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## **SOUTH KOREA: Chairman Lee NOT GUILTY of breaking Virus Law**

*The Suwon District Court debunked the fake news, and stated that Shincheonji “promptly and actively” cooperated with health authorities when requested.*

By Massimo Introvigne

Bitter Winter (25.01.2021) –<https://bit.ly/39WsqVG> – For several months, South Korean and international media depicted Shincheonji, one of the largest Korean Christian new religious movements, and his founder and leader Chairman Lee Man Hee, as “plague-spreaders” responsible of the first outbreak of COVID-19 in South Korea. Now, a South Korean court of law has

debunked this claim as fake news.

On February 18, 2020, a female member of Shincheonji from Daegu, South Korea, later nicknamed "Patient 31," tested positive to COVID-19. Before that date, she had been hospitalized, misdiagnosed with a common cold, and sent back to her home, from where she moved to attend several Shincheonji religious gatherings, infecting other co-religionists. Health authorities reacted by asking Shincheonji lists of all its members, not only in Daegu but throughout South Korea and even abroad, and of the real estate properties it owned.

Shincheonji did supply several lists, but the authorities suspected they were not complete. They raided Shincheonji's headquarters to obtain the full lists. Although police leaders and the Deputy Minister of Health told the media that the discrepancies between the lists supplied by Shincheonji and those seized in the raid were minimal, leaders of the religious movements, and Chairman Lee himself, were accused of having obstructed the work of health authorities by submitting incomplete lists. In the night between July 31 and August 1, 2020, the 89-year-old Chairman Lee was arrested. He was later committed to trial before the Suwon District Court, which rendered its verdict on January 13, 2021.

Bitter Winter has now obtained a copy of the verdict. In the meantime, other charges had been added against Chairman Lee. They concern episodes that had allegedly happened long before the COVID-19 crisis started, including mismanaging funds and holding events in facilities whose owners had canceled the corresponding rental agreements. I will deal with these accusations in subsequent articles, but they have nothing to do with COVID-19.

Did Chairman Lee obstruct the campaign by South Korean health authorities to prevent the spread of COVID-19? The clear, unimpeachable answer of the Suwon District Court is no. The

verdict discusses a question of law and a question of fact. The question of law is how far health authorities may go, applying the Infectious Disease Control and Prevention Act (IDCPA), when they summon, during an epidemic, information that private parties would normally have the right to keep confidential, as they are protected by privacy laws. This question goes beyond Shincheonji and is of the utmost importance for the whole issue of COVID-19, privacy, and religious liberty. I will discuss it in the second article of this series.

Here, I analyze the issue of fact. Whether or not the Central Disease Control Headquarters (CDCH) were legally entitled to request Chairman Lee to supply complete lists of Shincheonji's members and properties, was the behavior of the religious leader, when he received such requests, suggestive that he was trying to obstruct the anti-COVID efforts of the CDCH?

As the decision notices, Chairman Lee's phone was under surveillance, and the prosecution insisted on the fact that, when Shincheonji was requested to disclose a full list of its real estate properties, he told one of the movement's officers that he believed "the CDCH wants to know all the Zion Mission Centers, but they are not part of our church, so say it is not possible."

In fact, the court observed, in general by asking a list of all Shincheonji's properties the CDCH went beyond what an "epidemiological investigation" logically requested, so that Chairman Lee's reaction was understandable. Yet, it is always possible, although not mandatory, to cooperate with requests by the CDCH that go beyond the law. This cooperation is voluntary, but should not deliberately mislead the CDCH.

But this was not what happened, the court said. Witnesses testified that the CDCH did not clearly ask for a list of all facilities owned by Shincheonji (including those where no gatherings ever took place), and which facilities they were

interested in was not immediately clear. Yet, a list of 1,100 facilities was submitted on February 22, seven days after the CDCH's first request, and a more complete list of 2,041 facilities on March 9. It is true, the court said, that four properties were omitted, as Chairman Lee argued they did not really belong to Shincheonji and should not be listed. But overall, Shincheonji and Chairman Lee did their best in compiling and supplying as quickly as possible a list of more than 2,000 properties owned by different legal entities connected with Shincheonji, both national and local.

The court came to similar conclusions concerning the list of Shincheonji's members. Again, the prosecution built its case on a phone conversation where Chairman Lee, when he was first informed that a full list of all members of Shincheonji had been requested, expressed a negative attitude. As it happened with the list of the properties, the CDCH's request of a list including all South Korean members, students (i.e., those studying to become members, but not yet formally part of Shincheonji), and even members abroad went beyond the law, and Chairman Lee's doubts were justified.

However, after this phone call of February 24, Shincheonji did not close the door to cooperation but negotiated with the government. "The same night" of February 24, the court ascertained, Chairman Lee gave his blessing to an agreement under which Shincheonji undertook to supply the CDCH with a list of members including their names, dates of birth, genders, addresses, phone numbers. The list was submitted the following day, February 25.

The prosecutor objected that the list was not complete, because it did not include the resident registration numbers of the members. However, the court confirmed that the agreement between Shincheonji and the CDCH did not mention the resident registration numbers, only addresses and dates of birth.

The lists, in the end, included 212,324 domestic members and 33,281 overseas members. The prosecution claimed that the lists were misleading, because some 24 dates of births were incorrect, and eight names were missing. Apart from the fact that such percentage of errors is statistically normal in a data base with more than 200,000 records, the court observed that the dates of birth were not altered after the CDCH requested the list, so that the inaccuracy did not reflect an intent to obstruct the CDCH's anti-COVID work. As for the eight missing names, some were dead, some had left Shincheonji, and two (on whom the prosecution insisted) were persons in process of leaving Shincheonji, who requested their names to be deleted from the members' lists, and who had not participated in recent church activities.

CDCH officers testified that "there was no evidence of obstruction" of anti-COVID efforts by Shincheonji. On the contrary, after the agreement with the authorities about the list was concluded, "Shincheonji actively cooperated with the submission of data and promptly provided them to the CDCH."

The conclusion could hardly have been clearer. Despite the fact that Shincheonji members are discriminated in South Korea, and being identified as a member of Shincheonji may lead to being bullied and even losing one's job, Shincheonji and Chairman Lee did the best they could to cooperate with the authorities, as soon as they learned the unfortunate story of Patient 31—for which they are certainly not responsible, as when she participated in church events she had not yet been diagnosed with COVID-19, and public gatherings were still allowed in South Korea.

Media in South Korea and all over the world referred to Shincheonji as a cult of plague-spreaders, and some even invented bizarre theories that Shincheonji members refrain from visiting hospitals and taking advantage of modern medicine (in fact, some of them are doctors and nurses), or welcomed the infection because of some strange mystic of

suffering (which is totally foreign to their theology).

In a country where accusations raised by prosecutors are accepted by judges in some 90% of the cases, the Suwon District Court dismissed the legend of Shincheonji and Chairman Lee as plague-spreaders for what it was, fake news. But the damage had been done and, as it often happens, most South Korean and international media, while mentioning the verdict, did not acknowledge that they had cooperated in spreading fake news, nor did they apologize to Chairman Lee.

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