanun (local by-law) No. 17/2013 to establish the Aceh TRC as well.

The toughest challenge faced by CSOs at that time came from most of the politicians, bureaucrats and international society. They only focused on the efforts to establish peace in Aceh, and but they "forgot" to address human rights violations issues. There are still many victim's stories to be rewritten and told to the public as oral history, and to fulfill victim's rights to the truth, justice and reparation as obligation both the Government of Aceh and the Government of Indonesia.

## Permanently TRC

Finally, On 31 December 2013 the Government of Aceh issued the local law or Qanun No.17/2013 about establishment of the Aceh TRC. But it could not carry out immediately. Aceh TRC need more than seven years to be established. Both national and local Aceh civil society organizations worked hard to encourage it. After a long process, on October 24th, 2016, the commissioners of Aceh TRC for the 1st period (2016 – 2021) was officially inaugurated by the Governor of Aceh in plenary session of Aceh parliament. And the second period/our period was officially inaugurated on February 4th, 2022.

## The Mandates

The Aceh TRC establishment has the objectives to ensure the full disclosure of truth behind the past human rights violations committed in Aceh, strive reconciliation, provide recommendations for effective remedies to the victims, and other measures necessary to serve justice for the victims.

Therefore based on purpose, the Aceh TRC has 3 mandates:

- a. Strengthen peace through truth revealing about past gross human rights violations
- b. Help in establishing reconciliation between the perpetrator of the human rights violations both individual and institutional with the victims; and
- c. Recommend a comprehensive reparations for the victims of violations of human rights that meet the universal standard of victim's rights

## Efforts for The Truth

In effort to disclosure the truth, KKR Aceh uses three mechanisms.

The first is statement taking. It can use closed or opened method. For the closed method, we directly visit the victims or witnesses to their home or other place where they feel comfort to tell the story. Vice versa, we held the public hearing so the public could know the event of violations also the impact faced by victims, and the victim's hopes for justice from government. For the first five years or the first period of commissioner, the Aceh TRC Aceh already carried out statements taking of 5195 victims and witnesses from 17 Regencies/Cities around Aceh. We had also held three Public Hearings in two regencies where witnesses and victims told their stories in front of government representatives, members of civil societies, foreign bodies and also press media. The Public Hearing had disclosure many kinds of past human rights violation in Aceh including forced disappearance, torture and general themes of violations.

In our period, we are on process for taking statement from 1200 victims or survivors.

The second is investigation, which is aimed to deeply analysing about the special cases that we found in statement taking process. And the third is, collecting information and document from many sides in order to strengthen our analysis about past human rights violations and for making policy or recommendation.

The third is collecting document and information from societies, various parties, government or non-government agencies, who had been involved in the conflict period and resolution process. So far, CSOs are the ones who submit more related documents than government agencies.

As regulated in Qanun, the Aceh TRC is obligated to report findings regarding past human rights violations in Aceh, based on evidence and facts that have been collected, including analysis of causal factors and background events, political and economic motivations, actions and actors both state and non-state institutions and their impacts. The truth findings report, Peulara Damee, had been prepared since 2021 and launched in the plenary session of the Aceh People's Representative Council (DPR Aceh) in 2023. The chapter on the findings report will be presented on the next few slides.

### **Recommend Reparation**

Regarding recommendations on reparations of the victims' rights, we had recommended 245 victims to get urgent reparation from Aceh Government in 2019. It was followed up by a Decree of Aceh Governor No. 330/1269/2020. And this decree had undertaken by the Aceh Reintegration Board (BRA) as budget executing agency. The urgent reparation for 235 victims had been distributed in 2022. It took two years to be realized.

By the end of first commissioner period, Aceh TRC already recommended 5195 victims/survivors to get comprehensive reparation from Aceh Government. In the Aceh TRC's Finding Report, Peulara Damee, confirmed the same matter in the chapter of institutional recommendations.

### **Memorialization**

We had also built memorial monuments in four regencies in Aceh, Pidie Jaya, Aceh Jaya, Bireuen, and Nagan Raya. And hopefully we can build as well a human rights museum in this our period and more memorial place around Aceh. We have plan to build memorial monument in East Aceh, for Idi Cut Tragedy. We already coordinated with the local government and an energy company (MedcoEnergy) who have plant in that area to take advantage from their corporate social responsibility program. The commemoration of 18 May also can be a lesson learned for the Aceh TRC to advocate the government to do the same as well as cultural habit for remembering the major human rights violations that have occurred in Aceh and respecting the dignity of victims.

## Reconciliation

The Aceh TRC has mandate reconciliation to build sustainable peace in Aceh. In order to implement the mandate, The Aceh TRC already held a discussion in December 2020 with ulama' in Aceh, the theme 'Reconciliation from an Islamic Perspective' which has objectives can find additional rationale for implementing reconciliation towards resolving past conflicts regarding non-judicial resolution based on Islamic law. In addition, the commission also approached the analysis of opportunities for reconciliation from the victims' statements that had been collected.

### the Aceh TRC Findings Report, Peulara Damee

The Aceh TRC Findings Report was prepared based on an analysis of 4,675 witness and victim statements out of a total of 5,195 statements. In the report, it was found that there were four forms of violence perpetrated throughout the armed conflict including murder, torture, sexual violence, and forced disappearances. The findings are as follows:

During the conflict period (4 December 1976 – 15 August 2005 in accordance with the mandate of Qanun No. 17 of 2013), systematic human rights violations were discovered on a massive scale and were widespread against civil society. From the thousands of testimonies collected by the Aceh TRC, it can be concluded that the human rights violations that occurred reached the threshold set by international human rights law regarding crimes against humanity and war crimes. The Commission also found that the moral, institutional and individual responsibility of the parties involved in the armed conflict had committed unlawful killings, enforced disappearances, torture and sexual violence during the conflict period, with almost total impunity.

During the conflict period (4 December 1976– 15 August 2005) there were several cases of violations by the parties who had violated their obligations to protect civil society under General Article 3, Geneva Convention and Additional Protocol II 1977. This article prohibits actions against civil society (civilians) and combatants who have surrendered weapons including murder, violence, torture, cruel treatment or punishment, and acts that are humane and/or degrading to human dignity.

International corporations/companies have been involved in, and have responsibility for, war crimes and crimes against humanity that occurred in Aceh.

## Recommendation

This report also contains recommendations for future human rights protection such as law, political, and administrative reforms. Furthermore, it details recommendations for reconciliation based on local wisdom, recommendations on reparations and recommendations for legal action against perpetrators of human

rights violations. There are further recommendations provided by the recommendation on Other Actions in the form of human rights culture and learning, individual and collective trauma recovery, dissemination of reports on Aceh TRC findings in Indonesia and the international community, Aceh TRC archives and the human rights museum. This report and above recommendations were submitted to the Governor, Aceh DPR, Central Government and the public for appropriate follow-up.

Finally, the Truth and Reconciliation Commission expressed its sincere gratitude and utmost respect to the victims of violence and human rights violations who have entrusted the voice of truth and provided information on the incidents of human rights violations they have experienced to the Aceh TRC. The experiences and aspirations of the victims become the moral foundation for building an Aceh that is peaceful, harmonious, socially cohesive, and sustainable. We hope that this report can lead as an example of how a nation can with courage, honesty, and with integrity restore the honour and dignity of victims. It sets a precedent on how institutions can stand shoulder to shoulder with victims to face the truth of a shared dark past and to walk towards a better future.

### **Networking and Partnership**

Since its established, the Aceh TRC has built networking and partnership with various institutions at the local, national and even international levels. It brought a positive impact on the work of the Aceh TRC in the first period and current as well. Starting from socialization and institutional strengthening, the preparation of academic texts, institutional rules, truth disclosure, witness/victim protection, and also budget supporting. Supported by AJAR, the Aceh TRC can be connected to Transitional Justice Asia Network (TJAN) which member policymakers, academics, civil society and survivors from Indonesia, Philippines, Sri Lanka, Thailand, Myanmar, Timor-Leste and South Korea.

In order to resolve the past human rights violation, at the national level, the Aceh TRC has also collaborated with National Commission on Human Right (Komnas HAM) as judicially instrument, Witness and Victim Protection Body(LPSK) as legal agency to provide services on the right of reparation for witness and victim of human rights violation, and National Commission on Violence Against Women (Komnas Perempuan). In transitional justice framework the Aceh TRC and Komnas HAM can work using complementary approach to each other. The Aceh TRC work in non-judicially process, cannot declare the cases encountered as serious violations of human rights. However, allegations of serious human rights violations can be submitted to Komnas HAM for further action. There are five cases of past gross human rights violation in Aceh handled by Komnas HAM, namely the Rumoh Geudong case in Pidie, the Jambo Kepok case in South Aceh, the Simpang KKA case in North Aceh, the Bumi Flora case in East Aceh and cases of alleged forced disappearances of people in Bener Meriah and Central Aceh.



Some victims from Rumoh Geudong and Simpang KKA had been taken their statements by the Aceh TRC. Some of them have not been examined by Komnas HAM. But they need to be remedied immediately as an obligation of state. LPSK granted the protection for witness and victim throughout statement taking process by the Aceh TRC. Komnas Perempuan also supported the Aceh TRC by training and knowledge, develop a special statement-taking tool for women victims of sexual violence.

### Responses for Transitional Justice in Aceh

State reconciliation for victims of gross violations of human rights

Jokowi government's initiative for non-judicial resolution past gross human rights violation in Indonesia by forming PPHAM team through the issuance of Presidential Decree number 17/2022, reap pros and cons. This initiative followed previous actions in which Mr. President acknowledged 12 cases of past gross human rights violations committed by the state in Indonesia. This action can provide closure for victims when the judicial process become ineffective. In the other hand, the initiation of the PPHAM team was only beneficial to the interest of the State and did not completely address the preferences of the victims on accountability and truth. The government ignored the absence of the TRC as non-judicial mechanism in transitional justice scheme.

Further more, the PPHAM team worked based on data recommendation of Komnas HAM. And the scope of disclosure and analysis of the GHRV cases included the following elements, according to Article 10 paragraph (1) of Presidential Decree 17/2022: (a) background, (b) causation, (c) triggering factors, (d) identification of victim, and (e) influences caused. It was subsequently able to slightly expand the outputs of Komnas HAM. And reparation recommendation for victims and their families were exhibited as follows: (a) physical rehabilitation; (b) social assistance; (c) health insurance, (d) scholarship, and € other relevant social assistance.

Three of all cases was occurred in Aceh, as follows Rumoh Geudong, Simpang KKA, and Jambo Keupok. Whereas Aceh already has the Aceh TRC as a legal instrument that works non-judicially and has a mandate to reveal the truth, to recommend reparations and to facilitate reconciliation. But the Presidential Decree did not mention the Aceh TRC to follow the process. In several occasions, the PPHAM team invited the Aceh TRC to coordinate regarding data related to these 3 cases. And until now the Aceh TRC does not know the follow-up to this data. And PPHAM team has been disbanded. The Government of Indonesia have not seen the existence of the Aceh TRC as an institution established by the state and an alternative mechanism for resolving past human rights violations in Aceh.

Some of the victims have already benefited from this policy. But some others still do not get their rights at all. So the uncertainty of justice comes back to haunt the victim.

## Global attention to impunity and accountability for past human rights violations in Aceh

Global attention for implementation of the International Covenant on Civil and Political Rights (ICCPR) in Indonesia especially for resolving past gross human rights violation in Aceh was also shown by the Human Right Committee in responding to the the government of Indonesia's (GoI) report.

GoI is committed to fulfill its obligations as the State Party to the Committee and submits its response to the List of issues prior to reporting. GoI has implemented various recommendations of the Committee submitted during the discussion of the initial and the first report of Indonesia as well as other provisions set forth in the covenant, as part of the efforts in improving the human rights situation on the ground as well as in addressing compelling challenges faced.

Concluding Observation on the second periodic report of Indonesia, Committee notes 5,195 victims identified by the Aceh Truth and Reconciliation Commission in 2023 have yet to receive effective remedies. And Committee recommend GoI as the state party should as matter of urgency, strengthen its efforts to end impunity, ensure accountability for past human rights violations including by affording full reparations to all victims of human rights violation, as well as their families, including 5,195 victims identified by the Aceh TRC.

### Next Effort to fulfill the rights of Victim's Remedies

As long as the state does not fully view transitional justice as a form of state responsibility to resolve past human rights violations, the fate of victims will continue to be uncertain. This is dilemma of because every country, whether in conflict or post-conflict, also has sustainable development goals. Where the victims of past human rights violations are also the state's responsibility in the context of being its citizens. The state's ability to fulfill the rights of its citizens as well as victims of past human rights violations is simultaneously a very heavy burden on the state.

The working group on Transitional Justice and SDG16+ promote transitional justice as an integral element of the 2030 Agenda on Sustainable Development. It generally recognized by the international policy community that transitional justice represents an important element of sustainable peace and development agendas. Legacies of serious and massive HRV create specific challenges for societies in preventing the recurrence or onset of violent conflict and on improving people's lives and well being. The 2030 Agenda for Sustainable Development establishes a broad framework for understanding where transitional justice can contribute to development, including SDG16 on peaceful, just, and inclusive societies, SDG 5 on gender equality, SDG 10 on equality, and SDG 17 on partnerships.

Greater integration of transitional justice and sustainable development should include, where appropriate, the establishment of specific links in practice and

policy. Reparation at the individual and collective level, for example, can provide basic social services to victims and affected communities. Some countries like Peru, reparations went beyond financial payments to include measures to improve indigenous women's access to justice, better education, and medical care. Chile's comprehensive reparations program included a specialized health care system, educational scholarship, and pensions to prevent victims from falling into poverty over time. In Guatemala's Sepur Zarco case, reparations combined monetary compensation and restitution with wider social measures such as health care and education in response to demands identified by survivors of SGBV themselves.

In the Aceh context, the government has not specifically integrated reparations into its sustainable development program plans. Currently, what the TRC is doing, apart from recommending the right to reparation for victims to the government, is also helping the government to make policies regarding the implementation of reparations itself. So that it can serve as a guide in the implementation of reparations later by the appointed government work unit.

## Transitional Justice and Truth-Seeking of May 18

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*The Special Act on Investigating the Truth of the May 18 Democratization Movement (hereinafter, “Truth-Seeking Act”)* was established ‘to ascertain distorted or covered-up truths by investigating human rights abuses, violence, massacre, secret burials, etc. caused by anti-democratic or anti-humane acts committed by state power at the time in relation to the May 18 Democratization Movement in 1980, thereby contributing to the unity of the people,’ (Article 1 of the Truth-Seeking Act). It was passed by the National Assembly on February 28, 2018. Following this, the Commission to Investigate the Truth of the May 18 Democratization Movement (hereinafter, “Commission”) was inaugurated on December 27, 2019, based on the Truth-Seeking Act, and having extended its operational period once, the Commission wrapped up its investigation by December 26 2023, and plans to deliver a comprehensive report to both the Government and the National Assembly in June 2024.

It took nearly four decades post the May 18 Democratization Movement in 1980 to initiate a national investigation commission, and despite over four years of investigation, unresolved truths remain. Controversy has stirred regarding the findings and conclusions of the reports on 17 investigative tasks, which have been released from February 29, 2024. This statement seeks to review the truth-seeking activities for the May 18 Democratization Movement and the individual reports of the Commission through the lens of transitional justice, while considering future tasks.

### 1. May 18 and Transitional Justice

Since the 1980s, activities of truth commissions and scholarly debate on transitional justice have been vibrant internationally, and leveraging these discussions, in 2004, the United Nations defined transitional justice comprehensively as “encompassing all processes and mechanisms related to a society’s efforts to reconcile with the legacy of extensive past injustices (conflict, repression, violations and abuses) to ensure accountability, achieve justice and foster reconciliation.” The UN identified four main aspects of transitional justice: the promotion of truth, criminal justice (prosecution initiatives), reparation and guarantees of non-recurrence. In South Korea, the “Five Principles for Resolving the May Issues” had been established before the notion of transitional justice was introduced. The Roh Tae-woo administration, which had come into power following democratization in 1987, proposed a reconciliation-based healing approach for Gwangju. From 1988 to 1993, this governmental strategy prompted extensive debates on addressing the issues among social movements and May-related organizations in Gwangju, setting the “Five Principles for Resolving the May Issues.” These principles, agreed upon

during that period, included: (1) truth-seeking; (2) bringing to justice those responsible; (3) restoration of honor; (4) reparation; and (5) commemorative projects. Although the terms differ, the Five Principles established by the Gwangju community closely align with the UN's framework for transitional justice. Specifically, the truth-seeking activities are closely connected with the restoration of honor, and commemorative projects serve as crucial measures for non-recurrence.

While transitional justice and the Five Principles share similarities, their contexts and implications are notably different. It is difficult to assert that the May 18, the truth-seeking activities and related tasks are currently underway, aligns seamlessly with transitional justice, which focuses on redressing past injuries from a certain aspect. The May 18 Democratization Movement extends beyond the usual scope of transitional justice, which often centers on numerous state-perpetrated human rights violations in the past, to include resistance and active struggle. Importantly, May 18 is not just an issue of the past to be addressed post-democracy transition; it is integral to the transition itself from authoritarianism to democracy and a part of a broader social movement. However, since May 18 emphasizes principles such as truth-seeking, legal accountability, reparation, compensation and commemoration following the movement, it inherently encompasses key elements of transitional justice. Therefore, delving into May 18 from the perspective of transitional justice means analyzing part of the movement and the following continuous May movement and linking May 18 to universally recognized terms to seek a broader understanding. As a sustained effort in achieving justice, May 18, as a social movement, has the potential to provide guidance beyond the confines of transitional justice, shedding light on the prospects of transitional justice and the practical aspects of justice adapting to the structural and practical realities of individual societies.

In South Korea, transitional justice has taken shape through legal and institutional responses to historical grievances. Efforts to address civilian casualties from human rights violations and state violence during periods such as the colonial era, the Korean War and authoritarian regimes have typically involved setting up government-led "committees" via special acts passed by the National Assembly. The enactment of these special laws owes much to the persistent efforts of victims and civil society. Nevertheless, this legislative process has nearly always unfolded amid political 'collusion' and 'compromise,' leading to a standardized, government-led approach to addressing past wrongs (Youngjae Yi 2015: 123). These political compromises revealed the limitations of laws aimed at rectifying historical injustices, also affecting the May 18 Truth-Seeking Act. These limitations are evident in the composition of the Plenary Committee, the critical decision-making body of the Commission. According to Article 7 of the May 18 Truth-Seeking Act, nine persons of the Commission should "consist of one person recommended by the Speaker of the National Assembly; four persons recommended by the negotiation body of a political party to which the President belongs or belonged; and four persons recommended by other negotiation bodies and non-negotiation bodies; but the standing members, among such persons, shall

consist of one person recommended by the Speaker of the National Assembly; one person recommended by the negotiation body of a political party to which the President belongs or belonged; and one person recommended by any other negotiation body and non-negotiation body.” In practice, during the review process of the individual reports by the Plenary Committee, ideological differences between members nominated by the ruling and opposition parties led to six of 17 reports being deemed “unable to clarify the truth.”

Victims and the bereaved families of those lost during May 18 continued to keep the memory of May 18 alive and resisted the ruling power’s enforcement of forgetfulness or falsehood, even under the oppressive conditions of the early 1980s. The social movement sector also pushed for a comprehensive truth of May 18. The May Movement, a kind of grassroots struggle to remember that challenged the official narrative established by the authorities, gradually transitioned toward legalization and institutionalization after the June Struggle of 1987 and the “June 29 Declaration.” In this context, the “Five Principles for Resolving the May Issues” were established, setting “truth-seeking, bringing to justice those responsible, restoration of honor, reparation and commemorative projects” as goals as well as tasks. The Five Principles were partially realized with the passing of the *Special Act on May 18 Democratization Movement, etc. (hereinafter, “May 18 Special Act”)* in December 1995. However, the legalization and institutionalization of May 18 limited the influence of social movement forces, who sought to rectify past wrongs through new state power structures, on matters related to May 18. Nonetheless, thanks to the May 18 Special Act, former presidents Chun Doo-hwan and Roh Tae-woo, identified as perpetrators of the state violence in May 1980, faced prosecution for insurrection, sedition and murder related to insurrection. Although “clearing of past wrongs,” mainly done by the prosecution of these leaders, was widely seen as achieved, Un Jong Park and In Sup Han (1995) made a distinction between legal and historical responsibilities for May 18, indicating that other responsibilities still remained.

Keun-Sik Jung interprets May 18 as an interplay between civic calls for justice and the state’s responses to these demands. The Movement evolved through phases of compensation in 1990, punishment in 1995 and truth in 2018, including both legal and social struggles for recognition. This evolution is typically summarized by the paradigm of addressing past wrongs based on a clear concept of truth held by activists until 1997, and by the transitional justice paradigm as the social construction of truth that counters slander and distortion after 2005. (Keun-Sik Jung 2020: 37).

Although the Five Principles did not establish a procedural priority, ongoing conflicts have persisted among groups that embrace these principles at the institutional level over the sequence of their implementation—that is, between those who argue that other principles are irrelevant without first seeking the truth and punishing the responsible parties, and those who reject such prioritization (Jung-Gie Choi 2006: 7). These differences in stance have led to divergent views

on reconciliation and forgiveness and conflicts since the inception of the Commission. These divisions are fundamentally categorized into those who demand truth-seeking and punishment as preconditions for forgiveness and reconciliation, and those who advocate for unconditional forgiveness and reconciliation without punitive measures.

Despite continuous calls for truth-seeking and the punishment of those responsible into the mid-1990s, the political momentum for these demands had already weakened with the implementation of compensations for May 18. Moreover, in 1995, the arrest and subsequent final sentencing of former presidents Chun Doo-hwan and Roh Tae-woo, identified as key figures responsible, rapidly reduced the vigor of the movement advocating for truth-seeking and accountability. Although few, at least among those who experienced May 18, regarded their arrest and legal punishment as “punishment commensurate with the crime,” judicial proceedings were carried out, and the principle of punishing the responsible parties, one of the Five Principles, was seen as completed, having only met the formal requirements like other similar cases. This context changed with the enactment and implementation of *the Special Act on Investigating the Truth of the May 18 Democratization Movement* in 2019, driven by the need for national-level truth-seeking and to address ongoing distortions and slander about May 18, under the Moon Jae-in administration.

The Five Principles tied to May 18 constitute a significant example of transitional justice and present the potential to introduce a new paradigm, though they are not without limitations and weaknesses. Keun-Sik Jung points out three weaknesses of the Gwangju model of transitional justice. Firstly, the concept and scope of truth presumed by this model are vague, and while truth-seeking is a prerequisite for following principles such as punishment or reparation, it has become evident that this first principle is reshaped by those that follow. Secondly, while the second principle, the punishment of those responsible, was implemented, its impact on social integration was minimal because it involved pardoning those responsible for state violence without their genuine apology. This prevented victims from forgiving their perpetrators, leading to further denial and distortion of the truth, which in turn sparked a renewed legal response. Thirdly, another issue with the punishment of those responsible is that it is sometimes not conclusively resolved within a standalone national framework. The state violence of 1980 was tolerated by the United States, making it evident that there is no institutional mechanism available to hold it accountable (Keun-Sik Jung 2020: 38).

## 2. Five Principles for Resolving the May Issues and May 18 Truth-Seeking

The closing of the activities of the Commission and the adoption of its comprehensive report do not mark the end of discussions and debates; they require further actions, such as discussions on constitutional amendments to embed the values and significance of May 18 in the preamble of the Constitution. As Keun-Sik Jung stated, “it is based on the first principle of truth and

simultaneously gains universality when all five principles are met,” the achievement of universality for May 18 is attained by realizing the principle of truth-seeking. This section will examine the interim progress and challenges for the Five Principles from the perspective of transitional justice, with a focus on truth-seeking, accountability, honor, reparation and compensation and reconciliation.

### 1) Truth-Seeking and Punishment of Those Responsible

In transitional justice, truth-seeking and criminal prosecution are closely linked. In the truth model of South Africa, exemption from criminal prosecution was regarded as a means to seek truth. However, in the context of May 18, half-baked criminal prosecution and amnesty have occurred early, while national-level truth-seeking has delayed. Even though the Commission concentrates on identifying the violence committed by the offenders and the harm inflicted on the victims, it is important to recognize that the truth of May 18 goes beyond the mere facts of aggression and victimization. It includes not only the suffering caused by state violence but also the resistance and victories of the citizens. The existing research on the nature of the violence during May 18 and the investigative findings of the Commission should be integrated organically.

The massacres committed by those who incited insurrection and sedition during May 18, mobilizing the military, are generally classified as state violence. Portions of the state violence associated with May 18 can be defined as “crimes against humanity,” which involve attacks on humanity, human existence and human belonging. The acts of killing unarmed civilians by the military during May 18, unrelated to self-defense or legitimate defense, are clearly considered crimes against humanity under the Rome Statute (Kyung-Gyu Park 2019). If new allegations of state violence and crimes against humanity perpetrated by the offenders are detailed in individual investigative reports and the comprehensive report, they can be prosecuted under Article 44 (Filing Accusations and Requesting Investigations) of the Truth-Seeking Act.

If the legal responsibility for the truth of a crime is addressed through prosecution and judgment, then political and social responsibilities pertain to the broader political and social contexts surrounding the crime. While legal punishment fulfills a crime’s direct responsibility, in cases involving state violence and crimes against humanity committed by state bodies, there is also another type of accountability involved. Established legal precedents assert that obedience to an unlawful order within a strictly hierarchical organization does not excuse one from responsibility (In Sup Han 2002: 208). The culpability of perpetrators is related to their active involvement, rather than their inability to question unjust orders, as described by Hannah Arendt in her analysis of Nazi perpetrator Adolf Eichmann. Recent research on Holocaust perpetrators indicates that their active involvement was shaped by interactions with peers, competitive dynamics and collective learning processes (Dong-Ki Lee 2018: 119). Thus, Dong-Ki Lee (2018) suggests that



greater focus should be placed on the escalation of violence through active networks and interactions among various actors within the ruling systems and violent bodies, rather than attributing the Holocaust solely to modern bureaucracy (Zygmunt Bauman, 2013) or the “banality of evil” (Hannah Arendt, 2006). Also, as per May 18, the inhumane violence can be seen to be attributed to the integration of the active involvement of perpetrators constituting a bureaucratic system of command and military culture.

To achieve justice in addressing the May 18 issue, it is essential to first understand the mechanisms of crime and violence before employing forgiveness and reconciliation for political ends, confronting the associated responsibilities head-on. It will be challenging for a state institution, established to promote healing and integration, to reopen court proceedings to tackle these crime and responsibility issues. If the Commission does not bring the perpetrators to trial for newly identified crimes, victims and citizens must persist in challenging the crimes and responsibilities by establishing civilian courts and promoting continual public debate.

## 2) Restoration of Honor, Reparation · Compensation and Reconciliation

Responsibility, which plays a crucial role in overcoming injustice, is not merely based on abstract ethics or isolated incidents but is embedded within complex and realistic relationships. When responsibility is tied to truth, it dynamically defines the scope and agents involved, while linked to justice, it is related to transition or transformation. Transitional justice provides a framework to analyze responsibility from a justice perspective, offering insights distinct from the Five Principles. With the emergence of forgiveness issues, regarding May 18, discourses have shifted towards achieving justice through forgiveness and reconciliation, rather than pursuing retributive justice that demands legal accountability. However, imposing reconciliation and advocating for forgiveness without the fulfillment of responsibility can, paradoxically, inflict another form of violence on the victims.

Jung-Gie Choi (2006) notes that the compensation process inherently emphasizes individualistic and physical-centric aspects of harm. Consequently, focuses were placed almost exclusively on the victims’ memories, and commemorative projects also have primarily revolved around the memories of those compensated, inadvertently sidelining certain experiences and memories. Specifically excluded from the compensation and commemorative efforts are i) memories associated with the civil resistance and collective movements that aimed to transform reality on May 18, and ii) memories that victims either did not wish to recall or could not recall, including those that are unverifiable (Jung-Gie Choi 2006: 9-10). The principles of truth-seeking and the punishment of those responsible were not fully enforced before advancing with compensation and commemorative initiatives, because the victims, amidst struggles for survival, prioritized immediate remedies and restoration of reality, while state authorities aimed to stabilize the system by covering up the grievances of those affected by May 18. Jung-Gie Choi contends that providing

individual compensation to victims diluted the collective nature of May 18, segregated the victims from the general public and diminished the moral strength of the resistance efforts.

During the delayed phase of truth-seeking, the individually tailored and graded monetary compensation process paradoxically served to isolate victims within the community (Youngeun Jin and Myunghee Kim 2020). A stark illustration of the impact of this isolation and the psychological trauma caused by May 18 is the wave of suicides among the victims that occurred in the mid to late 2000s. The Gwangju Trauma Center, established against this backdrop, has been actively working to move away from traditional, individual-focused models of psychological treatment. The center has broadened its focus to include not just victims of May 18 but also those affected by torture and state violence, offering services like counseling, art therapy and social relationship recovery programs. These efforts represent a recognition of the pain suffered by the victims of May 18 as a form of social suffering, not merely personal or medical issues, and they mark a shift from an “event-compensation-medical treatment” framework to an “event-truth-social healing” framework, taking an integrated approach to addressing trauma related to torture and state violence (Youngeun Jin and Myunghee Kim 2022: 165). Discussions about this trauma and psychological damage, along with lawsuits filed by victims, have resulted in compensation for such psychological damage. However, it is clear that the state’s compensation for psychological damage fails to adequately diagnose the unique nature of the May 18 trauma as a form of state violence or the reasons for its persistent reproduction, nor does it offer a healing solution based on such diagnosis. Apart from compensation, there is a need to move beyond the medical frame for trauma to clarify the causes and conditions of its reproduction. Rather than individual compensation for psychological damage, there is a pressing need to further enhance a model of social healing based on the experiences of the Gwangju Trauma Center, going beyond traditional psychological treatment practices that focus on individual victims towards a decisive shift to a “victim-society” centered model of social healing.

Young Jae Yi points out that despite the enactment of *the Gwangju Compensation Act* in 1990, the subsequent compensation for victims and the punishment of the perpetrators in 1997, the full implementation of transitional justice of May 18 remains unachieved. Following his election, Roh Tae-woo established the “Committee for Democratic Reconciliation” (hereinafter, “Reconciliation Committee”) on January 11, 1988, as part of efforts toward national unity. The Reconciliation Committee drafted a “Proposal for Democratic Development and National Reconciliation,” which subsequently became the foundation for the Gwangju Compensation Act and significantly influenced the resolution of the issues related to May 18 during the Sixth Republic. The Reconciliation Committee’s proposal, which adopted a reconciliation-based logic, characterized May 18 as an accidental event and proposed a “both-sides-are-wrong” framework [bothsidesism], suggesting shared fault between perpetrators and victims. This perspective informed

the Forgiveness and Reconciliation Project of the Commission, eventually leading to a Joint Public Declaration for “*Forgiveness and Reconciliation*” (hereinafter, “*Joint Declaration*”) on February 19, 2023, by the May 18 Memorial Injured Association, the May 18 People of Merit Association and the Republic of Korea Special Forces Comrades’ Association. Efforts towards political reconciliation and national integration concerning May 18 have increasingly depicted May 18 not as a movement or a struggle, but rather as a tragedy. This portrayal is echoed in the Joint Declaration by May 18-related organizations and the Special Forces Comrades’ Association, which views both Gwangju citizens and the martial law forces as victims [“*both-sides-are-right*” framework, *dualism*]. Such a perspective considering May 18 aggression and victimization risks diminishing the dynamic struggle to a tragedy that must end with mutual forgiveness between perpetrators and victims. This framing potentially restricts the parties to May 18 to just direct perpetrators and victims. The Commission has maintained a victim-centered approach, focusing its investigations on specifics concerning the perpetrators and victims. Nonetheless, the truth-seeking about May 18 should not be limited to merely identifying facts about perpetrators and victims.

Young Jae Yi contends that to fortify May 18 transitional justice, it is necessary to thoroughly reevaluate the limited notion of “victim compensation” from the perspective of reparative justice, pointing out three key issues (Young Jae Yi 2021: 231). Firstly, compensation (reparation) for damages caused by the unlawful exercise of state power should be considered “reparation,” which involves both a national obligation and legal enforceability and requires examining the collective responsibility of society members based on their consensus. Therefore, future initiatives concerning May 18 should strive to define more clearly the national and social contributions recognized at the level of national honors and to forge a national consensus. As the discussion of these state reparations as social responsibilities has been inadequate, the assaults on May 18 meritorious persons may continue. Secondly, while compensation came before the truth-seeking, the punishment of those responsible, the restoration of honor and commemorative projects for May 18, a stage has now been set that could integrate them with a series of the Five Principles. Despite the delay, prioritizing social “honor restoration” based on truth-seeking is needed. Social honor restoration means another layer of compensation. Research and proposals on the psychological damage of May 18 indicate that healing trauma is tied to restoring the social honor of victims through the truth-seeking and the punishment of those responsible. Thirdly, it is necessary to assess whether the scope of damage includes both tangible and intangible damages caused by state violence. The spectrum of “damage” needing redress in addressing past injustices should encompass not only intangible and invisible damages but also familial harm and the social aftermath stemming from such injuries. Establishing a national trauma center, drawing on the experiences of the Gwangju Trauma Center, is necessary, along with diverse policy considerations.

### 3. Evaluation of the May 18 Truth-Seeking Report

This section includes the summary of the evaluation of individual reports and the discussions and presentations about four out of six reports that were deemed unable to clarify the truths, conducted by the May 18 Truth-Seeking Advisory Committee of the May 18 Memorial Foundation, after the public release of the ex-officio case investigation reports by the Commission (February 29, 2024).

#### 1) General Evaluation of Individual Reports

The investigation has notably succeeded in uncovering much more detailed information than previous investigations, obtaining numerous statements from martial law forces, and gathering related documents. However, the absence of connections between each task, inconsistencies across reports and the failure to cross-verify individual statements from martial law personnel have all undermined the overall credibility of the investigation.

The criteria for determining truth set by the Commission also remain ambiguous. The Commission seems to have struggled to establish definitive criteria for truth (including documents, oral testimonies and interpersonal investigation data) or to articulate and systematize the methods for fact-finding. Moreover, there is an evident distinction between academically clarifying facts and legally recognizing them.

The reports are lacking or inconsistent in their victim-centered approach. Given that the damage itself is ultimately the most reliable truth, the investigation should have prioritized the testimonies of the victims as the primary foundation, subsequently examining documents and conducting investigations into related parties and perpetrators accordingly.

Reports labeled as “unable to clarify” can lead to misunderstandings and social confusion. The label “unable” implies that truth-seeking is impossible, thus it may be more appropriate to describe these as “unresolved” or “unclarified” tasks. This is particularly pertinent for issues related to shooting, arming and distortion, which are intricately linked and should not be dismissed as “impossible”; it should be explicitly stated that these are issues requiring clarification going forward.

As it is crucial for the individuals involved in May 18, the citizens of Gwangju and the wider public to receive the most accurate information possible, clear and precise terminology and language should be used, along with a systematic and coherent narrative structure. For instance, distinguishing between secret burials, temporary burials and burials can be misleading; secretly burying someone without the consent of their families should straightforwardly be defined as a “secret burials.”

Despite the need to acknowledge and carry forward the established facts from the final decision made by the Supreme Court concerning the military insurrection and sedition by the new military regime including Chun Doo-hwan from 1995 to

1998, and the 2007 report by the Truth and Reconciliation Commission of Korea under the Ministry of National Defense, there is criticism that the conclusions of this current report by the Commission represent a regression from previous decisions and reports.

## 2) Opinions on Reports Determined as Unable to Clarify the Truth

### 「Circumstances and Responsibility for Military Firing during May 18 (*JikNa-1*)」

- There is a need to acknowledge and carry forward the established facts from the final decision made by the Supreme Court on the military insurrection and sedition by the new military regime from 1995 to 1998, and the 2007 report by the Truth and Reconciliation Commission of Korea under the Ministry of National Defense, etc. It is problematic to reuse materials previously identified as manipulated in past investigations in the current report.
- The absence of clear records and documents concerning the “firing” requires reliance on the testimonies of martial law forces, leading to significant limitations. Nonetheless, there were internal discrepancies in how these testimonies were accepted, interpreted and applied, which could not be reconciled.

### 「Armory Attack Incident in Jeollanam-do During May 18 (*JikBa-7*)」

- The findings and conclusions of this report conflict with the established legal interpretations of May 18: The arming and protests of Gwangju citizens, intended to counteract or restrain acts that disrupted the constitutional order around December 12 and May 18, are recognized as legitimate actions to defend the existence of the constitution and the constitutional order (Supreme Court decision rendered in 1997)
- The perspectives of the report (the stance of the then government and new military regime) are also reflected in the terminology used. It does not endorse the legitimacy of the arming of the citizens. It is necessary to state this as raising a suspicion or investigating a distortion regarding the arming process of the protesters.
- Significant connection with other investigations: The new military regime has refuted allegations of massacres and crimes against humanity, claiming that the mass shooting in front of the Jeollanam-do Provincial Office at approximately 13:00 on May 21, 1980, was a “defensive reaction to the citizens’ preemptive arming and attack.” This rationale for distortion, excessive violence and massacre related to May 18 correlates with the incidents of deaths during May 18 (*JikGa-2*), the details and responsibilities of the firing (*JikNa-1*) and the concealment, distortion and manipulation of May 18 (*JikDa-21*). Although the report concerning the circumstances of the firing (*JikNa-1*) rejected the claim of self-defense triggered by the arming of the protesters, it was deemed unable to

clarify the truth.

「Secret Burials and Abandonment of Victims’ Bodies and the Excavation and Recovery of Their Remains During May 18 (*JikLa-9*)」

- Some members of the Commission stressed the need to make a clear distinction between temporary and secret burials and advocated for differentiation whether the 164 recovered bodies of the 166 victims from the May 18 period, excluding the two whose bodies were not found, were secretly or temporarily buried or left neglected. Nonetheless, from the standpoint of the victims and their bereaved families, all cases are regarded as secret burials.
- It is important to state explicitly that the reports categorized as unable to clarify the truth do not imply a denial of the occurrence of secret burials.

「Concealment, Distortion and Manipulation of May 18 by the Ministry of National Defense, Military Agencies, the National Intelligence Service, etc. After May 18 (*JikDa-21*)」

- Past investigations into distortion and manipulation included the report of the Special Investigation Committee on Helicopter Shooting (Chapter 4. Concealment and Distortion of May 18 Documents) in 2017. It verified the existence of the so-called 80 Working Committee and 511 Research Committee, documented specific instances of falsification and alteration of military documents and found a government-wide counteraction to May 18 extending beyond the military, but the brief duration of the investigation limited the extent of face-to-face interviews, leaving the needs for further investigation.
- “Compiling of statements” and excessive reliance on face-to-face interview quotations: Verifying the reality of distortions through the statements of those involved (covering the situation, process and circumstances at that time) was considered a substantial accomplishment, while some of the cited Q&A contained denials or evasive responses. Cross-verification to determine the accuracy of these statements or a re-verification process was required.

#### 4. Post-Activities of the Commission

The activities of the Commission and the preparation and adoption of the national report could mark a pivotal moment for resolving issues related to May 18 and advancing transitional justice. The publication of the national report would elevate the status of May 18 and reaffirm its historical importance in addressing these issues on a global scale. To address the deficiencies of the May 18 model of transitional justice, truth-seeking, the national report should incorporate the following three key elements. Firstly, it must document the horrors and damage from the human rights abuses and violations that occurred in the absence of democracy. Like reports from truth commissions of other countries, it should categorize damage and clarify the causes and impacts. Secondly, it should reveal the real dynamics and mechanisms of state violence and crimes against humanity.

it should clarify the responsibilities of state institutions, the individuals who planned and ordered these actions and those who executed the orders, under the relevance with the mechanisms of such violence. Lastly, it should describe the global historical importance of May 18 and outline the achievements and limitations of both domestic and international efforts to seek truth related to May 18. Nonetheless, it may be difficult to expect that a national report, intended to integrate findings from individual reports, will systematically incorporate these elements.

The review and verification of the 17 individual reports submitted to the Plenary Committee were rushed, leading to numerous issues, so it appears unfeasible to review and comment on the draft of the comprehensive report within a similarly limited time frame. Equally crucial as the conclusions and recommendations of the current comprehensive report is the thorough review of individual reports and the intelligent resolution of problems posed by reports deemed unable to clarify the truth. The comprehensive report, based on 11 adopted individual reports, requires additional follow-up and supplementary investigations for at least six tasks that remain unclarified, regardless of their adoption status with the Plenary Committee. Future investigations should embrace methodologies focused more on civil society and academic involvement than on “governmental frameworks.” In particular, it is vital to organize hearings on key issues from the individual reports deemed unable to clarify the truth and to host forums for experts and researchers.

In the course of truth-seeking, it is necessary not only to verify facts and ascertain legal responsibilities but also to delineate and present the responsibilities of Chun Doo-hwan and the new military regime, and the forces who collaborated with them for personal gain, the obligations of the state regarding May 18 and the historical and social duties that accompany them.

Academically, the work of the Commission has unearthed new materials and found facts that can stimulate diverse research on May 18. The adoption of the national report of May 18 might lead to the amendment and enactment of applicable laws, and, should the exact state and extent of the damage be determined, measures related to reparations and compensations will be needed. Moreover, if the report formally recognizes the significance and value of May 18, it could justify national-level acknowledgment and budgetary support for commemorative projects.

Given that the investigation activities of the Commission concluded on December 26, 2023, and the comprehensive report is due by June 2024, discussions on post-completion tasks are needed. First, there are unresolved issues regarding the implementation of the conclusions and recommendations of the report. While the state is primarily responsible for the implementation, the National Assembly is obligated to monitor and oversee this process, and both civil societies and local communities must continuously monitor these follow-up actions and implementations. Second, follow-up measures are necessary for facts or criminal acts newly revealed through the report. Legal actions and sanctions should be sought for newly identified criminal acts. If the scale and nature of physical and

psychological damages are clearly detailed, not only should individual compensation be considered, but also policies for restoration and healing and the establishment of a national trauma center. Third, follow-up investigations are necessary on issues not addressed or clarified in the report, including those reports deemed unable to clarify the truth, comprehensive victim surveys, investigations into missing persons and the responsibility of the United States. Discussions on the transfer procedures of investigative materials, levels of public disclosure and preservation agencies are also essential.

Another critical recommendation for the May 18 report should include the establishment of training programs to prevent recurrence and mechanisms to counter distortion. Comprehensive management of May 18 resources and projects by Gwangju city is also needed. Following the publication of the report, the profile of the historical sites of May 18 and the importance of its preservation and usage related to memory succession will increase. As suggested in the Master Plan for the May 18 Commemorative Projects (August 2021), it is necessary to recognize May 18-related heritages not just as local historical sites but as national “democratic heritage” and to enact corresponding legislation.

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## Statement on WLB and its strategy on TJ works

Moon Nay Li  
The Women's League of Burma

Women's League of Burma (WLB) was established on December 9, 1999 with the aim of increasing the participation of women in the struggle for democracy and human rights, promoting women's participation in the national peace and reconciliation process, and enhancing the role of the women of Burma at the national and international level. WLB mission is to advance the status of women toward a peaceful, just and federal democratic union of Burma.

There are 12 member organizations from different ethnic groups and background, working together towards the aims of WLB as followings:

- To work for the empowerment and advancement of the status of women
- To work for the rights of women and gender equality
- To work for the Elimination of all forms of discrimination and violence against women
- To work for the increased participation of women in every level of decision making in all spheres of society To participate effectively in the movement for peace, democracy and national reconciliation

The creation of the Union of Burma in 1948 emerged under the notion that Burma would be a Union of co-equal and co-independent states in the spirit of the Pang Long Agreement of 1947. However, after independence this mutual understanding between the ethnic people of Burma was lost and civil war broke out across the country that would last for decades. A military coup in 1962 abrogated the Union's constitution and exacerbated problems for the people of Burma. Civil war in Burma still continues today in Burma.

The fighting has come at a significant cost to civilians, displacing more than two million people already displaced across the country. Widespread sexual violence, perpetrated by the junta continues to occur across the country, a violent tactic used by the junta against ethnic minority women for many decades. The junta has long committed violent acts of rape against ethnic women with impunity. Conflict related sexual violence is the most silenced and least condemned crime, and it is ethnic women and girls who are predominately targeted. Gendered authoritarian oppression occupies not just the physical spaces but virtual too. Atrocity crimes (including war crimes and crime against humanity) were committed against ethnic peoples across the country that committed by military junta.

WLB strongly believes that long-lasting and genuine peace in Burma will only be

achieved through equality (ethnic equality and gender equality), self-determination, and a federal system. Along the journey of building a federal union, women's rights are violated in many different forms, and all perpetrators should be held accountable, which needs to be kept in mind. The civil war between the Burmese military and ethnic armed organizations has been ongoing for more than seven decades, marked by international crimes and gross human rights violations, including oppression of ethnic minorities and women. The previous governments between 2016 and 2020 showed no interest in discussing transitional justice or demonstrating political will. Additionally, they failed to prevent gross violations and implement changes to the system that led to these violations. Responsible individuals were not only absent in their pursuit of justice and peace but also actively suppressed those seeking justice.

The objective of WLB is to seek justice and create equality of women across the country. Women face discrimination in every sector, including politics, economics, and social life, as cultural norms and customs often place women in a subordinate position to men. Due to discrimination against women, the numbers of gender-based violence (GBV) and violence against women have been increased by armed actors.

Although women's organizations have been documenting violence against women with different forms for many years, it is merely the initial stage of seeking and identifying survivors to pursue justice. Therefore, instead of waiting for justice mechanisms to be in place, we, WLB, want to start seeking truth, reparations, taking legal action, organizational systems, and implementing related strategies.

To bring justice to survivors, WLB continue doing advocacy based on national and international laws, aiming to prevent violations and develop transitional constitutions. Establish programs for the reparations of survivors of sexual violence, ensuring dignity, compensation, counseling, and physical and mental well-being. The program will also address sexual violence, documenting incidents and identifying perpetrators for accountability and ensuring mental well-being.

WLB position and the role of women for developing/enacting the federal union constitution is for the implementation of transitional justice, the drafting of the federal union constitution, and seeking justice for sexual violence and other gross human rights violations, women should be able to participate in key roles as follows.

- The right of the victims must be guarantee
- Must support efforts to seek justice for past violations and provide women survivors with a minimum standard of support, including holding perpetrators of sexual violence accountable and issuing public apologies.
- No amnesty, immunity, or impunity should be granted for sexual violence and violence in any future peace agreement or constitution.
- Women's opinions should be put in international agreements, domestic laws, and bylaws related to women.
- In order to prevent human rights violations, women's representation and

opinions must be included in every process, and at least 30% of women must be involved in both interim and future federal union constitutions. Especially ensuring guarantees for women's and children's rights, no discrimination, the return and reintegration of internally displaced persons (IDPs), citizenship laws, the rule of law, changing the judicial system, power-sharing with the federal government, security, elections, and other legislation.

In Burma, like in many other countries, women face specific threats and challenges to their peace and security. These challenges arise from various factors, including conflict, displacement, social norms, and unequal power dynamics.

WLB develop the framework on WPS. The Woman Peace and Security (WPS) framework is a conceptual international policy framework that aims to promote and protect the rights and well-being of women in conflict-affected areas. It recognizes that women and girls are disproportionately affected by armed conflict and that their active participation in peacebuilding and conflict resolution is crucial for sustainable peace and security.

### Overall Goal

Engage Empower Protect and support women and girls in order to achieve sustainable, inclusive and lasting peace in Burma/Myanmar

**Strategy 1:** Women's meaningful participation in all phases and structures of peacebuilding efforts and conflict transforming

**Strategy 2:** Prevention and protection of women and improved access to assistance programs

**Strategy 3:** Better understanding, awareness raising, and enhanced collaboration with stakeholders

**Strategy 4:** Improved institutionalization, strengthened accountability and capacity



## Thematic Cluster 3.

### Transitional Justice: Impunity

This year's GDF will specifically address the issue of impunity, one of the most challenging aspects of transitional justice. Impunity is when atrocities caused by authoritarian states or state organizations are never investigated, and when the truth is revealed, no accountability is asked from the perpetrators. The lack of accountability and, at the minimum, acknowledgment and apology by the perpetrators leaves victims with no way to resolve their resentment and trauma. We hope that the GDF 2024 will highlight the prevalence of impunity in Asia as a case study. The results will lead to international solidarity for those working to implement a transitional justice where bad actors are held accountable.

**Moderator** Chung Jujin (Center for Peace & Conflict Resolution)

#### Speakers

1. Review of the Indonesia Police Reform  
Poengky Indariti (Indonesia National Police Commission)
2. “Peace-building After State Violence”: Focusing on Mindanao, the Philippines & Timor-Leste  
Gus Miclat (The Initiatives for International Dialogue)
3. Memory and Silence of State Violence in Thailand  
Thongchai Winichakul (University of Wisconsin-Madison)



## Review of the Indonesia Police Reform

Poengky Indarti

Member of the Indonesia National Police Commission

Reform of the Indonesian National Police (INP) in 2024 has entered its 24th (twenty-fourth) year. Over the last twenty-four years, the public has witnessed the change of the INP from the bad practices carried out during the New Order era to the good practices carried out during the Reformation period.

INP reform is divided into three aspects, namely the first is the structural aspect, including changes to the position of the police in the state administration, organizational form, structure and position. After INP Reform, the structure of the INP is under the President, while in the past it was under the Minister of Defense/The Chief of the Armed Forces. Second, the instrumental aspect, includes changes in philosophy, doctrine, function, authority and competence. Third, the cultural aspect, namely changes in the guidelines for ways of thinking (mindset) and behaving (cultureset) which are believed to be corrected by the leadership and members of the INP, including changes in the way of thinking and behavior of leaders and members of the INP to become professional civilian police, which means mastering their duties to serve and to protect the community and enforce the law for the best possible maintenance of security and public order; no longer use excessive force or militaristic actions; respecting human rights; not living a luxurious lifestyle; not arrogant, where these changes must be reflected in the recruitment, education, budget, staffing, management and police operational systems.

The public can see that Structural Reform has been implemented, including changing the structure of the INP to be directly under the President. Likewise, instrumental reform has been implemented, including with the passed of Law Number 2 of 2002 concerning the INP. Meanwhile, for Cultural Reform, it has indeed been implemented, but it still takes longer to change, because Cultural Reform changes perspectives, ways of thinking and ways of behaving cannot be done quickly.

Even though during the last 8 (eight) years (2016 – 2024) while I served as Commissioner of the National Police Commission (Kopolnas) I saw that the INP had shown an increase in professionalism and achievements that received praise from the public, but in practice there were still cases of use of violence that exaggeration that is in the spotlight of society. Apart from that, the public also sees that there are still police who live luxurious lifestyles, act arrogantly, and even make illegal levies, which is not in line with the public's expectations for the police to be more serving, nurturing and protective. In fact, in 2022 there were two criminal cases involving the two INP's two-star generals, namely Ferdy Sambo who was charged with premeditated murder of his driver and Teddy Minahasa who was charged with buying and selling drugs (crystal methamphetamine), which

seriously tarnished the good reputation of the INP institution, so that public trust in the INP fall to the lowest point. This can be interpreted as saying that INP Cultural Reform still needs to be encouraged so that it can be implemented seriously by all INP leaders and members.

My institution Kompolnas – the National Police Commission as external oversight of the INP sees that INP reform must continue to be supervised by civil society until changes are realized as expected by society, especially the realization of a new INP culture as a professional civil police force that respects human rights in carrying out its duties to serve and to protect the community and uphold the law for the sake of maintaining security and public order.

In this article, I will describe the history of INP reform and the changes that have occurred based on existing regulations, as well as the existence of bad actions of the individual personnels so that they can be changed into good ones in the future.

## THE HISTORY OF POLICE REFORM IN INDONESIA

The source of public dissatisfaction with the INP during the New Order era (1966 – 1998) was because the character and behavior of INP members was greatly influenced by ABRI (Indonesia's Armed Forces) and the policies of the political leadership during the New Order era. So that the thinking paradigm of INP leaders and members becomes like a militaristic military force, their behavior often uses excessive violence, arrogant, tolerates corruption, collusion and nepotism, and is used as a tool for President Soeharto to maintain his power. This makes the INP unprofessional in carrying out its duties.

In the early days of the Indonesia Independence Revolution in 1945, the INP was independent and separate from the TNI (the Indonesia's Military which consisted of the Army, Navy and Air Force), but in line with political developments at the national and international levels, in August 1959 President Soekarno stated that he would form the Indonesian Armed Forces (ABRI) consisting of the Military Force and the Police Force. INP leader at that time, Police Commissioner General Raden Said Soekanto Tjokrodiatmodjo expressed objections to the plan to merge INP and the Indonesian Military into ABRI on the grounds of maintaining police professionalism, but these objections were ignored. On 15 December 1959 Commissioner General of Police R.S. Soekanto Tjokrodiatmodjo resigned after serving as Minister of Police. Based on Presidential Decree Number 21 of 1960, the term Minister of Police was abolished and was subsequently referred to as Minister of State Police along with other Armed Forces and was included in the field of national security.

In 1960, the People's Consultative Assembly passed the Decree Number II/MPRS/1960, where in article 4 it united the Defense and Security Sectors, and then on June 9 1961 the House of Representative passed the Law no. 13 of 1961 on the INP which united the INP and the TNI into the Armed Forces of the



Republic of Indonesia (ABRI).

The integration of INP into the Armed Forces of the Republic of Indonesia (ABRI) has had serious impacts, including shrinking INP structurally, because INP was previously under the President/Prime Minister, after being merged with the Armed Forces, the structure of the INP is under the Minister of Defense/Chief of the Armed Forces. This unification also changed the character of the INP members to become militaristic, because their recruitment and education were integrated with the Indonesia's Military Forces, especially when the New Order was in power from 1966 to 1998.

On June 19, 1961, the People's Consultative Assembly passed the Law Number 13/1961 on the INP as an adjustment to Decree Number II/MPRS/1960. In this Law it is stated that the position of the National Police is an element of the Indonesia Armed Forces which is the same and equal to the Army, Navy and Air Force. In fact, INP and the TNI have different main tasks and functions.

The objection of the first Chief of Police, Raden Said Sukanto, that the integration of INP into the Armed Forces would eliminate INP professionalism was proven. During the period 1961 to 1998, INP experienced degradation, including as follows:

1. INP is under the leadership of the Minister of Defense and Security and the Chief of the Armed Forces, so it only focuses on defense issues. It is true that there is a Chief of Police who is the Chief of INP, but INP policies must be in line with the policies of the Minister of Defense/Chief of Armed Forces;
2. The Armed Forces' priority is the Army, so that the INP – which is considered the fourth force, is also the fourth priority. The INP budget is far below the Army budget;
3. INP human resources are recruited, selected, educated and raised according to the standard of Armed Forces. INP's doctrine follows Armed Forces' doctrine, namely Catur Dharma Eka Karma. Thinking paradigm INP members also follow the Armed Forces paradigm;
4. INP has become militaristic in character, using excessive force following military culture and violating human rights;
5. The political policy of the New Order Government which gave the Armed Forces dual function authority, namely the Social Function and Political Function, made the Armed Forces go beyond its main tasks and functions, so that in practice the Indonesia's military could carry out actions that should have been the duty and authority of the INP, for example the military could carrying out enforcement actions, law in the form of arrest, detention and interrogation, as well as appointed as Governor and Mayor, etc.
6. The minimal INP budget makes law enforcement a way for INP members to finance inquiries and investigations, as well as providing a source of

side income. Therefore, it is common to joke that the Criminal Code (Criminal Code) is used to give money after cases.

Since the implementation of government reform in 1998, there have been many significant changes, marked by the fall of the New Order government with the resignation of President Soeharto, who was then replaced by the Reform government under the leadership of President B.J Habibie. In the midst of various public demands for the completion of reform, demands have also emerged for the INP to be separated from the Military, with the hope that the INP will become a professional and independent institution, far from interference from other parties in law enforcement, and returning to its main duties and functions as a responsible State apparatus responsible for maintaining security and public order.

Following up on public pressure, since October 5 1998 there has been a debate around the President who wants the separation of the INP and the Armed Forces. Within the INP itself, many similar aspirations have emerged. To fulfill the people's expectations, President B.J. Habibie on April 1 1999 issued Presidential Instruction (Inpres) Number 2 of 1999 concerning Policy Steps for the Separation of the Indonesian National Police from the Indonesian Armed Forces.

The Executive's steps to separate the POLRI from the TNI were further strengthened by the Legislature by passing Decree of the People's Consultation Assembly Number VI of 2000 concerning the Separation of the Military and the INP. The consideration of the Decree for the separation of the Military and the INP as follows:

- a. that one of the demands for reform and future challenges is democratization, so it is necessary to reposition and restructure the Armed Forces of the Republic of Indonesia (back to barrack – do not involve in social and politics issues);
- b. that as a result of this merger, there is confusion and overlap between the role and function of the Military as a national defense force and the role and duties of the INP as a security and public order force;
- c. that the socio-political role in the dual function of the Armed Forces of the Republic of Indonesia causes deviations in the role and function of the Military and the INP of the Republic of Indonesia which results in the development of the foundations of democracy in the life of the nation, state and society;

The 1945 Constitution also emphasizes the INP as stipulated in article 30 paragraph (4), the INP has the duty to protect, to serve the community, and enforce the law.

The separation of the INP and the Military is a new chapter for both institutions. Especially for the INP, because it is no longer part of the Armed Forces. INP

during the Reformation period was a civil institution that was subject to the Civilian Court. Apart from that, to supervise the INP so that it carries out its functions well, the establishment of a National Police Commission as external oversight was mandated.

In its development, based on Chapter VI articles 37 to 40 of Law Number 2 of 2002 on the National Police of the Republic of Indonesia, the INP is regulated in this Law as a follow-up to People's Consultative Assembly Decree Number VI of 2000, and is referred to as the National Police Commission. With the existence of a police supervisory institution that supervises the National Police functionally, it is hoped that the National Police can implement National Police Reform as well as possible.

### CULTURAL REFORM OF THE INDONESIA NATIONAL POLICE (INP)

Kompolnas sees the three mandates for Polri Reform, namely Structural Reform, Instrumental Reform, and Cultural Reform, that Polri Cultural Reform still requires special attention so that it can run according to community expectations.

Kompolnas noted prominent matters of public concern related to Cultural Reform of the National Police, including the following:

1. The use of excessive force by members of the National Police is still widespread, especially during inquiries and investigations, as well as in handling demonstrations that criticize Government policies.
2. There are still widespread complaints of extortion and corruption committed by members of the National Police.
3. There are still many members of the National Police and their families who live luxurious lifestyles.
4. There are still many members of the National Police who carry out their duties in an arrogant manner.

Cultural Reform of the INP became the concern of the INP Chiefs who led it during the Reformation period (2000 – to date). Various efforts were made by the INP Chiefs in the past, including creating a INP Grand Strategy 2005–2025 during the leadership of the INP Chief General Dai Bachtiar (on duty in 2001 – 2005) through the Decision of the Chief of the INP No. Pol: Skep/360/IV/2005 dated 10 June 2005. The Polri Grand Strategy is divided into three stages, namely stage I Trust Building in 2005 – 2010, stage II Partnership in 2011 – 2015, and stage III Strive for Excellent in 2016 – 2025. With the Grand Strategy of the INP, the leadership and all members of the INP are expected to be able to carry out their duties professionally and independently.

During the leadership of the INP Chief General Bambang Hendarso Danuri (on duty 2008 – 2010), the Cultural Reform of the INP was realized by issuing two

National Police Regulations, namely first, the INP Chief Regulation Number 1 of 2009 on the Use of Force, and second, the INP Chief Regulation Number 8 of 2009 concerning the Implementation of Human Rights Principles and Standards in Implementing Duties of the National Police of the Republic of Indonesia. With the existence of two regulations, it is hoped that it can significantly change the behavior of all members of the National Police so that they become more humane and respect human rights. However, along the way, it turned out that this hope had not been realized properly.

During the leadership of INP Chief General Tito Karnavian (on duty 2016 – 2019), Cultural Reform of the National Police became a focus again, because there was still corrupt, hedonistic and excessively violent behavior by members of the INP when dealing with the public. With the vision and mission of PROMOTER or professional, modern and trustworthy work program, the INP Chief seeks to increase the professionalism and modernity of the INP's services to the community to gain public trust.

To further strengthen the spirit of Cultural Reform of the National Police, National Police Chief General Tito Karnavian passed the INP Chief Regulation Number 8 of 2017 concerning State Officials' Asset Reports (LHKPN), the INP Chief Regulation Number 9 of 2017 concerning Individual Business for the INP Members, and the INP Chief Regulation No. 10 of 2017 concerning Luxury Goods, all of the regulations were passed to avoid corruption in the INP.

During the leadership of National Police Chief General Idham Azis (on duty 2019 – 2021), the PROMOTER program was continued. With Telegram Letter number ST/30/XI/Hum.3.4/2019/DivPropam, the INP Chief prohibited all National Police members from showing off their luxurious lifestyle. Idham Azis' policy was continued by his successor the INP Chief General Listyo Sigit Prabowo (2021 – to date).

Although based on surveys from several survey institutions, it shows that the level of public satisfaction with the INP has increased, many public critics state that members of the INP still use excessive violence, especially related to the politics issues, including the massive protests from the civil society related to the result of the General Election.

In 2020, the National Police Commission (KOMPOLNAS) conducted a review of the implementation of two INP Chief Regulations related to Human Rights, namely the INP Chief Regulation Number 1 of 2009 concerning the Use of Force and the INP Chief Regulation Number 8 of 2009 concerning Implementation of Human Rights Principles and Standards in Carrying out Police Duties, to be able to measure the success of Cultural Reform of the INP, and the result is as follows:

1. **The INP Chief Regulation Number 1 of 2009 concerning the Use of Force.**

The INP Chief Regulation Number 1 of 2009 concerning the Use of Force is one of the important regulations for INP Leaders and Members. The INP Chief

Regulation Number 1 of 2009 also marks the implementation of Cultural Reform within the INP. This regulation is used as a guideline for members of the INP in carrying out their duties in the field so that the use of force in police actions is carried out in accordance with standards and methods that can be accounted for, so as to avoid excessive or irresponsible use of force.

Based on complaints of the civil society that received by Kompolnas, prominent cases that have received public attention, as well as public complaints that have appeared in mainstream media or social media, are still related to the use of force by police officers which is considered excessive. Cases related to the use of firearms that are often complained about by the public mostly occur during inquiries and investigations, especially during the pursuit and arrest of perpetrators or suspects, resulting in injuries and even death.

Kompolnas sees that INP members in education are only trained to shoot, but not when to shoot. The discretionary authority possessed by INP members makes it easy for members to open fire without first thinking about the impact. The reason often given is that the perpetrator or suspect resisted or ran away, so it was legal for the police to shoot. Discretion is the reason members use force, so that only they themselves can judge whether the use of force is right or wrong.

The INP internal supervisors, namely Irwasum or the General Supervision Inspector and the Internal Security Division, rarely carries out inspections on the use of firearms to see whether members are right or wrong in using firearms. Members who use firearms in their duties will only report to their immediate superior. Information obtained from in-depth interviews with members, the INP internal supervisors will carry out speedy examinations of prominent cases that are of public concern. On the other hand, the INP Internal supervisors admitted that it did not always receive reports from the perpetrator's superiors, so that their monitoring was passive.

Kompolnas noted that weak leadership supervision over the use and storage of firearms resulted in misuse of firearms, for example using firearms to threaten other people, using firearms outside of duty to kill, and using firearms to show off.

The public also highlighted that a transparent and fair law enforcement process was not carried out, because there was no accountability when the leadership processed the law against members who committed violations. If they are prosecuted, most of them are cases that are published in the mass media and receive public attention, so they become prominent cases.

Apart from that, the legal process carried out is limited to examining violations of the code of ethics, not a criminal process. Only cases of serious individual violations are subject to criminal proceedings, for example cases where members of the INP shot dead fellow members of the INP, the cases of the INP that become the drug dealers, or conducting other serious crimes.

## 2. The INP Chief Regulation Number 8 of 2009 concerning Implementation of Human Rights Principles and Standards in Carrying out Police Duties.

The second benchmark to see whether the Cultural Reform of the INP is successful or not, is to see how the leadership and members of the National Police implement the INP Chief's Regulation Number 8 of 2009 concerning the Implementation of Human Rights Principles and Standards in Carrying out the Duties of the INP.

From the many cases of violence, Kompolnas sees that the regulation little attention from the commanders and members of the INP. The lack of understanding by commanders and members about Human Rights is because education about Human Rights is only taught briefly during education and is not practiced further.

Kompolnas recommends protecting human rights and preventing excessive violence through efforts to increase the capacity of members, by means of human rights education or courses, socializing the INP Chief Regulation Number 8 of 2009, as well as installing equipment to prevent excessive violence, including installing CCTV, video cameras and recorders in interrogation rooms, installation of body cameras and dashboard cameras in operational cars for assignments in the field during investigations and other operational tasks.

Based on a review of the two regulations mentioned above, Kompolnas concluded that the Cultural Reform of the National Police has not yet been implemented well, so it requires seriousness in implementing it for better cultural changes can be realized in the near future.

## “Peace-building After State Violence”: Focusing on Mindanao, the Philippines & Timor-Leste

Gus Miclat

The Initiatives for International Dialogue

Peacebuilding does not stop even after a violent conflict. In fact, it is in a post-conflict era that peacebuilding can become more challenging.

There is a tendency for peacebuilding actors – especially those from multilateral entities like the United Nations (UN), to scurry off to the next conflict zone. And for the state to relapse into doing the same things that led to the violence beforehand.

Thus, even state violence may not also entirely end in a post-conflict situation even after a peace agreement is inked between them and non-state armed actors. Violence can linger or persist in other forms.

Peacebuilding is also not the exclusive domain of governments or multilaterals. Other important, if not, crucial actors include civil society, women, youth and other sectors such as faith or church groups, business, academe and trade unions, among others.

In 2013, a coalition of civil society, business, trade unions and lawyers called the “Quartet”, were responsible for mediating peace in Tunisia. Their efforts led them to be awarded the Nobel Peace Prize in 2015.

But let us talk about the examples of Mindanao, the Philippines and Timor-Leste – or East Timor, as it was called then. My organization, the Initiatives for International Dialogue (IID) has been in the forefront of engaging in solidarity, democracy and peace building work in these areas.

What have been achieved so far?

### **Mindanao**

In Mindanao and in the Bangsamoro territory in particular, after 30 years of violent conflict and 17 years of incessant war and negotiations between the Moro Islamic Liberation Front (MILF), a Comprehensive Agreement on the Bangsamoro (CAB) was finally achieved between the Philippine government (GPH) and the MILF. Bangsamoro is what the people in the territory are also called.

An earlier Framework Agreement on the Bangsamoro (FAB) was inked on 15 October 2012 that set out the terms laid out later in the CAB. A Bangsamoro Organic Law (BOL) was then passed on 18 July 2019 creating the governance entity that will implement the CAB provisions.

A Bangsamoro Transition Authority (BTA) was inaugurated on 02 March 2019 to oversee its realization. The BTA is composed of 80 members, 41 of whom were

nominated by the MILF and 39 by the Philippine government. This is to give the MILF control during a transition period of 3 years in governing the territory that they have been waging a self-determination struggle for.

Among the 39 from the government, are Moro leaders identified with other Moro fronts that earlier waged their own battles against the government and also had their own peace agreements with them, but have yet to be fully implemented. This was one of the reasons why the MILF was born in the first place, as those so-called earlier agreements had much left to be desired.

The CAB's main feature enunciated that both sides agree on the legitimacy of the Bangsamoro cause. It also affirmed the commitment of both parties to create a new Bangsamoro political entity eventually called the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).

One of the provisions of the CAB was the creation of a Transitional Justice and Reconciliation Commission (TJRC). Transitional justice was identified as a major component of the Normalization Annex of the CAB that also required the demobilization of MILF combatants.

Among the major recommendations of the Commission were:

- Establishment of a National Transitional Justice and Reconciliation Commission on the Bangsamoro (NTJRCB);
- Creation of a Civil Society Forum For Transitional Justice and Reconciliation in the Bangsamoro; and
- The emphasis on the use of the "Dealing with the Past" framework.

As of today, more than 10 years after the peace agreement, both components of the Normalization Annex have yet to be satisfactorily accomplished.

The provision on TJ has particularly been left behind. Even MILF leaders who are now running the BTA, have not prioritized this requirement. While understandable that they are more concerned with managing expectations of their constituency in immediately delivering basic services and dealing with the culture of corruption that have bedeviled their region for ages, it is ironic that the core and strategic concern of addressing historical injustices-- land conflicts among others, that mainly led to their struggle, remain at the sidelines.

On 06 March 2023, IID launched a research on the land conflict in Mindanao wherein we argued that land dispossession being a major root cause of discord, should be jointly addressed by multiple actors such as the government (including local governments), the MILF, clans, traditional leaders and grassroots organizations.



The study recommended the following to be implemented at the national and local levels:

- Ensuring Internally Displaced Peoples (IDP)-centered policy and decision-making;
- Developing a comprehensive land governance framework for BARMM;
- Empowering local mechanisms for land conflict settlement;
- Integrating socioeconomic interventions, while
- Guaranteeing simplified processes and legal support for displaced residents.

Meanwhile, the BTA has passed an Electoral Code, Administrative Code, Education Code, Civil Service Code, Local Governance Code and is in the process of enacting a Revenue Code and an Indigenous Peoples Code.

While the vertical conflict has tapered off because of the peace agreement, violent conflict continues to hound the region. One of the deadliest strife happened in Marawi City eight years ago.

A siege that lasted four months to neutralize so-called elements of the Maute Group that had alleged ties with the Islamic State, literally pulverized the city and emptied it of its more than 300,000 residents. Up to now, only a reported 3% or so have returned to their homes — if those abodes are standing at all. The national government has built concrete roads, state of the art traffic lights, modern mosques and stadiums. But there is almost literally no one in the city who can use them. It behooves that this is the kind of situation that can lead to persistent conflict and even create the desperate conditions for the growth of violent extremism.

Marginalized communities in the BARMM, especially the displaced, indigenous peoples, women, and youth, continue to live in fragile peace and insecure environments. Their lives, families, livelihood, land, home and properties are under constant threat from state and non-state armed groups amidst weak or lack of public policies to protect and support them.

It is in this context that on 01 November 2019, IID launched a “Peacebuilding and Transitional Justice in Transforming Conflicts and Preventing Extremist Violence” project that envisions to contribute to increased agency and inclusion of marginalized (tri-people) communities and civil society actors and partners in instituting mechanisms and policies that will transform the social, political, economic and resource-based sources of conflicts, extremist and intolerant violence.

We believe that the so-called hubs like the madrasahs and groups such as the youth, who are touted by governments to be prone to extremist ideals are actually the ones who have more effective answers and solutions to prevent violent extremism.

Horizontal conflict has also been bewildering the region. An uptick of clan

conflicts called “rido” have been noted, mostly centered around land issues. Even among fellow former mujahedeen and MILF commanders.

Conflict in some ancestral domains of indigenous peoples inside the Bangsamoro territory have also spiked, reflecting the irony of a people’s self-determination struggle being waged within a “victorious” self-determination conflict of another, albeit lopsided and in a mostly non-violent manner. Some Moro commanders and leaders are leveraging the peace agreement to take over non-Moro indigenous lands claiming them as theirs in their skewed understanding of the peace pact.

Even then, civil society has been in the forefront of engaging the peace process even beyond the peace agreement. Clearly, civil society’s work accompanying the peace process has evolved into a different level.

From providing platforms and spaces for communities and peoples; organizing a ceasefire watch network, to offering their inputs and proposals on the substantial agenda of the peace talks, to lobbying for meaningful participation in the process – civil society continues to develop its capacities and explore avenues for engagement.

The Bangsamoro is a continuing peace process and civil society’s paramount agenda is for the Bangsamoro’s right to self-determination to be fully realized. We want the agreement to hold and succeed. And our commitment translates in supporting processes and initiatives that are contributing to this, including calling out the MILF and/or the national government if they are deemed to be detouring from the principles and promises they have committed to in the CAB. And we do not criticize for its sake, but also endeavor to offer alternatives and solutions to a perceived problem.

Fortunately, the current Bangsamoro leaders welcome this type of engagement from civil society. Perhaps because it keeps them on their toes. And as one key leader said to us, our engagement does not come with any expectations in return.

In 2012, we launched the “Mindanao Peoples Peace Agenda (MPPA)” after a 2-year consultation process among our constituencies in Mindanao.

The MPPA is a consolidated document that mapped issues that peoples in Mindanao identified and proposed to be considered by the conflict actors in their negotiations and be included in the final agreement. Some of these recommendations are categorized into:

- Right to Self-Determination
- Human Rights and Justice
- Humanitarian Accountability
- Good Governance
- Sustainable Development and Environment
- National Peace Policy
- Solidarity and People’s Participation

The MPPA was ratified by the assembly of the Mindanao Peace Weavers (MPW)-- the largest coalition of peacebuilding networks working on Mindanao issues, in an assembly in Davao City on 20–22 April 2010 and presented to both the Government of the Philippines (GPH) and MILF panels. Some of its key features resonated with certain provisions in the CAB.

### Principles for Peace

One of the recent efforts of civil society in its engagement of the peace process is tapping into the so-called Principles for Peace (P4P) framework .

The P4P is a global participatory initiative to develop new principles, standards, and norms to fundamentally reshape peace processes and chart a path to lasting peace. It is anchored by the P4P Foundation based in Geneva and has adopted the Bangsamoro as its initial strategic model in applying the principles.

Guided by IID's own core principle of "bridging peoples and building peace", IID has been actively supporting the Bangsamoro through engagement and advocacy initiatives. Both IID and P4P share a central goal of fostering lasting peace in the BARMM, particularly during this critical period marked by upcoming elections in 2025 and the potential signing of an exit agreement between the two key parties: the GPH and the MILF.

By aligning with P4P's focus on building a strong constituency at the heart of peacemaking processes and leveraging IID's extensive experience in peace monitoring, negotiated political dialogues, and constituency building, the partnership between our institutions and other partners in a consortium we are part of, aims to enhance support for the Bangsamoro peace process and contribute to its success for a lasting peace. To this end, we are consulting, accompanying and harnessing the inputs of other key sectors in the Bangsamoro: religious, faith and church leaders, academe, indigenous peoples, business, media and of course, civil society.

At present, most of the Bangsamoro leaders are frenziedly preparing for the elections in 2025. This will install an elected government to replace the current interim government who are appointed mostly from the MILF as stipulated in the peace agreement. Those from the MILF will have to contest in the elections like all the other stakeholders that includes traditional politicians and clans who have held sway over the reins of successive Bangsamoro governments before the peace agreement ordained the MILF to run the provisional administration during a transition period that was extended to 2025.

Either the MILF will have to deliver amply while they are running the BTA now and get themselves back in power in 2025, or the traditional clans and politicians will return to the saddle. If the latter happens, the MILF may need to become a viable opposition, or the region could regress to pre-peace agreement times.

Like any other revolutionary group that has become victorious, the MILF has perhaps realized that it is easier to wage a revolution than run a government.

Amid the commemoration of the 10th anniversary of the CAB last March, and perhaps sensing their vulnerability in the upcoming 2025 polls, allies of the MILF have recently petitioned the national government for another 3-year extension of their mandate to govern the territory before conducting elections. They claim that they have yet “to fully implement the peace agreement”, thus the need “to shield this fragile peace from the self-serving agendas of politics and power struggles”.

This call has elicited mixed reactions even from civil society.

Those who have been aligned with the MILF are naturally supporting this call, while the more independent elements believe that the MILF should seek its mandate directly from the people and not via a mere fiat from the national government.

While it is true that the totality of the peace agreement has not yet been implemented (and will still probably take even much longer), many elements including various Bangsamoro sectors view this move as ironically also self-serving and does not hew to the essence of democracy that they have valiantly fought for.

The MILF signed and committed to a peace agreement that provided them with the mandate to govern for 3 years, with another 3-year extension provided due to the pandemic. This initial extension was deemed “acceptable” and there was universal support for this. This time however, the lines have been blurred. There is an uncomfortable condition where the hitherto entrenched traditional political clans are on the same page with some independent and progressive elements in the Bangsamoro and civil society in questioning this effort.

We have yet to see how this situation will evolve.

### **Communist insurgency**

While there is relative peace in the Bangsamoro despite the challenges mentioned earlier, a far wider peace process in the country is mired in uncertainty. This pertains to the armed conflict between the government and the communist-led National Democratic Front (NDF).

From our perspective, there cannot be a “peace bubble” in the Bangsamoro, while another peace process in the country is in the doldrums with the conflict still festering.

There were initial high hopes that this would also go the way of the Bangsamoro peace process during the early years of the previous government of President Rodrigo Duterte who even appointed 3 nominees from the NDF to his Cabinet. A national ceasefire was in the works to provide conditions for more substantive talks on the agenda of social and economic reforms, but this collapsed due to a combination of the ascendant hawkish military voices in the Duterte government, miscues from the NDF and the mercurial character of Duterte himself.

Since then, an all-out war policy to annihilate the NDF and its allied organs, including the Communist Party of the Philippines (CPP), its armed wing -- the

New People's Army (NPA), and its legal front organizations, became the dominant strategy of the government.

A National Task Force to End Local Communist Armed Conflict (NTF ELCAC) was established and was resourced robustly to oversee the defeat of the communist insurgency. This agency oversaw the extension of securitization policies towards other aspects of society such as the academe wherein some educational institutions are either closed or under surveillance as they are suspected of being "breeding grounds" for the communist ideology.

This campaign however engendered various human rights abuses with numerous ordinary activists, opposition personalities and anyone who randomly expressed dissent to be "red-tagged" by the government. Red-tagging -- someone or an organization labeled as a communist, thus subject to harassment, persecution, if not, termination-- became rampant and ludicrous.

It did not matter that there is already an existing "Comprehensive Agreement on Human Rights and International Humanitarian Law (CAHRIHL) between the government and the NDF inked during the Ramos presidency on 16 March 1998 that the Philippine government is bound to respect.

The current Marcos, Jr. administration had originally continued the policy of the Duterte regime in not pursuing any peace talks with the NDF. But last 23 November 2023, many were happily surprised when both the government and the NDF issued a joint statement to resume the peace process. This was facilitated by the Norwegian government which had been the Third Party Facilitator of the talks between the conflict actors since 2001.

There has however been no follow through from this statement, while some disturbing contradictory pronouncements have been issued in the meantime by the Armed Forces leadership that gave a deadline to annihilate the CPP, NPA and NDF by the end of 2024. The military even launched a deadly attack on a rebel camp somewhere in Mindanao just a few days after the joint statement was released resulting in a number of alleged rebels and civilians killed.

Civil society's engagement of this process has not been as vigorous as that with the Bangsamoro. This is a more intractable and ideological-based struggle with the conflict actors drawing clear lines of "either-or" borders of constituencies. Civil society is seen as either supportive of the government or leaning towards the rebels' perspectives. It was only recently that the effort to build a broader and independent peace constituency was welcomed by both parties.

Together with some partners, IID convened a "national dialogue" process involving communities, NGOs and platforms not identified or aligned with either of the conflict actors, several of whom have also been engaged in the Bangsamoro endeavor. The aim is to build a broad and independent constituency to engage the peace process and help capacitate sectors, groups and communities who are either interested, engaged in, or victims of the conflict. Some 40,000 people have been killed due to this conflict, which is ballyhooed to be one of the longest running

insurgencies in the world.

A lot of communities involved are those of indigenous peoples (IP) who are caught in the crossfire of the conflict with their ancestral domains being the battleground of the clashes between the military and the NPA. The IPs have also been subject to recruitment by both parties, thus contributing to divisions among themselves and disruption of their cultural practices.

There are meanwhile efforts from other actors in society and personalities to engage the process.

Some prominent individuals have banded together under the banner of a “Council of Leaders for Peace Initiatives (CLPI)” to help influence public opinion toward a peaceful resolution of the conflict.

A “Working Group on Enabling Collaboration (WGEC)” was also established by the Global Partnership for the Prevention of Armed Conflict (GPPAC) to accompany the national dialogue process and help develop its capacities through learning and exchanges from other peace processes experiences in the world.

The Norwegian government continues to facilitate the process, even while some actors want them to be more proactive.

### **Timor–Leste**

In Timor–Leste, Asia’s youngest nation, peacebuilding is in full swing.

As a brief background to the context, East Timor as it was called then, was originally colonized by the Portuguese, and remained such until the fall of the Salazar military dictatorship in Portugal in 1974. East Timor declared independence soon afterwards, but Indonesia decided to intervene due to fears that the government of the new state would most likely be leftist in leaning.

The Indonesian government launched Operation Komodo, which intended to bring about the integration of East Timor into Indonesia. “Integration” was just a more palatable word for the actual deed of outright occupation and forcible annexation.

Indonesia began with a propaganda campaign, but after the outbreak of conflict among the political actors within East Timor, the Indonesian military began a campaign on 7 October 1975 starting with an assault on a border post that climaxed with a full-scale invasion utilizing paratroopers and naval support. The UN quickly condemned the invasion, but due to resistance in the Security Council, no further action was taken. The United States tacitly gave their approval, as the dismantling of a perceived pro-communist government in East Timor helped advance the policy of containment being pursued by the US.

Indonesia occupied the territory for the following two decades. During the Habibie administration in Indonesia after the fall of Suharto – the military dictator who presided over the invasion and annexation of Timor, a referendum was held asking if the Timorese people wished to remain a part of Indonesia or become

independent. Even before the referendum, there was massive harassment by pro-Indonesian militia groups in the territory, with even UN workers being attacked.

It soon became clear in the wake of the referendum that the result would be overwhelmingly in favor of independence. This raised tensions to a boiling point, and within two hours of the announcement of the sweeping result favoring independence, armed pro-Indonesian militia groups began attacking civilians randomly. The militias continued to attack citizens as they withdrew from the country, and several massacres occurred as they trickled out of the area.

A UN peacekeeping force known as International Force for East Timor (INTERFET) was deployed to stabilize the situation, made up of mostly Australian troops, and was withdrawn with the arrival of regular UN peacekeepers. It is ironic that INTERFET was led by Australians as it was the only country that provided de jure recognition of Indonesia's illegal annexation of East Timor. Talk about how the wheels turn, or how crass political opportunism is played to the hilt.

East Timor eventually transitioned from a UN mandated territory to an independent country.

There is no longer an active armed or violent conflict between the Timorese people and the Indonesian state after the UN-initiated referendum resulted in the irrefutable vote for independence by the Timorese.

But the wounds of the occupation that left almost 300,000 killed— or a quarter of the entire Timorese population then, remain seared into the consciousness of this small, gentle and brave nation.

A transitional justice and reconciliation process initiated during the transition period when the UN administered the territory between 25 October 1999 to 20 May 2002 resulted in the creation of the so-called CAVR.

The Commission for Reception, Truth and Reconciliation in East Timor (more commonly known by its Portuguese acronym CAVR: Comissão de Acolhimento, Verdade e Reconciliação de Timor Leste) was an independent truth commission established in 2001 under the UN Transitional Administration in East Timor (UNTAET) and charged to “inquire into human rights violations committed on all sides, between April 1974 and October 1999, and facilitate community reconciliation with justice for those who committed less serious offenses.”

The Commission had a triple mandate as reflected in its name, to address:

- Reception, the return of Timorese displaced into Indonesian West Timor and their reintegration into their communities, which the Commission described as “people embracing each other as East Timorese, of coming back to ourselves, living under one roof, after many years of division and violence”;
- Truth seeking, rendering a full accounting of human rights violations between 1974 and 1999 (the end of the period of Indonesian rule),

- primarily through the collection of more than 7,000 statements; and
- Reconciliation, conducted through a "novel and previously untested program" called the Community Reconciliation Process, designed to reintegrate low-level offenders into their community.

During its work, over 10,000 statements were taken from victims and perpetrators, and public hearings were held which were broadcast on TV and radio. The Commission delivered its 2,500-page report entitled *Chega!* meaning "stop" or "enough" in Portuguese, covering human rights violations from 1974 to 1999, to the President of East Timor on 31 October 2005. The President, Xanana Gusmao, then handed the report to the UN Secretary General as required by law, on 20 January 2006.

*Chega!* found that East Timor had suffered massive human rights violations, including violations of the right to self-determination, killings and disappearances, forced displacement and famine, detention and torture, violations of the laws of war, political trials, sexual violence, violations of the rights of the child, and violations of economic and social rights. It determined that the death toll during Indonesian rule had been between a low limit of 102,800 and may have been as high as 183,000. (This does not cover the unaccounted that could total 300,000.) It also concluded that the majority of deaths had been the result of actions by the Indonesian army, and that violence in 1999 was the result of a "systematic campaign orchestrated at the highest levels of the Indonesian government." The findings of *Chega!* were affirmed in 2008 by the Indonesia-Timor Leste Commission of Truth and Friendship.

The *Chega!* report was never debated in parliament, although the government of Timor-Leste says it implemented the majority of the report's recommendations.

One of the bleakest stories investigated by CAVR was that of the so-called "stolen children".

During the Indonesian occupation, thousands of Timorese children were forcibly taken without their parent's consent. This stolen generation, who are now adults, experienced a dark childhood. After they arrived in Indonesia, they had to change their faith and identity. Many were promised a proper education and life, but their reality was far from what they expected. They were often neglected, many experienced violence and endured trauma, and were forced to move around in order to survive.

A regional organization based in Indonesia, Asian Justice and Rights (AJAR), has a program of returning those willing children back to their families in Timor-Leste.

More than 100 survivors have so far been reunited with their families since 2013 – "a culmination of relentless work by survivor communities and civil society organizations in searching for these stolen children's whereabouts". Even then, "they are still finding a way to make up for lost time, thousands others are waiting to be found, documented, and reunited". These reunions are just a "first step to rebuilding lives torn by trauma and loss.



The survivors' personal struggle is intertwined with the challenge for the two nations, who must forge a way to reconcile a difficult past".

Several non-governmental organizations are also active in pushing for full implementation of the Chega! recommendations, including the Chega for Us Association (ACBIT) and AJAR.

Follow-up work on education, archives, memorialization, advocacy, victim support and other aspects are meantime carried out by the Centro Nacional Chega! (CNC), which was established in 2016.

Since its establishment in December of 2016, CNC has centered its mission on promoting the recommendations of the CAVR to institutionalize memory and promote human rights through education, training, and solidarity with the most vulnerable survivors of human rights violations. CNC as described by one Timorese Minister, is a "living monument" which serves to always keep present the "idealism that motivated people to fight for their freedom" and to "orient Timor-Leste to not contribute to decisions that take away peoples' rights, in the region and the world."

CNC which for short is also called Chega! , engages with the community, both the public and survivors, through commemorating historical events, mapping historical sites, organizing educational tours that allow students to visit historical sites and to hear the testimonials of survivors, and creating the spaces for intergenerational transmission of memories.

When the Timorese resistance leaders took over the reins of governance and transition from the UN in their path to a new democracy, reconciliation was paramount in their agenda. Thus, despite the recommendations of the UN-led CAVR process, that endorsed the conviction of a number of Indonesian military generals (among those charged with command responsibility is the newly elected President of Indonesia, Prabowo Subianto, who commanded the special forces liable for the Krakas massacre in 1983), the governments of Timor-Leste and Indonesia instead established the Indonesia-Timor Leste Commission on Truth and Friendship (more commonly known also by its Portuguese acronym CVA, Comissão Verdade e Amizade) in August 2005.

The commission was officially created to investigate acts of violence that occurred around the independence referendum held in East Timor in 1999 and sought to find the "conclusive truth" behind the events. The commission wanted to establish "the conclusive truth regarding human rights violations to have occurred prior to, immediately after the Popular Consultation on 30 August 1999" as well as "prepare recommendations that can contribute to healing wounds of the past and strengthen friendship".

After holding private hearings and document reviews, the commission handed in the final report on July 15, 2008 to the presidents of both nations, and was fully endorsed by Indonesian President Susilo Bambang Yudhoyono providing the first acknowledgement by the government of Indonesia of human rights violations

committed by state institutions in Timor. The commission is notable for being the first modern truth commission to be bilateral.

The timing of the commission's creation was however criticized by some, as it was believed that it was designed to intentionally subvert calls for an international tribunal to deal with the events surrounding the 1999 plebiscite. The commission's mandate allowed it to review documents pertaining to four other inquiries surrounding the events that predated it: "The Indonesian National Commission of Inquiry on Human Rights Violations in East Timor in 1999", "The Indonesian Ad Hoc Human Rights Court on East Timor", "The Special Panels for Serious Crimes", and the CAVR.

The events that predated the commission had mixed results with regard to their respective mandates.

Indonesia's National Human Rights Commission (KOMNASHAM) established the Commission for Human Rights Violations in East Timor (KPP-HAM) to investigate human rights violations in East Timor committed in 1999. KPP-HAM found that there was a pattern of human rights violations committed in East Timor, such as:

- Systemic and mass murders
- Torture and ill-treatment
- Enforced disappearances
- Gender-based violence
- Forced Displacement of Civilians
- Scorched Earth campaigns

However, the outcome of the Ad Hoc Human Rights Court in East Timor did not live up to the expectations of rendering justice to the victims of the 1999 East Timor Crisis.

In a press release entitled, "Indonesian Verdicts A Far Cry From Justice; Real Masterminds Remain Free," the Asia-Pacific Coalition for East Timor (APCET) criticized the initial ruling of the Ad Hoc court in acquitting six military officers and only sentencing a civilian official for 3 years. APCET then proposed that only an International Tribunal can end impunity in Indonesia and punish war criminals in East Timor.

In addition, UNTAET's Special Panel for Serious Crimes conducted around 55 trials concerning 87 individuals from 2000-2005. Most of those convicted were "low-level perpetrators" who were affiliated with the Pro-Indonesian militias.

The CVR conducted a document review and analyzed previous trials and investigations into the subject. The commission also stated its intent to research the "historical background, political dynamics, and institutional structures that shaped events before and during 1999" to "inform its conclusions with a broader understanding of the way in which the causes of the violence in 1999 were

connected to previously established institutional structures and practices."

Operating over three years, the commission gave its final report on July 15, 2008, concluding that "gross human rights violations in the form of crimes against humanity did occur in East Timor in 1999" and that "pro-autonomy militia groups, the Indonesian military (TNI), the Indonesian civil government, and Indonesian police must all bear institutional responsibility", as well as stating that "from a moral and political perspective the respective states must accept state responsibility for the violations identified in the report."

The commission also made recommendations that both nations begin institutional reform enhancing the strength of investigative and prosecuting bodies involved with investigations into the events, as well as forming joint security policy to ensure the safety of individuals in case of the recurrence of violence. It also noted the need to resolve other standing border and security issues between the two nations to allow for more cooperation. Notably, the report gave no recommendations of amnesty or rehabilitation. The report however, being endorsed by Indonesian President Yudoyono, marked the first recognition of the Indonesian government's complicity in human rights violations in East Timor.

It is understandable that the Timorese leaders are more concerned with reconciliation because of realpolitik and the fact that Indonesia is their adjoining geographical neighbor forever. They must have calculated that they cannot afford perpetual animosity between their peoples if they pursue the UN recommendations of calling many Indonesian generals and officers to account and thus ruffle the Indonesian state especially its military establishment. Perhaps the political leadership in Dili believe that having cordial diplomatic relations with Indonesia would also benefit East Timor's application for ASEAN membership.

But a lot of civil society groups within Timor and also Indonesia have a different take on this. Even the Timorese NGO, Timor-Leste National Alliance for International Tribunal wrote an open letter in response to the commission's findings with several criticisms, including the lack of public consultation with victims and parliamentary approval of the commission, as well as noting that the commission assigned institutional responsibility rather than individual responsibility, "which is contrary to the principles of international laws which were ratified by the state of Timor-Leste and to Article 160 of its constitution which says that there must be a justice process for crimes against humanity". It also stated their belief that the CAVR was a more trustworthy and support worthy commission for the government to support.

Internationally, the report had a mixed reception. Some, such as the War Crimes Studies Center at the University of California in Berkeley, said that the commission could be seen as "widely acknowledged as credible and far-reaching," noting that the Indonesian government's affirmation of the results was important and that the commission made arguments that "there was credible evidence to indicate that Timorese institutions were also responsible for illegal detentions and possibly other crimes."

Perhaps the rub is that while there is acknowledgment of the crimes perpetrated in Timor, there has been no accountability or punishment meted to the ones responsible for them. Especially the policy makers and high ranking Indonesian military officers who oversaw the carnage in the territory. One of whom is about to become the President of Indonesia. The Commission was seen as a primarily political mechanism designed to support state priorities rather than substantive justice.

If governments are found wanting, civil society is not deterred.

Initiatives from civil society ranged from petitioning the UN for the establishment of a tribunal as recommended by their own Special Panel, writing open letters and position papers on the issue to organizing a public indictment that was hoping to help lead to the establishment of a people's tribunal.

Forum-Asia, the foremost human rights coalition in the region, issued an open letter on 22 May 2007 to the Presidents of Indonesia and Timor-Leste calling the CVR a "farce". It instead urged the "creation of a credible mechanism to hold accountable high-level perpetrators of crimes against humanity in Timor-Leste". It warned that if that did not happen, they would "continue to call for the establishment of an international criminal tribunal in line with the Commission of Experts report."

On 16-24 May 2004, APCET, which IID convened and steered, organized a public indictment prior to the penultimate 5th Asia Pacific Conference on East Timor (APCET V).

Among the results of the event were:

- That the draft indictment sheet be adopted by the conference;
- That APCET submit to UN a resolution calling for the creation of an international tribunal to provide justice to the victims of serious crimes;
- That a People's Tribunal be established that will prosecute the perpetrators of genocide and other crimes against humanity in East Timor (among them, then President Suharto and Indonesian generals Murdani, Subianto, and Wiranto);
- That concerned lawyers from the region study the requirements of a People's Tribunal; and
- That other avenues for justice be explored such as the filing of individual cases in Timor-Leste or Indonesian courts.

Sadly, subsequent political events seem to have overtaken this call of civil society to pursue these commitments.

Meanwhile, current Timor-Leste President Jose Ramos Horta has initiated a process of reconciliation with pro-Indonesia Timorese who fled to West Timor in the midst of the hostilities after the referendum.

Horta is utilizing the "Document for Human Fraternity for World Peace and

Living Together” signed by Pope Francis and Sheikh Ahmed el-Tayyeb, the grand imam of Al-Azhar on 04 February 2019. The Document is concerned with “how different faiths can live peaceably in the same world and areas”. Pope Francis and Sheikh Tayeb "declare the adoption of a culture of dialogue as the path; mutual cooperation as the code of conduct; reciprocal understanding as the method and standard."

Horta has been a stalwart in propagating the document.

Some have however voiced concern over this scheme, wherein leaders of the perpetrators of the bloodbath during the referendum period will be invited to return to Timor-Leste without any accountability or a process of justice. Participation in crafting this reconciliation policy by the victims and the communities brutalized by the perpetrators should at least be ensured.

## Conclusion

As mentioned earlier in this presentation, peacebuilding can indeed be a perpetual process. It does not end with a handshake or a signed peace agreement between conflict actors. Violence can only be abated, but never extinguished. It can manifest elsewhere, not necessarily between the original antagonists, but also among and within themselves. Or with other more marginalized communities, like women and the indigenous peoples, or even within the household, for example. This is starkly shown in the experiences depicted of Mindanao, the Philippines and Timor-Leste.

Only the degree and manifestations of peacebuilding and bloodshed changes.

Paramount in ending violence is the conscious and active involvement of victims, survivors, sectors, communities and civil society in peacebuilding.

It is in their unremitting vigilance and engagement that justice – and peace, is not only relentlessly pursued, but ultimately realized.

## Memory and Silence of State Violence in Thailand: How History and Laws Contribute to Impunity

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### Abstract

There were two uprisings and two massacre and innumerable incidents of violence by the Thai state in the past 50 years. But no serious investigations into any of them, let alone accountability or justice. Instead, most of them followed by the “unforgetting” -- the inability to remember or forget, or to articulate memories in public. The unforgetting is not only the result of political suppressions and censorship, but also of the permeated historical ideology, laws and legal system, all of which contribute to impunity.

### I. Political Struggles and Atrocities

Across Southeast Asia, among the chronic political problems many countries have faced over many decades are authoritarianism in various forms and the domination of the center, administratively, politically, and ethnically. Struggles for democracy, decentralization, regional or local autonomy, and equality are on-going.

These problems have led to many quiet suppressions, violent clashes, uprisings and massacres. Thousands have lost their lives. Their families have suffered. Fresh wounds and scars are across the landscape. Indonesia’s anticommunist purge in 1965, and Myanmar under several military regimes and with wars against ethnic peoples over the past sixty years, are a few examples of notorious crimes by the state in the region.

In Thailand, struggles against the authoritarian state under the dominance of the monarchy and military have taken place from time to time, in parallel to the serious conflict in the Malay Muslim region along the border with Malaysia, where people seek local autonomy from the discriminatory state with security paranoid.

In the past 50 years, the struggles for democracy led to two uprisings (1973 & 1992) and two massacres (1976 & 2010), altogether resulting in more than 300 deaths, and unknown number of disable and disappearances. Apart from those major atrocities, there were innumerable incidents of state’s crimes against its own citizens in the name of national security during the Cold War and in recent decades of authoritarian rules. Thousands of ordinary people have been victims of these political crimes.

Meanwhile in 2004, two atrocities took place in the Malay Muslim region. One was the raiding of a seventeenth century mosque allegedly to arrest the separatists. The other one was a thoughtless tragedy starting from the arrest of a few local

men, leading to the gathering of hundreds more to protest. They too were arrested. With hands tied behind their backs, they were ordered to lie face down on a few trucks, but with one layer of bodies piling up over another. By the time the trucks reached the destination, nearly a hundred had suffocated and died.

Moreover, since the Cold War, there have been discrete incidents of violence to people who allegedly were threats to the nation, thanks partly to the laws that grant extraordinary powers to the security agencies. In the past twenty years, a bundle of security laws makes the entire Malay Muslim region under the state of legal exception in which the normal laws are suspended and grant extra power to the security agents. An entire generation was born and grew up under the normalcy of legal exception.

The country's justice system also serves national security obediently. Since the royalist coup in 2006, hundreds have been arrested, presumed guilty, put in jail, denied bail, and ruled guilty, especially for lese majesty because a critical expression about the monarchy is considered a high crime of national security. Among them are children as young as 14 and 15 years old.

For these cases, the denials of bail are common, instead of being a basic right. The punishment for lese majesty is quite disproportional, similar to rape and manslaughter, even though the violations are never more than making public comments, mostly in social media.

Among those currently in jail for lese majesty is Mr. Anon Nampha, the recipient of the Gwangju Human Rights Award in 2021, a lawyer for many victims until he himself becoming one of them. He has been sentenced to eight years in prison, while more charges and trials are still on-going.

## II. Silence Without Justice

In Thailand and Southeast Asia, it is quite common that the past political tragedies were left without closure and without justice. (The exception was the case that international community involved heavily, namely, the crime of the Khmer Rouge.)

To this day, there was no or only sham investigations into those uprisings and massacres. No investigation into the 1973 uprising in which 72 people died, or into the horrible carnage in 1976. For the 1992 uprising, the report was redacted so heavily that it was unreadable, thus nobody was held accountable for 70 deaths. The serious investigation into the latest bloodshed in 2010 with 99 deaths was done by academics, while the government did only a dishonest one that put the blame on the "phantom" instigators that did not exist.

The way a society deals with its past atrocity tells a lot more about that society. There are different approaches in dealing with it. The atrocity that caused about one million deaths in 1965 Indonesia and the Khmer Rouge genocide may involve ordinary people so pervasively that it is difficult to bring all perpetrators to justice. Only a small number of Khmer Rouge leaders were brought to trial thanks mainly

to the international community. The perpetrators of the 1965 widespread killings in Indonesia remain unaccountable.

Instead of seeking truth and justice in order to moving on, the Thai state and Thai society chose silence. Moreover, except a few cases, victims of those incidents and their relatives usually chose silence too, due to fear of repercussion.

Unlike Chile, Argentina and some others in Latin America that dealt with the past atrocities by finding ways to punish the perpetrators, countries in Southeast Asia opted for burying history and memories of the traumatic past for various reasons that are all wrong.

### III. Memories/Unforgetting

Justice requires facts; seeking for truth about those atrocities is a pre-requisite for justice. In addition to the denial of investigation and the suppression of information by various means, the authoritarian regimes in Thailand usually encourage people to forget the past atrocities for the sake of reconciliation and national security, as if truth and memories would shatter the society. The memory of the massacre in 1976, perhaps the ugliest political crime in Thai history, has been suppressed for decades during which it was risky even to mention it in public.

Consequently, people do not forget the atrocities, but they cannot remember them either. I call this phenomenon the “unforgetting.”

What are the factors surrounding the unforgetting of the past atrocities? The answers for Thailand are probably similar to the ones for the question why it is so hard to get to the bottom of the 1965 incidents in Indonesia.

First, the ruling regime has not fundamentally changed yet.

Indonesia: the same military elite that ruled and prospered under Suharto’s New Order remains influential till today. The elected governments after Suharto have to be cautious often with care for the interests of these powerful elite.

Thailand: as institutions, the palace and military that were responsible for the past atrocities including the 1976 massacre continue their political dominance, only individuals have changed. In fact, the two institutions are more consolidated today than in the 1970s.

Second, civil society has been relatively weak to advocate for accountability and truth-seeking against the state’s attempts to silence the past.

Third, therefore, it is difficult for victims and survivors to take risk to tell their stories. Their memories are fraught with possible undesirable repercussions not only from the state but from social sanctions too, since one does not know if people regard them danger to the country.

Fourth, in many countries, the discursive phantoms of the evil to the nation persist. The communist is such a phantom for Indonesia despite the end of the



Cold War decades ago. The anti-monarchist is such a phantom for Thailand. These illusory demons have penetrated popular culture and helped justify the state crimes.

The fifth factor is the illiberal and intolerant historical culture. In Thailand, the dominant historical ideology is anathema to democracy and justice. This factor is much less understood, even though, in my view, it is more consequential than we realize.

#### IV. Historical Ideology & Control of History

Every state knows that history matters. Authoritarianism is built partly on the control of history, which is dangerous more than the outright lies. It usually wants to control history in textbooks, museums and other public institutions to reproduce only the story that buttresses its rule. Their crimes such as the past atrocities would be told evasively or distortedly, if not erased altogether.

In Indonesia, there has been the proliferation of historical writings after the fall of Suharto in 1996. Among them are lot of memoirs of the 1965 bloodshed, both the reaffirmation of the New Order historiography and some voices of victims. Yet, most are the genre of “eye-witness to what happened”, not the rethinking, critical or alternative history that challenges the dominant national narrative.

In Thailand, history is not an interpretive knowledge that explains the past and the change over time. Rather, it is the venerated story that epitomizes the glory of Thainess. Authoritarian regimes in Thailand always claims the successor and savior of such history.

In this historical ideology, the monarchy and the state are benevolent. They rule by virtue for the good of people. The state’s violence is sometimes necessary as a righteous battle against the evil enemy. Its violence to people is framed as such, thus fitting in with the narrative of the virtuous royal state, instead of being a brutal crime against its citizens.

A memory that contradicts the royal-national narrative is often received by the public with suspicion, disbelieve, even distrust. Such had been the fate of the October 6 memories for many decades. Today, despite that the public recognized the atrocity 50 years ago, there is a ceiling to what can and cannot be said. The question who was responsible for the massacre remains off-limit since the answer could implicate the palace, thus very dissonant with the narrative of the virtuous monarchy. Such a narrative is often regarded dangerous to the nation.

The control of the past is anathema to democracy and justice.

#### V. Legal System

The legal systems in many post-colonial countries are not the Rule of Law that protects people’s rights by limiting the state’s power. Instead, national security

lends legal privileges to the “prerogative state”. Such is the case in Thailand.

The foundation of modern legal system in the semi-colonized Siam was to serve the absolute monarchy without respect to people’s rights. After the end of the absolute monarchy, Thai legal system has been developed upon this foundation most of the time under authoritarian regimes.

“National security” or the security of the state has, therefore, been the highest purpose of the legal system, above people’s rights and liberty. Development, as seen by the state, also renders privileges for the state often at the expense of people’s rights, freedom, even private property.

Thai legal system has normalized the state’s emergency powers in the ordinary statutes, far beyond the emergency and the martial laws, such as in the laws of forestry, media, freedom of information, privacy law, and many more. These provisions allow the state to suspend the normal substantive and procedural laws and to exercise extraordinary powers that encroach people’s rights, liberty and property.

All legal institutions and the entire justice system, have been built and developed accordingly. It is not surprising that the judiciary has repeatedly endorsed a coup as legitimate and its orders as valid laws. Institutionally, Thai judges claim to “act in the name of His Majesty”. They are regarded exceptionally high despite their obedient services to the state.

## VI. Impunity

The ultimate privilege that the Thai state has often enjoyed while no other states have, is impunity. Every coup-makers have granted impunity to themselves, then endorsed by the judiciary. Impunity was also granted by the state and the judiciary in the wake of every uprising and massacre. Besides, impunity is granted in the extant 2008 Internal Security Act, allowing the security agencies to (ab)use authority. Impunity has been part of Thai legal culture and practices, and of the development of the Thai state.

Moreover, the Thai state and the public alike usually urge people to move on beyond the past tragedies for the sake of the harmonious future. In a Buddhist culture, it is easier to talk about reconciliation and forgiveness without knowing who to be forgiven and what to forgive since forgiveness is a unilateral act to cleanse one’s own mind. In this culture, the desirable future is possible because of, not despite of, the absence of retributive justice that requires memory. People do not forget, but they are encouraged to not remember in order to moving on. I believe we can find similar psyche and mentality in other countries.

What the society actually gets is impunity.

Impunity is a legal privilege for a few above everybody else. It contradicts to democracy and the rule of law in which everybody is equal before the law.

With the absence of the rule of law but with the affirmation of unequal power

and privileges, democracy is merely a day dream that will never come.

As one Indonesian intellectual once remarked, “If we have never fully acknowledged the truth of the 1965 incident, we will not be able to either end impunity or fully recover our common humanity”.



## Special Session.

### Reflection and Vision on the Foundation's International Solidarity Project

Since 1994, the Foundation has been conducting various projects to inherit the May 18 Spirit. Especially the foundation started international affairs projects and has made an effort to globalize the May 18 Uprising and enhance democracy, human rights, and peace in the world. To celebrate the 30th anniversary of the Foundation, we will look at the past international programs and explore the direction of the Foundation's international projects in the future. This session is organized in collaboration with <Memory Record Healing Cooperative>, which conducted a research project on compiling the International projects' documents and how to develop the Foundation's international projects in 2023.

**Moderator** Mr. Kim Jae-hyung (Korea National Open University)

#### **Speakers**

1. Outcome and Challenges of the Foundation's International Projects  
Memory Record Healing Cooperative
2. Experience of the International Project  
Don Tajaroensuk (People's Empowerment Foundation)
3. Transitional and Direction of the International Solidarity Projects  
of the May 18 Foundation  
Jung Ho-Gi (Woosuk University)



## International Programs of the May 18 Memorial Foundation: Key Achievements and Challenges

Yang Ra-Yun, Lee So-Yeong, Lim Jeong-Seob  
Memory Record Healing Cooperative

### 1. Intro

The May 18 Memorial Foundation (the Foundation) is celebrating its 30th anniversary this year. The Foundation was established to “commemorate, inherit and develop the movement for resistance and the sublime spirit of solidarity,”<sup>43)</sup> and it has implemented various projects to carry out this mission. Currently, the Foundation’s main projects are divided into seeking the truth, countering distortions, conducting research on the May 18 uprising, promoting education and cultural initiatives, and strengthening international solidarity. The Foundation’s international programs have been in full swing since the 2000s, and the activities and achievements have become the main programs of the Foundation. It is especially commendable that the Foundation is taking the initiative at the private level, despite the regional limitations of Gwangju and the network and support needed to implement such programs. It is, therefore, necessary to understand how the Foundation has promoted the May 18 spirit across the globe by engaging in diverse international initiatives, establishing itself as a prominent organization and overcoming various challenges.

Today, the changing global environment surrounding democracy has not only affected democracy in Korea but also led to greater demand for civil society to advocate for international democracy. For example, the recent pro-democracy movements in Hong Kong, Thailand, and Myanmar have recalled the May 18 Movement of 40 years ago, asking for Gwangju’s participation and support to promote democracy across the globe. Therefore, it is necessary to identify new agendas and explore active responses that reflect the new environment and conditions of global democracy. Also, there are new entities in the region implementing international programs relating to May 18, which is another reason the Foundation should review its programs to avoid engaging in similar or overlapping initiatives. In 2023, the department in charge of international programs at the Foundation was changed from “International Solidarity Department” to “Glocal Center,” to prepare for the way forward. And to this end, the Foundation reviewed and organized its materials on existing programs, during which process the research team was able to examine the Foundation’s 30-year journey on international initiatives.

This paper will look back at the practical efforts and achievements, as well as discussing the future direction of its international programs by reviewing them one by one. First, the paper will cover the overall flow of the Foundation’s initiatives

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43) The Founding Statement of the May 18 Memorial Foundation. August 30, 1994.

on promoting the May 18 spirit across the globe, and then review the programs currently in place by categories to identify key achievements and implications.

## 2. Formation and Development of May 18 International Programs

The international programs of the Foundation have had many turning points over the past 30 years. Various programs have been initiated and stopped, and adjusted or transformed. The formation and flow of these programs can be categorized into three stages as shown below:

<Figure> Development Stages of the May 18 Foundation's International Programs



### ◎ Initial Stage (1994 – 2004)

The May 18 globalization efforts<sup>44)</sup> began with the works of the Gwangju Citizens' Solidarity on Restoring Honor to the May Uprising Victims (the Solidarity). This Solidarity was established to check on the May 18 Commemoration Project initiated unilaterally by the government, and the Solidarity sought to engage with other countries with similar experiences in the process. The International Symposium on Overseas Perspectives on May 18 was held in 1994, followed by the International Symposium on Crimes Against Humanity and Settlement in 1995, and the first international youth camp in 1996. This established an international network. In 1998, the Asian Human Charter was declared in Gwangju under the leadership of the Solidarity and the Asian Human Rights Commission (AHRC) to commemorate the May 18 Gwangju Uprising. This led to tangible accomplishments for the globalization of the May 18 spirit, and this idea was expanded to the universal concepts of democracy, human rights, and peace.

The Solidarity's achievements on the globalization of May 18 were later followed by the Foundation's international projects and solidarity activities. First, the financial resources were prepared as the Ordinance to Support the Basic Property of the Gwangju May 18 Memorial Foundation was enacted in 1997, and the May 18 Victims' Fund, which had been managed by Gwangju City, was transferred to

44) Nationwide and worldwide promotion of May 18 had been long-standing challenges to prevent this historical event from becoming a localized or isolated event in a specific area. While nationwide and worldwide diffusion models are commonly adopted, the globalization of May 18 was a strategy chosen as a detour because nationalization of May 18 was difficult.



the Foundation in 1998. In 2000, a large international event was planned in celebration of the 20th anniversary of the May 18 Uprising, and staff were assigned to handle this event. In 2002, the Foundation's Articles of Incorporation established the basis<sup>45)</sup> to engage in international programs, making Gwangju-Asia Human Rights Solidarity Project more concrete. A key example was the Gathering of the Families and Organizations of Victims of Democracy in Asia, held from 1999 to 2003, which was expanded to the Solidarity Gathering of the Family Network of Victims of Democracy in Asia in 2001 and to the Gwangju International Peace Camp in 2004. In 2005, the Foundation started hosting the Gwangju Asian Human Rights School for international civil society activists, laying the foundation for Gwangju to become a city for human rights and peace in Asia. This initial stage is when the Foundation set up the budgetary and institutional basis for international programs by hosting international projects that had previously been organized by civil society organizations (CSOs).

### © Growth Period (2005 – 2014)

The international programs of the Foundation reached a turning point in 2005 when it secured state funding under Article 5 of the Special Act on the May 18 Democratization Movement. The international programs were assigned under the Gwangju Democracy, Human Rights and Peace Project, and the International Cooperation Department was established in the Foundation's secretariat to handle international programs. The department was subsequently reorganized into the International Cooperation Team (2006), Exchange Support Team (2008), and Exchange and Solidarity Team (2011) to build its international expertise, engage in more exchange programs, and strengthen international solidarity.

In terms of programs, this is when the Foundation tries to expand and reorganize the existing programs, and explore new ones. First, the Gwangju International Peace Camp was renamed the Gwangju International Peace Forum (2007) and then the Gwangju Asia Forum (2010). This event became a key global partnership program of the Foundation with a bigger and more diverse participation base. The Foundation also implemented various projects to train May 18 related talents. The Overseas Internship Program, which began in 2001, was greatly expanded to include more organizations and interns. In 2005, the Foundation began recruiting interns from abroad. By sponsoring the Master of Arts in Inter-Asian Non-Governmental Organizations Studies (MAINS) program at Sungkonghoe University in 2007, the Foundation started a long-term education program as well. There were changes made to the programs over the years, such as the Gwangju Asian Human Rights School being incorporated into the 5-18 Academy (2012) and closing its domestic activist course (2014). In addition, the Foundation has tried various other international projects which include supporting overseas CSOs, conducting monitoring visits, and operating international networks. As the

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45) Articles of Incorporation of the Foundation, Article 4, Paragraph 1, Item 8: Solidarity projects with domestic and foreign democratic and human rights organizations to commemorate and inherit the May 18 Democratization Movement

Foundation secured its own network and personnel, it was able to grow in size and in its work quality to be able to successfully implement international programs on its own.

### ◎ Turning Point (2015~2023)

In 2015, the Foundation reached another turning point. The Foundation faced internal and external challenges due to conflicts with its employees and CSOs. The Gwangju Metropolitan Government's administrative audit followed in 2017, leading to an overall decline in the Foundation's activities. The international program department especially had trouble implementing its projects due to personnel shortage, and the existing partnerships had weakened as well. To overcome this situation, the Foundation reorganized the Exchange and Solidarity Team into the Memorial Project Department, and reviewed the existing international projects in a critical light to develop new networks and programs. With the goal to “share experiences and achievements of May 18” through its international programs, the Foundation then focused on taking the initiative to implement these programs and strengthening its partnerships. The main initiative was for the Foundation to develop new networks by hosting regional meetings and workshops for the recipients of the Gwangju Human Rights Award. At the same time, the Foundation increased global publicity and communication through international conferences, the May 18 International Photo Exhibition, and web publications. The Foundation also established a Global NGO Master's Program (GNMP) in 2016 to strengthen the public, private and academic partnership in the region, and to foster international experts on May 18.

In 2018, the Foundation separated the work on international programs from the Memorial Project Department and reorganized it into the International Solidarity Department. This was to ensure independence of the international programs and for the Foundation to address international issues more actively. As a result, the Foundation was able to respond quickly and actively to democracy issues in the international community, including supporting the pro-democracy protests in Hong Kong, forming a solidarity organization to support the pro-democracy movement in Myanmar, and calling for the release of pro-democracy activists in Thailand. These efforts led to many accomplishments, among which were gaining special consultative status with the Committee on Non-Governmental Organizations of the UN Economic and Social Council (ECOSOC), and a voice at the UN on issues related to democracy and human rights.

In 2023, the Foundation upgraded its international programs department to “Glocal Center.” This was in response to the democracy and human rights issues that have been newly raised at the international level, which require a more systematic and strategic approach. The Foundation's support and efforts are crucial for the Glocal Center to expand the connectivity of its international projects and respond flexibly to international issues.

### 3. Overview of International Programs and Key Achievements

The international projects of the Foundation can be classified broadly into the following categories depending on the purpose and nature of the project: promotion, exchange, human resource development, and domestic and international solidarity. The current progress and major achievements of each project category are as follows.

#### ◎ Promotion Projects (Awards & Campaign)

Promotion projects aim to promote the meaning and value of the May 18 Democratization Movement to the global community. The May 18 Movement is regarded as a model and a source of inspiration for the Asian human rights movement, not only for its pivotal role in the democratization of Korea, but also as a major example of transitional justice. Promotion projects to commemorate and spread the noble spirit and values of May 18 include the Gwangju Prize for Human Rights, the Hinzfetter International Reporting Award, and the campaign to establish the “Universal Day for Prevention of Militarism and Authoritarianism.”

The Gwangju Prize for Human Rights is the Foundation's most representative program for international promotion. The prize was established in 2000 with the goal of promoting the spirit of the May 18 Democratization Movement in Korea. Since the first recipient, Xanana Gusmão (President of the National Council of Resistance of the People of East Timor), a total of 24 individuals and four organizations have been awarded as of 2023. In 2011, the Gwangju Prize for Human Rights established a new Special Prize, which is awarded biennially to living individuals and organizations that have contributed to the promotion of democracy and human rights in the fields of culture, art, media, and academia. As of 2023, a total of two people and five organizations have been awarded the Special Prize. Over the years, the Gwangju Prize for Human Rights has worked on its procedural issues by expanding nominee base in terms of the number and the region, and strengthening the verification process. The prize gained more prestige and influence as it showed support and solidarity to the recipients. In particular, with the establishment of the Network of the Laureates of Gwangju Prize (NLG) in 2021, the Foundation is looking for ways to draw attention to the recipients and their countries and to further strengthen global solidarity and action on human rights issues.

Another international promotion project is the Hinzfetter International Reporting Prize, which was established in 2021 in honor of Jürgen Hinzfetter, to find video journalists covering pro-democracy movements, and to share their efforts and spirit across the world.<sup>46)</sup> Also, in response to state violence and repression of democratization movements, the Foundation has been campaigning for the establishment of the UN Universal Day for Prevention of Militarism and Authoritarianism (UDPMA) since 2020 as a way to commemorate and promote the

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46) Awards are given in four categories, and the award ceremony is held biannually in Gwangju and Seoul.

May 18 Movement within the international community.

### ◎ Exchange Programs (Network & Forum)

The Foundation began its international exchange programs by engaging in interactions and solidarity with the families of victims of democratization movements in Asia. The Gathering of the Families and Organizations of Victims of Democracy in Asia began in 1999 to share the experience of Gwangju and to build a network with the victims of democracy in Asian countries. In 2004, the event was renamed the Gwangju International Peace Camp, and expanded to include not only the victims' families but also scholars and practitioners of democracy, human rights, and peace-related organizations in Korea and abroad. The event brought these participants together in Gwangju to explore the development of human rights and peace. In 2007, the event was reformatted and renamed the Gwangju International Peace Forum, and then based on its accumulated capabilities in 2010, it was further developed into the Gwangju Asia Forum. The event led to the establishment of the Solidarity of Democratization Movements in Asia (SDMA), an implementing body for the promotion of human rights and democracy in Asia, to address key issues facing CSOs in Asia.

In 2021, the Gwangju Asia Forum was renamed as the Gwangju Democracy Forum. The objective was to share more diverse agendas and explore practical responses not just in Asia, as challenges to democracy intensify globally. The forum is organized into sections with different topics. The forum also serves as a platform for the Foundation's projects, including the review of overseas grassroots support projects, workshop discussions for the recipients of the Gwangju Prize for Human Rights, and meetings as a regional hub. In 2021, as on-site participation was limited due to COVID-19, the event was organized as a hybrid meeting. Currently, it has become a major annual international forum with 300 to 400 participants from about 40 countries.

Meanwhile, the Foundation has been organizing regional hub meetings in different parts of Asia since 2015 to seek realistic solutions for human rights in the region. It is a practical network that gathers human rights activists, human rights experts, lawyers, and scholars from various countries in Asia to report on the actual human rights situation in their respective countries. Based on what is shared during this meeting, the participants also hold in-depth discussions on the response strategies to human rights violations in Asia, the direction of human rights activities in light of different constitutions and the Asian Charter on Human Rights, and the measures for institutional improvements. The participants also seek solutions to strengthen solidarity. The Foundation organized the East Asia Democracy, Human Rights and Peace Network in 2012 as a private sector network on democracy, human rights and peace. Seven organizations in Korea and four non-Korean organizations<sup>47)</sup> have signed a joint memorandum of

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47) There are seven organizations related to historical events (May 18 Memorial Foundation, Jeju April 3 Peace Foundation, Korea Democracy Foundation, Busan Democratic Movement Memorial Association, Burma

understanding (MOU) to work together as a network. This network aims to inherit and commemorate historical events such as wars, state violence, genocide, and human rights violations in major East Asian countries and the values of the democratization movement. Every year, the network holds regular meetings in the first half of the year and workshops in the second half of the year, showing mutual support and solidarity by participating in commemoration of historical events.

### ◎ Human Resource Development Programs

Human Resource Development Programs are educational programs that aim to build capacity of activists who can contribute to the development of civil society in and outside Korea. These activists will be utilized as a network for solidarity projects. Such programs include the May 18 Academy (short-term training program), the GNMP (long-term educational support program), and the international intern exchange program.

The May 18 Academy began in 2004 as a training program for civil society activists in Korea. The idea was to provide intensive lectures and discussions in Korea, followed by a two-week overseas training for field experience and to refresh themselves. Another program for non-Korean activists began with the Gwangju Asian Human Rights School in 2005. Practitioners from human rights and peace organizations in Asia were selected to participate in the program, which provided education on the May 18 Uprising, Korean democracy and human rights as well as a tour of key sites. In 2012, the Foundation combined these two training programs into the 5·18 Academy and divided them into 3 parts. Part 1 was for Korean activists, Part 2 for international activists, and Part 3 a professional course for commemorative projects. In 2015, the three parts were combined, eliminating the overseas training program portion and allowing Korean and international CSO activists to receive training together in Korea. In 2019, the National CSO Activist Academy was relaunched for activists in Korea, offering them both training in and outside the country. The 5·18 Academy combines the theoretical knowledge and field visits, and introduces the concept of Folk School, which is centered on discussion among the participants rather than lectures. The 5·18 Academy continues to this day as a human resource development program that strengthens solidarity with partner organizations while sharing the experiences and the spirit of the Korean democratization movement.

The Foundation also provides educational opportunities to foster local and international experts in the long-term. From 2007 to 2015, it supported the Master of Arts in Inter-Asia NGO Studies (MAINS)<sup>48)</sup> curriculum at Sungkonghoe

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Democracy Foundation, No Gun Ri International Peace Foundation, and Donghak Peasant Revolution Foundation), two organizations in Japan (Hiroshima Peace Memorial Museum and Okinawa Prefectural Peace Memorial Museum), and two organizations in Taiwan (February 28 Memorial Foundation and Preparatory Office of the National Human Rights Memorial Hall).

48) MAINS is a master's degree program launched by Sungkonghoe University in 2017 with the aim of fostering human resources to lead the growth and development of civil society

University and since 2016, it has been offering the Global NGO Master's Program (GNMP) based in Gwangju. The GNMP program was launched to train international leaders with the Gwangju Metropolitan City providing the necessary budget, the Foundation recruiting and selecting students, and Chonnam National University's 5-18 Research Institute managing the curriculum (General Graduate NGO Cooperation Course). After selecting four students in 2016, this program selected three to four students each year, and as of 2023, 23 students were selected, and 18 students have graduated. These students have become an invaluable asset for the Foundation's other networking programs, and 10 of the graduates went on to hold important roles in charge of democracy, human rights, and peace-related work at international NGOs. They are also an important part of the Gwangju Research and Advocacy Solidarity Network (GRAS-Net), which was formed in 2021, and are actively involved in various international solidarity activities.

The Foundation's international personnel exchange programs include the international intern recruitment and international intern secondment program. The international intern secondment program began in 2000 and was terminated after 2018.<sup>49)</sup> Only the international intern recruitment program, which began in 2005, is still in place, selecting activists recommended by the heads of partner organizations. These interns serve as a channel for exchange of information between countries and regions, and ensure continuity and expansion of the international network by managing web publications, English websites, network and supporting partnership projects with various organizations. A total of 37 international interns from 18 countries have been recruited from 2005 to 2023. After returning to their home countries, these interms become new contact points for the Foundation as they engage in democracy, human rights, and peace-related activities.

### ◎ Domestic and International Solidarity Programs

The Foundation is conducting various solidarity programs to respond to the global democracy and human rights issues, and to keep the May 18 spirit alive. In the early years, the solidarity programs were often one-time or temporary partnership projects, such as a memorial event for the missing persons in Sri Lanka and donation of clothes. Since securing the budget in 2005, the Foundation has been able to implement regular support programs for international CSOs. These programs were then transformed to select and provide practical support to CSOs

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in Asia. The Foundation signed an agreement with the Graduate School of NGO Studies at Sungkonghoe University for the period from 2007 to 2015 to provide a certain amount off educational support. However, there were limitations to developing this into a network for the Foundation and Gwangju.

49) The Overseas Internship Program was a project that provided short-term secondments, training, and educational activities to build stronger personnel and organizational exchanges for domestic and foreign partner organizations. The program has been terminated since 2018 due to issues relating to effectiveness, stability and operation as some participants returned mid-term.

based in Asia. From 2005 to 2015, the Foundation supported various projects and activities in 46 Asian countries regarding refugee education, human rights, women, election monitoring, conflict zone activities, democracy, judicial monitoring, state violence investigations and many more.

In 2015, in response to an administrative audit that ordered avoiding direct support for organizations, the Foundation launched the Joint Support for Asian Grassroots project, which allowed the Foundation to support and implement collaborative projects. From 2016 to 2020, 31 overseas grassroots organizations were supported. In 2021, the Foundation further expanded this project and established the Gwangju Democracy Fund based on the experience of the Gwangju Solidarity Fundraising Project for Democratization of Myanmar (2021–2022). By providing emergency donations in the name of Gwangju and May 18, the Gwangju Democracy Fund aims to actively promote democracy and human rights around the world where these values are being severely violated. This Fund utilizes a variety of financial resources, including the Foundation's own funds and operating revenues. A steering committee comprised of the Foundation's secretariat and international activity specialists consider the need, urgency and local context to determined the fund support.

In the early years, solidarity programs within Korea had also been passive, simply supporting May 18 commemorative events in other parts of the country. Once stable financial resources became available, the Foundation was able to fully implement projects to support CSOs in Korea. Since 2003, the Foundation has provided project support to CSOs on the themes of May 18, democracy, human rights, and peace. The goal was to foster grassroots CSOs. The project has changed its name and budget over the years to Support for Democracy, Human Rights, and Peace Projects in 2005, Support for Domestic NGOs in 2007 and to Inheritance of the May 18 Spirit for Domestic CSOs in 2014 but solidarity projects have continued to be carried out within the country. Apart from the support projects, the Regional Council on May 18 Commemoration Project was also formed to promote solidarity and joint projects across the nation. The Council co-hosts May 18 commemorative events with relevant organizations in each region of the country every year. It also promotes joint projects and solidarity to ensure proper education on May 18 and to respond to relevant issues. Currently, the commemorative ceremonies and cultural festivals are being held every year for a week in May in Busan, Daegu, Gyeongbuk, Deajeon, and Chungnam. The Foundation also supports and participates in the events held in other countries to promote and commemorate the May 18 Democratization Movement.

The Foundation has been active in recent years, responding quickly to democracy and human rights issues around the world. It does not remain silent about situations related to democracy, human rights, and peace in various countries, and rather, actively responds and expresses solidarity by issuing statements, promoting the issue via social media, and raising awareness through domestic and international networks. In particular, the Gwangju Solidarity for Myanmar, formed

in March 2021 with local CSOs, is a representative solidarity program led by the Foundation. It has carried out various support activities such as rallies, campaigns, distribution of publicity materials, photo exhibitions, creation of memorial spaces, and fundraising to raise awareness of the situation in Myanmar. In addition, the Foundation participated in the Gwangju Gathering to Pray for Peace in Ukraine, and has actively responded to international issues through candlelight vigils, lectures by Ukrainian activists, solidarity statements, and civic public relations activities.

#### 4. Closing

Discussions on the globalization of May 18 began in the early 1990s. At the time, international solidarity emerged as a key issue in the face of neoliberal globalization. In Korea, there was a discussion on the nationalization and globalization of May 18 to overcome the localism of the May 18 Democratization Movement. The globalization of May 18 was made possible thanks to the domestic and international environment, as well as the dedication of local CSOs in Gwangju that sought to engage in international solidarity. Since then, the May 18 Movement has been presented to the world as a successful example of clearing the past and transitioning to democracy in Korea. Various projects were developed to support the resistance movements directly or indirectly in the other parts of the world. The Foundation has played a central role in such efforts on the globalization of May 18.

On the other hand, international programs of the Foundation, which are considered to be its key achievements, have been criticized for its limitations. These limitations include the lack of professional manpower and budget, limited partners for exchanges and solidarity, project overlaps with other similar organizations, and institutional stagnation, despite the accomplishments in expanding solidarity and accumulating experience. Promoting international exchange programs in a sustainable manner required expanding and deploying specialized personnel, building staff capacity, and improving the internal project implementation system, and the Foundation has overcome many challenges to develop its international programs. The following is an evaluation of the Foundation's international programs to date.

First, the international programs of the Foundation have expanded in terms of both quantity and quality, moving from one-time and charitable projects to regular and stable projects. In the early years, the programs had been limited in nature to inviting foreign officials or providing funding. Later, as it secured stable finances and accumulated experience, the Foundation established the professionalism and procedural system needed to implement international programs.

Second, the Foundation is setting a leading and exemplary example for international programs that are organized by a private entity on historical events. It is not an easy task to modernize the meaning of a historical event and to develop international programs in various fields. Although one-time international events or exchange programs are often conducted, the Foundation is one of the few, if not



the only, private organization that has established regular programs and stable presence. This can be the result of hard work over a long period of time through various attempts.

Third, the Foundation is taking greater practical efforts to spread the May 18 spirit beyond Asia and across the world. In Asia, the Foundation has established a leading role by strengthening support and solidarity. At the international level, it has been recognized as a Special Consultative Status with the Committee on Non-Governmental Organizations of the UN Economic and Social Council (ECOSOC). The Foundation is also seeking to operate independently through its own funds and contributions, which is expected to further elevate the Foundation's international profile.

Over the past 30 years, the Foundation has seen many accomplishments in its international programs despite the limitations and challenges. It was able to diversify its programs from one-time, charitable programs to those with more continuity and sustainability, while also taking the initiative and building a new, independent network. The scope of the programs is also growing outside Asia, and into the rest of the world. Despite the difficult challenges along the way, the Foundation was able to overcome them because many people were dedicated to ensuring project stability, finding effective ways to build solidarity, and focusing on the key mission. Now, the Foundation is in a position to expand its role and respond to the demands from the international community utilizing its experience and expertise so far. The reorganization of the Glocal Center will be the first step in this direction, and the new goal should be advanced based on support and cooperation.

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## Experience of the International Project

Don Tajaroensuk  
People's Empowerment Foundation

### Experience of the International Project

First of all, I would like to say gratitude for the anniversary of 30 years of the establishment of the May 18 Foundation. I would like to say thank you to May 18 on behalf of our friends from many countries. It is honored to be here again as a representative for giving speech and discussion about the way forward for the next era of democracy for May 18 Foundation.

Firstly, I heard about May 18 from our senior colleagues in my Thailand, the story of brave people-led movement for democracy in small city of Korea Gwangju city, that later wide spreading to other countries regionally and internationally. Personally, my first memory connected with May18 that when I first met with former executive director, Kim Yangrae, who just recently passed away in 2023. I cannot remember the year, but after that day, I have greatly connected with May18 since that day. I have been involved with many May 18 international programs, such as GNMP, GPHR, GDF, May 18 Academy, May18 Mayzine, UDPMA and other projects.

GNMP, Global NGO Master Program, it is the program that have the most impact on my professionalism. I grew up a lot from this program. After my bachelor's graduation, I first had no intention of continuing further education such as a master's program. As eventually inspired by May18, I have changed my mind. In another reason that Thailand and another country do not have NGO studies, and very fewer human rights institutes. During the classes, we have learned from prominent social activists for human rights activism and also from the professors who can shape our thoughts for analytical ability for NGO management. With the freedom of academics, I could freely choose my research topic based on my self-motivation. My master's research conducted under the GNMP program has become well-known in Thai society as a pioneer study on the social factors and condition of Thai undocumented migrant workers to understand the difficult lives of underprivileged persons. This master research widely spread my thoughts and analysis into Thai society, including promoted reputation in my career path. Moreover, the GNMP program also encouraged me to have engagement with Gwangju citizens through several local activities so that we could absorb the spirit of Gwangju citizens into our consciousness. Once, I remembered we, GNMP students, protested overnight at Jeonil Building 245 together with Gwangju citizens. This experience has taught me about the collective actions from ground-based movements. One more thing I would like to share with anyone here about GNMP, the way we call our classmates is "family", even though everyone already graduated in 2018, but we still get in touch closely with each other.

Gwangju Prize for Human Rights Awards (GPHR), during the massive democratic movement in Thailand 2020–2023, the political activists who called out for a just society and reforming the monarchy system were being stigmatized by the authorities and conservative opposition. If I can give some example for impact of GPHR, I may refer to the award presented by GPHR to well-known lawyer Anon Nampa, the laureate of the Gwangju Prize for Human Rights Awards in 2021, who has a great significant contribution to Thai society and the democratic movement. It encourages a young generation and those who recall democracy, which this GPHR award emphasizing what they have been doing is appropriately the right thing to do against the stigmatization from authorities and opposition. Although, the democratic movement these days has lessened, but among Thai society, we have recognized this great contribution from GPHR, hope is still igniting among young people. The democratic movement either in Thailand or other countries can be back anytime. Unfortunately, currently, Anon Nampa is being jailed by the Penal Code of Conduct Article 112, the Lese Majeste law. Also, many young leaders as political activists are gradually being imprisoned. Please do not forget them all, to those all-in significant countries respectively. In essence, GPHR has provided awards to real activists who are working closely on the ground and all laureates must initially be nominated by activists around the world. I do surely believe that GPHR has a greater democratic contribution and motivation to many countries as well, maintaining significantly the hope of the people for change. GPHR is the core channel that links the spirit of Gwangju to other countries. Thank you again to May18 for the contribution of the GPHR awards and congratulate with all laureates, your efforts will be constantly remembered.

May 18 Academy and Gwangju Democracy Forum, anyone may have heard about these programs already, these programs collectively allow social activists to meet for exchanging and sharing experiences. It also consequently creates a larger collaboration across respective countries. Many friends, we still meet each other in the world of social movement. Many transnational programs, projects, campaigns and cooperation have been created after meeting at the academy and forum.

I witnessed that May18 not merely works in South Korea, May18 has also worked transnational program in emergency situation. During the armed crisis in Myanmar, while the number of asylum seekers and refugees have fled to Thailand and humanitarian aid needed following the escalation of the conflict is increasing, May18 friends in collaboration with Gwangju networks conducted a fact-finding mission visiting along Thai-Myanmar border seeking possible ways to support Myanmar people during the conflict situation.

There are still many projects that I have involved, I also engaged in writing a national report on transnational justice and democracy report, and UDPMA the global campaign for anti-dictatorship and so many other projects.

I may say that engaging with the May 18 is not just only a section of training or

learning, but it is part of my life's development. We still have hope because of your contribution, the May 18 should have know that the story of Gwangju has been repeatedly depicted widely during the election, social and political campaigns in Thailand and, also, I think it must happen in other countries in the same way. My memory and experience with May 18 are overwhelmed, I would like to say thank you again for being beside us. I hope May 18 will be still with us for the long pathway to achieve human rights and democracy in our countries.

### Expectations of the Foundation's International Affairs

Regarding the expectation for foundation international affairs, I will first explain a statement of the problem of the current situation of democracy in Asia.

Country <sup>↕</sup>	Democracy Index <sup>↕</sup>			CPI <sup>↕</sup> (Corruption Perception Index) <sup>↕</sup>	
	Overall Score <sup>↕</sup> 0-10 <sup>↕</sup>	World Rank <sup>↕</sup>	Status <sup>↕</sup>	Score <sup>↕</sup> (0-100) <sup>↕</sup>	World Rank <sup>↕</sup> (180) <sup>↕</sup>
Malaysia <sup>↕</sup>	7.29 <sup>↕</sup>	40 <sup>↕</sup>	Flawed Democracy <sup>↕</sup>	50 <sup>↕</sup>	57 <sup>↕</sup>
Timor Leste <sup>↕</sup>	7.06 <sup>↕</sup>	45 <sup>↕</sup>		43 <sup>↕</sup>	70 <sup>↕</sup>
Philippines <sup>↕</sup>	6.66 <sup>↕</sup>	53 <sup>↕</sup>		34 <sup>↕</sup>	115 <sup>↕</sup>
Indonesia <sup>↕</sup>	6.53 <sup>↕</sup>	56 <sup>↕</sup>		34 <sup>↕</sup>	115 <sup>↕</sup>
Thailand <sup>↕</sup>	6.35 <sup>↕</sup>	63 <sup>↕</sup>		35 <sup>↕</sup>	108 <sup>↕</sup>
Singapore <sup>↕</sup>	6.18 <sup>↕</sup>	69 <sup>↕</sup>		83 <sup>↕</sup>	5 <sup>↕</sup>
Sri Lanka <sup>↕</sup>	6.17 <sup>↕</sup>	70 <sup>↕</sup>		34 <sup>↕</sup>	115 <sup>↕</sup>
Hong Kong <sup>↕</sup>	5.24 <sup>↕</sup>	88 <sup>↕</sup>	Hybrid Regime <sup>↕</sup>	75 <sup>↕</sup>	14 <sup>↕</sup>
Nepal <sup>↕</sup>	4.60 <sup>↕</sup>	98 <sup>↕</sup>		35 <sup>↕</sup>	108 <sup>↕</sup>
Pakistan <sup>↕</sup>	3.25 <sup>↕</sup>	118 <sup>↕</sup>	Authoritarian <sup>↕</sup>	29 <sup>↕</sup>	133 <sup>↕</sup>
Cambodia <sup>↕</sup>	3.05 <sup>↕</sup>	121 <sup>↕</sup>		22 <sup>↕</sup>	158 <sup>↕</sup>
Burkina Faso <sup>↕</sup>	2.73 <sup>↕</sup>	133 <sup>↕</sup>		41 <sup>↕</sup>	83 <sup>↕</sup>
Vietnam <sup>↕</sup>	2.62 <sup>↕</sup>	136 <sup>↕</sup>		41 <sup>↕</sup>	83 <sup>↕</sup>
China <sup>↕</sup>	2.12 <sup>↕</sup>	148 <sup>↕</sup>		42 <sup>↕</sup>	76 <sup>↕</sup>
Laos <sup>↕</sup>	1.71 <sup>↕</sup>	159 <sup>↕</sup>		28 <sup>↕</sup>	136 <sup>↕</sup>
Myanmar <sup>↕</sup>	0.85 <sup>↕</sup>	166 <sup>↕</sup>		20 <sup>↕</sup>	162 <sup>↕</sup>

Weak democracy = increased organized crimes → poverty, exploitation, marginalization

Weak democracy = disruption to an election process → loss of people participation

Weak democracy = dysfunction of the rule of law

Weak democracy = increasing authoritarianism → extortion, stigmatization, state violence, human rights violation, massive killing

As we may see in the table to understand the overview of democracy in Asia, it demonstrates that after a long period of campaigns about democracy, the tendency of authoritarianism is increasing in counterpart with the democracy index in ASEAN and Asia region which is dramatically stepping back. Importantly, the shrinking space of democracy can lead to the high feasibility of corruption. What corruption is essential to be discussed here is to analyze who is the real enemy, hereafter I will call them as "an enemy" meaning either a government, an authority, a politician, a business, a person, or a group whose role is relatively disrupting democracy, civil space and human rights. Paradoxically, the shrinking of democracy cannot identify an actor and conglomerate who are real enemies that may be

currently taking profit, seizing benefits and committing corruption from less democratic fragile states while the population of states becoming weaker and weaker by its undemocratically and forms of exploitation, marginalization and stigmatization.

Personally, throughout my analysis, as much as the movement of people becomes democratically stronger, the democracy and civil space may be more significantly restrained in the reason that an enemy wants to control their circumstances for their transnational intragroup benefits and lucrative activities under power arranged by authoritarianism, which sometime may mostly involve state's national budgets. Corruption within national budgets, it has caused the worst negative effects to all people by tacitly forcing people impoverished. In many countries, making people in a marginalized condition can allow state authorities to arbitrarily extort money from those marginalized persons, even largely by legal processes. It also has led to various results of human rights violations, the increasing of organized crime organizations throughout ASEAN has a direct strong impact on people such as human and sex trafficking, modern slavery, illicit drugs, online scammers and casinos, etc. At the worst, the massive armed crisis in Myanmar depicts the worst scenario of an authoritative and military regime, it ends up with armed conflict and the loss of people's life enormously. The increasing number of asylum seekers and refugees caused by armed conflict become a challenge for the international community to emergency respond to this problem.

Moreover, throughout the undemocratic system, it can lead to unaware and unexpected results that we may never have considered. Promoting democracy can urge the government for accountability, transparency and justice which can benefit to all human beings. In this sense, we have not failed on advocating democracy, but an enemy wants to maintain and sustain their power. It means we, the democratic movement, have become stronger, therefore, an enemy has to create a new maneuver to protect their own spaces and tradition. We should realize it and develop strategies to counter this phenomenon.

**What I expect and want to see for the May 18 international affairs**

First Expectation, support a new generation of young politicians

The tendency of increasing a new young politician is essential to anticipate the new era of people's movement. The establishment of Future Forward and Move Forward Parties in Thailand has become an inspiration to those young people in ASEAN. Young people are more critical of certain changes by reaching political power in legislation. In the future, a new politician in Asia will be able significantly enlarged following the aspirations of young people who need real change in society. The network should be more inclusive the participation of young politicians who can expand a discussion on democracy and human rights at policy levels, legislation and other relevant social issues. Furthermore, it could open dialogue on common transnational issues that politicians across the region should

reach out to solve it together.

Additionally, we could not only focus on young politicians. Social change also needs more relevant actors through social interaction. We may open any possibility to include actors from other sectors such as entrepreneurs, and media. Investing in the young will never be meaningless, it is the transmittance of the democratic spirit. Winning social change by election is the best achievement through peaceful resolution.

Young Politicians + Young CSOs + Young other groups (entrepreneurs, media)  
Winning Election for Change = Peaceful Resolution

Second Expectation, new innovative approaches in promoting democracy, human rights and peace.

The concept of "soft power" becomes more significant in social change, it can describe the use of positive attraction to achieve foreign policy objectives and draw on the resources that make some specific things naturally attractive to the world. We should consider how to motivate mass publicity to be interested in building democracy, expanding our new attraction. South Korea is one country with several successful stories arranged by soft power through K-POP and Korean drama.

What if we can utilize it, we can rapidly expand and approach new mass people across the country.

A suggested program may be initiated through online platforms that can be applied to the mass population attraction.

Innovative Approach = Mass Interaction

Third Expectation, advocate transitional justice in respective countries.

Caused by extraordinary human rights violations, especially state violence within an undemocratic state system, the importance of transitional justice is certainly matters as evidence for protecting human rights and human dignity. In fact, May18 has been working on it very well. I want to emphasize intensifying transitional justice projects to help collect the historical events and stories. For instance, those May18 Glocal Issue Monitoring Reports, and evidence can be later sent to the United Nations mechanism to promote human rights. May18 can consider itself such as transnational justice institute working across many countries in Asia.

Essentially, the transition justice is importantly needed in Myanmar to be in line with the Second People's Assembly of NUCC (the National Unity Consultative Council). May18 may significantly propose some role for TJ in Myanmar.

Transnational Justice = collecting memories, evidence and stories, ending the cycle of violence

Fouth Expectation, representation of May18 and network in international and regional stages toward human rights mechanisms

While the regional and national mechanisms for democracy and human rights are dysfunctional, the CSOs in the future may importantly turn to rely on international mechanisms. May18 can take a leading role in supporting and bridging local networks to engage with international human rights mechanisms. May18 can consider its representation to be more existing on the international stage. We may consider having such as international joint-statement, human rights report submitted at the UN.

International Mechanisms = UPR, Treaty Bodies, Special Procedure

Fifth Expectation, people-to-people connection

The key success of democracy is a public awareness of democracy. Since last 6-7 years, May18 has achieved a great interconnection among CSOs across the region, with later on including academics. However, to achieve a great awareness of democracy, we should deliberately interact with the mass community in promoting democracy which may include human rights and peace. We should have any ground-based program that can create people-to-people connections, such as cross-countries training and activities, or may it be a social enterprise project creating touring for democracy that all ordinary people can anytime join with program.

People-to-people = Sustainable Democracy

Sixth Expectation, international humanitarian supports

While preparing this speech, the crisis in Myanmar is escalating, everyday the amount of people dying is sadly increasing. Massive armed conflict committed by the junta has extensively affected innocent people, including women, children and all vulnerable people. Regarding the crisis in Myanmar, there are over a million innocent people who require humanitarian support in urgent situations. The fundamental principle of humanitarianism is to protect all people's life who are totally not, or no more, involved with armed fights. Very close to Thai-Myanmar border, if we cross the border to the Myanmar side, we will see a certain situation in which over 300,000 children cannot go to access proper and basic educations, over 1,000,000 hunger IDPs are living in the condition of malnutrition and starvation. There are a lot of wounded people who get affected by the armed conflict, many surgical medical tools and medicines are hastily needed to be provided to local health centers. It is hard to imagine that how people are living without those rudimentary tools and facilities.

This problem urgently needs to be solved to protect those innocent people. I urge May18 and the international community to hand supports to those people.

Fundraising programs or any initiative projects should be taken urgently to respond to humanitarian crisis. May18 can be in cooperation with other stakeholders, Gwangju and Korean citizens, collect and send support to the Thai-Myanmar border to save innocent people.

However, humanitarian needs may not only occur in Myanmar but it can exist in anywhere. We should be prepared for these phenomena that may occur anytime in anywhere.

Humanitarian = Save People's life

Lastly, I would like to encourage May18 and all stakeholders to continue its works that has contributed to a community. We wish May18 will be more strengthened as while democracy in many countries is dysfunctional, the role of May18 is essential. It is still long way for achieve democracy for all, we hope that along the way, we will have been continually seeing May18 as key partners and best friends.



## Transition and Direction of the International Solidarity Projects of the May 18 Foundation

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### 1. Introduction

The modern and contemporary history of South Korea has unfolded under the shadows of colonialism, war and authoritarian regimes. This era, marked by myriad events both significant and minor, saw a great number of individuals sacrificed prematurely or subjected to immense suffering. Among these historical episodes, certain events demand social redress and historical reassessment, commonly referred to as ‘past injustices.’ These past injustices, characterized in various ways, often fall under the categories of ‘democratization’ or ‘democratic movements,’ which are shown on a large scale. Thus, they are the core concepts that demonstrate the structural features, scars and dynamism of the contemporary history in South Korea.

The May 18 Uprising is recognized as an especially notable historic injustice. It has been implicitly recognized for a long time, while lacking a clear definition. The May 18 Democratization Movement, a composite of numerous incidents and actions, has been challenging to precisely define and characterize. Particularly in the formulation and application of laws and systems, as well as in their recognition and appreciation, the lines of distinction were often ambiguous or muddled, frequently leading to disputes in opinion. As a result, the definition of the movement was occasionally handled expediently, restricted to times when the activities were actively taking place or when it was strategically beneficial to meet certain objectives, although this approach was admittedly imprecise.

The May 18 Uprising was legally defined approximately 38 years after its occurrence in May 1980. On March 13, 2018, under Act No. 15434, known as the Special Act on Investigating the Truth of the May 18 Democratization Movement, Article 2 (Definition) characterizes the May 18 Uprising as “a demonstration held in Gwangju-related regions in May 1980, against which the military, etc. committed the crime of destroying constitutional order and unlawfully exercised governmental authority, resulting in numerous victims and sufferers.” Additionally, Article 1 (Purpose) of this Act explicitly states that “human rights abuses, violence, massacre, secret burials, etc. caused by anti-democratic or anti-humane acts committed by state power occurred at the time in relation to the May 18 Uprising in 1980.”

While the Act defines the temporal scope of the May 18 Uprising as May 1980, the institutional acknowledgment of victims and sufferers has been applied more expansively in terms of both time and space. Some individuals involved in

collective actions during this period, which aimed at correcting distortions and denigration by the new military forces and demanded the punishment of those responsible, were recognized as victims of the May 18 Democratization Movement. This aspect is considered a distinguishing feature of the May 18 Uprising from other past injustices. These activities have been typically termed the “May Movement” or “May Uprising” (Gan-Chae Na, 2012). The May Movement significantly overlapped with the broader democratization movements of the 1980s, particularly within the sphere of political democratization.

The phenomenon that unfolded at this time was uniquely characterized by ‘solidarity.’ The May Movement was a social movement rooted in solidarity. Despite not being direct victims of state violence, and lacking social networks of kinship or relationships, countless individuals willingly joined the movement and endured various harms and sacrifices to uncover the truth and hold those responsible accountable. This action and phenomenon were deeply rooted in ‘empathy.’ At this time, empathy was understood in terms akin to those defined by Geoff Thomas and Garth Fletcher, namely, “**empathy is triggered by emotionally sharing the plight of others, recognizing the need to alleviate their pain and is followed by emotional and practical responses to assist**” (Rifkin, 2019: 21).

The May 18 Uprising expanded beyond domestic solidarity with social movement groups and forces to become ‘international solidarity.’ This expansion has garnered considerable attention and interest. The international solidarity facilitated by the May 18 Uprising has evolved over decades, experiencing phases of expansion and contraction, alongside continuous adjustments and refinements. International solidarity has operated through multiple channels, bridging countries, organizations and various sectors and themes such as religion, labor, farmers and the environment. Nevertheless, the role of the May 18 Uprising as a pivotal link in international solidarity is undeniably significant. This connection was possible because, despite variations in historical, social and event-specific contexts, there was a shared foundation of experience, coupled with a recognized need to continue and share redressive activities. Thus, it can be viewed as an indicator that a global consensus on the importance and value of the May 18 Uprising has been established.

Despite the activities and achievements of international solidarity, research in this field remains insufficient. Previous studies, such as those by Gan-Chae Na (2009, 2012) and Chan-Ho Kim (2018) and initiatives by the Institute for Korean Democracy under the Korea Democracy Foundation (2018), have concentrated on how international solidarity was established through the May 18 Uprising and its accomplishments. This article will critically review these previous studies, focusing on their issues and main points and will specifically examine the ‘international solidarity projects’ of the May 18 Foundation (hereafter, “Foundation”), in reflection of the hypothesis that the Foundation has focused on “projects” rather than “movement” while seeking international solidarity. This paper aims to investigate whether the hypothesis is true through the transition, and to concentrate

on current key projects to outline future directions.

## 2. The Basis of International Solidarity: From “Movement” to “Memorialization”

In South Korea, past injuries that are recognized or currently addressed as targets for redress typically occurred during significant transitional periods or are characterized by violations of humanity that sparked public outrage due to their inhumane nature. The criteria for distinguishing past injustices of South Korea are importantly applied to specific periods. Generally, these are divided into the periods of the Donghak Peasant Revolution, the Japanese Imperialism, the period before and after the Korean War and following the April Revolution. The May 18 Uprising is categorized within the past injustices that occurred after the April Revolution. These past injustices are classified into several types, while the May 18 Uprising specifically falls under the categories of “state violence” and “human rights abuses.” The incidents stemming from state violence show considerable variation in how they unfolded, the damage inflicted and their overall impacts. The May 18 Uprising was notable and unique for its instance where students and citizens took up arms against special forces commanded by the new military regime, leading to the massacre of thousands of students and citizens who suffered both physical and psychological harm.

The symbolism and significance of the May 18 Uprising were reshaped by the influence of various subsequent phenomena and actions. Among past injustices subject to redress, the intensity and persistence of its memory struggle related to this movement are unmatched. Today, the May 18 Uprising stands firmly on the foundations laid by the May Movement. Although the May 18 Uprising and the May Movement varied greatly in their developments and methods, they continued almost seamlessly and interacted extensively. This seamless continuation and interaction are atypical even when examining the process of redressing past injustices of South Korea. The sustained representation of the May 18 Uprising as a potent social movement tradition is largely attributable to this factor.

Reflecting on the memory struggle of the May 18 Democratization Movement, the 1990s marked a definitive transitional phase to institutional domains. Following the June 10 Democratization Struggle, the memory struggle for the May 18 Uprising transitioned from illegal and unlawful stages to increasingly or rapidly semi-legal and legal ones. This transition facilitated a broadening in the diversity and orientation of participants, leading to a shift in the methods of collective action, the scope of solidarity and its targets. These shifts altered the patterns of resistive memory struggles, closely linked to the growth of civil society and the swift emergence and expansion of citizen movements. Here, macro-level trends such as the easing of inter-state conflicts and ideological clashes amid the global Cold War system and shifts in international relations in Asia contributed. The establishment of diplomatic relations between South Korea, Russia and China not only impacted regional perceptions and exchanges focusing on the Korean Peninsula, Japan and Taiwan but also the emergence of democratization movements across various Asian

countries further facilitated the building of consensus (Korea Democracy Foundation, 2007). Consequently, by the mid-1990s, the methods and nature of social movements experienced rapid transformations, fostering a deeper understanding of the geopolitical shifts in Asia. These elements significantly contributed to the memory struggle of the May 18 Democratization Movement.

As structures and relationships evolved, the nature of the May Movement shifted, marking distinct changes at critical points. For example, when compared to the early to mid-1980s, the period post-mid-1990s displayed more differences than similarities. Notably, its deliberate distance from grassroots social movements sparked debates over its identity. Although the scarcity of research makes it difficult to assert conclusively, it can be considered that by the 2000s, the May Movement had effectively reached its conclusion, regardless of whether its aims and objectives were realized. This was evident on multiple occasions. A critical moment occurred during the address of then President Kim Young-sam on May 13, 1993, which clearly marked the divergence of the May Movement from broader democratization efforts. This address introduced various redress strategies, which incorporated many of the proposals previously outlined by the May Movement.

The most prominent issue addressed was the redefinition of the nature of the uprising, which aimed to eliminate the negative stigma and burden associated with the new military forces. This shift also signaled a change in the approach to promoting memorial projects. It is important to note that while earlier governments had discussed and attempted to initiate policies on memorial projects at the national level, these efforts had stalled. Therefore, it could be seen as a change in the perception and stance of victims and civil society towards the state actions. The special address played a crucial role in advancing memorial projects, leading to significant achievements across various projects. Now, the memory struggle of the May 18 Uprising is approaching a new milestone.

The establishment of a mass burial site, a central location commemorating the May 18 Democratization Movement, and the judicial punishment of the perpetrators occurred almost concurrently. The mass burial site was officially completed with a ceremony in May 1997. The entire project, from initiation to completion, was carried out during the Kim Young-sam administration. In the latter stages of this project, efforts to file lawsuits and establish special acts were made. The judicial punishment of the new military forces marked the climax of these efforts. These developments and outcomes suggested that it was no longer feasible to return to the earlier forms of resistive memory struggles.

### 3. Systematization and Transition of International Solidarity Projects

Examining the approach to redressing past injustices in South Korea, international solidarity efforts related to the May 18 Uprising started early. A related example is shown in a photo from *The Testimony of the Priest* (Pius Cho, 1994). The

photograph depicts members of a foreign human rights group holding a placard during their visit to the May 18 Cemetery in May 1991, that states, “We express our condolences and stand in solidarity with them.” This image demonstrates that these international delegates visited Gwangju collectively during the May event, embodying an act of solidarity. The year 1991 came after the initial compensations to the victims and sufferers and coincided with another peak in the democratization movement, marked by the “May 1991 Struggle” or “May 1991 Political Situation” (Youth Group for May 1991 Struggle, 2002; Kyung-won Kwon, 2021). Consequently, for foreign visitors in Gwangju during May 1991, the May 18 Uprising could still resonate as a vivid and ongoing event.

In contrast, the “Citizens’ Alliance for Sanctuary for May” (hereinafter, “Citizens’ Alliance”), which officially commenced operations on January 12, 1994, was grounded on a foundation distinct from that of more revolutionary social movements. Instead, the Citizens’ Alliance took strategies aimed at institutional improvements and used methods of dialogue and persuasion (Citizens’ Alliance for Sanctuary of May, 1994: 7). This organization, as demonstrated by events such as the international symposium on May 17, 1994, titled “The May 18 People’s Uprising as Viewed from Abroad,” and the press conference on May 19, titled “The May 18 Gwangju People’s Uprising and International Solidarity,” primarily aimed to invite foreign democracy activists and supporters of the Korean democratization movement to share their insights on the May 18 Uprising and to showcase the achievements of redress. These gatherings, which were conducted annually, revolved around networks established by certain figures.

The Foundation started its operations based on the international solidarity activities inherited from the Citizens’ Alliance. Over the past two decades, these international solidarity projects have evolved and undergone significant transformations. The Foundation assumed responsibility for these projects starting in 2000, but the establishment of the basis and the reform of the organizational structure did not occur until June 2002 and then again starting in 2005, respectively. Several reorganizations have taken place since then, with 2018 marking a major turning point. The activities experienced a downturn for a few years due to COVID-19, but efforts to rejuvenate and recover have been made since 2023. Observing the accomplishments during this period, the systematization and transition of the international solidarity projects can be outlined as follows:

First, the evolution of department names responsible for international solidarity provides insights into the operational focus. In the early 2000s, these departments were undifferentiated. The establishment of the Department of International Cooperation when the business division was divided into two signifies the initial recognition of the significance of this function. The Department of International Cooperation was founded in 2005, supported by government subsidies. This department then transitioned through various phases, becoming the International Cooperation Team (2006), the Exchange and Solidarity Team (2008), the Memorial Program Department (2015), the International Solidarity Department (2018) and

eventually the May 18 Glocal Center (2023).

From this evolution, it is evident that the core understanding of international solidarity has shifted from “cooperation” to “exchange” and finally to “solidarity.” The term “solidarity” has consistently appeared in project names regardless of the specific department. However, it is apparent that from 2008 to 2021, the focus was predominantly on cooperation. While “solidarity” and “cooperation” are sometimes used together or interchangeably, cooperation generally suggests a more casual relationship. Initially, cooperation was mainly categorized as a subset of projects within the broader scope of international solidarity but was promoted to a departmental name starting in 2018.

Second, the changed nature of the international solidarity projects led by the Foundation is another point. The Foundation not only embraced the structure and framework of international solidarity as practiced by the Citizens’ Alliance but also retained the same staff. Given its prior involvement in various events through hosting and sponsorship alongside the Citizens’ Alliance, transitioning projects was not difficult. Consequently, the early 2000s saw the continuation of a project approach similar to that of the Citizens’ Alliance. However, the movement-oriented initiatives once sought by the Citizens’ Alliance did not persist. While the Foundation has its origins in and was influenced by social movements, its nature markedly diverged from that of typical social movement or civil society organizations.

The Foundation’s approach to international solidarity typically mirrored the project formats prevalent within institutional frameworks. This approach appears to have been heavily affected by the various pressures and scrutiny associated with government funding. Consequently, projects and programs focused on awards, education, camps and invitation events became foundational to the structure. Changes to project methodology began in 2005 with a program aimed at supporting foreign civil society organizations. This program was later rebranded in 2016 as “Support for Asian Grassroots Organizations” and has recently changed into the “Gwangju Democracy Fund” project, which the Foundation is actively seeking and trying to expand.

Third, it is about the methods and changes of the international solidarity projects. They can be discerned through the dynamics of key human resources involved and the locations where the projects take place. Predominantly, these programs have involved inviting international participants to South Korea and implementing programs prepared by the Foundation. They could be seen as having displayed a more inward-looking rather than outward-reaching approach, influenced significantly by the constraints of available resources and capacities for participation or mobilization. This may suggest that the international solidarity projects lacked the robust infrastructure necessary to broaden their international footprint.

Additionally, there were projects that deployed human resources overseas for training and practical experience. The overseas intern dispatch program was a

prime example of such efforts. Launched in 2001, this program ran until it was suspended in 2018 due to various issues, including the safety of interns abroad and challenges in recruiting individuals who met the requisite skills and conditions demanded by the host countries. Another significant obstacle was the younger generation's reluctance to participate in these programs, compounded by disruptions to direct interactions and exchanges during the COVID-19 pandemic.

Fourth, the educational programs have become established as distinct international solidarity projects, setting them apart from those organized by other past injustice foundations and organizations. Initiated in 2004 as the "Gwangju Asia Human Rights School," this educational program has evolved into what is now known as the "May 18 Academy." There is a strong demand for educational programs in both the past injustices and civil society sectors, presenting a challenge to develop the necessary infrastructure to fulfill these needs, while the Foundation has embraced this challenge. However, it remains difficult to ascertain whether educational content and resources that can be practically applied and referenced in field activities are being adequately provided, and what impacts these resources are having.

#### 4. Direction and Prospects of International Solidarity Projects

International solidarity projects were not initially among the main purposes at the establishment of the Foundation. This sector was distinctive in that it was derived from civil society organizations and has become an integral part of the operations of the Foundation. Consequently, there remained a gap in fully defining the necessity, purpose and targets of international solidarity projects. The "Master Plan for the Memorial Project of the May 18 Democratization Movement" has been drafted and revised multiple times, addressing the characteristics and direction of international solidarity projects, albeit with limited emphasis and detail.

It is acknowledged that a variety of perspectives on international solidarity projects exist. This diversity was highlighted in a survey conducted as part of the "Research for the Establishment of the Master Plan for May 18 Memorial Project" in 2016. A prevailing sentiment was that the Foundation should place greater emphasis on the May 18 Uprising and focus on projects for the victims and those affected. It can be seen that there is a consensus to some extent that international solidarity should globally promote the truths and achievements of the May 18 Uprising and facilitate the sharing and preservation of its redressive accomplishments. Nonetheless, when it comes to defining the scope, focus and targets of international solidarity efforts, it appears that discussions have not been sufficient, and the processes necessary to achieve consensus have not been fully implemented. Although international solidarity projects have managed to establish a framework and stabilize their objectives, they also exhibit sudden shifts and the sporadic establishment and suspension of operations. These dynamics are intricately linked to the generational shifts associated with the aging participants of the May 18 Uprising and the emergence of subsequent generations unfamiliar with these past

injustices.

Second, there is the challenge of defining the character and status of international solidarity projects. As previously noted, the Foundation is a public benefit corporation that receives funding from both the central and local governments. Despite being a private corporation, it operates with the characteristics of a quasi-public institution and adheres to similar regulations. A significant turning point for the Foundation came when it underwent a financial audit by the Gwangju Metropolitan City concerning the management of national subsidies in 2008 and when it was subject to an administrative audit by the same city in 2009. These audits significantly shaped the identity and operational methods of the Foundation, impacting both internal and external dynamics. Consequently, many of the traits typically associated with civil society organizations were significantly reduced.

The international solidarity projects recently executed by the Foundation have shown a deliberate effort to reclaim their activist roots. The “Research for the Establishment of the Master Plan for May 18 Memorial Project,” mentioned earlier, advocated for a strengthening of this activist orientation. A key example of the changes within the Foundation is its involvement in democracy and human rights issues. This initiative sees the Foundation actively engaging with various contemporary issues, playing a pivotal role. Similarly, the creation of the Gwangju Democracy Fund to support international civil society organizations aligns with this approach. The Gwangju Human Rights Award, initially noted for its symbolic and honorary value, has started to provide tangible support to activists in the democracy and human rights sectors. This stance has led to incidents of protests and disputes with the foreign ministries of relevant countries. Should the Foundation continue to enhance projects that bolster the characteristics of civil society movements, such occurrences are likely to become more frequent.

Third, specialized expertise derived from experiences of managing international solidarity projects and a sustainable networking foundation should be developed. Although all projects undertaken by the Foundation require high levels of expertise and stable trust relationships, international solidarity projects need a more intensive set of conditions and environments. These projects involve complex tasks such as quickly understanding the varied situations and conditions faced by associated organizations and key participants, with the formation of trust relationships requiring significant investment in resources.

The Foundation has encountered several critical moments concerning this issue, where networks and relationships were either disrupted or needed to be rebuilt. The evolution of the international solidarity projects indicates a complete transition from their initial phases. This change may be unavoidable, yet it also suggests that there may not have been substantial improvements in the initial project execution methods. Consequently, it is essential to develop strategies to stabilize these projects and to establish a support system and structure that ensures ongoing support.

Fourth, there is an issue of establishing the uniqueness and identity of the



international solidarity projects of the Foundation. The Foundation is a leader in the international solidarity sector, often guiding the activities and projects of other past injustice institutions and organizations. While this leadership is generally viewed positively, it also places a considerable burden on the Foundation. Furthermore, there are inevitable concerns about the overlap and effectiveness of themes and content of the “World Human Rights Cities Forum” organized by the Gwangju Metropolitan City.

For instance, the theme of the “KDF Global Forum” hosted by the Korea Democracy Foundation in 2023 was “Korean Democracy and Global Solidarity: Sharing and Dissemination of Experience.” Meanwhile, the theme of the “2nd World Revolutionary City Joint Conference” organized by Jeongeup-si in 2023 was “Remembrance and Solidarity in Modern Revolutionary Cities.” Additionally, the “Conference to Mark the 11th Anniversary of the Registration of the May 18 as Memory of the World and the 40th Anniversary of the Death of Martyr Park Kwan-hyun” in 2022 carried the theme “Beyond Boundaries to Memory of Empathy and Solidarity.” In the realm of events and programs concerning past injustices, “solidarity” emerges as a highly favored concept. Regardless of whether these events fully incorporate the depth and nuances of “solidarity,” it is challenging to overlook the perception that it has become routinely used.

Fifth, there is another issue of accumulating and continuously refreshing the accomplishments of international solidarity projects. Although countless documents and records have been generated through these projects, there has been a shortfall in progressing to a stage where these can be systematically organized for medium to long-term use. It is pertinent to question the appropriateness of using articles presented at the “Gwangju Asia Forum” solely for the event. If papers and discussions from the event were compiled into official publications, subsequent programs could develop more sophisticated agenda settings, with corresponding topic presentations and enriched discussions. Achieving this requires that program preparation be significantly more detailed and rigorous than it is presently, and that a system be developed to sustain ongoing communication and exchanges after the event.

## 5. Conclusion

The French sociologist Durkheim early on formulated the ‘theory of solidarity’ and used it to analyze modernity. As notions of liberty that stood in opposition to the arbitrary rule of the absolutist state, equality that challenged the feudal class system and fraternity that represented social integration, which were the ideals of the French Revolution, began to fray, he actively applied the concept of ‘solidarity,’ reflective symbolic resource designed to fill the voids. In Europe, the pursuit of solidarity had been a political endeavor since before 1848, during which it was further refined and adopted by various ideological factions. The context of that era significantly shaped his solidarity theory. Building on this foundation, Durkheim stated that ‘an individual is fundamentally a social being, and therefore

has obligations towards society, which is regarded as a kind of sacred sentiment.’ (Jongyup Kim, 1998: 197–205)

Solidarity was also active in South Korea during the influx of Western modernization. The Donghak Peasant Revolution of 1894, led by Donghak followers and peasants with diverse opinions and viewpoints, was rooted in solidarity. Throughout the Japanese Imperialism, many progressives who participated in the independence movement and anti-Japanese war, despite not sharing aligned ideologies, methods and goals, and often inflicting deep wounds on each other, still upheld the principle of solidarity. This conduct was apparent in the fierce ideological conflicts and confrontations after the liberation of Korea and even impacted the ‘passion’ that fueled efforts to dismantle and overcome authoritarian regimes like Ilgogam [monolith: a single huge stone].

The May 18 Uprising was the result of a complex solidarity that had evolved over a considerable period. While solidarity during the incident was primarily limited to Gwangju and Jeollanam-do, the diverse emotions and ideas that emerged there catalyzed a collective consciousness, propelling the May Movement to spread nationally and internationally to countries like Japan, Germany and the United States. It is crucial to recognize that the networks of international solidarity, already functioning in various forms since the 1970s, played a critical role and were significantly mobilized during the May Movement.

Since the 2000s, international solidarity concerning the May 18 Uprising has become the role of the Foundation. Over the past 24 years, international solidarity projects have become its important part. These projects have experienced fluctuating fortunes, sometimes faltering and sometimes facing challenges, amidst evolving and dynamic relationships both within and between organizations, Gwangju, Jeollanam-do, South Korea, Asia and over the globe. The Foundation is now at a pivotal juncture, tasked with defining its future identity and the direction of its international solidarity projects. It is imperative to adopt a structural and comprehensive approach to these projects, meticulously planning, evaluating and revising each project. Lastly, this article intends to offer a preliminary examination of the prospects for the international solidarity projects of the Foundation, while recognizing its inherent limitations.

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## Interview Materials

Chan-Ho Kim (Nov 16, 2023), Youngmi Yang (Dec 1, 2023), Ki-bong Lee (Mar 8, 2024)



## Special Session.

### Myanmar People's Movement: We Never Give Up!

The Korean civil society has a long history of showing solidarity for the democratization of Myanmar. In the early 2000s, Korean civil society came together to carry out the “Burma Democratization Movement” calling for democracy and for the military to hand over power to the civilians. The 2021 military coup, brought together the Korean civil society again in which have been carrying out a campaign calling for freedom of Myanmar. This special session, organized by the Institute of Southeast Asian Studies at Jeonbuk National University, will look into the lives of refugees who have fled to the border areas, the current situation in the region, and international solidarity activities in Myanmar.

**Moderator** Kim Heesuk (JISEAS)

#### Speakers

1. Myanmar Civil War Status and Outlook  
Lee Yukyung (Journalist in Specialty of International Disputes)
2. Between Refugees and Migrant Workers:  
Lives of Myanmar Migrants in Mae Sot, a Thai Border City  
Park Jini & Kim Heesuk (JISEAS)
3. Korean Civil Society's Solidarity for Democracy in Myanmar  
Na Hyunphil (Korean House for International Solidarity)



## Myanmar Civil War Status and Outlook

### - Emergence of the Military-in-Crisis Theory and the Challenges and Outlook as Seen through 'Post-Operation1027' -

Lee Yu Kyung

Journalist specializing in international disputes

#### 1. Introduction: Three years after coup, Emergence of the Military-in-Crisis Theory

On March 27, the 79th Armed Forces Day ceremony was held in Myanmar's capital Naypyidaw. This year's ceremony, according to a Burmese media outlet <The Irrawaddy>, began at 5:15 p.m. in break with the customary morning observance. The time 5:15 was supposedly chosen 'to keep the sun from setting' based on the 'Yadaya tradition.'<sup>50)</sup>

To dismiss the episode as the junta being faithful to its superstitious beliefs, it was hard not to detect a sense of crisis in the military – eager to cling to the setting sun – palpable throughout the event. A grand parade of tanks and heavy chemical weapons was missing, and the overwhelmingly female military procession stoked suspicions around understaffed combat troops. Also omitted was a performance by the military's commander-in-chief, Min Aung Hlaing saluting while standing atop a motorcade. The military's gestures of grandeur were subdued, and more importantly, the tone of the army general's speech diverged from the usual: Rather than inflaming the will to quash the rebel forces, he underscored the soldiers' spirit of sacrifice, calling on soldiers to 'fight to their deaths.'

That same day, around 3 p.m., news broke that over 300 homes had been burned to the ground in Dhammasa village in Kyaikmaraw Township of Mon State in southeastern Myanmar, in an mortal shelling by the military across the river. The incident was seen as a retaliation for the police station attack on March 24 just three days earlier by the New Mon State Party-Anti Dictatorship (NMSP-AD) along with other resistant forces. The regime's retaliatory attacks often take the form of collective punishment of entire villages. And collective punishment is a clear war crime.<sup>51)</sup> How the situation will further develop is noteworthy, since NMSP-AD is an offshoot of the NMSP that has only recently joined the armed resistance after sitting on the sidelines during the escalated armed struggle following the coup.

The two spaces and two scenes – the Armed Forces Day celebration and the

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50) Maung Kavi, In Break with Tradition, Myanmar Junta To Hold Armed Forces Day Parade at Sunset, The Irrawaddy, 2024/03/26, <https://www.irrawaddy.com/news/burma/in-break-with-tradition-myanmar-junta-to-hold-armed-forces-day-parade-at-sunset.html> (Search Date : 28.3.2024)

51) How Does the Law Protect in War : Collective Punishment, International Committee of the Red Cross, [https://casebook.icrc.org/a\\_to\\_z/glossary/collective-punishments](https://casebook.icrc.org/a_to_z/glossary/collective-punishments) (Search Date : 28.3.2024)

mortar attack in Mon State shortly preceding it – are cases occurring within a short period that reveal the military's crisis around three years after the coup and its increasingly brutal tactics in times of crisis. Moreover, NMSP-AD's recent engagement in the anti-military resistance movement reflects the trend of 'scalable resistance.'<sup>52)</sup> There's been a sharp increase in talks regarding both the expansion of resistance forces and the military-in-crisis theory since late last year until early this year, three years following the coup. More specifically, the military-in-crisis theory has been gaining traction since 'Operation 1027' – undertaken in the northern Shan State on October 27 last year.

The U.S. Institute of Peace (USIP), which has been analyzing the post-coup situation in depth via insider information and perspectives, recently released an analysis under a bold title, "Three Years After Coup, Myanmar's Generals Face an Existential Crisis."<sup>53)</sup> According to its portrayal of the "Generals' Existential Crisis," the junta has lost at least 30,000 soldiers to battle or desertion over the past three years. Putting the total size of the Tatmadaw at 150,000, that's a loss of 20 percent, or one in five soldiers.<sup>54)</sup> The military's announcement on Feb. 10 this year to implement a mandatory conscription is believed to be attributed to the alarming shortfall in 'manpower' due to the rising counts of casualties and deserters.

Joshua Kurlantzick, a Southeast Asia fellow at the Council on Foreign Relations (CFR), a U.S. foreign policy think tank, has taken the military-in-crisis theory a notch up with the provocative title, "The Myanmar Army could actually collapse." He warns that since Operation 1027, "Myanmar could collapse into a range of fiefdoms or a total failed state [with warlords divvying and occupying strips of land]."<sup>55)</sup> "Fiefdoms" and "failed state" are hardly the new state visions the pan-democratic camp would have in mind for the Spring Revolution. Nonetheless, the hard-hitting diagnosis and forecast of the military's crisis is sure to catch the attention of analysts inside and outside of Myanmar.

As illustrated, a handful of Myanmar analysts have begun to address the military-in-crisis seriously albeit at varying levels of intensity and focus. Operation 1027 in 2023 and the partial gains of the armed struggle by the pan-democratic camp over the past three years form an important backdrop. Of course, no one has taken the military's crisis as a harbinger of an imminent fall. In a report released in late March, "Scam Centers and Ceasefires: China-Myanmar Ties Since

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52) <https://twitter.com/NextThe4784/status/1773640465645973851> (Search Date : 29.3.2024)

53) Andrew Wells-Dang, Three years after coup, Myanmar's generals face an existential crisis, USIP, 2024/02/01, <https://www.usip.org/publications/2024/02/three-years-after-coup-myanmars-generals-face-existential-crisis> (Search Date : 10.2.2024)

54) Ye Mo Hein, Myanmar's Military Is Smaller than Commonly Thought -and Shrinking Fast, USIP, 2023/05/04, <https://www.usip.org/publications/2023/05/myanmars-military-smaller-commonly-thought-and-shrinking-fast> (Search Date : 10.2.2024)

55) Joshua Kurlantzick, "The Myanmar Army could actually collapse – But Are the United States and Other Powers Ready for Such a scenario?", 2023/11/30, Council on Foreign Relations, <https://www.cfr.org/blog/myanmar-army-could-actually-collapse-are-united-states-and-other-powers-ready-such-scenario> (Search Date : 1.2.2024)



the Coup," the Brussels-based think tank <International Crisis Group> noted that 'Operation 1027 and subsequent operations have demonstrated the vulnerability of the Myanmar military,'<sup>56)</sup> but cautiously added, "the regime [is not] likely to fall in the near term." Myanmar observers have learned over the decades that cracks in the country's ironclad junta should be interpreted in a measured and sober fashion, even if they are at unprecedented levels. At the same time, there are many voices from within the revolution's own ranks that assert the need for a novel and less conventional approach to the current situation.

In this context, this presentation will first examine the nature, structure, and background of 'Operation 1027,' which served as a decisive 'trigger' for the emergence of the military-in-crisis theory. Operation 1027 can be characterized as a 'multi-ethnic coalition operation' that played a conclusive role in the Spring Revolution's transition from being defensive to offensive in nature. It also generated many landmark scenes in the history of the Spring Revolution. Simultaneously, the complex reality of the northern Shan State, which became the center stage of this operation, offers clues in prognosticating the stark realities and challenges that would follow Operation 1027. This presentation will refer to the situation after Operation 1027 as the 'Post-Operation 1027' and summarize the 'post offensive' status in each state and region within the framework of the mainstream discourse of Spring Revolution. Particular attention is paid to the specificity of the Sagaing Region, which emerged as the heartland of anti-military resistance despite the non-existence of military activities before the coup. Sagaing was the first territory recaptured by the NUG and its military wing PDF(People's Defense Force) as a result of Post-Operation 1027. Finally, the situation in Rakhine State – the ambit of the Arakan Army (AA) – will be examined, which has been expanding its territory at a frightening speed while displaying robust combat capabilities and superb warfare skills. Furthermore, the developments in Rakhine State and AA's advances are intertwined with the Rohingya genocide issue, which is poised to serve as a barometer until the very end of the Spring Revolution.

## 2. Operation 1027: Becomes a Turning point of Spring Revolution

In the early morning hours of October 27, 2023, an estimated 20,000 resistant forces launched a massive counter-military operation in 15 townships, including Chin Shwe Haw, Mong ko, Laukkai in northern Myanmar's Shan State close to the Chinese border.<sup>57)</sup> The attack was dubbed 'Operation 1027' for its unprecedented scale, which included the use of drones and mortars in the initial stage of the operation.

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56) Scam Centres and Ceasefires : China-Myanmar Ties Since the Coup, International Crisis Group, 2024/03/27, <https://www.crisisgroup.org/asia/north-east-asia/china-myanmar/b179-scam-centres-and-ceasefires-china-myanmar-ties-coup> (Search Date : 27.3.2024)

57) The followings are the 15 townships where the first wave of attacks under Operation 1027 occurred : Laukkai, Chin Shwe Haw, Waing Maw, Kyaukme, Tigyaing, Lashio, Mogok, Hsenwi, Namtu, Kutkai, Nawngkio, Hopang, Peng Seng, Namkhan, Mongko

The main forces involved in the operation were known as the "Three Brotherhood Alliance" (3BHA): Myanmar National Democratic Alliance Army (MNDAA), Ta'ang National Liberation Army (TNLA), and the Arakan Army (AA). MNDAA sent in four brigades, AA dispatched 10 brigades, and TNLA seven, but these were not the full force of Operation 1027. The actual operation was joined by Mandalay Region PDFs, the Karenni National Defense Force (KNDF) – a Karenni State's PDF equivalent – and over ten other resistance groups, such as the Bamar People's Liberation Army (BPLA) and the People's Liberation Army (PLA).<sup>58)</sup>

The military was unable to bring supplies into northern Shan State, let alone reinforce troops, during the first five days of Operation 1027.<sup>59)</sup> In addition to the 90 military bases lost in just five days of the attack and 150 after a month, a number of military and economic hubs fell into insurgent hands, including five towns and four border crossings on key trade routes with China. Given that 80% of exports to China pass through the Shan State–China border, this was a crushing military and economic blow to the junta. For three months, until early January when 3BHA and the military agreed to a ceasefire through Chinese mediation, the operation wore on until Post–Operation 1027, resulting in 426 military bases across Myanmar being overrun by the resistant forces. One of the most symbolic scenes of the military's defeat in this operation was the surrender of brigadier generals. When the MNDAA captured the central town of Laukkai in Kokang on January 5th, as many as five brigadier generals from the region turned themselves in without a fight. According to reports, soldiers who surrendered from Laukkai's 'Regional Operations Command' numbered around 4,000.<sup>60)</sup> Such a scale of wholesale recapitulation by soldiers and generals was without a precedence, and it has become one of the indices of the 'military-in-crisis theory.'

Signs of Operation 1027's mastery and meticulous preparation were discernible from its initial blockade of supply routes. The early blockade of the 280–km Mandalay–Lashio Road, which runs from Mandalay – the gateway city to northern Myanmar – to Lashio in Shan State where the Eastern Central Command is based, was an outcome of coordination among several resistance groups in the region.<sup>61)</sup> Above all, the road passes through the town of Pyin Oo Lwin, a home to the Defense Services Technological Academy and the Defense Military Services, and thus the blockade was considered a partial breach in the heart of Myanmar's security. The Mandalay–PDF (MDY–PDF) and TNLA coalition forces waged fierce

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58) Moe Sett Nyein Chan, Operation 1027 is creating a New Political Template for Myanmar's Future, The Irrawaddy, 2023/11/20, <https://www.irrawaddy.com/opinion/analysis/operation-1017-is-creating-a-new-political-template-for-myanmars-future.html> (Search Date : 21.12.2024)

59) Seven Key Points about Myanmar Ethnic Alliance's 'Operation 1027', The Irrawaddy, 2023/11/02 <https://www.irrawaddy.com/news/war-against-the-junta/seven-key-points-about-myanmar-ethnic-alliances-operation-1027.html> (Search Date : 21.12.2024)

60) Anthony Davis, Myanmar's widening war headed for Junta's heartland, Asia Times, 2024/03/28, <https://asiatimes.com/2024/03/myanmars-widening-war-headed-for-juntas-heartland/> (Search Date : 29.3.2024)

61) Northern Alliance blocks Lashio-Mandalay Union Road, preventing vehicles from passing through, 2023/11/10, ELVEN Media <https://elevenmyanmar.com/news/northern-alliance-blocks-lashio-mandalay-union-road-preventing-vehicles-from-passing-through> (Search Date : 28.2.2024)

battles with the military in Kyaukmelay town, not far from Pyin Oo Lwin, and effectively cut off the area. In addition, the Myingyan-PDF in Mandalay's Myingyan district seized the Mandalay Toll Gate, sealing off the military's retreat and supply routes. <Mandalay-PDF> <sup>62)</sup> and <Myingyan-PDF> are both under the command of the NUG Ministry of Defense (MoD).<sup>63)</sup> The vital importance of the role of PDFs under NUG MoD's chain of command lends credence to the claim that 'Operation 1027 was a well-coordinated operation between the 3BHA and the NUG.' Regarding the topic, <Mingyan PDF> battalion commander, WAN Moe told <Myanmar Now> during an interview that they "had received instructions from the NUG MoD to carry out military operations on the same day that battles began in northern Shan State."

The NUG MoD released a statement upon the launch of Operation 1027 that it 'welcomes the launch of Operation 1027 by the 3BHA' and proclaimed that 'the NUG MoD will participate in Operation 1027 alongside the 3BHA and efficiently cooperate with the 3BHA's aspirations.'<sup>64)</sup> However, some claims of a 'co-preplanned' or 'co-operation' level of involvement by NUG in Operation 1027 seem somewhat overblown. Rather, the operation has been nearly two years in the making, spearheaded by the 3BHA and MNDAA in particular. The fact that many of the groups engaged in the operation are outside of the NUG MoD's chain of command also speaks to the nature of the actors.

It is imperative to note the MNDAA's 'multi-ethnic unit,' the 'Brigade 611,' which participated in Operation 1027. This brigade is different in character from the 'XXX PDF + XXX EAO(Ethnic Armed Organization)' type alliances (e.g. Mandalay PDF + TNLA alliance) that were commonly seen during the Spring Revolution. The latter are more like temporary alliances put together on an ad-hoc basis to conduct specific operations. They repeatedly perform joint operations but are not under a specific organizational command structure. The 611th Brigade, on the other hand, is at least nominally under the MNDAA. The way it is organized makes it appear at first glance like an experimental stage of a 'federal army.'

Brigade 611 is known to have been formed in January 2022. After a year of presumably advanced military training, it was merged into one brigade under MNDAA in January 2023 upon a completion ceremony.<sup>65)</sup> <Kokang News Network> reported that 'the military training graduation ceremony of Brigade 611,

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62) Mandalay PDF was formed in March 2021. The group was formerly known as the Mandalay State Group Force (MSGF). Initially carrying Molotov cocktails, the group received automatic rifles and military training from the TNLA, and evolved into a resistance group.

63) Aung Naing, Operation 1027 expands into Sagaing Region as PDF launches attacks in central Myanmar, Myanmar Now, 2023/10/30, <https://myanmar-now.org/en/news/operation-1027-expands-into-sagaing-region-as-pdf-launches-attacks-in-central-myanmar/> (Search Date : 28.12.2023)

64) Statement on Operation 1027 and Related Operations, NUG, 2023/10/27, <https://gov.nugmyanmar.org/statement-on-operation-1027-and-related-operations/> (Search Date : 28.12.2023)

65) Myanmar Junta strikes two bases of ethnic Kokang army in Northern Shan State, Myanmar Now, 2023/01/17 <https://myanmar-now.org/en/news/myanmar-junta-strikes-two-bases-of-ethnic-kokang-army-in-northern-shan-state/> (Search Date : 22.12..2023)

comprised of non-Kokang ethnic groups, was held with great fanfare on January 3, 2023 at 9 a.m.’ The report also said that the graduation ceremony produced 1,229 graduates, including officers, and was presided over by Yang Guanghua, the deputy chief of staff of MNDAA.<sup>66)</sup> The resistance groups that participated in Brigade 611 include the Bamar People's Liberation Army (BPLA), the People's Liberation Army (PLA), and various NUG-affiliated PDFs.

BPLA is an armed group founded by a poet and activist Maung Saungkha with 16 colleagues in April 2021, shortly after the coup. Maung Saungkha once told the media that they “have a good relationship with the NUG,” and that they “also receive help from the NUG's Ministry of Health.” BPLA is worth keeping an eye on because of statements like these from Maung Saungkha. He commented “BPLA seeks to uproot dictatorship and chauvinism, strengthen ethnic unity,” on his social media “X” (formerly Twitter) platform and YouTube channel, and called for “Recogniz[ing] a Bamar state or constituent unit based on Bamar identity in a future federal union.”<sup>67)</sup> ‘Bama’ in the BPLA organization's name refers to the Burmese majority ethnic group in Myanmar, and is used under the premise that rather than the dominant ethnic group, Bama is just one of many ethnicities like other (minority) ethnic groups.

The second group to pay attention to is the People's Liberation Army (PLA). PLA is the military wing of the Communist Party of Burma (CPB), a group that vanished from history after CPB's dissolution in 1989. However, the maelstrom of civil war ensuing the February 2021 coup revived an armed group that had been relegated to the background of history more than 30 years ago.<sup>68)</sup> PLA is currently believed to be active in Myanmar's southern Tanintharyi Region. It sent two brigades to the MNDAA's Brigade 611 to join Operation 1027. PLA uniforms spotted by an investigative media outlet <Frontier Myanmar> bear the “Thanintaryi PDF” logo above their names. This suggests that their actions may have been claimed under the name of ‘Thanintaryi PDF.’ The reappearance of PLA in MNDAA-led operations is interesting to note. MNDAA, as it is known, is a ‘Kokang’ (Chinese-speaking population in Myanmar, Han Chinese) group that was created in the process of CPB's dissolution in 1989 along ethnic lines.

Sai Wansai, a political commentator who has been a foremost analyst of the political situation in Shan State, opined that the formation of the MNDAA's <611 Brigade> has upgraded the MNDAA into an organization with a nationwide voice, reaching beyond Shan State to lend support and collaborate with rebel fronts across Myanmar. Yet, the veteran analyst predicts that ‘MNDAA activities will remain within the northern Shan State.’<sup>69)</sup> His prediction is largely in line with the situation unfolding after Operation 1027.

66) Sai Wansai, MNDAA : Beating a bold revolutionary path to fulfill the people's aspirations?, 2023/01/10, Shan Herald Agency for News, <https://english.shannews.org/archives/25711> (Search Date: 28.2.2024)

67) [https://twitter.com/maung\\_saungkha/status/1486928725912346628](https://twitter.com/maung_saungkha/status/1486928725912346628) (Search Date : 5.1.2024)

68) Hein Thar, Red Dawn : Myanmar's reborn communist army, Frontier Myanmar, 2023/12/11, <https://www.frontiermyanmar.net/en/red-dawn-myanmars-reborn-communist-army/> (Search Date : 22.12.2023)

69) Sai Wansai, Shan Herald Agency for News, 2023/01/10

Let's return to 3BHA's Operation 1027. 3BHA's statement announced at the launch of Operation 1027 clearly states that it aims to 'eradicate military dictatorship,' 'fulfill the aspirations of the people of this country,' and 'protect the citizens from the military's ruthless killings.' The language shows that they are seeking the same direction as the actors of the Spring Revolution. Granted, all three organizations have their distinct ethnic and organizational interests, so it would be a grave miscalculation to assume that the timeline of their operations would revolve around the greater cause of the Spring Revolution. Nonetheless, Operation 1027 marks the 3BHA's first full-fledged participation in the Spring Revolution and thus adds great significance to the movement. In January 2023, <The Irrawaddy> projected that if 62% of EAOs fighters joined the Spring Revolution, the revolution's chances of success would exceed 50%.<sup>70)</sup> Contrast this with Operation 1027. Based on this 'forecast,' 60% or more of the EAO fighters joined the Spring Revolution thanks to the numerically superior 3BHA-led Operation 1027. Until then, there were only four EAOs in the Spring Revolution armed resistance front that were either permanently or temporarily allied with the NUG-PDF and actively clashing and fighting against the Tatmadaw: the Karen National Liberation Army (KNLA, the military wing of the Karen National Union (KNU)), the KIA, the Chin National Front (CNF), and the Karenni National Progressive Party (KNPP).<sup>71)</sup>

Operation 1027 also had the effect of spurring several EAOs that had distanced themselves from the Spring Revolution to join the uprising. The case of the aforementioned New Mon State Party-Anti Dictatorship (NMSP-AD) is an ethnic Mon armed group that split off from the New Mon State Party in criticism of its wait-and-see stance, and the Shan State Progressive Party (SSPP) in northern Shan State and the Pa-O National Liberation Party (PNLP) in southern Shan State have also stepped up to the anti-military front. In the wake of Operation 1027, EAO forces involved in the Spring Revolution are clearly showing signs of growth.

### 3. 'Post-Operation 1027' : Centered on Kachin, Karenni, and Yangon

Synonymous with the extension of Operation 1027, 'Post-Operation 1027' was a wave of non-stop offensives in several regions with only short breaks in between, including Operation 1031 in Kachin State, Operation 1103 in Sagaing Region, Operation 1111 in Karenni State, and Operation 1113 in Rakhine State. This was also a continuation of the armed struggle that preceded Operation 1027, and the heightened intensity of the offensives in multiple regions by multiple organizations created a synergistic effect and fueled the 'military-in-crisis theory.' The situation in Kachin State, Karenni State, and the commercial capital Yangon is as follows.

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70) Ko Oo, "Around 31% of Ethnic fighters in Myanmar actively supporting resistance", The Irrawaddy, 2023/01/09, <https://www.irrawaddy.com/opinion/analysis/around-31-of-ethnic-fighters-in-myanmar-actively-supporting-resistance.html> (Search Date : 21.12.2023)

71) 3BHA's cooperation in the first two years of the Spring Revolution, at most, can be seen as indirect and passive: military training and arms procurement. Both of these would have been compensated for to a certain degree.

### Kachin State : Operation 1031 and Massive Offense in March 2024

KIA is an EAO that has solidified its steadfast alliance with the PDF since the coup's immediate aftermath. In addition to its operations in Kachin State, KIA has often joined forces with the PDF in the northern Sagaing Region. KIA was also the first EAO to execute a military strike on the junta on the heels of (a month or so after) the coup on March 11, 2021, translating into action, its stance on 'retaliating if civilians are harmed' by the junta. Furthermore, KIA attacked a police station on March 28, killing 30 police officers in retaliation for the SAC police's forceful repression of the citizens who were staging anti-coup protests in Hpakant, a town known for its jade mines. Given the absence of major military clashes between the KIA and the junta since mid-2018, it would not be a stretch to say that the '2021 coup' disturbed the quiet in Kachin State. <sup>72)</sup>

Kachin State's sequel actions to Operation 1027 were also the swiftest. On October 31, KIA captured the Gangdau Yang military base connected to the northern part of their capital Laiza.<sup>73)</sup> The capture was significant in that the base was a crucial stronghold for the military, which had been attacking Laiza on and off for over a decade. KIA then attacked a military base located in the jade mining hub Hpakant in late February and thereafter launched its strongest offensive in March. Between March 7 and April 1, more than 60 military posts and bases, both large and small, fell under KIA control. Most notably, a 50-mile stretch of vital trade route – from Momauk Township, Kachin State (Bhamo District), past the military's tactically important military base 'Sinlum Bum' ('bum' means peak) to the border town of Lwegel, a key trade route with China – was entirely seized by the KIA on March 31. <sup>74)</sup>

### Karenni State : Operation 1111 and Posting Multiple Records of 'Firsts'

Post-Operation 1027 in Karenni State was manifested as 'Operation 1111' (November 11). Operation 1027 catalyzed the creation of alliances among various anti-military resistance groups in Karenni State, which also stood out as the only state where all possible types of armed groups from one ethnic group, such as the 'homogeneous ethnic coalition forces' of 'basic EAO + post-coup formation PDF + pro-junta militia BGF,' fought combined operations on a single front. The main EAOs in Karenni State is the Karenni Army (KA), the KLPP's military wing, and the Karenni Nationality Defense Force (KNDF), founded in response to the 2021 coup. Even the Karenni People's Liberation Front (KNPLF), a Border Guard Force

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72) Center for Operational Analysis and Research. 2023. "Myanmar February Coup: Kachin State Scenario Plan." 05/2023. <https://coar-global.org/2023/09/28/myanmar-february-coup-kachin-state-scenario-plan/> - Yu-Gyeong Lee, 2024, P.174 re-quote

73) KIA captures Junta's Strategic Gangdau Yang base, 2023/11/01, <https://www.bnionline.net/en/news/kia-captures-juntas-strategic-gangdau-yang-base> (Search Date : 4.2.2024)

74) Min Maung & Maung Shwe Wah, KIA takes full control of road from Momauk to Chinese border, Myanmar Now, 2024/04/02 <https://myanmar-now.org/en/news/kia-takes-full-control-of-road-from-momauk-to-chinese-border/> (Search Date : 2.4.2024)

(BGF) identified as a 'pro-military militia,' joined the June 2023 collective offensive alongside fellow ethnic resistance forces against the military. The 'homogenous ethnic coalition forces' are continuing their campaign to reclaim Loikaw, the Karenni State capital. From 'Operation 1111' to 'Operation Recapture Loikaw,' Loikaw has become a fierce battleground between the Karenni resistance coalition and the junta. Despite the initial offensive waged by the resistance forces, the military's heavy air strikes are posing a formidable challenge.<sup>75)</sup>

The shift in leaning of the KNPLF, also known as the 'Karenni BGF,' from pro-military to anti-military was a material change that made many media headlines.<sup>76)</sup> KNPLF was an organization that split off from KA in 1978 and was allied with the ideologically close Burma Communist Party. However, after the CPB collapsed in 1989 and a ceasefire with the military was established in 1994, KNPLF eventually became the Border Guard Force (BGF) and had served as a pro-junta militia for many years. Their cross-over to the rebel camp was formalized on June 13, 2023, when they joined the Karenni State resistance fighters' offensive on Mese town.<sup>77)</sup> The defection is said to have been prompted by the Mo So Massacre in Karenni State in December 2021.<sup>78)</sup> Four KNPLF members were also killed in the massacre by the military, and this brutal killings targeting their own people ultimately turned the BGF's guns against the junta. KNPLF's participation in the resistance is considered to be "the first Border Guard Force (BGF) to defect en masse [to the anti-military resistance front.]"<sup>79)</sup> Experts have counseled NUG to accommodate and handle the BGF surrenders well,<sup>80)</sup> which is why NUG has appointed KNPLF central committee member Chit Tun as one of the two deputy ministers in the NUG's Ministry of Federal Union Affairs.<sup>81)</sup>

Karenni State, meanwhile, has produced a number of 'firsts' in the course of the Spring Revolution, such as the creation of the 'Karenni Interim Executive Council'(IEC), the first transitional government in the ethnic minority region. The Karenni State Consultative Council (KSCC), which served as the foundation of

75) Andrew Nachemson, 'We'll never give up' : The Fight for Loikaw, Frontier Myanmar, 2024/02/03 <https://www.frontiermyanmar.net/en/well-never-give-up-the-fight-for-loikaw/> (Search Date : 5.2.2024)

76) Esther J, Karenni ceasefire group announces defection to anti-junta resistance, Myanmar Now, <https://myanmar-now.org/en/news/karenni-ceasefire-group-announces-defection-to-anti-junta-resistance/> (Search Date : 1.12.2023)

77) Karenni Nationalities People's Liberation Front switches allegiance, DVB, 2023/06/30 <https://english.dvb.no/the-karenni-national-peoples-liberation-front-switches-allegiance/> (Search Date : 3.12.2022)

78) <https://www.irrawaddy.com/news/burma/kayah-border-guard-forces-defect-to-join-fight-against-myanmar-military.html> (Search Date : 1.2.2024)

79) Zachary Abuza, Will the first Myanmar Border Guard defection have a contagion effect?, RFA, 2023/06/27 <https://www.rfa.org/english/commentaries/myanmar-border-guard-06272023092414.html> (Search Date : 4.12.2023)

80) The behavior of the defected BGF is also proving troublesome. Mese (BGF stronghold) is an area taken over by the Karenni rebel groups, including the KNDF and KNPP, as well as the KNPLF. Media coverage has reported that merchants in the area accuse the KNPLF of extorting money from them since February 29th. Depending on the size of the business, the amount collected ranges from 30,000 to 100,000 kyats.

IEC, is part of the NUCC, a pan-democratic coalition in the grand federal democracy project, and has moved in step with the NUG since the coup. The 'firsts' in Karenni State are not limited to the conversion of the BGF group and the formation of a transitional government. In August 2021, Karenni State revamped 40 police officers who had deserted in the immediate aftermath of the coup, under the name of the 'Karenni State Police (KSP).'<sup>82)</sup> Given that NUG launched the 'People's Police' under its umbrella in July 2022,<sup>83)</sup> it means Karenni State was a year ahead of the curve in transforming the military's police force into the resistance's police force. It was also the first state to issue a judicial ruling under the revolutionary transition government. In March 2024, the KNDF Military Court, a PDF equivalent of the Karenni State, sentenced two KNDF members to 20 years in prison for the murder of two aid workers.<sup>84)</sup>

### Yangon PDF : Clipping the 'Wing' of Junta's Air Strikes

On June 1, 2023, NUG publicly announced the birth of the 'Yangon 5101 Battalion' (or 'PDF 5101'), poised to operate in the former capital and commercial hub of Yangon.<sup>85)</sup> Until then, Yangon had been a scene of a flurry of intermittent attacks by variously named 'urban guerrilla' (UG) groups claiming credit for the attacks. The formation of the Yangon-specific PDF inherited the urban guerrilla warfare carried out by the existing 'Yangon Urban Guerrilla Association.'

The NUG's 'Yangon PDF' (or 'PDF 5101') is likely based on the <Yangon People's Brigade> ('YPB') launched on April 27, 2022, as a coalition of 16 small armed groups operating in Yangon. In August of that year, YPB issued a 'three-phase roadmap to recapture Yangon.' Phase 1 was the 'Rose Wave,' or bombing campaign. Phase two, the 'Eagles Wave,' refers to a ramp-up in the offensive, and the third phase, the 'Dragon Wave,' would achieve the recapture of Yangon. The group had vowed to take control of Yangon within a year and a half. <sup>86)</sup>

Then, at around 2 a.m. on March 1, 2024, a fuel tank of the junta's army fighter jet moored in the Yangon River in Yangon's Chimundine Township exploded and burst into giant flames. The round-up of information from social media outlets, which have been constantly updating their coverage of Myanmar's Spring Revolution, showed that a diver planted a 1-kilogram TNT explosive with a timer five hours earlier. NUG claimed the attack was perpetrated by the 'Yangon PDF.'

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82) Andrew Nagemson, 2024, Ibid.

83) Myanmar's Shadow Government to create its own police force, Reuters, 2022/06/07, <https://www.reuters.com/world/asia-pacific/myanmars-shadow-government-create-its-own-police-force-2022-06-07/> (Search Date : 5.1.2024)

84) Two KNDF fighters sentenced in killing of Free Burma Rangers member, Myanmar Now, 2024/03/27, <https://myanmar-now.org/en/news/two-kndf-fighters-sentenced-in-killing-of-free-burma-rangers-member/> (Search Date : 27.3.2024)

85) Myanmar Shadow Government creates guerilla militia in Yangon, RFA Burmese, 2023/06/14, <https://www.rfa.org/english/news/myanmar/militia-06142023131836.html> (Search Date : 2.2.2024)

86) Yangon Region People's Brigade says it will try to seize Yangon in a year and a half, ThanLwinTimes, 2022/08/09, <https://thanlwinTimes.com/2022/08/09/yangon-region-peoples-brigade-says-it-will-try-to-seize-yangon-in-a-year-and-a-half/> (Search Date : 25.1.2024)



The attack carried an important message. As the military offensive accelerates on multiple fronts, pro-democracy groups have launched a campaign to halt jet fuel. There is currently a hashtag movement to "Ban Jet Fuel Exports to Myanmar" (#BanJetFuelExportsToMM). The Yangon PDF has aligned itself to this movement by executing an assault to cut off fighter jet fuel supplies. The explosion left two dead, two missing, and 800 gallons (1 gallon = 4 liters) of refined oil lost, according to pro-junta media outlet <Eleven Media>, citing military intelligence.<sup>87)</sup> The YPB's earlier ambition to "take control of Yangon in a year and a half" has been dashed, but the group had mounted a high-profile attack at that point: the bombing of a fighter jet fuel tank. Meanwhile, the day before at around 4:40 a.m. on February 29, Yangon West Region PDF claimed to have attacked a military checkpoint at 'Ziyoe Mile' in Hleku Township, Yangon Region.<sup>88)</sup>

#### 4. NUG-PDF's First Land Recapture : Heartland of Resistance, Sagaing's Experiment

Sagaing, often labeled as "mainstream Burmese" or a "plain area," is a region that was nearly free of armed conflicts between the military and civilians prior to the coup<sup>89)</sup> and yet is presently a new civil war zone created by the coup. Sagaing, Magwe, and Bago all fall into this category, with the northern 'Sagaing Region' spotlighted as the central stage of armed resistance. In the context of Operation 1027, it is also home to the first territory recaptured by the NUG-PDF during the strong Post-Operation 1027 drive. In many ways, Sagaing Region is a historical space that is to leave a significant mark in the history of the Spring Revolution.

Sagaing's geographic location provides a favorable terrain for civil war, bordering India to the north, western Kachin State to the east, and having the advantage of being able to network with EAOs, i.e. KIA and AA operating in the Kachin Independence Army (KIA) controlled territory. To the west lies Chin State and Rakhine State, two ethnic minority regions, and to the south sits Magwe Region, another battleground – which together forms a large northern block of the Spring Revolution armed resistance. Sagaing can be seen as the heartland of resistance on the overall map of resistance.<sup>90)</sup> It was here that 'Operation 1103,' or the NUG-PDF's joint operation with KIA AA allies, culminated in the total recapture of Kawlin Town after four days of intense combat. In doing so, Kawlin in Sagaing became the first non-EAO territory to be reclaimed by the NUG since the start of the Spring Revolution.

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87) 800 gallons of diesel lost in fuel tanker blaze, claims two lives and two missing, Eleven Media, 2024/03/02, <https://elevenmyanmar.com/news/800-gallons-of-diesel-lost-in-fuel-tanker-blaze-claims-two-lives-and-two-missing> (Search Date : 3.3.2024)

88) Spring Revolution Daily News for 3 March 2024, Mizzima, <https://eng.mizzima.com/2024/03/03/7704> (Search Date : 4.3.2024)

89) However, the Sagaing Region has long been populated by militant groups from Northeast India operating across the border.

90) Yu-Gyeong Lee, 2024, In-jin Jin, P167 ~ 168

In addition to Kawlin, Khampat, Shwe Pyi Aye, and Maw Lu among others have also fallen into NUG–PDF territory thanks to the joint operations with EAOs. Unlike other EAO territories that have been subject to repeated capture and retake for decades, these first territories reclaimed by the NUG–PDF in concert with EAOs, are all located in the Sagaing Region,<sup>91)</sup> which implies that the prospects for the Spring Revolution's true success by NUG will considerably depend on the recapture of Sagaing territory.

The second captured territory, Kamphat town, is only about 50 km from the border between Tamu town in Sagaing Region and Moreh town in Manipur State in Northeast India. Seizing territory along the border is strategically critical as it provides a favorable environment for securing supply routes. The capture of Kamphat as announced by the NUG MoD, is a success story of a coordinated operation by various resistance groups. According to NUG MoD, the list of participating organizations is interesting – Ten organizations, i.e. the Tamu District 2nd Battalion, the 2nd Special Battalion of Military Region, the No. 1 Military Region Heavy Weapons Battalion, and the KIA among others, joined the operation to retake Kamphat. NUG opened General Administration Department (GAD) offices and planted NUG flags in both Kawlin and Kamphat.<sup>92)</sup> U Kyaw Zaw, a spokesperson for the NUG President's Office announced that they will 'apply the interim local administration mechanism to these recaptured territories.' In Kawlin, 1,180 CDM officials have been assigned township administration duties in collaboration with the 'People's Administration Team.'<sup>93)</sup> In addition, not only PDF, but also the KIA and a small number of AA troops have been deployed to ensure that the recaptured territory is not lost, and an early warning system has been set up to prepare against an attack – signaling their efforts to thoroughly 'defend the town to death.'

But the seize of Kawlin, which provided a real turning point of the Spring Revolution <sup>94)</sup> lasted less than three months. Comprised of eight wards with a population of around 20,000, the city was forced to make a strategic retreat on February 10, 2024, three months after the NUG–PDF had hoisted its flag, in the face of a massive ground force deployment and indiscriminate air strikes by the military. The capture and loss of Kawlin and the resistance's subsequent retreat

91) Aung Naing, Operation 1027 expands into Sagaing Region as PDF launches attacks in central Myanmar, Myanmar Now, 2023/10/31, <https://myanmar-now.org/en/news/operation-1027-expands-into-sagaing-region-as-pdf-launches-attacks-in-central-myanmar/> (Search Date : 29.12.2023)

92) 'GAD' is a local government unit that plays a key role in Myanmar's regional administration, and the democratic camp has consistently attempted its reform. As part of the effort, NLD implemented reforms that brought GAD under federal or civilian government control in December 2018, but the October 2021 coup put GAD back under the control of the Ministry of Internal Affairs. "Myanmar Junta rolls back NLD reforms, Revives previous regime's plan." The Irrawaddy 10/21/2021. <https://www.irrawaddy.com/news/burma/myanmar-junta-rolls-back-nld-reforms-revives-previous-regimes-plans.html> (Search Date: 19.12.2023)

93) Full civilian rule restored in First Large Town Seized by Myanmar Resistance : NUG, The Irrawaddy, 2023/12/04, <https://www.irrawaddy.com/news/burma/full-civilian-rule-restored-in-first-large-town-seized-by-myanmar-resistance-nug.html> (Search Date : 11.5.2023)

94) Taking Towns : A Turning Point in Myanmar's War, Frontier Myanmar, 2023/12/20, <https://www.frontiermyanmar.net/en/taking-towns-a-turning-point-in-myanmars-war/> (Search Date : 28.12.2023)

exemplified the challenges the NUG–PDF would confront time and again in the future. Moreover, the military is highly likely to leverage all means at its disposal to retake the territory it has lost, including the strong possibility of resorting to brutal tactics.

To retake Kawlin, the junta had already begun a siege strategy in January with more than a thousand ground troops in the Kanbalu District in the southern part of Kawlin and Wuntho District in the north. After mobilizing the full extent of its manpower and firepower, the military succeeded in reclaiming Kawlin.<sup>95)</sup> The <Global New Light of Myanmar>, a military publication, reported that 18 clashes took place during the retaking of Kawlin.<sup>96)</sup> Kawlin was ravaged. Local media reported that the military destroyed 80% of the town after its retake.<sup>97)</sup> The military's reclaim of Kawlin was a major redemption for the military, whose reputation had taken a serious toll during Operation 1027. And the NUG–PDF–EAOs coalition must have realized the enormous challenge of capturing and maintaining territories. Today, the resistance's offensives to recapture Kawlin once again continues.<sup>98)</sup> <Myanmar Witness>, which uses Google satellite imagery to track the scenes of battle, reported that the town has been all but destroyed<sup>99)</sup> – the effect of the military deploying thousands of private soldiers and heavily bombarding it with air strikes and heavy weapons.

Kawlin is not an isolated case where the military has launched a devastating campaign to retake the territory captured by the NUG. The Maw Luu area in Indaw Township, Sagaing Region, is another one that the junta is pulling out all stops to retake. Located on the border with Kachin State, Maw Luu is the fourth area captured<sup>100)</sup> by the combined resistance forces of the KIA, ABSDF, and the Indaw PDF as of December 13, 2023. At present in late March, it is being fiercely defended by the KIA, ABSDF, and the Kachin PDF.<sup>101)</sup>

## 5. Western Front : Arakan Army(AA)'s Advance and Rohingya Genocide

95) Nora Praye & Thura Maung, Hundreds of Junta Troops attempt to retake Kawlin town from resistance, Myanmar Now, 2024/02/07,

<https://myanmar-now.org/en/news/hundreds-of-junta-troops-attempt-to-retake-kawlin-town-from-resistance/> (Search Date : 8.2.2024)

96) Tatmadaw security forces wipe out KIA, PDFs in Kawlin of Sagaing, conduct mine clearing, rehabilitation tasks, Myanmar News Agency, 2024/02/11

<https://www.gnlm.com.mm/tatmadaw-security-forces-wipe-out-kia-pdfs-in-kawlin-of-sagaing-conduct-mine-clearing-rehabilitation-tasks/> (Search : 12.2.2024)

97) Town almost razed to Ground After being Retaken by Myanmar Junta Troops, The Irrawaddy, 2024/02/27

<https://www.irrawaddy.com/news/burma/town-almost-razed-to-ground-after-being-retaken-by-myanmar-junta-troops.html> (Search Date : 27.2.2024)

98) <https://www.myanmaritv.com/news/sagaing-regions-struggle-security-forces-repel-terrorist-raid-kawlin> (Search Date : 8.2.2024)

99) Sagaing Region's Struggle : Security Forces Repel Terrorist Raid on Kawlin, MiTV, 2024/02/11, <https://twitter.com/MyanmarWitness/status/1764667593237909805> (Search Date : 4.3.2024)

100) The order of territories captured by the resistant forces : Kawlin, Khampat, Shwepyiaye, Maw Luu.

101) Min Maung, Myanmar Army Launches offensive to retake Maw Luu from Resistance, Myanmar Now, 2024/03/22,

<https://myanmar-now.org/en/news/myanmar-army-launches-offensive-to-retake-maw-luu-from-resistance/> (Search Date : 1.3.2024)

AA, a Rakhine State militant group, has been cementing its status as the most powerful EAO in the post-coup phase. Founded in April 2009, AA has a very short history of 15 years relative to other EAOs in Myanmar, but it has rapidly grown to become the most powerful EAO in the country, with an estimated 30,000 to 40,000 members.

AA's influence is also evidenced by its 'borderland diplomacy network.' On March 1, K. Vanlalvena, a state legislator from Mizoram State in northeastern India bordering Myanmar, reportedly met with an AA delegation to discuss security issues on the road connecting the two countries. The presence of AA personnel providing security at the meeting strongly hinted at AA's growing role in 'Rakhine-India border diplomacy.'<sup>102)</sup> Earlier, reports surfaced in January stating that AA and Bangladeshi authorities had been holding clandestine discussions. Since last year, AA has been asserting that it should handle Rohingya refugee repatriation from Bangladesh rather than the military regime.<sup>103)</sup>

AA's Post-Operation 1027 began about two weeks after, on November 13th. An informal ceasefire brokered by Japan in 2022 with the junta was unilaterally called off, and a shift was noticed in AA's position to 'keep a certain distance from the Spring Revolution' maintained since the coup. While resistance spread across Myanmar from the February 2021 coup until the time of Operation 1027, the political arm United League Arakan (ULA) had been gaining ground as a 'rebel autonomous government' in Rakhine State. However, with the launch of Operation 1027 and the subsequent 1111 offensive, AA has been boasting its combat prowess at a blistering pace and grabbing up territories. As of April 1, nine of Rakhine State's 17 townships had fallen under AA control.

Another notable historic scene from the civil war in Rakhine State was the spectacular 'refugee procession' where soldiers from the military's camp were pushed back across the border. In early February, a string of videos from the Myanmar-Bangladesh border<sup>104)</sup> went viral on social media and garnered much attention. In one of the videos, a group of men who appear to be disarmed and defeated soldiers traveled in a line from Myanmar to Bangladesh.<sup>105)</sup> According to reports, around 340 people fled from Myanmar to Bangladesh during this time. Many of them were Border Guard Police (BGP) from Rakhine State.<sup>106)</sup> It was the very BGP unit that was the prime perpetrator of the 2016-2017 Rohingya genocide and the successor to 'Nasaka,' a leading Rohingya persecution group in the history of the Rohingya genocide.

AA's Western Front in Rakhine State is intertwined with the Rohingya genocide issue. Currently, an estimated 630,000 Rohingya still live in Rakhine State and they

102) [https://twitter.com/angshuman\\_ch/status/1763442171762663720](https://twitter.com/angshuman_ch/status/1763442171762663720)

103) Doomed to engage? Bangladesh and the AA, Frontier Myanmar / 2024/01/31  
<https://www.frontiermyanmar.net/en/doomed-to-engage-bangladesh-and-the-aa/> (Search Date : 1.2.2024)

104) <https://twitter.com/shafiur/status/1754826331517276513> (Search Date : 6.2.2024)

105) <https://twitter.com/shafiur/status/1755151118139601187> (Search Date : 7.2.2024)

106) 340 Myanmar troops flee into Bangladesh during fighting with ethnic group, AP, 2024/02/09,  
<https://apnews.com/article/myanmar-bangladesh-india-troops-flee-b94d076173ab92c1ff91a9024ef11529> (Search Date : 9.2.2024)

find themselves more helpless than ever before. Both the military and AA are viewed as generally hostile to the Rohingya in their regards and actions. AA, not to mention the military, did not shy away from utilizing sophisticated tactics. For example, in Buthidaung Township, AA has consistently employed the 'Rohingya shield' tactic – exploiting Rohingya villages as a base to attack the military and draw the military's counterattacks against these villages.

There are two distinct realities at hand: AA ousted the BGP that had been massacring Rohingya, and yet the same AA is spawning casualties through aggressive and insidious tactics against Rohingya. And the military is using the civil war as a pretext to resume killing the Rohingyas with mortar attacks and air strikes even in Rohingya areas without AAs present. It is none other than an extension of the Rohingya genocide. According to RFA statistics, a total of 79 Rohingya have been killed and 127 injured in Rakhine State since April 1 this year (since the start of Operation 1113). Air strikes in Minbya Township have resulted in 27 deaths and 43 injuries, while Buthidaung Township has seen 24 deaths and 45 injuries.

〈Table-1〉 Rohingya casualty statistics since the start of 'Operation 1113' in Rakhine State (As of April 1)

Region	Deaths	Injuries
Minbya	27	43
Buthidaung	24	45
Kyauktaw	17	17
Mrauk-U	4	17
Sittwe	7	5
Total	79	127

(Statistics\_Courtesy of Radio Free Asia)<sup>107)</sup>

The first area to be affected by the military's conscription decree is also Rakhine State, and the Rohingyas were the first to be targeted. The junta announced its plan to enforce the conscription after the Thingyan water festival, Myanmar's New Year's holiday in April, but compulsory enlistment in Rohingya villages has already been taking place since February. What is deeply concerning is that the very policy of division, that has hitherto been an effective tool of Rohingya genocide, is being ratcheted up these days.

〈Burma Rohingya Organization (BROUK) – UK〉, a UK-based Rohingya diaspora group, reports that the number of Rohingyas forcibly drafted since the decree was announced has already exceeded 1,000, and that around 100 of them have been dragged into the 'anti-AA front' as cannon fodder and killed. The military's forced recruitment of Rohingya persists. There are even selfie videos of Rohingyas fleeing as the military rush into villages to round them up. Past Myanmar rulers have stripped Rohingya of their citizenship, claiming that "Rohingya are not Myanmar citizens." By their logic, 'non-Myanmar citizens' should not be subject to conscription. However, the military – requiring human shields – is wielding

atrocious tactics of prioritizing the 'non-citizen' Rohingyas as their first target of forced recruitment and endanger the lives of Rohingyas who remain in Rakhine State. This action will also undoubtedly exacerbate conflict and division between the Rohingya community and the Rakhine community (which strongly supports AA). In fact, there are consistent reports of the military compelling 'anti-AA' Rohingya protests to be held in Rohingya areas. And AA's response to this is also jeopardizing the Rohingyas. AA spokesperson Khaing Thu Kha, while acknowledging that the anti-AA protests in Buthidaung Township were organized by the junta, also laid bare his hatred and prejudice against the Rohingyas when he branded these demonstrations as 'one of the worst betrayals in history.'<sup>108)</sup>

Against this backdrop, AA said in an online press conference on March 4, "we aim to make clear that AA is the only armed group in Arakan State." The same statement was echoed by the AA top commander Twan Mrat Naing on social media. The implication of the message is that AA will eliminate or restrict the operations and activities of other armed groups present in Rakhine State, and appears to have been made in reference to the Rohingya Solidarity Organization (RSO) and the Arakan Rohingya Salvation Army (ARSA), the two Rohingya armed groups still active in Rakhine State and along the Bangladesh border. The statement was also a warning of possible clashes. In fact, in July 2023, AA engaged in an armed conflict with the ARSA in northern Rakhine State.<sup>109)</sup> The potential for conflict between the two groups remains a constant, and as of late March and early April, unofficial reports of clashes continued to crop up on social media.<sup>110)</sup>

## 6. Conclusion : Challenges and Outlook

That Myanmar's junta is in crisis seems undeniable given the many facets of Operation 1027 and the post offensives. An executive committee member of the <Independent Press Council of Myanmar (IPCMM)><sup>111)</sup>, Toe Zaw Latt, said at a forum held by the Foreign Correspondents' Club of Bangkok (FCCT) on January 31st that 'the military's crisis will come from its failure to recruit new soldiers.'<sup>112)</sup> Toe Zaw Latt's diagnosis of the military's crisis as a direct consequence of the troubled recruitment of soldiers is compelling. I completely agree with his

108) Shafiur Rahman, Assessing the Arakan Army's position on the Rohingya, DVB, 2024/04/01, [https://english.dvb.no/assessing-the-arakan-armys-position-on-the-rohingya/?utm\\_source=substack&utm\\_medium=email](https://english.dvb.no/assessing-the-arakan-armys-position-on-the-rohingya/?utm_source=substack&utm_medium=email)

109) Rakhine State clash reported between AA and Rohingya Militants, The Irrawaddy, 2023/07/22, <https://www.irrawaddy.com/news/burma/rakhine-state-clash-reported-between-aa-and-rohingya-militants.html> (Search Date : 1.2.2024)

110) Naing Lin, A new dimension to Armed Conflicts in Arakan, TNI 2023/09/20, <https://www.tni.org/en/article/a-new-dimension-to-armed-conflicts-in-arakan> (Search Date : 1.2.2024)

111) A consolidated press formed in Myanmar in December 2023 that includes both national and foreign press as well as minority ethnic media outlets. Independent Press Council Myanmar Formally Established, Karen News, 2023/12/23, <https://karennews.org/2023/12/independent-press-council-myanmar-ipcm-formally-established/> (Search Date : 1.2.2024)

112) FCCT, Myanmar three years on an evening with resistance leaders and the press, 2024/01/31, <https://www.youtube.com/live/WnthB7mLKus?feature=shared&t=6832> (Search Date : 1.2.2024)

perspective.

However, it will entail time and a cascade of subsequent events, the extent of which is difficult to predict, before the current shortage of soldiers leads to an actual disintegration of the military. Meanwhile, the military is expected to fill its 'manpower' gap with tactics that maximize its destructive power. Despite Myanmar being the world's longest civil war zone, the military collisions have been characterized by guerrilla warfare and conventional weapons clashes in the rugged mountains and hills. The recent surge in air strikes has not technically been the military's favorite method of attack, but that has changed since the 2021 coup. Air strikes are on a sharp rise.

⟨Nyan Lynn Thit Analytica⟩, an NGO that has been compiling statistics on the conflicts in Myanmar<sup>113)</sup> reported that the military has launched a total of 1,652 air strikes since the February 2021 coup through December 2023, leaving 936 civilians dead and 878 injured. Also, 137 places of worship have been destroyed, and 76 schools and 28 hospitals and pharmacies were damaged by air strikes.<sup>114)</sup> Out of these, 750 air strikes were carried out in the four months from September to December last year, constituting nearly half of the total. That's an average of six air strikes a day, and 249 people were killed and 420 injured in a four-month span.<sup>115)</sup> According to another NGO study, the ⟨Burma Affair Conflict Study⟩, there were 395 air strikes in the nine-month period from October 2022 to June 2023 where 320 civilians were killed.<sup>116)</sup> Taken together, the two analyses show that the military's air strikes have been increasing in density since the coup.

In Sagaing Kawlin Town, the first to be seized by the NUG-PDF, and other areas where resistance fighters retreated from the military onslaught, many testified that they struggled to withstand the air strikes. Air strikes are the most preferred method of 'collective punishment' due to their indiscriminate nature, which amplifies casualties. Israel's reliance on air strikes and bombings of the Palestinian Gaza Strip is the reason behind the absolute surge in casualty figures from short-term or one-off attacks. As such, Myanmar military is more likely to deal with the pan-democratic and anti-military resistance in an increasingly destructive manner. The democratic forces face a major challenge given their inferior weapons stock, and this is why the resistance started to bring up the need for surface-to-air missiles.

Another challenge is the NUG's ability to oversee its military command structure. NUG's lack of a cohesive operational command structure is stalling the effective progress of an armed revolution that has already crossed a turning point. The overwhelming majority of the territories currently controlled by the anti-military resistance factions are EAO-controlled ones. As we have seen with the MNDA

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113) ⟨Nyan Lynn Thit Analytica⟩ is a lab-type entity launched in 2017 by the ⟨All Burma Federation of Student Unions (ABFSU)⟩, an orthodox student movement group in Myanmar.  
<https://www.nyanlynthitanalytica.org/aboutus>

114) <https://twitter.com/NyanLynnThit/status/1773317868211654715> (Search Date : 20.3.2024)

115) <https://twitter.com/NyanLynnThit/status/1755925972677960172> (Search Date : 20.3.2024)

116) <https://thewire.in/south-asia/myanmar-junta-airstrikes-mizoram> (Search Date : 9.2.2024)

and TNLA after Operation 1027, once the organization's intended objectives are achieved, 'EAO politics' is likely to become entrenched along ethnic and territorial interests. This is another factor highlighting the importance of Sagaing territory as opposed to states with ethnic minorities. However, Sagaing Region is also revealing a tendency to stick to its own roadmap and therefore, how the situation evolves is a point of interest.

The 'First Sagaing Forum' – held in May of last year by a host of PDFs with no ties to the NUG MoD chain of command – is indicative of these potential challenges and tasks. The forum reportedly assembled 173 PDF organizations from 28 townships in Sagaing Region (out of 34 townships).<sup>117)</sup> A large gathering of PDFs outside the NUG chain of command was present. The Sagaing Forum agreed during the conference that day to form a 'Regional Consultative Council' and work towards building federal democracy.<sup>118)</sup>

The 1st Forum also launched the 'Sagaing Region Consultative Council' and set forth in its resolution to "adopt self-autonomy and self-determination and establish federal democracy." Just as other ethnic minority states have moved to form their own self-governments, Sagaing Forum can be understood as a starting point in articulating the need for a transitional regional government with Sagaing Region as an identifiable entity, though not along specific ethnic lines.<sup>119)</sup> The first forum's resolution also stressed the need to "establish a region level transitional arrangements."

The <Sagaing Forum> released a statement on Nov. 11 that said, 'forming a political organization is urgently needed at the (Sagaing) region level.' This was the very same day Sagaing's Operation 1111 was launched. This statement can be interpreted as a 'call' to urgently equip themselves for a political transition to prepare for seizing territory from the military through a major offensive.<sup>120)</sup> The pressing message is in line with what is happening in other ethnic minority regions of the country, that are pivoting away from complete dependence on the political power of NUG. The implication and expectation is that the Sagaing Region, though not an ethnicity-based state, needs to ready itself to become a 'federal constituency' as a region-based entity.

Of course, it is difficult to view the Sagaing Forum and the NUG-NUCC-PDF bloc as contradictory, competing, or in conflict with each other, and yet the Sagaing Forum does raise the question of under what identity (or unit), NUG will

117) Anti-Junta groups align at Myanmar's Sagaing Forum, minus shadow government, RFA Burmese, 2023/06/09, <https://www.rfa.org/english/news/myanmar/forum-06092023154950.html> (Search Date : 2.3.2024)

118) The 1st <Sagaing Forum> Forum Statement [https://www.facebook.com/sagaingforum/posts/pfbid0onVpFLQb4MMAMTttFLXgcaZsoiCpNYFHCaUdKZVMuj4nLLeTVjbVQWvZnJgYUHQBI?\\_rdc=2&\\_rdr](https://www.facebook.com/sagaingforum/posts/pfbid0onVpFLQb4MMAMTttFLXgcaZsoiCpNYFHCaUdKZVMuj4nLLeTVjbVQWvZnJgYUHQBI?_rdc=2&_rdr) (Search Date : 2.3.2024)

119) Zaw Tuseng, Can the Sagaing Forum Take Myanmar's Spring Revolution to the Next Level, The Irrawaddy, 2023/06/02, [https://www.irrawaddy.com/opinion/guest-column/can-the-sagaing-forum-take-myanmars-spring-revolution-to-the-next-level.html#google\\_vignette](https://www.irrawaddy.com/opinion/guest-column/can-the-sagaing-forum-take-myanmars-spring-revolution-to-the-next-level.html#google_vignette) (Search Date : 2.3.2024)

120) Sagaing Region should be considered a federal unit, Myanmar Peace Monitor, 2023/11/16, <https://mmpeacemonitor.org/324181/sagaing-region-should-be-considered-a-federal-unit-and-it-is-high-time-for-the-region-to-establish-a-political-organization-as-sagaing-forum-we-are-working-towards-this-goal-to-the-best-of/> (Search Date: 17.3.2024)



bring the non-minority ethnic regions of Sagaing, Maguwe, and Mago into the federal democratic framework.

## Between Refugees and Migrant Workers: Lives of Myanmar Migrants in Mae Sot, a Thai Border City

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### 1. Introduction

Any person who, as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The above is the definition of a refugee as provided by the 1951 Convention Relating to the Status of Refugees (the Refugee Convention). Established in the aftermath of two World Wars, the Convention was initially focused on protecting refugees primarily in Europe. While the temporal scope limitation "as a result of events occurring before January 1, 1951" was removed with the adoption of the 1967 Protocol, many "de facto refugees" around the world are not protected by the Convention's strict definition. Local wars, civil conflicts in various regions, and natural disasters caused by climate change contribute to the increasing number of refugees globally.

Turning to Southeast Asia, which faced significant refugee crises from the 1970s to the 1990s, more than 1 million refugees have fled Myanmar alone since 2010. In addition to the 800,000 Rohingya Muslims who sought refuge in Bangladesh in 2017, hundreds of thousands of refugees have fled Myanmar to neighboring countries such as Thailand and India following the military coup on February 1, 2021. Media reports over the past three years since the coup have highlighted the severity of the situation inside Myanmar, indicating that the majority of these displaced people are indeed refugees.

However, the countries they have fled to do not recognize them as refugees because their home country is not a signatory to the Refugee Convention and Protocol. Consequently, these host countries often forcibly send them back in violation of the principle of non-refoulement, as outlined in the International Human Rights Law. Many of these individuals did not cross the border with the intention of seeking refugee status or resettlement in a third country. Unless they entered through legal channels, they have no means of protection for them. Due to the uncertain legal status resulting from the circumstances that forced their displacement, most of those not recognized as refugees do not qualify to be legal

migrants either. Consequently, they are forced to live as undocumented migrants.

Existing legal frameworks, both national and international, categorize people moving across borders into two fixed groups: refugees and migrants. However, this dichotomy may be misleading, as it implies that only those in one category have legal protections and rights (Althaus, 2016). In reality, there are many more people who do not fit neatly into either category due to circumstances overlooked by these laws. The precarious status they experience fundamentally stems from the legal framework that draws such a strict division between refugees and migrants. Nonetheless, they also exhibit efforts, albeit limited, to defend their rights and improve their lives within the complex relationships they have with their host societies.

This study aims to identify ways to complement the ongoing debate regarding the status and rights of individuals moving across borders by examining the lives and adaptive strategies of refugees and migrants from Myanmar who reside on the fringes of these legal categories, with a focus on the context of Mae Sot, a city in Thailand that shares a border with Myanmar.

## 2. Mae Sot, a City Assimilated into the Myanmar Community

Thailand and Myanmar share a long border spanning 2,416 kilometers, with Mae Sot serving as one of the primary gateways between the two nations. Despite being Thai territory, Mae Sot has been a main destination for Myanmar migrants and has evolved with the influx of people from Myanmar.

The migration history of Myanmar people to Thailand traces back to the mid-1970s when ethnic minorities displaced by conflicts between the Myanmar military and ethnic armed organizations (EAOs) began crossing into Thailand (Moretti 2015: 72). In addition to these conflicts, the impact of political upheavals within Myanmar, such as the 1988 democratization movement, the 1990 general election, and the 2007 Saffron Revolution has spilled over into Thailand along these border routes, attracting a diverse array of people to Mae Sot.

Mae Sot has witnessed growth into a city alongside the influx of migrants from Myanmar. As the industrial based relocated to border areas under the Chatchai Choonhavan government's policy of "constructive engagement" with Myanmar in the 1980s, and later with the decentralization policies of the Thai government following the 1997 Asian financial crisis, Mae Sot, located at the border, became a hub for low-wage, labor-intensive industries, particularly textile and sewing factories (Lwin Moe Thida Lwin 2019). These industries were predominantly staffed by migrant workers from Myanmar, drawn to Thailand for various reasons.

The populist measures of Thaksin's government, aimed at alleviating social unrest and discontent following the economic crisis, including the nationwide introduction of a minimum wage in 2013, brought about significant shifts in the labor market. This resulted in an increased reliance on inexpensive migrant labor within the Thai

economy (MAP Foundation 2015: 8). The Thai government's strategy of decentralizing the industrial base, through the designation of peripheral border areas as special economic zones (SEZs) with tax exemptions for foreign businesses, pursued a dual objective. It sought to boost export industries by tapping into a low-wage labor market to drive economic recovery, while also confining foreign workers to border areas to prevent their migration to central regions like Bangkok, where control is more challenging (Pearson and Kusakabe 2012: 28).

Since the implementation of these policies, over 4 million Myanmar migrant workers have moved to Thailand and many of them are employed in major cities such as Bangkok. The Thai government's objective of keeping migrant workers in marginal border areas seems to have been largely unsuccessful. Yet, this does not mean that Mae Sot merely served an entry point for migrant workers. Rather, the outcome stems from the growing demand for migrant labor across the Thai economy, resulting in an increase in the influx of migrant workers.

As the Thai government intended, Mae Sot has become a reservoir that entraps the most vulnerable among the Myanmar migrants who have entered the country, unable to progress further. However, the city's Myanmar migrant community has also evolved over the decades, learning to transform this harsh environment into a place they can truly call home. Mae Sot owes much of its present identity to the presence of Myanmar migrants. Their significance extends beyond sustaining the city's industries, regardless of their legal status, and bolstering the low-wage labor market. It is the multifaceted nature of the Myanmar migrants residing here that renders Mae Sot a truly unique place on Earth—a convergence point where the influence of the Thai state, operating at various levels from central to local, intersects with the survival strategies of Myanmar migrants arriving via diverse routes, and the interventions of transnational actors taking an interest in their lives. In this sense, Mae Sot transcends being merely a city on the Thai border with a large population of Myanmar people; it is a place that has become "assimilated into the Myanmar community" (Kyaw Zwa Moe, 2011).

### **3. Refugee or Migrant Worker: Legal Status and Residency Strategies of Myanmar Migrants in Thailand**

The stream of Myanmar migrants relocating to Thailand persists due to a myriad of complex factors intertwined with social, economic, and political dynamics within Myanmar. Consequently, Thailand now hosts a diverse population of Myanmar migrants. In the formative years of the Myanmar community in Mae Sot, the demographic landscape was primarily shaped by ethnic minorities, notably the Karen. However, since Myanmar's independence from Britain in 1949, the lives of these minority groups have been marred by persistent conflicts between ethnic armed organizations and the Myanmar military. Particularly, the Karen people residing in border regions like Kayah State and Karen State experienced extreme sufferings. The residents of these regions have been directly affected by the conflict between the Karen National Union and the Myanmar military, as well as by the

Myanmar government's actions such as forced land confiscation, labor, arson, and violent assaults including killings and rapes. Consequently, many have fled to Thailand to escape these atrocities since the early stages. In 1984, over 10,000 Karen sought refuge in Thailand following a massive attack by the Myanmar military. The Thai government temporarily allowed them to stay in the country and allowed international organizations to provide essential aid, including food, necessities, and shelters. This was the beginning of Myanmar refugee camps along the border, which continue to exist today. As the Myanmar military's attacks intensified, the number of refugees crossing the border increased. Moreover, since the 1988 pro-democracy movement, Burmese have also joined the migration flow, eventually becoming the majority of the Myanmar community in subsequent years (KHRG 2010; TBBC 2009; South 2011).

As the economic situation in Myanmar deteriorated, the number of people crossing borders in search of jobs surged, leading to a further complexity in the internal landscape of the migrant community. Previously, Mae Sot was characterized as a destination for asylum seekers and refugees fleeing conflict and political oppression, but the massive influx of migrant workers made it difficult to distinguish between refugees and 'economic migrants'(Arnold and Hewison 2005: 319). In this sense, the flow of Myanmar people migrating to Mae Sot exhibits a typical pattern of mixed migration, characterized by the mixture of diverse migration backgrounds and routes. As a testament to this, Mae Sot has many names depending on who you ask – "a city of refugees, a city of anti-government activists, a city of rebels disguised as civilians, a city of migrant workers, a city of refugees," and more (Kyaw Zwa Moe 2011), with a diverse composition of migrants.

Thailand has not ratified the Refugee Convention and Protocol, leading to the absence of official recognition of refugee status within its borders. Despite being the second-largest host of refugees in the region, Thailand does not allow refugees to integrate or settle in its society. Instead, the country confines its role to a temporary transit point where where refugees stay before moving on to third countries, while allowing only indirect support through international organizations and refugee-supporting NGOs.

In contrast to its strict refugee policy, Thailand has actively accepted migrant workers from neighboring countries, notably Myanmar, since the early 1990s. Between 1987 and 1996, Thailand's economy experienced robust annual growth of nearly 10%, widening wage gaps with neighboring nations and consequently driving a greater influx of migrant workers. The country's low birth rate and rapid population aging have created substantial demand for labor across various sectors, including construction, agriculture, fisheries, seafood processing, and domestic work. Migrant workers from neighboring countries have thus played a crucial role in addressing labor shortages within Thailand's workforce.

As Thailand's dependence on migrant labor continued to grow, the government shifted its foreign labor policy towards restricting 'illegal labor' and encouraging legal pathways. This involves creating legal procedures for accommodating migrant

workers and regulating those already within Thailand by registering them. The aim was to prepare for a situation where they cannot control migrant workers due to increased reliance on migrant labor. However, Thailand's foreign labor policy was subjected to frequent changes due to domestic political conditions. For instance, the Prayuth administration, which was launched following the military coup in 2014, declared the strict prohibition of illegal immigration and implemented strong control policies. However, within just three weeks of policy enforcement, the exodus of hundreds of thousands of migrant workers severely impacted the country's industries. In response, the Thai government swiftly reversed its policy direction, allowing for the registration of migrant workers (Tunon and Harkins, 2017).

In Thailand, there are three pathways to become a legal migrant worker. The first is through cross-border commuting or seasonal employment, which is permitted only in border areas. The second involves employing workers from neighboring major labor-sending countries through Memorandum of Understanding (MOU) agreements. These workers are commonly referred to as MOU workers. As part of its migrant worker legalization policy, the Thai government has signed MOU agreements with four neighboring countries (Myanmar, Laos, Cambodia, and Vietnam) since the early to mid-2000s, employing up to 80% of Thailand's foreign labor force. Thailand signed an MOU

with Myanmar in 2003, but it was not until 2009 when the country started to accommodate workers from Myanmar (Five Corridors Project 2021: 6). The third pathway is the National Verification Process (NV), which registers undocumented migrant workers already residing illegally in Thailand. The majority of migrant workers from Myanmar choose this pathway. As of April 2023, the total number of legal Myanmar migrant workers in Thailand is 1,881,575, with 4,761 under the first pathway, 327,136 under the second pathway, and 1,543,355 under the third pathway (MWG et al., 2023).

As of April 2023, the number of legally employed migrant workers in Thailand stands at as many as 2.5 million, with Myanmar nationals accounting for a staggering 75% of the total (Myanmar Development Observatory 2023). However, when including undocumented workers, the actual number of Myanmar migrant workers residing in Thailand far exceeds this figure. According to the International Organization for Migration (IOM), the total number of Myanmar migrant workers in Thailand, including those undocumented, ranges from four to five million. Considering that even the formally legalized migrant workers through the National Verification process were initially undocumented, it is estimated that only about 17% of them obtained legal employment through the MOU agreement between the Thai and Myanmar governments. This can be attributed to the higher costs, longer processing times, and complex administrative procedures associated with legal employment.

The process of securing employment in Thailand through the MOUs involves private brokerage agencies from both Myanmar and Thailand, and the fees charged

during this process vary depending on the survey organization, the timing of the survey, and the respondents. For example, while the International Labor Organization (ILO) reported an average fee of \$441 (ILO 2020), another organization's survey of workers showed a wide range from \$465 to \$1,045, averaging \$730, significantly differing from the \$450 claimed by brokerage agents.

In addition, the requirement for complex paperwork in the home country and the lengthy processing times serve as factors that make migrant workers avoid taking legal pathways. The time required to obtain work permits typically ranges from 45 to 90 days, depending on whether the worker has prior employment history as a migrant worker or if he or she is applying for a new work permit (Five Corridors Project 2021; MWG et al., 2023).

The NV process for registering as a legal worker after illegally residing in Thailand is as challenging as the MOU pathway. In the case of the NV process, costs and administrative procedures are major issues. This process requires documents such as an ID certificate issued by the home country government, proof of employment in Thailand, health examinations, and fees. These documents must be submitted to one of the over 80 One-Stop Service Centers in Thailand, where nationality verification procedures are completed. Upon completion, a "pink card," which serves as both a Thai ID card and a work permit, is issued, along with eligibility for health insurance.

Officially, the fees range from 4,400 baht (\$120) to 6,180 baht (\$168), but including health check-ups and other document preparations, the cost can rise to 12,000 baht (\$326) to 15,000 baht (\$408). Workers who find it difficult to arrange the complex required documents often resort to brokers or agencies, which can increase costs to as much as 25,000 baht (\$679) to 50,000 baht (\$1,358) (UNPD 2023; MWG et al., 2023).

Another issue is obtaining a Certificate of Identity (CI) issued by the Myanmar government. Due to the lack of registration or updates in the Myanmar government system, some individuals may not receive their certificates on time or may not receive them at all. This situation has worsened, especially after the 2021 coup, with approximately 700,000 individuals unable to complete their identity verification within the deadline, despite the Thai government's extension of the registration period until February 2023. Moreover, obtaining CI from the Myanmar Embassy in Thailand, which is under military control, could be even more problematic. This situation could expose these workers' identities and further jeopardize their safety.

#### 4. Life of Refugees in Mae Sot Since the Myanmar Coup in 2021

Living as an undocumented worker in Thailand means facing much harsher working conditions, lower wages, and more vulnerable situations compared to legal workers. The plight of those who fled across the border due to the military coup is even more serious. They are deprived of the opportunity for legal employment

because they cannot obtain identification documents through official institutions controlled by the military regime. Moreover, since they believe that they will return to their home country once the situation in Myanmar improves, they do not consider applying for refugee status in a third country. As a result, even in Mae Sot, where the majority are Myanmar nationals, they live as the most vulnerable group. During our local survey in July 2023, we found that most of those who crossed into Thailand after the 2021 coup were living in such dire circumstances.

The majority of refugees who entered Mae Sot after the coup in Myanmar in 2021 had to flee hastily to evade surveillance by the military regime, and many entered illegally during a time when borders were closed due to COVID-19. As the number of those attempting to enter illegally surged, brokers relentlessly took advantage of the situation. Before the coup, about 20 baht was enough to cross the river, but afterward, the cost skyrocketed to 5,000 to 7,000 baht. In this process of illegal migration, it is rampant that Myanmar people fall victim to scams from fake brokers and suffer from crimes such as human trafficking.

A more serious issue than being deprived of legal protection is that undocumented Myanmar migrants are becoming targets of exploitation by law enforcement, compounding their hardships. Police in the Mae Sot area have long been notorious for systematically extorting Myanmar migrants. They collect a monthly due from most undocumented Myanmar migrants, often in exchange for exempting them from arrest and deportation. In return for a fee of around 300 baht per person per month, these migrants receive what they call a 'police card,' a paper slip containing the name and phone number of a mostly Myanmar woman who collects the money on behalf of the police officer, rather than the actual recipient. Possessing these police cards allows migrants to evade scrutiny from other police officers, effectively serving as a pass. Given the considerable number of undocumented Myanmar migrants, police officers even compete to transfer to Mae Sot to manage them.

However, possessing a police card does not guarantee the safety of these migrants. It is always possible to exploit undocumented residents who lack legal protection in multiple ways, and such practices have intensified since the coup in Myanmar. Among those who entered Thailand after the coup, there is a widespread fear that if they are arrested and deported to Myanmar, they could be arrested by the military regime or even killed in the worst-case scenario. This fear is particularly acute for individuals such as teachers, civil servants, and students who fled after participating in civil disobedience movements against the military regime. Mae Sot police officers, fully aware of this fear, extort even greater amounts of money than before by exploiting the vulnerable situation of these migrants. In the past, one could often be released upon paying a fine of 500 or 300 baht during police checks, but now the financial demand has increased to 5,000 to 15,000 baht. Previously, if deported, Myanmar people could simply cross the bridge connecting the borders and return immediately, but now it is almost impossible to return, even for ordinary workers as well as political activists. There are widespread



rumors that some migrant workers were killed after crossing into Myanmar via the official border passage, Friendship Bridge.

Myanmar migrants, organizations supporting migrants/refugees are actively engaged. Particularly impressive is the initiative taken by Myanmar migrants themselves to establish organizations to support workers' rights, create relief organizations to assist newly arriving refugees, and establish schools to educate future generations. For example, the Yaung Chi Oo Workers' Association and the Arakan Workers Organization provide education on human and labor rights, legal assistance for issues like dismissal and unpaid wages. The Mae Tao Clinic provides medical services for refugees. In addition, various organizations, including the New Myanmar Foundation, provide safe houses, emergency relief supplies like food and clothing, and vocational training such as sewing and beauty courses to prepare for the prolonged stay in Thailand after the coup. Safe houses typically provide accommodation for up to three months, or in some cases, up to six months, prioritizing safety by carefully verifying identities before providing assistance. Furthermore, in Mae Sot, there are over 20 schools established for migrant children, with one school reporting a more than doubled enrollment in the past two years since the coup, indicating a significant influx of the refugee population. It is also highly impressive to note that knowledge-based refugee groups, both existing residents and newcomers, are actively involved as teachers in migrant schools, contributing to the education of future generations who are at risk of losing their future due to the coup.

## 5. Conclusion

The reality is much more complex than the premise of the Refugee Convention, which aims to differentiate between refugees and migrants, especially economic migrants, and provide special protection and assistance for refugees. In particular, migrants who have relocated to Thailand after the military coup in Myanmar find themselves in a grey area between refugees and economic migrants, facing a void of legal protection. Many of them could be considered refugees according to international standards. However, as they wait to return to their home country when the situation in Myanmar improves, it would be inappropriate to classify them as refugees and pursue their resettlement in third countries. In essence, applying a binary distinction between migrants and refugees to these individuals would be difficult. Instead, it would be more realistic to regard migrants and refugees as part of a continuous spectrum, determining their status on this spectrum and providing support accordingly.

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## Korean Civil Society's Solidarity for Democracy in Myanmar

Na Hyunphil

Secretary General of Korean House for International Solidarity<sup>121)</sup>

### 1. Solidarity Prior to the 2021 Myanmar Military Coup

Since the 1990s, Myanmar nationals who migrated to South Korea for work have supported the democratization movement in their home country from within Korea. This led to the engagement of Korean civil societies, initiating their solidarity efforts with the movement for democracy in Myanmar.

The activities of Korean civil societies, which began by assisting migrant workers, supporting democratic initiatives and aiding in their applications for refugee status, were notably more vigorous than their counterparts in other Asian countries. This became feasible when the activists from the Korean branch of the National League for Democracy of Burma (NLD) received refugee status, allowing them to establish a stable operation in South Korea and develop various connections with Korean civil societies.

The efforts included not only demonstrations demanding democracy at the Myanmar Embassy but also campaigns targeting the gas development projects in Myanmar conducted by Daewoo International (now POSCO International), ongoing since the early 2000s. The involvement of a Korean company with the Myanmar military regime drew the attention of Korean civil societies. In particular, during the Saffron Revolution in 2007, there was widespread support from Korean civil societies, including political parties.

Not only Daewoo International, but many Korean apparel companies have also expanded their operations into Myanmar. With labor laws amended by the military regime in the 2010s, Myanmar laborers began to form unions and engage in labor activism. This backdrop led to the initiation of solidarity actions by Korean civil societies to address labor rights violations at Korean apparel companies. A significant example was the solidarity actions<sup>122)</sup> taken by Korean civil societies in response to a strike and the following violent suppression at a Myanmar factory operated by the Korean apparel company, Hansae, in 2015.

The sudden death and subsequent funeral in September 2015 of Nay Tun Naing, a prominent advocate for democracy in Myanmar within South Korea, underscored the deep ties between Korean civil societies and Myanmar's democracy activists based in Korea. Various Korean civil societies that had supported the democratic struggle of Myanmar worked together with the Myanmar community to prepare for his funeral. His passing was especially poignant given that the NLD had secured a significant victory in the general elections in November 2015.

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121) Korean House for International Solidarity (KHIS), [www.khis.or.kr](http://www.khis.or.kr)

122) <https://www.sisaweek.com/news/articleView.html?idxno=40326>

After the historic win of NLD in the 2015 general elections, Korean civil societies celebrated this milestone with Myanmar activists living in Korea, who were preparing to return to their country, jointly embracing hopes for the future of the democracy in Myanmar. However, the Rohingya massacre in July 2017 delivered a profound shock to Korean civil societies.

Even though the military continued to control the army due to constitutional flaws in Myanmar, it was deeply troubling that amidst criticism over the Rohingya massacre, the Myanmar community in Korea have offered justifications for the tragedy. Korean civil societies, which had long collaborated for democracy and human rights in Myanmar, were deeply disturbed by the Aung San Suu Kyi government and the Myanmar community's response to the Rohingya issue.<sup>123)</sup>

Korean civil societies that had supported the democratic efforts of Myanmar formed the "Korean Civil Society Organizations in Solidarity with the Rohingya" and began their activities. As the global community disclosed Korean companies in collaboration with the Myanmar military regime while imposing sanctions on the Myanmar military, these organizations also targeted such Korean companies. In December 2020, they filed complaints against six Korean companies for allegedly violating OECD guidelines due to their cooperation with the Myanmar military, submitted to the Korean National Contact Point for OECD Guidelines, operated by the Korean government. Then, on February 1, 2021, the Myanmar military initiated a coup.

## 2. Korean Civil Society in Support of Democracy in Myanmar<sup>124)</sup>

After the Myanmar military coup, Korean civil societies unanimously united to publicly condemn the takeover, demonstrating unprecedented solidarity for an international issue, remarkably more pronounced than reactions to other global events like the Hong Kong democracy protests, Russia's invasion of Ukraine or Israel's actions in Palestine that occurred after the coup in Myanmar. While the opinions among Korean civil societies often vary, it is fair to say that there were no opposing opinions in this issue. On February 26, 2021, groups with a history of solidarity with Myanmar convened an emergency meeting to address the situation. Participants agreed to establish the "Korean Civil Society in Support of Democracy in Myanmar (hereinafter, "Civil Group Supporting Myanmar") and invited other civil societies across South Korea to join. As a result, 106 civil society groups from across the nation participated. Along with the Civil Group Supporting Myanmar, various other Korean civil societies and individuals began collaborating with the Myanmar community in Korea to begin various solidarity activities. This section highlights the activities led by the Civil Group Supporting Myanmar to introduce the activities of Korean civil societies.

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123) <http://workers-zine.net/27911>

124) Website: [www.withmyanmar.net](http://www.withmyanmar.net) Facebook: [www.facebook.com/StandwithMyanmar](https://www.facebook.com/StandwithMyanmar)

## 1) Response to Korean Companies Cooperating with the Myanmar Military Regime

The Civil Group Supporting Myanmar pinpointed one of the significant challenges within Korean civil societies as cutting ties between Korean corporations and the Myanmar military. In particular, the gas development project by POSCO International and Korea Gas Corporation, major revenue streams for the Myanmar military, was the main target. The Civil Group Supporting Myanmar gathered signatures from the public, which were then presented to POSCO International, and held discussions with the company. Despite these efforts, POSCO International persistently claimed that if they exited the project, Chinese firms would replace them. The Civil Group Supporting Myanmar consistently urged not just a withdrawal but also advocated that no profits should be transferred to the Myanmar military regime. POSCO International also operates the Lotte Hotel in Yangon and, although it was before the military coup, had also sold naval ships to the Myanmar Navy.<sup>125)</sup> It faced legal repercussions<sup>126)</sup> in 2007 (then Daewoo International) for exporting artillery systems to the Myanmar military. Likewise, POSCO International has maintained a prolonged close relationship with the Myanmar military. Despite the Korean government and the National Assembly stating their criticism of the Myanmar military coup and their support for democracy in Myanmar, they have not enacted any measures concerning the involvement of Korean companies in Myanmar, including the gas project. Nonetheless, the naval ships were sold by POSCO International during the Moon Jae-In administration.

Not only is POSCO International. INO Group is also engaged in various projects in Myanmar. Despite the military coup, INO Group continues to advance its luxury residential complex project, "INO CITY,"<sup>127)</sup> in Yangon, which is currently on the market. Even as many Myanmar citizens are losing their lives or fleeing to the border areas, INO Group continues to promote the grandeur of INO CITY on its website. In addition to INO CITY, INO Group operates ten enterprises in Myanmar, encompassing sectors from a clothing factory to finance and manufacturing. Such extensive involvement would not be feasible without a close relationship with the Myanmar military regime.

The Civil Group Supporting Myanmar has conducted solo protests in front of the Korean INO Group headquarters; however, since most of its operations are in Myanmar, it has been challenging to exert substantial pressure. Most crucially, the Korean government has not imposed any sanctions on Korean companies that cooperate with the Myanmar military regime, and there is no existing legislation that would allow such measures.

In collaboration with the Representative Group for the Restoration of Peace and Democracy in Myanmar<sup>128)</sup> (hereinafter, "Representative Group"), the Civil Group

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125) <https://www.peoplepower21.org/international/1916527>

126) [https://www.hani.co.kr/arti/society/society\\_general/250412.html](https://www.hani.co.kr/arti/society/society_general/250412.html)

127) <http://www.innocitymyanmar.com/>

Supporting Myanmar proposed a bill to amend the Overseas Resources Development Business Act on December 8, 2022.<sup>129)</sup> The main specifics of this bill require Korean companies engaged in resource development in conflict areas to conduct due diligence. Should this law be enacted, POSCO International would be obligated to investigate and publicly report on issues related to human rights and environmental impacts in Myanmar, thereby complicating its cooperation with the Myanmar military regime.

In November 2022, the Civil Group Supporting Myanmar discussed with Thomas Andrews, the UN Special Rapporteur on the situation of human rights in Myanmar,<sup>130)</sup> who visited Korea, the activities and concerns regarding Korean companies. On November 22, the Special Rapporteur held a press conference<sup>131)</sup> urging the Korean government to implement economic sanctions against the Myanmar military regime, including against the Myanmar Oil and Gas Enterprise (MOGE), a partner in the gas project of POSCO International. However, the Korean government and the National Assembly have yet to implement the recommendations made by the Special Rapporteur or to seriously consider the bill to amend the Overseas Resources Development Business Act.

## 2) Campaign to Support Democracy in Myanmar

The Civil Group Supporting Myanmar has continually organized press conferences and protests at the Myanmar Embassy and Myanmar Labor Attache Korea.<sup>132)</sup> Particularly impactful has been the "Sambo ilbae [three steps and a bow]" march, where participants walk three steps and bow once, which has profoundly moved both the local Myanmar community and the community in Korea.

Support campaigns for democracy in Myanmar are active throughout Korea, including in cities like Gwangju, Busan and Ulsan, in cooperation with the Myanmar community. On August 8, coinciding with the anniversary of the 8888 Uprising, the Civil Group Supporting Myanmar coordinated a nationwide campaign to support Myanmar. During the COVID-19 pandemic, when social gatherings were limited, the group engaged in digital activism by sharing videos of banging pots on social media, and on August 8, individuals commemorated the 8888 Uprising by walking 8,888 steps and gathering online.

Solo protests outside the Chinese and Russian embassies are also ongoing. The Civil Group Supporting Myanmar has conducted solo protests to consistently voice their objections against those governments supporting the Myanmar military regime. Additionally, they have organized photo exhibitions at the National Assembly to

128) After the Myanmar military coup, 63 members of the National Assembly from both ruling and opposition parties participated on June 9, 2021.

129) <https://www.edaily.co.kr/news/read?newsId=03132406632560160&mediaCodeNo=257&OutLnkChk=Y>

130) <https://www.ohchr.org/en/special-procedures/sr-myanmar>

131) <https://www.munhwa.com/news/view.html?no=2022112101039921305001>

132) In South Korea, the Myanmar military regime maintains a separate Labor Attache office building in addition to the embassy.

inform about the conditions in Myanmar and showcased films in Korea made by Myanmar directors involved in the Civil Disobedience Movement (CDM).

Protest actions<sup>133)</sup> have also been unfolded in collaboration with labor unions and environmental groups against POSCO, which is implicated not only in suppressing labor unions but also in constructing coal power plants. There is also robust participation from religious organizations. Christian groups have formed "Christian Action for Democracy in Myanmar," continually conducting worship services and fundraising to support democracy in Myanmar. The Catholic community has consistently held masses and prayer meetings for the cause, while Buddhist groups have also continued their religious services.

The Civil Group Supporting Myanmar continuously monitors and organizes protests against the Korean government and entities that engage with or support the Myanmar military regime, particularly the Myanmar Ambassador to South Korea. In May 2023, the Civil Group strongly protested the decision of the government to invite the Myanmar Ambassador to a weapons export event and reported the matter to the UN Special Rapporteur. Following this incident, the UN Special Rapporteur issued a letter expressing profound disappointment to the Korean government.<sup>134)</sup>

### 3. Future Challenges

The Civil Group Supporting Myanmar, alongside the broader Korean civil societies, remains actively supportive of democracy in Myanmar three years post-coup. Despite their dedication to meaningful support efforts, maintaining these activities is becoming increasingly difficult. Given that many Myanmar refugees and activists have sought refuge along the Thai border, the Korean Solidarity for Overseas Community Organization,<sup>135)</sup> based in Mae Sot, Thailand, is engaged in a project to produce and distribute biscuits to the Myanmar refugees. Yet, no sustained actions have been taken against Korean companies that cooperate with the Myanmar military regime.

Looking ahead, the Civil Group Supporting Myanmar intends to collaborate with the National Assembly to be formed in June 2024 to devise ways to bolster democracy in Myanmar. The context is complex, with ongoing global conflicts such as the Russian invasion of Ukraine, the Israeli massacre of Palestinians and the forthcoming U.S. presidential elections in November introducing numerous uncertainties. Despite these challenges, Korean civil societies are required to develop autonomous strategies to persistently support democracy in Myanmar.

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133) <https://www.newsclaim.co.kr/news/articleView.html?idxno=3005453>

134) <https://www.youtube.com/watch?v=C5WGfj0dHg>

135) <http://kocoasia.org/>



## Participants of GDF 2024

Session	Role	Name	Organization and Position
Keynote Session	Moderator	Cho Hyo-Je	Professor of Sungkonghoe University
	Speaker	Walden Bello	Professor of State University of New York at Binghamton
		Kim Yuntae	Professor of Korea University
		Park Jin	National Human Rights Commission of Korea Secretary General
The Future We Want: Global Crisis	Moderator	Cho Hyo-Je	Professor of Sungkonghoe University
	Speaker	Chung Jujin	Center for Peace & Conflict Resolution Representative
		Mae Buenaventura	Senior program manager of Asian People's Movement on Debt and Development
		Lee Jinwoo	Emeritus Professor of POSTECH
The Future We Want: We Are the Future!	Moderator	Hyun Sinae	Research professor at the Institute for East Asian Studies at Sogang University
	Speaker	Hong Myungkyo	Member of Platform C
		Netiwit Chotiphathpaisal	Founder of Nisit Sam Yan Publishing House
		Lin Fei-fan	the Director of the Board at the New Frontier Foundation (DPP's official think tank)
		Wai Nwe Hnin Soe	Leader of the Youth Action for Myanmar(YAM)
Election VS Democracy?	Moderator	Ichal Supriadi	Secretary General of Asian Democracy Network(ADN)
	Speaker	Pita Limjaroenrat	Former Leader of the Move Forward Party in Thailand
		Khoirunnisa Agustyati	Perludem Executive Director
		Sanjay Kumar	The Centre for the Study of Developing Societies Researcher
		Lee Kwanhu	Professor of Konkuk University
Transitional Justice:	Moderator	Kim Hunjoon	Professor of Korea University

International Norms and Trends	Speaker	Putri Kanesia	Asia Justice and Rights Coordinator
		Oni Imelva	The Aceh Truth and Reconciliation Commission
		Park Kyeongsup	The May 18 Foundation International Research Institute Research Fellow
		Moon Nay Li	the Women's League of Burma
Transitional Justice: Impunity	Moderator	Chung Jujin	Center for Peace & Conflict Resolution Representative
	Speaker	Poengky Indarti	Member of Indonesia National Police Commission
		Gus Miclat	Executive Director and Co-Founder of the Initiatives for International Dialogue(IID)
		Thongchai Winichakul	University of Wisconsin-Madison Emeritus Professor
Reflection and Vision on the Foundation's International Solidarity Project	Moderator	Kim Jae-hyung	Professor of Korea National Open University
	Speaker	Yang Ra-Yun/Lee So-Yeong/Lim Jeong-Seob	Researcher of the Memory and Record Healing Cooperative
		Don Tajaroensuk	People's Empowerment Foundation Co-Chairperson
		Jung Ho-Gi	Visiting Professor of Woosuk University
Myanmar People's Movement: We Never Give Up!	Moderator	Kim Heesuk	Researcher at the Institute of Southeast Asian Studies at Jeonbuk National University
	Speaker	Lee Yukyung	Journalist in specialty of International disputes
		Park Jini	Researcher at the Institute of Southeast Asian Studies at Jeonbuk National University
		Na Hyunphil	Korean House for International Solidarity Secretary General

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