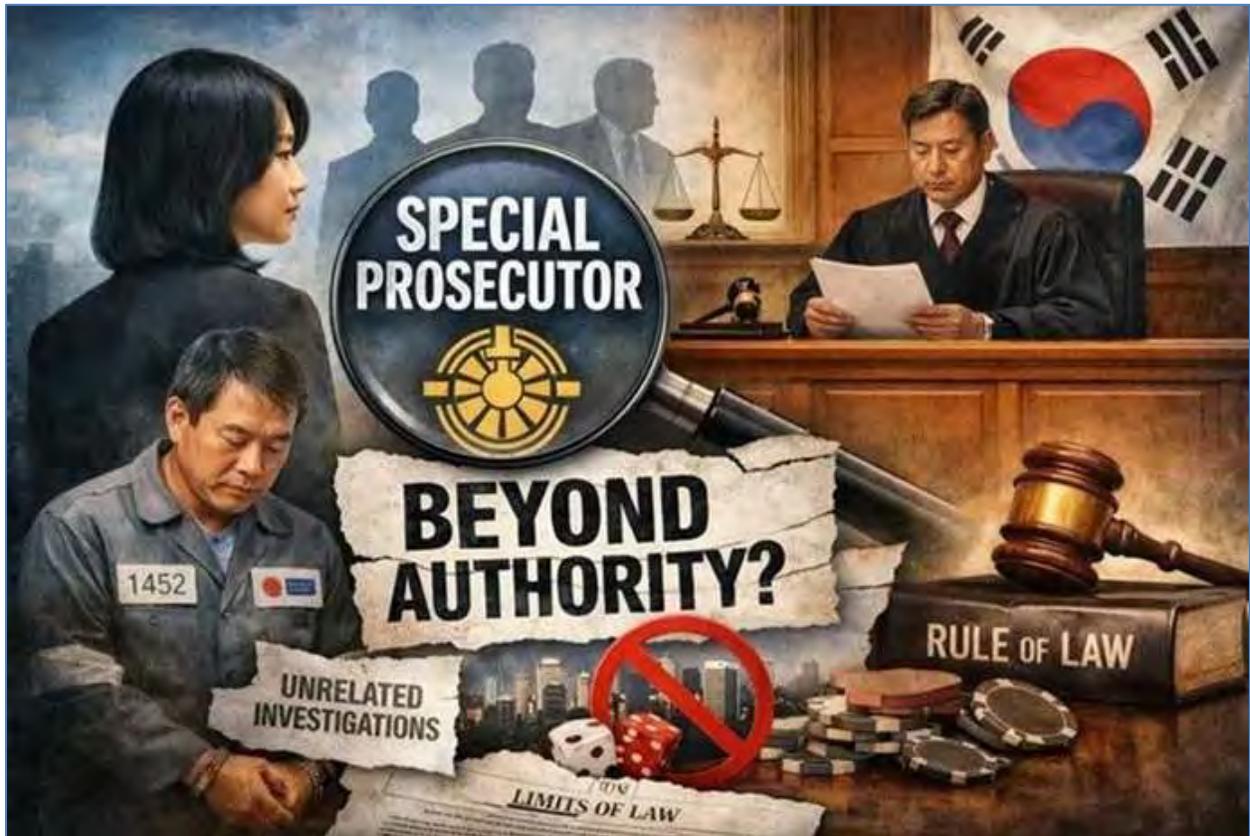


FFWPU Europe and the Middle East: Court Says Prosecutors Overreached in 1st Lady's Case

Knut Holdhus
January 29, 2026



Pointed out by South Korean court: Overreach by special prosecutors. Illustration: Chat GPT,

朝鮮日報

Chosun Ilbo

How a Seoul court curtailed a high-profile investigation characterized by prosecutorial overreach into matters unrelated to the case

In an article 29th January, the large South Korean daily Chosun Ilbo pointed out how the special prosecutors went beyond their given authority by investigating matters unrelated to the case. The article by reporters Kim Eun-gyeong (김은경) and Lee Min-gyeong (이민경) was headlined "[\[Exclusive\] Special Counsel Criticized Even in Yoon Yeong-ho Ruling: 'Separate Investigations Not Permitted Even if There Is Great Public Interest'](#)".

See also [S. Korea's Troubling Pattern of Selective Probes](#)



Former First Lady of the Republic of Korea Kim Keon-hee

This [Chosun Ilbo piece](#) reports on a significant South Korean court ruling that places firm limits on the powers of a special prosecutor appointed to investigate allegations involving the country's former First Lady. At its core, the case highlights a tension common in democratic systems: how far prosecutors may go when public interest is intense, but the law narrowly defines what they are allowed to investigate.

To understand the issue, it is first necessary to explain what a "special counsel" (or special prosecutor) is in South Korea. Unlike ordinary prosecutors, a special counsel is appointed through a specific law passed by the National Assembly to investigate a defined set of politically sensitive allegations. The law establishing the special counsel sets out, often in great detail, exactly which incidents, actors, and types of conduct may be investigated. The intention is to ensure independence from the regular prosecution service while also preventing an open-ended or politically motivated investigation.

In this case, the relevant statute is commonly referred to as the "Kim Keon-hee Special Counsel Act." Kim Keon-hee (김건희) is the wife of former President Yoon Suk-yeol (윤석열). The law authorized a

special prosecutor to investigate specific allegations related to her alleged involvement in improper influence, election interference, or abuse of state power. Importantly, the law does not grant the special counsel general authority to investigate all misconduct that might be politically embarrassing or indirectly connected to powerful figures. Its scope is intentionally narrow.



Yoon Yeong-ho January 30, 2020

The [article](#) centers on the first-instance criminal judgment of [Yoon Yeong-ho](#) (윤영호), a former senior official of the [Family Federation](#), a relatively large religious organization in South Korea. [Yoon](#) was accused of providing money or valuables intended to influence First Lady Kim. While the court did rule on [Yoon's](#) criminal liability, it also devoted substantial space - seven pages of its written decision - to criticizing the special counsel's investigative approach.

Specifically, the court found that the special counsel had gone beyond its legal authority by investigating allegations unrelated to the First Lady or to the crimes listed in the Special Counsel Act. One key example involved allegations that [Yoon](#) ordered the destruction of evidence related to alleged illegal overseas gambling by [Hak Ja Han](#) (한학자), the leader of the [Family Federation](#), after learning that police were investigating the matter.



Not a subject of investigation under the Kim Keon-hee Special Counsel Act: The [Family Federation for World Peace and Unification](#). here its logo

The judges concluded that this gambling-related conduct had no meaningful connection to the cases the special counsel was legally authorized to pursue. Even though the allegations involved influential individuals and attracted public attention, the court emphasized that public interest alone cannot justify expanding prosecutorial powers beyond what the law allows. According to the ruling, interpreting the special counsel's mandate too loosely would violate constitutional principles, particularly those related to legality and limits on state power.

powers are not stretched beyond their clear legal boundaries.

The court underscored this point by referencing a provision of the Special Counsel Act that imposes heavier penalties than ordinary criminal law for obstructing the special counsel's work. Because such penalties are unusually severe, the court reasoned, the scope of the special counsel's authority must be interpreted strictly, not broadly. In other words, when the law gives extraordinary powers or punishments, courts must be especially careful to ensure those

Another critical aspect of the ruling is the court's explicit statement that the [Family Federation](#) itself is not contemplated as a subject of investigation under the Kim Keon-hee Special Counsel Act. The judges noted that the law does not treat the [religious organization](#) as an anticipated actor in state corruption or election interference.



Warned not to expand inquiry into internal affairs of [Family Federation](#): Min Joong-gi, the head of an army of special prosecutors with extensive investigative powers. Image: Grok xAI

As a result, they warned that investigators must exercise caution when attempting to expand an inquiry to cover the [Federation's](#) internal affairs. Any such expansion, the court said, would require a clear and reasonable connection to the specific cases enumerated in the statute.

The court also rejected the special counsel's argument that it had jurisdiction because the case had been transferred from a regular prosecutors' office (the Seoul Southern District Prosecutors' Office). According to the judges, a transfer alone does not automatically grant the special counsel authority to investigate matters outside its legally defined scope. Investigative power flows from the statute itself, not from administrative handovers between institutions.

Even accepting the special counsel's factual claims as true - for example, that [Yoon](#) had close ties with the First Lady, senior ruling-party lawmaker Kweon Seong-dong (권성동), or high-ranking officials close to the former president - the court held that the alleged conduct still did not fall under any of the legally specified categories.

The judges methodically listed those categories, such as improper intervention in state affairs or personnel decisions, unlawful involvement in government contracts or administration, leakage of state secrets from the presidential office, or performing government functions without legal authority. The gambling-related evidence destruction, they concluded, fit none of them.



*People Power Party lawmaker
Kweon Seong-dong (Dec. 23,
2024)*

For a Western audience, this ruling may resemble debates seen in other democracies over special prosecutors or independent counsels. Courts often struggle to balance public demands for accountability against the rule of law's insistence that prosecutors act only within clearly defined legal limits. This decision sends a clear message: even in politically charged cases involving a president's spouse and powerful organizations, South Korean courts will enforce strict boundaries on special prosecutors' authority.

The [Chosun Ilbo article](#) is less about the guilt or innocence of any individual and more about institutional restraint. The court reaffirmed that extraordinary investigative powers must remain tethered to the law that created them, regardless of public pressure or political sensitivity.

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Lobbying Case: 14 Months For Former Executive

- January 28, 2026
- Knut Holdhus

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South Korean court hands prison term to former executive Yoon Yeong-ho in influence-peddling lobbying case

Korea's primary legal newspaper, The Law Times (법률신문), carried on 28th January 2026, an article written by reporter Kim Ji-su (김지수) headlined "[Ruling] Former Unification Church Headquarters Director Yoon Yeong-ho, Who Lobbied on Behalf of the Church, Sentenced to 1 Year and 2 Months in Prison at First Trial"



See also [S. Korea's Troubling Pattern of Selective Probes](#)

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A South Korean court has sentenced a senior former official of the **Family Federation** (formerly the **Unification Church**) to more than a year in prison, marking a significant moment in an ongoing series of scandals involving religion, money, and political influence at the highest levels of government.



On 28th January 2026, the *Seoul Central District Court* – Presiding Judge Woo In-seong (우인성) – ruled that **Yoon Yeong-ho** (윤영호), the former World Headquarters director of the **Family Federation** (a religious organization founded in South Korea), was guilty of multiple criminal offenses connected to unlawful lobbying and the misuse of **Federation** funds. The court imposed a combined sentence of one year and two months in prison at the conclusion of the first trial.

According to [The Law Times](#), the case centers on allegations that Yoon used the financial resources of the

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Yoon Yeong-ho, 5th Dec. 2021. Screenshot from live transmission from an international rally by [FFWPU](#).

allegations that Yoon used the financial resources of the [Family Federation](#) to gain political favor by offering large sums of money and luxury gifts to powerful figures closely connected to South Korea's president. According to the court, these actions were intended to influence government decisions on issues of interest to the [religious organization](#).

Specifically, the court found that in January 2022, Yoon illegally gave 100 million won (roughly USD 75,000 at the time) to Kweon Seong-dong (권성동), a prominent lawmaker from the ruling [People Power Party](#). This payment was deemed a violation of South Korea's [Political Funds Act](#), which strictly regulates donations and prohibits unreported or indirect political contributions.

In a separate incident later that year, Yoon was found guilty of violating South Korea's [Improper Solicitation and Graft Act](#), an anti-corruption law similar in spirit to Western anti-bribery statutes. In July 2022, he arranged for expensive gifts to be delivered to First Lady Kim Keon-hee (김건희), the wife of President Yoon Suk-yeol (윤석열). These gifts – channeled through an intermediary religious figure – reportedly included a luxury Chanel handbag, premium ginseng products, and a high-end Graff diamond necklace, together worth tens of millions of won.



People Power Party lawmaker [Kweon Seong-dong](#) (권성동), here 23rd Dec. 2024. Photo: [국민의힘TV / Wikimedia Commons](#). License: [CC Attr 3.0 Unp. Cropped](#)



Former South Korean First Lady [Kim Keon-hee](#), here in Washington DC 10th July 2024. Photo: [Jim Bourg/U.S. Department of State](#). [Public domain image](#). Cropped

Crucially, the court also determined that Yoon did not pay for these items out of his own pocket. Instead, he later reimbursed himself using [Federation](#) funds, leading to a conviction for occupational embezzlement. Judges ruled that this constituted an abuse of his position within the [organization](#) and a misuse of donated religious assets for personal and political purposes.

However, not all charges were upheld. The court acquitted Yoon of one allegation related to a separate gift of a Chanel handbag earlier in April 2022, finding insufficient grounds to label that specific act illegal. In addition, prosecutors accused Yoon of destroying evidence after obtaining inside information about a police investigation involving [Hak Ja Han](#) (한학자), co-founder and current leader of the [Family Federation](#). That charge was dismissed entirely, as the court ruled it fell outside the legal scope of the special prosecutor's

authority.

In explaining its decision, the court emphasized the broader implications of the case. Judges described Yoon's conduct as a deliberate attempt to leverage the wealth of a powerful [religious organization](#) to gain access to, and favor from, individuals at the core of political power. Such actions, the court said, undermine public confidence in democratic governance and the fair implementation of state policy.

The sentence was notably lighter than what prosecutors had requested. In December, a special prosecutor team had sought four years in prison, arguing that Yoon acted as the [Family Federation's](#) de facto second-in-command and carried out these actions under the direct instruction of its leader. The court cited mitigating factors, including Yoon's cooperation with investigators and truthful testimony in related cases.

For Western observers, the case highlights ongoing concerns in South Korea about the blurred boundaries between religion, money, and politics – and the legal system's attempt to address them through anti-corruption laws and high-profile prosecutions.

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Featured image above: A man being sentenced in a South Korean court. Illustration: [Chat GPT](#), 28th January 2026

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