

Seoul Central District Court

Judgment

Event: 2009 Ko-dan 271

A. Law of information network usage and protection (Defamation)

B. Defamation by printed materials

Defendant : Cho, Hyo-Geun (430624-0000000), Newspaper company management

Reside in 195-21, Yeonkeon-dong, Chongro-gu, Seoul, South Korea

Census Registration: 879 Wolyang-li, Donggang-myeon, Naju, South Korea

Prosecutor: Myeong-woon Kim

Attorney: So-mang Law Firm, Attorney Pyeong-up Sohn

Verdict: 2009. 7. 9.

Order

The defendant must pay a penalty of 1,000,000 Won.

If the defendant does not pay the above penalty, he will be imprisoned for the number of days amounting from a per diem rate of 50,000 Won.

We order that the defendant pays the above amount of fine.

Reason

Facts constituting a crime

1. Defamation by printed materials

The defendant, on May 21, 2008, from Deulsori Times newspaper company located in 195-21, Yeonkeon-dong, Chongro-gu, Seoul, with the intention of harming Christian Today, Inc., posted the following contents in English and Chinese under these titles – "Christian Today Suspected as Cult Again,"; "Highly Possible of Being a Heresy in Hong Kong"; "Advising 'Caution' to Missionaries in Europe": On April 10, Investigation Committee of Hong Kong Gospel Herald (Christian Today) announced in English and Chinese that 'David Jae-hyung Jang's organization 'Young Disciples of Jesus', 'Gospel Herald', 'Christian Today', 'Olivet University' share personnel and resources, therefore they are one"; "At Young Disciples of Jesus in China, believers follow the heretic doctrine that teaches Pastor (David Jang) as Second-coming Christ." And "after investigation, we express serious concerns in the fact that there is a high possibility of heresy (in these organizations)."

With the above contents, the defendant defamed the victim by publicly distributing approximately 6,000 copies of printed materials which is far from truth.

2. (Defamation)

With the same date and location as the above No. 1, Deulsori Newspaper Online (www.deulsoritimes.co.kr) published the same above contents with the intention of harming Christian Today, thereby defaming the victim by publicly distributing materials that are far from the truth over the information network.

Important points of evidence:

1. Court statement made by the defendant
1. Court statement made by Seong-soo Lim
1. Charge Sheet from Police Department about the defendant
1. Charge Sheet from Police Department about Seong-soo Lim
1. Letter of Complaint
1. Copy of Deulsori Newspaper, its internet materials, original copy of Christian Today Investigation committee, translations of Christian Today investigation committee, second Written Inquiry on CEF

Application

1. Law of information network usage and protection 70-2 (defamation), criminal law 309-1, 2, 307-2 (defamation by distributing information that is far from the truth)

1. choice of punishment
criminal law 40, 50, penalty choice
1. imprisonment
criminal law 70 , 69-2
1. acceptance order
criminal law 334 -1