

prominent dissident Rev. Moon Ik Hwan, who in 1989 had traveled to North Korea without permission from the South Korean Government, and seven other political prisoners. Six long-term, elderly prisoners convicted of espionage were also released. In May, in celebration of Buddha's birthday, the Government released about 80 convicts in jail for politically related acts, including student activist Im Chong Suk, who in 1989 helped fellow student Im Su Kyong go to Pyongyang. In a Christmas amnesty, the ROK released on parole 44 prisoners convicted of politically motivated acts, including 20 unionists as well as Choi Il Bung, who was arrested in 1992 for publishing antistate materials.

The Government also did not interfere in peaceful events sponsored by a South Korean dissident coalition led by Rev. Moon Ik Hwan to commemorate Korean Liberation Day. It is noteworthy that these events were carried out on behalf of an organization the Government considered antistate, the "Pan-National Committee for Reunification" ("Pomminnyon").

In an appeals case concerning the sale of pro-North Korean materials, the Supreme Court reaffirmed past rulings that it is legal under the NSL to possess antistate publications for purely academic use, profit, or curiosity, but not with the intent of aiding North Korea.

Arrests and prosecutions under the NSL continued, but their numbers declined significantly. NSL arrests numbered around 80, compared with 305 arrests in 1992. Korean human rights groups estimated that warrants remained for the arrest of about 300 people for violating the NSL or committing other politically motivated acts. The authorities publicly promised to be lenient to the maximum extent possible under the law if such persons turned themselves in.

Lower courts rejected the prosecution's death penalty requests for several suspects charged as leaders in what the Government announced in 1992 was a major North Korean spy ring. The courts instead sentenced them to life in prison or less. The most prominent spy suspect, unification and labor activist Kim Nack Joong, was sentenced to life in prison and fined nearly \$1 million. Another suspect, long-time activist Kwon Tu Yong, committed suicide after learning that prosecutors would ask for the death penalty. The courts sentenced deputy spokesman for the opposition Democratic Party Kim Bu Kyom to 1 year in prison and a 1-year suspension of civil liberties, with a 2-year stay of execution, for his involvement in the spy case. National Assembly Defense Committee staffer Lee Kun Hee of the opposition Democratic Party received a 3-year prison sentence and a 3-year suspension of civil liberties.

In February, before President Kim's inauguration, a lower court sentenced Tae Jae Jun, chairman of Korea's General Student Association, to a 4-year prison term under the NSL and the Law on Assembly and Demonstrations. Charges included waving the North Korean flag, which the authorities considered an antistate act. The NSP arrested Hwang Sok Young, a South Korean novelist and ex-spokesman for "Pomminnyon" overseas, when he returned to Korea after 4 years in self-exile. Among the charges against Hwang are his activities for "Pomminnyon" and visits to North Korea. The authorities also indicted Noh Tae Hun, an ex-official of the Korean human rights group "Mingahyop," for possession of an antistate newsletter published by former long-term prisoners convicted of espionage.

The authorities continued to arrest and indict under the NSL members of the Socialist Workers Alliance ("Sanomaeng"), which the Government considered a pro-North Korea organization and therefore antistate. Nonetheless, Sanomaeng arrests declined to about 10, compared with over 65 arrests in 1992. Courts also gave lighter sentences to NSL violators. When prosecutors appealed a lower court's sentence of life in prison for Sanomaeng leader Paek Tae Woong and requested the death penalty, the Supreme Court instead reduced the sentence to 15 years in prison. The NSP arrested university instructor Cho Guk in June partly for publishing antistate materials, but the court gave him a suspended sentence in December.

Warrants issued by judges are required by law in cases of arrest, detention, seizure, or search. The law does not require the authorities to seek warrants if the person is apprehended while committing a criminal act or if a judge is not available and the authorities think that the suspect may destroy evidence or escape capture if not quickly arrested. In such emergency cases, judges must issue arrest warrants within 48 hours after apprehension, or, if a court is not located in the same county, 72 hours. Police can detain suspects who voluntarily come in for questioning for up to 6 hours but must notify the suspects' families.

Upon issuance of an arrest warrant, the security services can hold suspects during the investigation phase for up to 30 days before an indictment is made. Article 19 of the NSL gives judges the power to approve requests to extend the detention period an additional 20 days, making detention legal for up to 50 days. The Constitutional Court, however, ruled that while the authorities can extend detention beyond the legal limit of 30 days for those suspected of "serious" violations such as spying or organizing an antistate group, they cannot do so in cases where the suspects are charged only with praising North Korea or failing to report NSL violations.

The Constitution specifically provides the right to representation by an attorney. However, prosecutors prohibit attorneys from accompanying their clients during any stage of interrogation. There are often no facilities for private meetings between suspects and their attorneys. In late April, the Presidential spokesman quoted President Kim as directing his aides to protect the human rights of suspects and guarantee access to legal counsel. Suspects' access to legal counsel during the investigation phase improved noticeably during the year. In October the Government began to permit suspects during the investigation phase to consult with "duty lawyers," a new system set up by a nongovernmental association of lawyers.

There is a functioning system of bail.

e. Denial of Fair Public Trial

The Constitution provides defendants a number of rights in criminal trials, including presumption of innocence, protection against self-incrimination, freedom from retroactive laws and double jeopardy, the right to a speedy trial, and the right of appeal. When a person is physically detained, his initial trial must be completed within 6 months of arrest. These rights are generally observed. Trials are open to the public, but the judge may restrict attendance if he believes the spectators may seek to disrupt the proceedings.

The President, with the consent of the National Assembly, appoints the Chief Justice and the other justices of the Supreme Court for a term of 6 years. Lower court justices are appointed by the Chief Justice with the consent of the other justices. The President also appoints the justices of the Constitutional Court.

Judges generally allowed considerable scope for examination of witnesses by both the prosecution and defense. Political and criminal cases are tried by the same courts; military courts do not try civilians. Although convictions are rarely overturned, appeals often result in reduced sentences. Death sentences are automatically appealed. In recent years the judiciary has shown increasing independence, and that trend accelerated in 1993. In a statement released to the public in late June, junior judges from the Seoul civil court criticized past political intervention in judicial decisions and called for reform of the judicial personnel system.

The Government mandated disclosure of financial and real estate assets by government officials, first in March, and then in June, the latter of which led to the resignation of many judicial officials, including the Supreme Court Chief Justice, Prosecutor General, and national police chief in September. In a personnel reshuffle, judicial officials generally considered committed to the

independence and integrity of the judiciary were appointed, including Chief Justice Yoon Kwan, who promised further reforms. In a series of cases, the courts continued to rule against the Government by awarding compensation to suspects abused by the authorities, punishing those responsible for such mistreatment, and issuing lighter sentences for politically motivated crimes.

The Constitutional Court, which began operation in 1988, continued to grow in its role of interpreting the Constitution. For example, it has upheld the confidentiality of attorney-client discussions, ruling unconstitutional government tape recording of such talks.

It is difficult to estimate the number of political prisoners, i.e., those jailed for exercising their political rights unaccompanied by violence, because it is not clear whether particular persons were arrested for merely exercising the right of free association or were detained for committing or planning acts of violence or espionage. At year's end, Korean human rights groups claimed that political prisoners, i.e., any person arrested for politically motivated acts in opposition to the Government, including espionage and violence, numbered less than 300. It appeared that the number of political prisoners and detainees as defined by international human rights standards numbered well under 100.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

In general the Government honors the integrity of the home and family. In the past, the security services conducted varying degrees of surveillance, including wiretaps, of political dissidents. In January released student activist Im Su Kyong charged that her home was under surveillance by the NSP. The Government stated, however, that one of its aims in reforming the security services such as the NSP was to protect human rights. The new antiwiretapping law and reformed NSP law, passed by the National Assembly in December, were designed to curb government surveillance of civilians.

The Government and the courts have taken a few tentative steps to limit encroachments on the individual's right to privacy and to make public government documents. For the first time, President Kim ordered government agencies to assist the opposition Democratic Party in releasing information about the 1973 kidnaping of prominent opposition leader Kim Dae Jung. To make government functioning more open to the public, the Foreign Ministry began to implement new regulations to declassify and publicly release government documents.

Government informants are known to be posted on and around university campuses. In May a student told reporters that police paid him to supply information about student activists. Persons thought to have backgrounds as political or labor activists are still denied some forms of employment and advancement, particularly in the fields of government, broadcast media, and education.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Almost all political discourse is unrestricted. Limits remained under the NSL on the expression of ideas that the Government considered Communist or pro-North Korean.

Direct control over the print media virtually has disappeared. Nonetheless, the Government's indirect influence on the media remained considerable. Many journalists and editors practiced some degree of self-censorship to advance their careers. Many former journalists become public officials. Due to President Kim's anticorruption campaign, government payments of money to reporters, known as "chongji," have been curtailed but not halted completely.

In June Defense Minister Kwon Young Hae lodged a libel suit against the Joong-Ang Ilbo newspaper for a story that the Government had banned him and 21 other current and former defense officials from leaving the country due to their suspected involvement in corruption in the purchase of certain military weapons systems. The Government stated that the story was false, and the newspaper dropped the story from later editions and published a retraction the next day. In response to the libel suit, prosecutors arrested the reporter who wrote the article and also questioned the daily's president-publisher, editor in chief, and managing and city editors. After Joong-Ang Ilbo officials met with the Defense and Information Ministers to apologize personally, Defense Minister Kwon dropped the suit and authorities released the reporter.

Prosecutors continued to indict, albeit less frequently than in the past, some dissidents for producing, selling, or distributing pro-North Korean or pro-Communist materials. A former human rights activist, Noh Tae Hun, was indicted under the NSL for having copies of a newsletter published by former, elderly prisoners who had served sentences for spying on behalf of North Korea. In November the authorities investigated a private group for using an electronic bulletin board service to post antistate messages advocating a Socialist revolution and supporting the "Socialist Workers Alliance" group.

Among the charges against student activist Chun Tae Jae was his involvement in protests in which students waved the North Korean flag. The authorities did not block student activists from holding a 2-hour telephone conference in May with North Korean students, but they did issue warrants for their arrest under the NSL. Listening to North Korean radio is illegal if the authorities judge it is for the purpose of helping North Korea or an antistate organization. In March the Supreme Court reaffirmed that it was legal under the NSL to possess publications "benefiting the enemy" for purely academic use, profit, or curiosity, but not with the intent of aiding "the enemy." The ruling came in the case of Kim Hyong Kun, who was indicted under the NSL for selling pro-North Korean books.

The Government continued to allow, within its guidelines, an increase in media coverage of North Korea. Television networks presented edited versions of North Korean television programs on a weekly basis. The media extensively reported on U.S. and South Korean talks with North Korean officials, sending reporters to cover U.S.-North Korean talks in New York and Geneva. In February, however, the state broadcasting company KBS decided not to broadcast an interview with former student activist Im Su Kyong, who was jailed for visiting Pyongyang in 1989 without the approval of the South Korean Government and was amnestied in 1992. KBS reportedly decided that, if broadcast, the interview would encourage others to travel to North Korea without government permission.

The Government also allowed somewhat wider public access to selected North Korean publications. The December 1991 landmark agreements between South and North Korea included provisions--long advocated by South Korea--for exchanges and cooperation in publishing, journalism, radio, and television. Nonetheless, North Korea's lack of progress in clearing up the nuclear issue has stymied implementation of the North-South Korean agreements.

There is a continued threat to academic freedom from leftist students who intimidate professors whose lectures or writings contradict the students' ideology. In September, 10 students were seriously injured when student activists attempted to storm the office of the Kyonggi University president to demand his resignation, but instead they clashed with members of the school's judo club and threw firebombs and rocks.

b. Freedom of Peaceful Assembly and Association

The Law on Assembly and Demonstrations prohibits assemblies considered likely to undermine public order it forbids outside interference in peaceful assemblies

approved by the authorities. The law requires that the police be notified in advance of demonstrations of all types, including political rallies. Police must notify organizers if they consider the event not permissible under this law. Although the Government did not amend the law, in practice it applied it with restraint, permitting practically all assemblies and demonstrations to be held. Dissidents reported that in contrast to previous practice the Government this year approved most applications to hold public assemblies and protests. Police adopted a low-key approach to peaceful protests held without police approval. Police either allowed the demonstration to continue or transported protesters to the outskirts of the city and left them there to find their way back to the city. In general, police showed restraint and discipline in the face of severe provocation during violent demonstrations. In June students beat severely a riot policeman, who was pronounced dead an hour later.

For the first time, the authorities permitted dissident and independent unionists to hold a May Day march through the city. In another first, the Government cooperated with the citizens of the southwestern city of Kwangju in peacefully commemorating the May 1980 uprising there. Up to 35,000 people attended the ceremony, much of which was antigovernment in content. The Government supported the "South-North Human Chain for Peace and Reunification" organized by the dissident National Council of Churches in Korea (KNCC) to commemorate Korea's Liberation Day. The Government also did not block peaceful Liberation Day rallies held by a dissident coalition representing "Pomminnyon."

Demonstrations by university students declined again in 1993, and student use of firebombs practically ceased. The most violent occurred in Kwangju, particularly at the American Center, ruling party headquarters, police stations and the provincial capitol. Contrary to the nationwide trend, violent student demonstrations in Kwangju increased relative to protests in 1992. In March several hundred students, armed with steel pipes and rocks, blocked President Kim from visiting Kwangju cemetery, where he planned to pay his respects to victims of the 1980 uprising there in order to alleviate regional tensions. Police did not attempt to remove the students by force.

c. Freedom of Religion

There is no state religion. Full freedom prevails for proselytizing, doctrinal teaching, and conversion. Korea both sends and receives missionaries of various faiths, and many religious groups in Korea maintain active links with members of similar faiths in other countries. The Government and the public do not discriminate against minority sects. Adherence to a particular faith confers neither advantages nor disadvantages in civil, military, or official life.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There is universal freedom of movement within the country. Foreign travel is generally unrestricted, but travel to North Korea is allowed only with government approval. One of the conditions is that the trip must not have a political purpose, i.e., to praise North Korea or criticize the South Korean Government. Between August 1989 and August 1992, 539 South Koreans in 18 different groups visited North Korea, and another 2,247 contacted North Koreans with government approval. In 1993, however, the two sides had few exchanges and no meetings at the prime minister level because of renewed tensions caused by North Korea's refusal to allow complete International Atomic Energy Agency inspections of nuclear facilities and to set up a North-South Korean nuclear inspection regime. The NSP arrested two labor activists on charges of violating the NSL for trying to visit North Korea.

Following a spate of incidents in 1991 in which prosecutors used exit bans to apply pressure on foreign citizens in commercial disputes, the Government issued in January 1992 new guidelines on the imposition of exit bans on foreigners under

the Exit and Entry Control Act. The act gives immigration authorities discretionary powers to block the departure of both foreigners and Koreans from Korea. The new guidelines provide procedures where previously there had been none but still leave a considerable amount of discretion to the authorities. There were no further reports of exit bans involving foreign citizens, although the threat of imposition of an exit ban remained credible.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Korean people have the right to elect their own government. The Constitution, as amended in 1987, provides for the direct election of the President and for a mixed system of direct and proportional election of legislators to the unicameral National Assembly. The President serves a single 5-year term and may not be reelected. The National Assembly's term is 4 years. There is universal suffrage for all citizens aged 20 or above, and elections are held by secret ballot.

In a February 25 inaugural ceremony, the reins of government were peacefully transferred from Roh Tae Woo to Kim Young Sam, who became Korea's first democratically elected, genuinely civilian chief executive in nearly 30 years. This was Korea's second, peaceful transfer of power in less than a decade.

President Kim instituted sweeping political reforms to reduce corruption, further institutionalize democracy, and improve human rights. In June President Kim won National Assembly approval of a public servants ethics law which required financial disclosures for members of the three top civil service ranks and the Assembly. In August President Kim instituted a real-name financial system to reduce corruption. President Kim reformed the security services and reinvigorated the Board of Audit and Inspection, which launched wideranging inquiries into government corruption.

For reasons of culture and discrimination, women occupy few positions in government and the professions. There are currently 3 women in the 299-seat National Assembly, all of whom were appointed to proportional representation seats based on their parties' showing in the 1992 elections. The only woman in the Cabinet has traditionally been the Second Minister for Political Affairs, whose portfolio is women's affairs. President Kim appointed three women to cabinet positions. For the first time, women became the Ministers of Health and Social Affairs and of Environmental Affairs.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several nongovernmental private organizations are active in promoting human rights and operate freely. Chief among these groups are the Lawyers for a Democratic Society, the Human Rights Committee of the National Council of Churches in Korea, the Korean Bar Association, and "Mingahyop," an association of the families of political prisoners. These groups publish reports on the human rights situation in Korea and make their views known both inside and outside the country. There were no credible reports of government harassment. The National Assembly and the major political parties all have committees concerned with various aspects of human rights.

Government and ruling party officials have generally been willing to meet with international human rights groups.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Women

Korea's conservative Confucian tradition has left women subordinate to men socially, economically, and legally. Most married women do not work outside the home. In large companies women are often expected to resign upon marriage or no later than the birth of their first child. Judicial decisions in cases involving women petitioners or defendants are often heavily influenced by the Korean Confucian ethos, which does not accord women equal status with men. There has been a gradual improvement, however, in social mores and values affecting women. Women have full access to education, become government officials, and hold elected office.

The National Assembly enacted an Equal Employment Opportunity (EEO) law in 1988 and, in early 1991, the Government issued "Guidelines to Eliminate Sexual Discrimination in Employment." So far, however, the law and guidelines have had only limited effect. There are very few women who work as company executives, officials in government ministries, or lawyers.

While women account for just over 40 percent of the economically active population, the average female worker's wage remained a little over half that of the average male worker, and starting wages for female university graduates were 40 percent lower than those of their male counterparts.

The traditional preference for male children continues in Korea today. It is estimated that when today's children reach marrying age there will be 400,000 "surplus bachelors." Korean law bans sex testing and abortions except when the woman's life is in danger, a hereditary disease would be passed along, or in case of rape or incest. Fetal sex testing and abortion of female fetuses, however, are still performed.

Korea's amended Family Law, which went into effect in January 1991, permits women to head a household, recognizes a wife's right to a portion of the couple's property, and allows a woman to maintain greater contact with her offspring after a divorce. Although the revisions helped abused women, divorce still remains a social taboo. Most Koreans remained unaware of the revised law, and there is little government or private assistance for divorced women. These factors, plus the fact that employment opportunities for women are limited and that divorced women have difficulty remarrying, leads some women to stay in abusive situations.

According to a survey conducted by the Health and Social Affairs Ministry, about 60 percent of 7,500 married women nationwide responded that their spouses had mistreated them. Close to half the women who reported mistreatment said that it had occurred once or twice, and about 5 percent stated they were subject to habitual mistreatment. Among respondents who claimed they were physically mistreated, about half said that their husbands had thrown objects at them, about a quarter were pushed or thrown about, and about 20 percent were kicked or punched. A quarter of mistreated respondents attributed the mistreatment to their spouse's drinking. About 60 percent of 7,500 women said that they had heard about government-run shelters for abused women. The Ministry reported that 245 women and 122 children used two government-run shelters. Private groups have also set up a hotline and a few shelters for abused women.

A 1992 report by the National Police Agency estimated that 9.8 women per 1,000 are raped in South Korea. Credible sources indicated a significant rise in the number of cases reported in 1993. Whether this rise is attributable to increased violence or increased reporting of violence or both is uncertain. In any case, the National Assembly did not pass stronger bills against rape, as proposed by the ruling and opposition parties in 1992.

Children

Children's human rights and welfare have not been prominent social policy issues.

The Government continued to devote an increasing share of the overall budget to social expenditures, which includes those related to the welfare of children. A United Nations Children's Fund report rated Korea excellent in child welfare, particularly in child nutrition, health, education, and family planning. Although government expenditures on education are low compared with other industrialized countries, Korea is notable for its very strong, Confucian commitment to education, which government, society, and parents support at all levels.

Child abuse has not been studied extensively, and statistics on child abuse are limited. Reports to the authorities, however, of child abuse nationwide numbered less than 50 in recent years. According to official statistics, the number of runaway children each year has dropped from about 7,000 in the past to approximately 1,000. Seoul Metropolitan Government runs a children's counseling center, which investigates reports of abuse, counsels families, and cares for runaway children. Because Korea does not have a specific law against child abuse, however, it is difficult to prosecute and punish child abusers unless they commit a crime punishable under a separate law.

National/Racial/Ethnic Minorities

The Republic of Korea is a racially homogeneous country with no ethnic minorities of significant size. Nonetheless, regional rivalries exist. Persons from the southwestern region (North and South Cholla Provinces) have traditionally faced discrimination. Many Koreans believe that successive governments led by figures from the southeastern region (North and South Kyongsang Provinces) have deliberately neglected the economic development of the Cholla Provinces for political reasons. President Kim attempted to alleviate longstanding regional grievances, such as the brutal suppression of the May 1980 Kwangju uprising, through more evenhanded government spending and appointments, naming natives of the Cholla Provinces to be Prime Minister and Supreme Court Chief Justice.

Centuries of isolation and a history of foreign invasion and occupation engendered a tradition of xenophobia in Korea. Citizenship in Korea is based on blood, not location of birth, and Koreans must show as proof their family genealogy. Thus, Korea-born Chinese residents cannot obtain Korean citizenship or become public servants and are unlikely to be hired by major corporations. Due to legal as well as social discrimination, many Chinese residents in Korea have emigrated to other countries since the 1970's, with the number of Chinese residents decreasing from 40,000 to 18,000 over the past several years. Amerasian children are usually able to obtain Korean citizenship. No formal discrimination exists. Informal discrimination, however, is prevalent. Although a few Amerasians have achieved fame in sports or entertainment, an Amerasian is unlikely to become prominent in academia, business or government.

People with Disabilities

As Korea continues to develop economically, socially, and politically, community and social organizations have started to focus attention on the issue of the rights and treatment of handicapped and mentally ill or retarded people. Although there are public displays of concern for the mentally and physically disabled, such as the Special Olympics and television documentaries, public facilities for their everyday care and use remained inadequate and their general treatment by society discriminatory. The Government lacked adequate educational programs and schools for severely disabled people. The Government did not discriminate officially against the disabled who were capable of attending regular schools, but societal pressures and cultural biases have a strong negative impact on that access. The Government has not enacted legislation or otherwise mandated accessibility for the disabled.

Section 6. Worker Rights

a. The Right of Association

The Constitution gives workers, with the exception of most public service employees and teachers, the right to free association. There are, however, blue-collar public sector unions in railways, telecommunications, postal workers, and the national medical center. The Trade Union Law specifies that only one union is permitted at each place of work, and all unions are required to notify the authorities when formed or dissolved.

In the past, the Government did not formally recognize labor federations which were not part of or affiliated with the country's two legally recognized labor groupings--the Federation of Korean Trade Unions (FKTU) and the independent Korean Federation of Clerical and Financial Workers. In 1993, however, the Labor Ministry officially recognized four independent white-collar federations, representing hospital workers, journalists, office workers at construction firms, and government research institutes. These decisions followed rulings in the courts in 1992 that affiliation to the FKTU is not required in order to be registered as a legal labor federation. In practice, labor federations not formally recognized by the Labor Ministry existed and worked without government interference, except if the authorities considered their involvement in labor disputes harmful to the nation.

The Government, however, did arrest unionists it viewed as acting as third parties in instigating or prolonging labor disputes, as in the summer strikes at a number of firms associated with the Hyundai business group. As a result of the fundamental shift made by President Kim's administration in labor policy and government amnesties (20 trade unionists were amnestied in December), the number of jailed workers plummeted from approximately 176 in 1992 to about 20 by the end of 1993.

President Kim appointed National Assemblyman Rhee In Je, a progressive, as Labor Minister. Unlike his predecessors, Rhee said that he was labor's advocate in the Government and took a tough stand against an insurance company accused of forcing employees to resign from the union. He largely succeeded in amending labor regulations to comply with recent court decisions. Minister Rhee ended the Government's hardline policy against dissident or radical labor federations such as the Korea Trade Union Congress (KTUC or "Chonnohyup") and affiliates of the Korean Congress of Independent Industrial Federations (KCIIF). The Government met for the first time with dissident and independent labor federations it did not officially recognize, including the banned Teachers' Union. Moreover, the Government did not interfere in the work of the "National Labor Union Representatives Conference," which was formed in March by labor federations not recognized by the Government, such as KTUC, KCIIF, and labor federations representing Hyundai and Daewoo unions. In December the President reshuffled the Cabinet and replaced Minister Rhee, who had been criticized heavily by the business community for his policies, with former National Assemblyman Nam Jae Hee.

Government nonrecognition of a labor federation did not disable a union unless the union's intervention in a labor dispute was considered by the Government as a hindrance to the dispute's resolution or seriously threatened the national economy. The KTUC assisted the Hyundai Group Labor Union Association in holding coordinated collective actions, including strikes, at Hyundai companies. Mediation efforts by the Government, including visits by the Labor Minister, failed to resolve the strikes. In July the Government issued warrants to arrest KTUC President Dan Byung Ho and seven other unionists for illegal third-party intervention. Police searched the groups' offices and arrested the Hyundai Group Labor Union Association chairman and several other unionists. Arrest warrants remained valid for Dan Byung Ho and three others.

For the first time, leaders of the banned teachers' union (Chonkyojo) met with the Education Minister as well as other government officials. The Government,

however, did not lift the ban on labor activities by both public and private schoolteachers. Korean law mandates the ban, which the Constitutional Court has upheld twice in recent years. The Government instead offered to reinstate nearly 1,500 fired teachers if they resigned from Chonkyojo. The Government began to reinstate teachers who submitted their resignations from Chonkyojo. Under the Christmas amnesty, the ROKG amnestied, restored the civil rights of, or made eligible for rehiring, 170 teachers who had previously been fired for joining the teachers' union.

There is no minimum number of members required to form a union, and unions may be formed without a vote of the full, prospective membership. Korea's election and labor laws forbid unions from donating money to political parties or participating in election campaigns. However, trade unionists have circumvented the ban by temporarily resigning their union posts and running for office on the ticket of a political party or as an independent.

Strikes are prohibited in government agencies, state-run enterprises, and defense industries. By law enterprises in public interest sectors such as public transportation, utilities, public health, banking, broadcasting, and communications must submit to government-ordered arbitration in lieu of striking. The Labor Dispute Adjustment Act requires unions to notify the Ministry of Labor of their intention to strike and mandates a 10-day "cooling-off period" before a strike may legally begin. (This period is 15 days in public interest sectors.) Overall membership in Korean labor unions has been declining over the last several years, largely because the explosion in labor organizing in 1987-89 left the movement divided but well compensated and worker rights significantly improved.

The FKTU is affiliated with the International Confederation of Free Trade Unions (ICFTU). Most of the FKTU's 20 constituent federations maintain affiliations with international trade secretariats, as do KCIIF white collar federations and the KTUC Metalworkers Council. In March the ICFTU held a conference in Seoul to discuss labor law reform, which brought together mainstream, independent, and dissident Korean trade unionists, as well as Korean and foreign experts. In November the Friedrich Ebert Institute organized a similar conference in Seoul under the sponsorship of eight international trade union secretariats.

In response to freedom of association complaints lodged by Korean dissident and independent unions, the International Labor Organization (ILO) Committee on Freedom of Association (CFA) issued an interim report in March which recommended that the Government bring Korean labor law and policy up to international worker rights standards. In November the CFA again recommended that the Government reform labor laws in accordance "with the principles of freedom of association."

The Government under President Kim adopted a policy of persuasion and mediation to settle strikes. To settle strikes and work stoppages at 10 Hyundai companies, President Kim, for only the second time in Korea's history, ordered binding government arbitration to resolve the strike at Hyundai's auto factory. Police intervention in labor disputes dropped dramatically, and the number of labor disputes again declined in 1993. In the summer, the Government deployed riot police during strikes and work stoppages at Hyundai companies. There were only two reported incidents of police breaking up strikes, at Hyundai Precision and Apollo Auto Parts. There were no reports of employer-hired squads assaulting workers in 1993.

Since July 1991 South Korea has been suspended from the U.S. Overseas Private Investment Corporation insurance programs because of a lack of significant progress in worker rights.

b. The Right to Organize and Bargain Collectively

The Constitution and the Trade Union Law guarantee the autonomous right of

workers to enjoy collective bargaining and collective action. Although the Trade Union Law is ambiguous, the authorities, backed by the courts, have ruled that union members cannot reject collective bargaining agreements signed by management and labor negotiators. This situation has in the past led to repudiation of contracts and wildcat strikes. Extensive collective bargaining is practiced. Korea's labor laws do not extend the right to bargain collectively to government employees, including employees of state or public-run enterprises, and defense industries. The Government's wage guidelines in 1993 matched the wage targets negotiated between and agreed upon by the FKTU and the employers association.

Companies operating in Korea's two export processing zones (EPZ's) have been considered public-interest enterprises whose employees' rights to organize and bargain collectively face restrictions. In practice, however, unions at EPZ companies have been formed, and workers in the two EPZ's exercise the right to organize and bargain collectively like other private sector unions.

Korea has no independent system of labor courts. The central and local labor commissions form a semiautonomous agency of the Ministry of Labor that adjudicates disputes in accordance with the Labor Dispute Adjustment Law. Each labor commission is composed of equal representation from labor (represented by the FKTU), management, and "the public interest." Local labor commissions are empowered to decide on remedial measures in cases involving unfair labor practices and to mediate and, in some situations, arbitrate labor disputes. The Labor Law authorizes labor commissions to start conciliation and mediation of labor disputes after, not before, negotiations break down and the two sides are locked into their positions. The Trade Union Law (article 39) prohibits antiunion discrimination.

The Trade Union Law and Labor Dispute Adjustment Law forbid third-party intervention in unions and labor disputes by federations not recognized by the Government, (such as Chonnohyup and KCIIF) but allow recognized labor federations, principally the FKTU, its affiliates, and five independent white-collar federations, to assist member unions. The ban on third-party intervention also exempts mediation efforts by lawyers, experts, and others who have the consent of both labor and management. The Government continued to enforce the laws against third-party intervention. Mutual labor-management antagonism remains a serious problem, and some major employers remain strongly antiunion.

c. Prohibition of Forced or Compulsory Labor

The Constitution provides that no person shall be punished, placed under preventive restrictions, or subjected to involuntary labor, except as provided by law and through lawful procedures. Forced or compulsory labor is not condoned by the Government and is generally not practiced. There were credible reports, however, of illegal foreign workers who were not paid back wages by their employers but who continued to work for, or live in dilapidated housing provided by, their employers. Credible reports exist of illegal foreign workers who were not compensated for injuries suffered on the job, and of others who lacked the funds to return to their home countries. There is little government assistance for illegal foreign workers in such circumstances.

d. Minimum Age for Employment of Children

The Labor Standards Law prohibits the employment of persons under the age of 13 without a special employment certificate from the Ministry of Labor. Because there is compulsory education until the age of 13, few special employment certificates are issued for full-time employment. Some children are allowed to do part-time jobs such as selling newspapers. In order to gain employment, children under 18 must have written approval from their parents or guardians. Employers may require minors to work only a reduced number of overtime hours and are prohibited from employing them at night without special permission from the

Ministry of Labor. Child labor laws and regulations are clear and usually enforced when violations are found, but a shortage of inspectors precludes regular inspections. Child labor has not been identified in any export industries.

e. Acceptable Conditions of Work

The Government implemented a minimum wage law in 1988. The minimum wage level is reviewed annually. In 1993 it was about \$10 per day (8,041 won). Companies with fewer than 10 employees are exempt from this law, and some still pay below minimum wages. Due to Korea's tight labor market, however, most firms pay wages well above the minimum wage in order to attract and retain workers. The FKTU and other unions continue to claim that the current minimum wage does not meet the minimum requirements of urban workers. The Government notes that the money an average Korean blue-collar worker takes home in overtime and bonuses significantly raises the total compensation package. According to the Ministry of Health and Social Affairs, 5.2 percent of the population lived below the poverty level in 1992.

Discrimination occurs against foreign workers, most of whom come from China, the Philippines, Bangladesh, Nepal, and Pakistan to work, often illegally. The Government and labor movement were largely unresponsive to protecting fundamental labor rights of foreign workers illegally at work in Korea, estimated by the Government to number about 60,000. There were credible reports of Korean employers not paying illegal foreign workers or providing substandard living accommodations. There is no government channel whereby illegal foreign workers to seek relief concerning loss of pay or unsatisfactory living and working conditions. A handful of individual Korean churches and ministers provided some assistance to illegal foreign workers.

The Labor Standards and Industrial Safety and Health Laws provide for a maximum 56-hour workweek and a 24-hour rest period each week. Amendments to the Labor Standards Law passed in March 1989 brought the maximum regular workweek down to 44 hours. According to the Ministry of Labor, the average Korean worker worked 47.5 hours per week, including overtime, in 1992.

The Government sets health and safety standards, but South Korea suffers from unusually high accident rates. The Ministry of Labor employs few inspectors, and its standards are not effectively enforced. The number of workers who suffered work-related accidents in 1992 declined by about 16 percent, from 128,169 to 107,435 accidents. The Labor Ministry attributes industrial accidents to a focus on rapid, export-based industrialization, worn out or old equipment, increased use of hazardous chemicals, lack of research and manpower, and, in the case of construction, firms in a manpower-short sector employing unskilled workers without proper training. The Industrial Safety and Health Law does not guarantee that workers who remove themselves from dangerous work environments would not jeopardize their continued employment.

참여연대 인권 자료실		
등록일	분류기호	자료번호
		18

DECISION No. 28/1993 (REPUBLIC OF KOREA)

Communication addressed to the Government of the Republic of Korea on 6 November 1992.

Concerning: Chang Ui-gyun, Hwang Tae-kwon and Kim Song-man, on the one hand, and the Republic of Korea, on the other.

1. The Working Group on Arbitrary Detention, in accordance with the methods of work adopted by it, and in order to carry out its task with discretion, objectivity and independence, forwarded to the Government concerned the above-mentioned communication received by it and found to be admissible, in respect of allegations of arbitrary detention reported to have occurred.

2. The Working Group notes with concern that till date no information has been forwarded by the Government concerned in respect of the cases in question. With the expiration of more than ninety (90) days of the transmittal of the letter by the Working Group, it is left with no option but to proceed to render its decision in respect of each of the cases of alleged arbitrary detention brought to its knowledge.

3. (Same text as paragraph 3 of Decision No. 43/1992).

4. In the light of the allegations made, the Working Group would have welcomed the cooperation of the Government of the Republic of Korea. In the absence of any information from the Government, the Working Group believes that it is in a position to take a decision on the facts and circumstances of the cases, especially since the facts and allegations contained in the communication have not been challenged by the Government.

5. Chang Ui-gyun, a publisher, was reportedly arrested by Defence Security Command on 5 July 1987 in Seoul. Initially he was reportedly sentenced under the National Security Law, to 15 years' imprisonment which was reduced to 8 years in appeal in the High Court in 1988. Chang Ui-gyun was charged with passing secret information on the anti-government movement and opposition parties under instructions from a North Korean agent, seeking to infiltrate the dissident movement, and intending to disrupt the Olympic Games and the presidential elections scheduled to be held at the end of 1987. Chang Ui-gyun was apparently arrested without a warrant, which was issued eight days after arrest. He was allegedly denied access to his family and lawyers from 5 July 1987 till 29 August 1987, when he was indicted.

6. Hwang Tae-kwon was reportedly arrested in early June 1985 in Seoul by agents of the Agency for National Security Planning. Initially held by the said agency he was after trial sent to Andong prison. In January 1986 he was reportedly sentenced to life imprisonment under National Security Law which in December 1988, under a presidential amnesty, was reduced to 20 years. He was reportedly charged and convicted of anti-State and espionage activities, accused of contributing articles to a New York-based Korean language newspaper and associating with and receiving espionage training from the newspaper's publisher - an alleged North Korean "collaborator". The only basis for his conviction is an alleged confession which was allegedly extracted under torture.

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7. Kim Song-man was allegedly arrested in Seoul on 6 June 1985 under National Security Law and is currently held at Taejon Prison. He was reportedly accused of spying for North Korea and encouraging student activists to engage in anti-government activities. In January 1986 he was sentenced to death. In December 1988 it was commuted to life imprisonment under presidential amnesty. The only basis for his conviction is an alleged confession which was allegedly extracted under torture.

8. In the case of Chang Ui-gyun the source admits that he transmitted information to the main South Korean opposition political parties and dissidents and to a South Korean dissident who lives in Japan. This information is said to have included descriptions of political rallies, including one held in Inchon on 3 May 1986, at which many leading dissidents were arrested, and information on the setting up of the National Council for a Democratic Constitution which organized mass demonstrations in support of a revision of the presidential election system in June 1987. There is no evidence on record to support the charges of espionage against Chang Ui-gyun. The evidence irresistibly suggests that Chang Ui-gyun was arrested for his political views and activities, in contravention of articles 19 and 21 of the Universal Declaration of Human Rights, and articles 19 and 21 of the International Covenant on Civil and Political Rights.

9. Allegations of torture during interrogation and denial of access to family and counsel for 25 days have also not been denied, being in contravention of articles 5 and 9 of the Universal Declaration of Human Rights, and articles 7, 14 and 19 of the International Covenant on Civil and Political Rights.

10. In the case of Hwang Tae-kwon, he too was admittedly involved in criticizing the Government. He was part of the student movement, but denied the accusation that he was a communist. The evidence of the confession, the only basis for his conviction, is also suspect. After his arrest he was held incommunicado and interrogated for 60 days. This, coupled with the fact that there is no independent corroborative evidence of his involvement in espionage activities lends further doubts to the veracity and legality of the alleged confession. He too seems to be a victim of his political views and activities. His detention is in contravention of articles 5, 9, 19 and 21 of the Universal Declaration of Human Rights, and articles 7, 9, 14, 19 and 21 of the International Covenant on Civil and Political Rights.

11. The evidence of the confession, the only basis for the conviction of Kim Song-man, is also suspect. After his arrest in June 1985 he was allegedly held incommunicado till 5 August 1985 during which time he is alleged to have been tortured and forced to sign a confession. This, coupled with the fact that there is no independent corroborative evidence of his involvement in espionage activities, lends further doubts to the veracity and legality of the alleged confession. He also seems to have been convicted for his political views and activities. His detention is in contravention of articles 5, 9, 19 and 21 of the Universal Declaration of Human Rights, and articles 7, 9, 14, 19 and 21 of the International Covenant on Civil and Political Rights.

12. In the light of the above the Working Group decides:

The detention of Chang Ui-gyun, Hwang Tae-kwon and Kim Song-man is declared to be arbitrary being in contravention of articles 5, 9, 19 and 21 of the Universal Declaration of Human Rights, and articles 7, 9, 14, 19 and 21 of the International Covenant on Civil and Political Rights and falling within categories II and III of the principles applicable in the consideration of the cases submitted to the Working Group.

13. Consequent upon the decision of the Working Group declaring the detention of Chang Ui-gyun, Hwang Tae-kwon and Kim Song-man to be arbitrary the Working Group requests the Government of the Republic of Korea to take the necessary steps to remedy the situation in order to bring it into conformity with the norms and principles incorporated in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

Adopted on 30 April 1993

인권 자료실		
등록일	유/무	비고
	21의4722	06/09
	B9	78

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page 95

DECISION No. 28/1993 (REPUBLIC OF KOREA)

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4. In the light of the allegations made, the Working Group would have welcomed the cooperation of the Government of the Republic of Korea. In the absence of any information from the Government, the Working Group believes that it is in a position to take a decision on the facts and circumstances of the cases, especially since the facts and allegations contained in the communication have not been challenged by the Government.
5. - Chang Ui-gyun, a publisher, was reportedly arrested by Defence Security Command on 5 July 1987 in Seoul. Initially he was reportedly sentenced under the National Security Law, to 15 years' imprisonment which was reduced to 8 years in appeal in the High Court in 1988. Chang Ui-gyun was charged with passing secret information on the anti-government movement and opposition parties under instructions from a North Korean agent, seeking to infiltrate the dissident movement, and intending to disrupt the Olympic Games and the presidential elections scheduled to be held at the end of 1987. Chang Ui-gyun was apparently arrested without a warrant, which was issued eight days after arrest. He was allegedly denied access to his family and lawyers from 5 July 1987 till 29 August 1987, when he was indicted.
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8. In the case of Chang Ui-gyun the source admits that he transmitted information to the main South Korean opposition political parties and dissidents and to a South Korean dissident who lives in Japan. This information is said to have included descriptions of political rallies, including one held in Incheon on 3 May 1986, at which many leading dissidents were arrested, and information on the setting up of the National Council for a Democratic Constitution which organized mass demonstrations in support of a revision of the presidential election system in June 1987. There is no evidence on record to support the charges of espionage against Chang Ui-gyun. The evidence irresistibly suggests that Chang Ui-gyun was arrested for his political views and activities, in contravention of articles 19 and 21 of the Universal Declaration of Human Rights, and articles 19 and 21 of the International Covenant on Civil and Political Rights.
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12. In the light of the above the Working Group decides:

The detention of Chang Ui-gyun, Hwang Tae-kwon and Kim Song-man is declared to be arbitrary being in contravention of articles 5, 9, 19 and 21 of the Universal Declaration of Human Rights, and articles 7, 9, 14, 19 and 21 of the International Covenant on Civil and Political Rights and falling within categories II and III of the principles applicable in the consideration of the cases submitted to the Working Group.

13. Consequent upon the decision of the Working Group declaring the detention of Chang Ui-gyun, Hwang Tae-kwon and Kim Song-man to be arbitrary the Working Group requests the Government of the Republic of Korea to take the necessary steps to remedy the situation in order to bring it into conformity with the norms and principles incorporated in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

Adopted on 30 April 1993

김토용시정각

기사출처: 기흥고사리문화연구소 (1)

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South Korea SITUATIONER / June-94

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1. POLITICS : LIMITS OF KIM'S CAPACITY TO LEAD NATIONAL POLITICS AND FORMATION OF 'NEW ERA FORUM'

Where is Kim's government heading for?

During the past year, Kim Young-sam's government has pushed reform policies in the area of politics by reforming the military, exposing property status of public officials and amending politics related laws. They were to remove the military, once the core of political powers, from politics and to build a new power base for Kim. In particular, the transfer of the commander generals belonging to the banned Society of Hana(One) from key positions marked a clear retreat of the military from the political ground in south Korea.

Other than political reforms, the present government also attempted to do reforms in the field of economics through the Real Name System in financial transactions, but only to fail by pressured introduction of countervailing supplementary measures. Failing to reform except in the field of politics, Kim's policies in social and economic matters became generally viewed as having pro-Chaebol(large business conglomerates) tendency.

Consequently, the recent trend of Korean politics can be said to be under larger influence of the

monopoly capital than before on the one hand, and on the other hand to be under stable rule of the civilian government, while witnessing the political retreat of the military and the stagnation of the dissident groups in the background. The growth of Chaebol's influence over politics are shown by the facts that the decision of who will take the Second Mobile Communication Project was commissioned to the Federation of Korean Industries(FKI) and that there was an attempt to hold training courses for the government officials by big business institutions.

However, areas of genuine interest of the public in terms of reforms, however, lie on structural reform issues such as the inequality of income between regions and classes, the incredible magnitude of the underground economy, excessive concentration of immobile properties in the hands of the few and their speculative trade, and the malfunction of monetary and financial systems. Nevertheless, the public is now gaining a clear awareness that Kim's government can no more lead the reforms as they are only limited to political field. With the expectations subdued by the pro-Chaebol inclination of his recent policies, Kim's power, originally based on the three-party merge which is now a source of instability, is being challenged by conservative faction within the Democratic Liberal Party as well as by some resistant bureaucracy. The recent, abrupt replacement of the prime minister Lee Hwe-chang, the exposure of alleged political bribery related to the transfer of Sang-moo army camp, and the conflict aroused by a new act called

Price Stability for Agricultural Products Act are the result and manifestation of the limited capacity of Kim's government in dealing with national affairs.

Limits of Capacity of Kim's Government in Administering National Affairs

On April 22, the prime minister Lee was abruptly replaced. His replacement was officially brought by President Kim's refusal to Lee's demand of correction of and open criticism to the administrative style manifested in the Policy Coordination Meeting for Reunification and Security(PCMRS), which was led by the Blue House. From another view-point, however, the prime minister has been in clash with the president and his close persons since his appointment to the position at the end of the last year. Whenever Lee firmly pushed reform drives such as the halt of financial assistance to the pseudo-governmental civil organizations, and ordered to thoroughly investigate Sang-moo case and the case of Buddhist-politics link in the recent division of the Buddhists and to strictly ban campaign activities of politicians prior to the campaign period, he was objected. The replacement of Lee, who was once the spearhead of reform drive when he announced "inspection without sanctuary" as the Inspector General, was a revelation of the problems existing in the capacity of the administration and the function of the Presidential staff. Furthermore, his replacement showed the danger of reform drive depending upon arbitrary decisions of the supreme power.

On the other hand, the internal dispute of Buddhists turned into a political conflict when the government decided to deploy riot police into the Temple of Choge, the headquarter of Choge Buddhism, in favor of ill-fated Suh Eui-hyun, the then secretary of Choge Buddhism. The dispute was triggered by Suh's attempt for his third term in the position that had almost all the powers in Choge Buddhism. Reform groups became quickly united, and demanded Suh's step-down and

exposure of the irregularities related to Sang-moo base. They expressed strong criticism towards Kim's government due to the well-known link between his key officials and Suh's Buddhist power. The reform groups that finally overthrew Suh and took the whole control of Choge Buddhism, are now demanding dismissal of the Minister of Home Affairs, Choi Hyung-woo, and an apology from Kim Young-sam for the unjust police operation in the Temple.

From May 21 to 30, a parliamentary investigation was conducted on the alleged bribery of politicians related to the transfer of Sang-moo army base. The ruling and the opposition parties had previously reached an agreement on this investigation on April 13. The postponement of the actual investigation since then is related to the alleged involvement in the political fund of some key figures of the 6th Republic as well as Kim Young-sam and his close persons. Doubts were raised concerning the disappearance of 20 billion won(US\$ 24.7 million) when Cho Gi-hyun of Chung-woo General Construction Co. made the contract of the transfer of Sang-moo base with the government, using close ties of the Buddhists with the then President Roh Tae-woo. The vanished money is speculated to be handed in as political fund. According to the investigation conducted by the opposition party(Democratic Party), Cho is found to have misappropriated a total sum of 22.7 billion won from the contract money. It is quite probable that he provided 20.7 billion won from the sum as political fund to the ruling power. Democratic Party is raising questions whether Lee Hyung-woo, the former head of Presidential Security Service, Lee Jin-sam, the former Chief of the General Staff of the Army, a few DLP law-makers, and even President Kim were involved.

The parliamentary investigation, if it succeeds, will be the first in-depth investigation on political bribery. In this sense, it is drawing a big attention. But, DLP is showing a very passive stance on questioning witnesses and tracking the related checks, on which the success of the investigation

relies. In addition, it is uncertain whether the Blue House would take an active and reform step on this matter as it feels a state of political crisis and the need of binding the ruling forces before the coming local elections.

Formation of 'New Era Forum'

On April 13, Lee Boo-young, Kim Kun-tae, Jang Gi-pyo, Lee Chang-bok, Che Jung-gu, and Im Chae-jung, the six most prominent leaders of dissident movement in the 1980's, met together to announce the formation of 'New Era Forum'. This assembly of six persons received much attention from the public and the media in three aspects: first, the need of forming new reform forces as the limit of Kim Young-sam's reform drive has been clearly revealed; second, the recent moves to form people's political forces based on people's movement in the face of coming local elections; and third, the future development path for the dissident movement.

Under the past authoritarian system led by the military, the dissident forces were identified and empowered as the political force against the military regime, the conscientious force against the privileged and the anachronistic and a checking force against the whole institutional politics. They have become, however, significantly weaker and divided in these roles since the emergence of Kim's reform politics. Some of the former dissident groups are now within Kim's government while others are either in the traditional people's movement or in new styles of social action. The New Era Forum, established by the six leaders of different forms of opposition and dissident movement, therefore, gains much needed attention in terms of the possibility of unifying again all the forces critical to the government.

The dissident forces, in unity until 1987, were divided into three lines facing the presidential election of the year, depending on which way of putting the presidential candidate was preferred among the three: critical support to Kim Dae-jung,

compromised selection of one opposition candidate, and people's own representative as its candidate. Im Chae-jung, who advocated critical support line in 1987, is now a law-maker of DP, the successor of Peace Democratic Party that Kim Dae-jung was leading. Lee Boo-young, a leader of the 'one opposition candidate' line and later 'people's political empowerment' line, entered DP when it was under the leadership of the present chairperson, Lee Gi-taek and became a law-maker, too. Che Jung-gu followed similar path as Lee Boo-young. Jang Gi-pyo was the leader of the people's line and the founder of the short-lived "People's Party". Kim Kun-tae was a leader of the 'critical support' line who never entered the political parties. Lee Chang-bok is the present chairperson of the National Alliance for Democracy and Unification of Korea(NADUK), the umbrella of almost all dissident and people's movements.

Though the New Era Forum started as a discussion meeting rather than a political association, it still attracts expectations for it to unite the divided forces and to form a unified front of people's movement. However, whether it will serve for this end or for others such as strengthening DP or renewing attempts to form people's party, no one now can predict yet.

2. ECONOMICS: ECONOMIC UPTURN UNDER THE NEW THREE-LOWS AND WAGE CONTROL

Economic Upturn under the 'New Three-Low's' and the Economic Bipolarization

Compared to the period of 1986 to 1988 when the phenomenon of the so-called three-low's led to the high growth of the Korean economy, there is emerging a new three-low's (low dollar price, interest rate, and oil price) since the second half of 1992. This is basically due to the strong tendency of yen value resulting from the U.S. pressure on Japan. But, the factors of the new three-low's phenomenon are different from those of the

previous one.

The new conditions started in the midst of the stagnation of the world economy while the advantage of the low wage factor for the Korean economy has become far less effective than before due to the chase of the late developing countries like China and ASEAN countries. As a result, Korea has already lost its market competition in textile and shoes production, and saw the breakdown of low-wage system and the limit set by badly invested and worn-out social infra-structures. The Korean Chaebols are said to have missed the chance to restructure the economy during the old three-low's period because they were absorbed in speculative investment to land and other non-productive properties instead of investing their profit to new technologies. In this regard, there has been a keen interest to how the government and Chaebols would deal with the new favorable conditions.

Along with this, the Korean economy is in its full recovery phase. According to the industrial trend of the first quarter of this year disclosed by the Statistics Administration, investment is active, and prices, consumption, and employment are relatively stable (refer to Table 1). Facility investment is also accelerated while the rates of increase of goods for domestic consumption and the wholesale and retail remain relatively stable on one digit level. Analyzing these business indices, one can see the Korean economy is riding a slow up-curve since the fourth quarter of 1992. Having reached 3.3% rate at the beginning of this year, the prices, however, still has potentials to rise again though the government's intervention in April succeeded in cutting its sharp rise.

Table 1. Indices of Production, Investment, and Consumption Trends

	1994, Jan.	Feb.	March	April
Production	84.0	79.0	83.4	
Investment	72.2	12.8	76.7	
Consumption	9.7	5.7	6.1	
Consumer Prices	6.4	6.8	6.4	5.9

- * production: average rate of operation
- investment: rate(%) of increase in permission of machinery imports compared to the previous year
- consumption: rate(%) of increase in wholesale and retail compared to the previous year
- * source: Statistics Administration

On the other hand, the phenomenon of a widening gap between heavy and light industries, or the economic bipolarization, shows no sign of improving. Table 2 below shows that the heavy chemical industry, recording 13.3% increase in production, was the locomotive of the presently activated economy of which the production of cars, machinery and communication equipments, and video and audio equipments, in particular, showed high level of increase. While heavy industries are booming as such, the light industries are still staggering in the shadow of stagnation.

Nonetheless, the light industries did make a U-turn from the 2.7% decrease of the fourth quarter of last year to 1.2% increase this year, aided by the boom in heavy industries. This bipolarization of the Korean economy needs remedies of balanced structural adjustment such as financial assistance to small and medium companies and special investment for structural adjustment per se.

Table 2. Production of Heavy and Light Industries

	1991	1992	1993	1/1	2/4	3/4	4/4	1994 1/4
Whole	9.6	5.8	4.4	1.0	2.4	5.2	8.7	
Heavy	13.7	9.2	8.4	4.9	6.2	9.0	13.2	13.3
Light	2.0	-0.9	-5.6	-9.0	-7.2	-3.7	-2.7	1.2

* source : Economic Planning Board

Economic Concentration of Chaebols and Workers Resistance to the Wage Agreement of March 30 between the Federation of Korean Trade Unions and Korea Employers' Federation(KEF)

As Kim's new economic policies are only confined

to Chaebol-oriented structural adjustment and economic recovery, bankruptcy of small and medium enterprises and the economic bipolarization remain as difficult problems to solve. Furthermore, there are other factors that worsen the situation. The policies for the privatization of public enterprises and the attraction of civic capitals to provision social overhead capital are being realized in such a way as to accelerating economic concentration into Chaebols. In this regard, Kim's discourse of structural adjustment and reviving national competitiveness can not escape from the criticism that they are merely another move to favor Chaebols.

The labour side, in relation to countering this move, had an important meeting on April 6 in the Press Center in Seoul. There, 8 presidents of trade unions including Korean Heavy Industry, Dacom, Korea Communication, Bank of Small and Medium Enterprises, and Emergency Committee of Wonjin Rayon, announced the establishment of the Preparatory Committee of All Trade Unions of Public Enterprises to Counter Privatization. The participants demanded solution to unstable employment caused by privatization process, separation of ownership from management, civic stock system for new ownership, provision of employee ownership, and establishment of tripartite body to deal with privatization. This shows how resistant workers are towards the privatization led by the government and FKI.

On the other hand, May Day was officially revived this year for the first time in 35 years, but FKTU and NCTUR(the National Council of Trade Union Representatives) held their own events separately.

In May Day Rally organized by NCTUR, 15 thousand workers participated and decided "to fully counter repression on labour and to start a campaign of seceding from FKTU and refusing to pay its membership fee until the day of FKTU's dissolution". They also protested with anger the March-30 agreement of FKTU on the 5~8.7% limit of wage raise.

Later on May 14, dismissed workers belonging to the National Committee for Restoration Struggle of Arrested, Wanted, and Dismissed Workers and some 50 student activists entered the FKTU building and staged a sit-in urging "dissolution of FKTU" and "repeal of the March-30 agreement". They were all forced out and scattered in 7 hours by the police and FKTU officials.

The rate of wage raise the FKTU agreed with KEF is a concession at quite a low level, one can see, if the extreme rise of prices in last year and the beginning of this year is taken into consideration. Not only the rise of prices recorded from 5.9% to 6.8% until April this year, but the resulting psychological disturbance of the public was also serious. In this regard, the FKTU's easy concession gave Kim's government a new thrust for ideological pressure on labour. Proclaiming "Spirit of Burden Sharing" and "Strengthening National Competitiveness" onto workers at the New Year's press conference, President Kim claimed "the high wage is the biggest obstacle to improving the nation's international competitiveness" and urged this year to be "the first year of no labour disputes". This is the same as expressing the policies of controlling wage in old fashion, instead of establishing a link between high wage and high technology.

This is a repetition of the old system of capital-oriented national mobilization based on the advantage of the existing factor (low wage). The government's blame on wage increase for economic difficulties does not have grounds since its logic lies on the comparison of productivity with nominal wage. By this, the government distorts the fact that the rate of increase in real wage runs clearly lower than that of productivity since 1990, as in Table 3.

Table 3. Comparison of Labour Productivity and Wage Increase: Manufacture Sector (in percent)

	1989	1990	1991	1992
Rate of Increase in Productivity	7.5	12.7	13.3	10.2
Rate of Increase				

in Nominal Wage Rate of Increase	25.1	20.2	16.9	15.7
in Real Wage Rate of Increase	18.3	10.7	6.9	8.9
in Prices	5.7	8.6	9.3	6.2

* source : KLI Labour Statistics, Korea Labour Institute, 1994

Economic Policies of 'Council for Promoting New Economy' in Second Quarter

On April 27, the government announced stability measures more or less oriented towards economic retrenchment, such as lowering monetary expansion rate and limiting this year's supplementary budget to one special tax. This came after deliberating the plans set out by the Council for Promoting New Economy. The government, in addition, extended the benefit of favorable loan of foreign money to small and medium enterprises as a supportive measure, while adding some regulatory measures against economic concentration in the process of privatization and provision of social overhead capital. These can be considered as reflecting the government's judgement of the general recovery of national economy and its move to check price rise, worsening of national accounts, and economic bipolarization.

The new regulatory measures against Chaebols can be just superficial, though. The government's responses to Samsung's attempt to advance to car production and to the wage negotiations to be fully engaged in June will show its real attitude towards Chaebols and thus need to be closely monitored.

3. REUNIFICATION: PROGRESS ON NUCLEAR INSPECTION OF NORTH KOREA AND PROSPECT FOR 3-STAGE TALK OF NORTH-US.

Restart of Nuclear Inspection and Points of Dispute

The tension caused by the insufficient conclusion of the previous nuclear inspection in March has developed in May into another trial of the IAEA to inspect north Korean nuclear facilities and a speculation of 3-stage talk between the north and the U.S.

On April 15, south Korean government proclaimed a policy change that it actually dropped the condition of the exchange of special envoys between the north and south governments. During that period around April 15, which was his birthday, Kim il-sung of the north urged, in appeasing manner and several times through the U.S. media, that the U.S. should come to negotiation and the signing of the amity relations with the north. Later on 20th, the north demanded the IAEA to attend the exchange of the fuel rods for the 5-megawatt atomic reactor in Young-byun. The U.S. showed a positive attitude towards this proposal by persuading the IAEA to attend, the result of which was the IAEA's additional inspection and attendance for the exchange of fuel rods in May.

North Korea, that once maintained its refusal policy against any additional inspections since March, began to show some signs of change after the proposal for IAEA's attendance, as it further announced its position to accept an additional inspection on the 5-megawatt reactor and the nuclear-chemical experiment room through negotiations with the IAEA. However, there still remained points of dispute - a random selection and storage of sample rods of the reactor and an accurate measurement and analysis of them by the IAEA.

The IAEA maintained that an inspection with the two specific procedures were the core of the judgement as to whether or not the north was using the nuclear substance for other purposes and that it would refuse to send its inspectors to the north if these conditions were not met. North Korea said however, it could not accept such an inspection since the regular rules of the NPT were not applicable to the north, now in the status of

suspended secession from the NPT. While north Korea was not in the position to give up the utility of the nuclear card before achieving the 3-stage talk with the U.S., the Clinton administration also set a plan to solve this issue through 3-stage talk negotiation with the north.

Then, the U.S. sought consensus from south Korea and the IAEA on dispatching inspection team under the conditions set by the north. But, the request of the U.S. to north Korea to suspend the time of exchange of the fuel bars until the inspection was refused by the north with the reasons of "safety and technical urgency". When the north proceeded to change the bars one week before the arrival of the IAEA inspectors, the U.S. had to withdraw the previous demands and let the inspectors go to Pyung-yang as scheduled. In sum, all of north Korea's positions were fulfilled in the end.

The IAEA arrived in Pyung-yang and started inspection on May 14, after its final decision to go of the 14th. On May 20, Robert Gallucci (Assistant Secretary for Politico-military Affairs, Dept. of State, U.S.A.) said in a regular briefing session of his Department that even though a selective possession of fuel bars and their analysis were impossible, they were identified to be stored safely and the nuclear inspection was proceeding well. He then repeated, however, that an accurate analysis (meaning Non-Destructive Analysis) of the bars was necessary and suggested that it would be possible when the 3-stage talk of the north-U.S. should start. This can be interpreted as a direct suggestion that the final solution of the north Korean nuclear issue depends on the progress of the north-U.S. talk.

Concession of the Exchange of Envoys and Policy Conflict in the South Korean Government

When Lee Young-duck, the Deputy Prime Minister and Minister of National Unification Board, said "there is no need to think whether now the north-south talk is a prerequisite to the north-U.S.

talk or not", he was actually expressing not only the decision to give up the prerequisite but also the confusion of unification (north Korea) policy in the government. Though this step opened a way towards progress of the IAEA inspection and the north-U.S. talk, it also raised doubts as to what capacity the south government has in making policies.

Since last September when the south accepted the proposal of the north, the exchange of envoys between the two governments has become the core of the north policy of south Korea. Through exchange of special envoys would south Korea make a breakthrough to solving the north Korean nuclear issue, and through agreement on the north-south mutual nuclear inspection would it advance to the implementing stage of the previously signed north-south basic agreement, according to the original strategy of the south. It is not correct that the reason for the concession of the envoy prerequisite was 'the lack of will on the part of north Korean government' as the south says. An objective analyst will view that the south government was pushed back in the process of adjusting its policy with the U.S. government. This conclusion becomes clearer if one reads the purpose of Gallucci's visit to south Korea on April 16 and the process of change in the U.S. policies towards north Korea.

Besides, concerns and confusion were further raised in two incidents concerning the north policy of the south Korean government. One was the problem of dealing with north Korean log (wood-cutter) workers who had escaped to Russia, and the other was the suggestion by Kim Dae-jung of inviting Kim Il-sung to the U.S.A.

At the beginning, the issue of runaway north Korean log workers has been raised by conservative press and right-wing politicians, with an aim of indirectly criticizing Kim's reform policy. The pressure on north policy from the forces using this issue so, yielded its effect on removing reformist ministers like Han Wan-sang (then Deputy Prime Minister and Minister of National

Unification Board) and Lee In-je(then Minister of Labour) last year. But in this April, the government took the issue in order to replace the envoy prerequisite.

Until now, it is difficult to assess the actual situation of log workers in eastern Russia since the related facts are not easily gathered in the south while the south Korean government are not exposing any information on them. Kim Young-sam first took the position of not accepting north Korean workers' defection to south. His recent U-turn in this policy, to accept them, is not unrelated to the conservative swing in his whole policy after the deadlock of the north-south relations this year. In early May this year, the Agency for National Security Planning(ANSP, the former KCIA) brought 5 runaway log workers of north Korea from Russia to Seoul.

Various signs of the present situation indicate that the south government will pursue and expand this policy line for some time. But, there are concerns that the so-called 'human rights issues of north Korea' must be dealt with a great care, and measures like bringing defectors to south must not be used for the 'security of the regime' as in the past. There are factors in this policy shift that do not fit to the purpose of enhancing the north-south relations, but rather aim to the denunciation of them. Doubts are also raised whether or not this shift is a sign of reviving the past anti-north, anti-communist fervor.

The lack of policy coherence was also revealed when the south government stumbled upon Kim Dae-jung's suggestion of inviting Kim Il-sung to the U.S.A. On April 15 in an interview with an american broadcast, Kim Il-sung stated frankly his wish to visit the U.S.A. to urge a peaceful improvement of the north-U.S. relations. On May 12 in a response to this, Kim Dae-jung proposed to the U.S. government to invite the north Korean leader, in his speech at the National Press Center in Washington D.C. This proposal ignited a big reaction. On May 16, Gilbert Klein, president of NPC, officially expressed his willingness to invite

Kim Il-sung to U.S.

Disappointingly, the first reaction of the south Korean government was silence and then a sudden protest. The government and media later turned their point of attack to Kim Dae-jung. Even though their over-sensitive reaction on this matter has something to do with Korean politics concerning Kim Dae-jung, its root can be traced to the negative attitude of the south government towards unification-oriented policy and the resulting defensive psychology for the government's incapability. One should hope and urge the south government to keep its words that it should aid the progress of the north-U.S. relations through its north policy.

Data

Major industries: Textiles, 1.4 million tonnes (same); iron and steel, 26 million tonnes (23 million); refined petroleum products, 4.9 million tonnes (3.9 million); ships, 4.4 million grt (3.5 million); passenger cars, 3,001,365 (2,414,209).

Major agriculture: Grain (rice, barley, wheat), 5.7 million tonnes (6.0 million); vegetables, 8.6 million tonnes (same); fruits, 1.7 million tonnes (same); livestock (cattle and pigs), 7.6 million head (6.6 million); timber, 1.28 million cubic metres (1.13 million); fishery products, 1.6 million tonnes (1.7 million); marine catch, 2.9 million tonnes.

Mining: Anthracite coal, 15 million tonnes (17 million); iron ore, 221,525 tonnes (298,000); tungsten ore, 1,405 tonnes (2,451); limestone, 59.2 million tonnes (48.8 million).

Major imports: Industrial material and fuel, US\$43.4 billion (US\$37.6 billion); including crude oil, US\$8.1 billion (US\$6.1 billion); capital goods, US\$30.1 billion (US\$25.4 billion); consumer goods, US\$8.1 billion (US\$6.7 billion).

Major exports: Heavy and chemical industry products, US\$41.5 billion (US\$35.8 billion); electronic and electrical products, US\$11.6 billion (US\$10.2 billion); motor vehicles and parts, US\$2.6 billion (US\$2.1 billion); light industry products, US\$25.3 billion (US\$25.1 billion); footwear, US\$3.6 billion (US\$4.0 billion); textiles, US\$14.7 billion (US\$13.9 billion).

Tourism and transport: Arrivals, 3.2 million (2.9 million); departures, 1.8 million (1.5 million); airlines, Korean Air (national carrier), Asiana Air; rail, Korean National Railways (plus subways in Seoul and Pusan); extensive coach services between cities; car hire widely available.

Finance: 9 specialised government and semi-government banks including 3 government-owned development institutions that lend to industry for investment and export financing; 32 banks have their branches nationwide; 51 foreign banks have 70 branches in Korea; 20 Korean banks have branches overseas (representatives and subsidiaries included); Korea Stock Exchange, 687 companies listed (Oct. 1992); 31 securities companies.

Currency: Won 783.10=US\$1 in Oct. 1992 (Won 750.10=US\$1 in 1991).

(All figures except where stated, for 1991, 1990 in brackets.)

Public holidays (1993): 1-2 Jan. (New Year's Day), 22-24 Jan. (Folklore Day-Lunar New Year's Day), 1 Mar. (Commemoration Day of Independence Movement), 5 Apr. (Arbor Day), 5 May (Children's Day), 28 May (Buddha's Birthday), 6 June (Memorial Day), 17 July (Constitution Day), 15 Aug. (Liberation Day), 29 Sept.-1 Oct. (Harvest Festival), 25 Dec. (Christmas Day).

Weather: South Korea has 4 seasons: a warm, dry spring and autumn, a hot, humid summer, and a cold, dry winter. Temperatures range from -5°C in winter to 33°C in summer. The rainy season is late June-late July. Annual rainfall, 1,300-1,500 mm; annual average hours of sunshine 2,100, annual relative humidity, 68% (ranging from max 100% in summer

time to min 10% in spring and autumn).

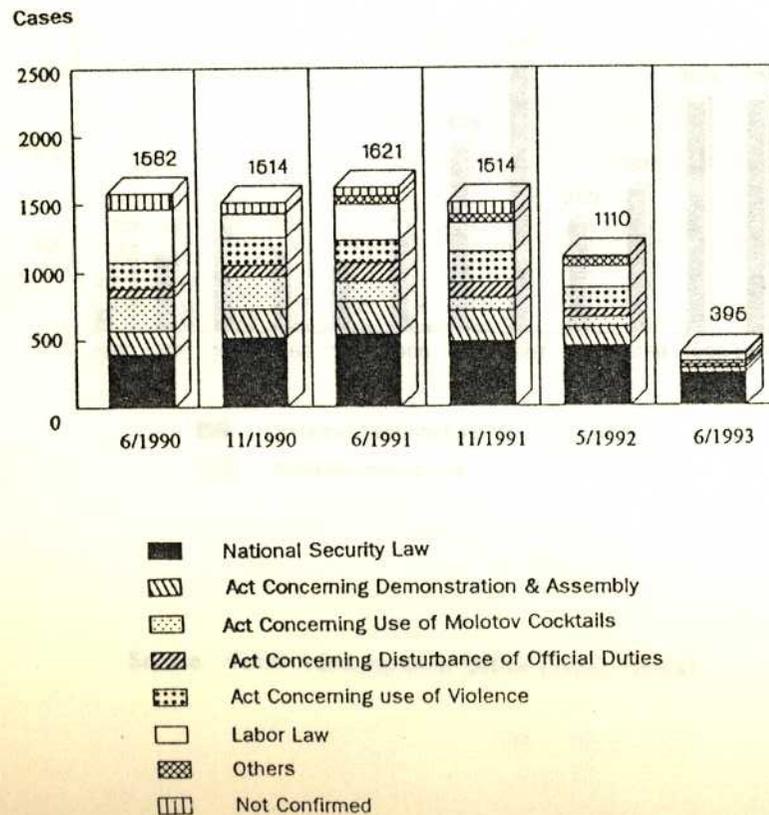
Government ministries: 10 government ministries including Unification, Home, Foreign Affairs, Education and Sports are located at 77, 1-ka, Sejongno, Chongno-ku, Seoul. Unification, tel. 738-7985, fax 720-214; Foreign, tel. 720-2687, fax 720-2686; Home, tel. 731-2501, fax 733-2755; Education, tel. 738-7981, fax 736-2080; Sports, tel. 735-7411, fax 733-5089. The other 11 ministries including Economic Planning Board, fax 503-9033 Science & Technology, fax 503-7673; Finance, fax 503-9324; Energy, Agriculture & Fishery fax 503-7238; Construction, fax 503-7409; Health, fax 503-4936 and Justice, fax 504-3337 are situated in Kwachonshi, Kyungkido. Switchboard number 503-7171. Culture and Information, 82-1 Sejongno, Chongno-ku, Seoul, tel. 736-7946, fax 720-9676 and 720 1541, fax 722-8058.

Major banks: The Bank of Korea, 110, Namdaemunno 3-ka, Chung-ku, Seoul, tlx K24711, fax 752-6548, tel. 759-4114; Cho Hung Bank, 14, 1-ka, Namdaemunno, Chung ku, Seoul, tlx K23321, fax 720-7664, tel. 735-7451; The Commercial Bank of Korea, 111 1, 2-ka, Namdaemunno, Chung-ku, Seoul, tlx K24611, fax 774-7964, tel. 771-3000; Hani Bank 130, 2-ka, Namdaemunno, Chung-ku, Seoul, tlx K23824, fax 775-5628, tel. 771-2000 Korea Development Bank, 10-2 Kwanchol-dong, Seoul, tlx K27463, fax 720-0018, tel. 733 2121; Korea Exchange Bank, 181, 2-ka, Ulchiro, Chung-ku, Seoul, tlx K23141, fax 729-8893 tel. 729-0114; Korea First Bank, 100, Kongpyong-dong, Chongno-ku, Seoul, tlx K24249, fa. 720-1302, tel. 733-0070; Korea Housing Bank, 36-3, Yoido-dong, Yongdeungpo-ku, Seoul tlx K27879, fax 784-3403, tel. 784-6611; The Small and Medium Industry Bank, 50, Ulchiro 2-ka, Chung-ku, Seoul, tlx K23932, fax 720-6375, tel. 771-5000; The Export-Import Bank of Korea, 16-1, Yoido-dong, Yongdeungpo-ku, Seoul, tlx K26595, fax 784-1030, tel. 784 1021; Shinhan Bank, 120, 2-ka, Taepyongno, Chung-ku, Seoul, tlx K25583, fax 757-1024 tel. 756-0505; Dongwha Bank, 66, Chokson-dong, Chongno-ku, Seoul, tlx K24942, fax 720 7327, tel. 733-7171; Dongnam Bank, 149, Sorin-dong, Chongno-ku, Seoul, tlx K26608, fa. 722-1188, tel. 722-2811; Daedong Bank, 51-9, 1-ka, Pil-dong, Chung-ku, Seoul, tlx K26786 fax 273-1087, tel. 272-6272.

Taxation: Corporate tax rates 20% to 34%. Value-added tax of 10% on most goods and services, excluding medical care, educational expenses and financial services. Individual tax consists of income tax, education, and local residence tax. In general, income tax is progressive tax applied to taxable income (global income reduced by certain exemptions and deductions). Local residence tax is 7.5% of income tax.

Foreign exchange: Incoming and outgoing currency flows are closely monitored, but regulations are gradually being liberalised. Inward or outward remittance of more than US\$5,000 must be reported to the Bank of Korea.

POLITICAL PRISONERS IN SOUTH KOREA: Cases of Incarceration



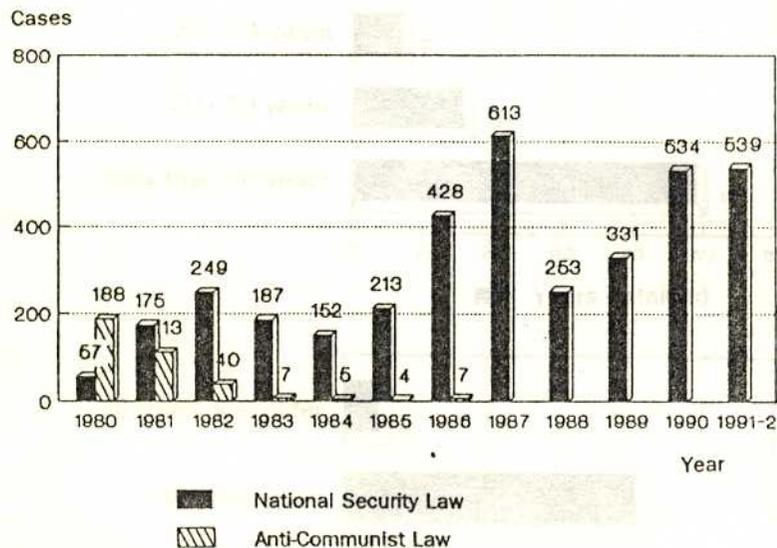
Source: Court Administration Office (Seoul, Korea)

Total Charges Applied to Political Prisoners according to Laws (as of June 1, 1993)

National Security Law	243
Act Concerning Demonstration & Assembly	35
Act Concerning Use of Firebombs	7
Act Concerning Disturbance of Official Duties	19
Act Concerning Use of Violence	26
Labor Law	47
Others	15
Not Confirmed	3
TOTAL	395

* Please note that the total number of cases exceed the total number of political prisoners, since several laws concurrently charged to certain individuals. The total number of political prisoners as of June 1, 1993 stands at 319 (78 long-term political prisoners, 69 students, 49 workers, 1 farmer, 13 military personnel, and 109 persons classified as 'political dissidents,' including teachers, journalists, artists, publishers, anti-eviction activists and street vendors' rights activists).

**POLITICAL PROSECUTIONS
IN SOUTH KOREA:
Cases brought to Trial, 1980-1992**



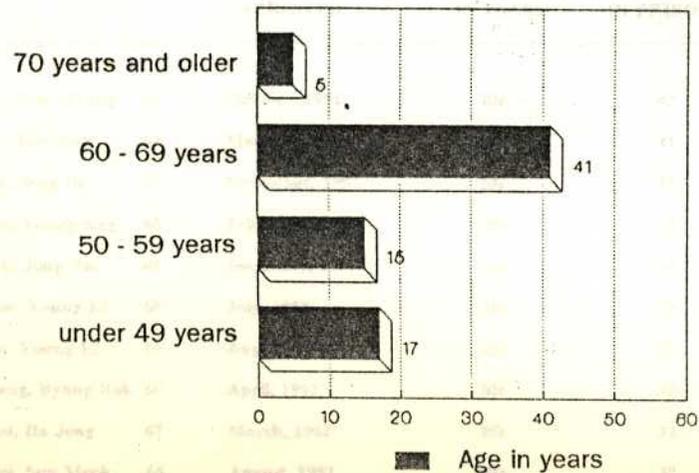
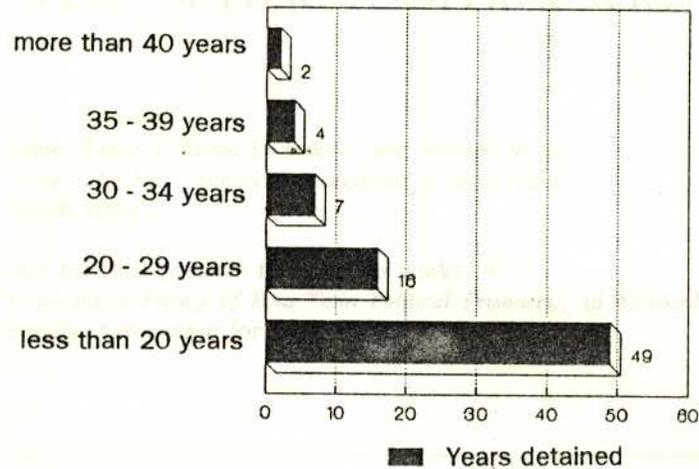
Source: Court Administration Office (Seoul, Korea)

**A trend in the Application of
National Security Law and Anti-Communist Law, 1980-1992**

Year	National Security Law	Anti-Communist Law
1980	57	188
1981	175	113
1982	249	40
1983	187	7
1984	152	5
1985	213	4
1986	428	7
1987	613	-
1988	253	-
1989	331	-
1990	534	-
1991 - 9/1992	539	-
TOTAL	3,731	364

* The figures represent persons brought to a trial in the stated period. The period '1991-9/1992' represents all cases from January 1991, to September 1992, when this data was made available.

LONG-TERM POLITICAL PRISONERS IN SOUTH KOREA



Source: Min-ka-hyup (Council of Family Movement for Democratization) June 1, 1993

Long-Term Political Prisoners by Age (years) (as of June 1, 1993)

70 or older	5
60 - 69	41
50 - 59	15
49 or younger	17
TOTAL	78

Long-Term Political Prisoners by Years in Prison (as of June 1, 1993)

40 yrs. or longer	2
35-39 years	4
30-34 years	7
20-29 years	16
less than 20 yrs.	49
TOTAL	78

* The figures above include *Kim Sun Myung* (69) holds a world record for the longest jail sentence in modern history. He has been detained for 43 consecutive years. Despite ill health, the government refuses to release him, "since he is not even 70."

A LIST OF LONG-TERM PRISONERS

* 'Long-Term Political Prisoners' are defined to be those who have received sentences of more than seven years.

* This list was possible through the works of 'Coalition of Family of Long-Term Political Prisoners,' of *Min-ka-hyup* (Family Association for Democracy).

NAME	AGE	DATE ARRESTED	INITIAL SENTENCE IN YEARS	YEARS IN PRISON
Kim, Sun Myung	69	October, 1951	life	43
Ahn, Hak Sub	64	March, 1953	life	41
Han, Jang Ho	71	November, 1957	life	37
Woo, Young Kag	65	February, 1958	life	36
Park, Jong Rin	61	December, 1959	life	35
Yoon, Young Ki	68	July, 1959	life	35
Ahn, Young Ki	65	August, 1962	life	32
Chang, Byung Rak	60	April, 1962	life	32
Choi, Ha Jong	67	March, 1962	life	32
Choi, Sun Mook	66	August, 1962	life	32
Hong, Myung Ki	65	April, 1962	life	32
Kim, Min Soo	71	August, 1962	life	32

NAME	AGE	DATE ARRESTED	INITIAL SENTENCE IN YEARS	YEARS IN PRISON
Yang, Hul Chol	60	April, 1963	life	31
Kim, Dong Ki	62	May, 1966	life	30
Choi, Soo Il	55	March, 1965	life	29
Lee, Hyung Chan	59	August, 1965	life	29
Hong, Kyung Sun	69	September, 1967	life	27
Kim, Yong Soo	63	August, 1967	15+10	27
Lee, Gong Soon	60	December, 1967	life	27
Park, Wan Kyu	64	September, 1967	life	27
Shin, Il Young	65	March, 1967	life	27
Yoon, So Gab	71	September, 1967	life	27
Kim, Chang Won	61	June, 1969	life	25
Kim, Eun Hwan	64	September, 1969	life	25
Kim, Ik Jin	64	June, 1969	life	25
Oh, Hyung Sik	64	June, 1969	life	25
Yang, Jung Ho	63	June, 1969	life	25
Lee, Jae Rong	50	June, 1970	life	24
Yoo, Jung Sik	58	1975	life	19
Ahn, Hul Chun	57	1978	15	16
Cho, Sang Rok	48	1978	life	15
Jin, Chang Sik	48	July, 1979	life	15
Kim, Tae Rong	47	July, 1979	life	15
Lee, Hon Chi	42	October, 1981	life	14

Facts & Figures

NAME	AGE	DATE ARRESTED	INITIAL SENTENCE IN YEARS	YEARS IN PRISON
Shin, Kul Young	58	1980	15	14
Sog, Dal Yoon	59	October, 1980	life	14
Ahn, Seung Yoon	62	December, 1981	life	13
Kim, Tae Hong	36	September, 1981	life	13
Park, Dong Woon	49	March, 1981	life	13
Sohn, Song Mo	64	February, 1981	life	13
Sohn, Yoo Hyung	65	April, 1981	capital	13
Kim, Jung Mook	54	1982	life	12
Chung, Young	54	February, 1983	life	11
Ham, Joo Myung	63	February, 1983	life	11
Kim, Byung Joo	68	November, 1983	life	11
Lee, Chang Chol	46	December, 1983	17	11
Yoo, Jae Sun	62	November, 1983	life	11
Kim, Jang Ho	51	1984	life	10
Lee, Sung Woo	70	1984	20	10
Park, Chan Woo	34	July, 1984	15	10
Park, Soo Kwan	50	1984	life	10
Seoh, Kyung Yoon	54	July, 1984	15	10
Cho, Bong Soo	54	August, 1985	7	9
Choi, Hae Bo	68	1985	15	9
Hwang, Dae Kwon	39	September, 1985	life	9
Kang, Yong Joo	32	September, 1985	life	9

Appendix 2

NAME	AGE	DATE ARRESTED	INITIAL SENTENCE IN YEARS	YEARS IN PRISON
Kim, Song Man	38	September, 1985	capital	9
Kim, Yong Tae	35	1985	14	9
Kim, Yoon Soo	55	June, 1985	15	9
Lee, Jang Hyung	62	1985	life	9
Lee, Joon Ho	45	January, 1985	7	9
Moon, Chol Tae	64	1985	life	9
Nah, Jong In	55	April, 1985	15	9
Shin, Kwang Soo	65	February, 1985	life	9
Shin, Sang Bong	68	April, 1985	10	9
Yang, Dong Hwa	36	September, 1985	capital	9
Yu, Jong An	53	March, 1985	15	9
Choi, Sun Yoong	52	January, 1986	12	8
Kim, Ki Moon	65	May, 1986	14	8
Lee, Byong Seol	60	July, 1986	12	8
Chang, Yui Kyoan	44	July, 1987	9	7
Choi, Soo Yol	29	June, 1987	15	7
Kang, Hui Chol	36	1987	life	7
Kim, Chol	63	April, 1989	7	5
Bang, Yang Kyun		June, 1989	15	4
Seoh, Kyung Won		June, 1989	15	4
Seoh, Soon Taek	67	January, 1990	7	4
Seoh, Soon Yeun		January, 1990	life	4

941024 두

참여연대 인권 자료실		
등록일	분류기호	자료번호
94		
11.18		

The Korean Human Rights Situation in the so-called 'Civilian Government'

by *Joashik Suh*

1. Introduction

The present government emphasizes under the slogan "New Korea Construction", that it orient itself toward the society in which human dignity and worth is respected, everyone's freedom and human right is protected, and furtherly argues that the level of protection of human rights in Korean society marked a high degree even in the light of the international standard, with the help of its resolute will and desperate efforts for Reform. Is it really true? Has the society of freedom and justice really come with the civilian government? And have the debates over the human rights become no longer serious in South Korea?

The Report on the Human Rights Situation in Korea, issued by the Amnesty International, says 'No'. It says, "We have found in the process of investigating the human rights situation in Korea, that the remaining of the National Security Law, the illegal acts committed by the Project Bureau for National Security and the absence of the efforts to rectify the human rights violations of the past make a negative influence on improving human rights situation." Considering that the so-called civilian government has turned the goal of its Reform Project from rectifying the past human rights violations and democratizing the whole society to establishing legal order and strengthening national competitiveness, the Korea Human Rights Network cannot help taking the same position as that of AI.

Human rights are the real barometer of democratic reform. The Kim Young-Sam government has no consistent and systematic program for improving human rights. Of course there were some early accomplishments such as cleaning-up a number of corrupt government officials, introducing the real name system in financial transaction, enacting the integrated election law, etc. But even such improvements have been rapidly becoming with reemergence of the political slogans very similar to those of the past, like the establishment of legal order and the strengthening of national competitiveness.

There is not any concrete improvement that can make possible the substantial protection of human rights, such as the establishment of law and institution, while the old-fashioned legal institution and state apparatus, illegal practices, which underlie the great amount of human rights violations, still remain. Although the over-confidence of government in the justness of the regime, in early situations, provokes an illusion that every reform project would succeed and human rights problems no longer exist, very familiar but undesirable things are happening more and more in relation to human rights with time, and it seems that a crisis of human rights

has come.

If the government has any will to carry out human rights policies with secure human rights consciousness at all, it must fulfil some preconditions as follows: rectification of the past human rights violations; reform of the law-enforcing authorities and of anti-democratic laws against human rights; and provision of positive and substantial human rights education.

2. Failure to rectify past human rights violations.

First, the government must carry out rectification of the past human rights violations. We affirm that there can be no freer and more mature democratic society without the Rectification of the past human rights violations. There is a common demand in those countries on their way to democratization after the fall of military dictatorship: The past human rights violations such as torture, unexplained death, disappearance, overhearing, and illegal detention, have to be investigated, apologized and recovered. However, there has been no fact finding or compensation in the new government. Declaring abandonment of the investigation and fact-finding of the May Protesting of People in Kwangju 1980, the government has taken no efforts for punishing those responsible for past human rights violations. Some torture victims made formal complaints of torture, but there were no prosecution against torturers. There are a number of victims who still suffer from psychological and physical illness resulting from torture. Though the Foreign Affairs Minister of South Korea promised in World Conference on Human Rights in Vienna to join the International Convention against Torture until the end of 1993, the government has not taken any attempt to do so.

Although a series of amnesty released some 2000 prisoners, many of them were already nearing the end of their prison terms. Though the government has been denying the existence of the conscientious prisoners to the international organizations like UN, some 300 political prisoners continued to be held and the number of political prisoners continues to be increasing within the recently formed 'New Public Security Phase.'

3. Absence of Reform of Law-Enforcing Authorities and Anti-Democratic Evil Laws

Second, reform of the legal institutions and authorities to protect human rights should follow. Of course there was a significant reform, that is the amendment of the Agency for National Security Planning Law. The amended law limits the authority of the Agency to investigate and provides for the National Assembly to exercise a degree of scrutiny over the Agency's budget. However, there have been no more institutional reforms of the police, prosecutors, correctional institutions and courts. The government does not even intend to establish a independent body

to investigate complaints of human rights violations. It is impossible for the age of human rights to come without the Reform of the human rights related agencies.

In addition, the Reform has to be accompanied by the reform of legislation, ie., the amendment or repeal of the laws against human rights. The amendment or repeal of the National Security Law and labor related laws would be the best way of differentiating the new government from the past ones. However, the new government has no systematic program for reform of the anti-democratic evil laws. Except that the government reinstated the dismissed teachers on the condition that they give up their membership to the National Teachers' Trade Union, it shelve the recommendation of amendment from the ILO and persists in the existing labor policy under the slogan of "Strengthening national competitiveness." It is really ironical that the government declaring "internationalization" turns away the recommendations on the abolition and amendment of the UN Human Rights Committee and ILO.

And the National Security Law is still a major obstacle to the full realization of human rights in South Korea. The recent "New Political Situation of Public Security" shows that well. Right after the death of the North Korean leader Kim Il-Sung in July 1994, the police, public security prosecutors, ruling party and ultra-right press takes the initiative in attacking so-called Jusapa radicals among student activists who follow the communist ideology of Kim Il-Sung. In the vortex of this McCarthyism, mass and random arrests are revived. The number of the arrested under National Security Law in June and July mounts up to 102, which approach near to the number of those arrested throughout the year 1993(104). Especially, professors are investigated in this summer because of their alleged "enemy-benefiting expressions," which have been used as textbook in the university for 4 years. In addition other professors were arrested without any warrants, on suspicion of meeting some North Korean during their students year abroad in Germany. It seems that the tough conservatives, both in and out of the government, may take advantage of a handful of leftist students to disturb the Reform and the rectification of the past.

Despite all these, there can hardly be found the prospect for abolition or amendment of the National Security Law and labor related laws. Without denying the universality of human rights, the government can no more justify those anti-democratic evil laws against human rights on the pretext of the special situation of Division.

4. No Program for Human Rights Education

Third, human rights education must be established substantially and positively for the government to commit to realization of the society in which human rights are fully protected and promoted. However, it makes things worse that the government does not have any one program or assistance on the human rights education and PR for the people and law-enforcing officials. In South Korea, the term 'human rights education' is so strange both to Korean people

and law-enforcing officials. Instead, the education for Anti-communism and unconditioned loyalty to the state and law has replaced the human rights education for nearly 50 years under the dictatorial regimes. But the new government yelling out New Korea Construction has failed to show any will for human rights education. Though the government submitted the Report to the Economic, Social, Cultural Rights Covenant Committee last year, as a state party to the covenant, even the fact has never been informed. Perhaps most people do not know even the existence of such international covenant. Though it is declared in World Conference on Human Rights in Vienna that human rights education is an obligation of member states of the UN, Korean government alleging "Internationalization" repeatedly never intend to carry out human rights education, one of the follow-ups of the Vienna Declaration.

6. Conclusion

We are not happy to report that the age of human rights has not yet come in South Korea. Under the slogans such as "Civilian Government" or "Strengthening National Competitiveness", human rights violations flow like a river through out this land!

In conclusion, it seems that the so-called civilian government has failed in reform for realization of human rights, which results mainly from the abandonment of systematic rectifying past human rights violations, reforming the law-enforcing authorities and reforming anti-democratic evil laws.

We reaffirm that the reason the present government can be called 'civilian' lies not in the personal career or background of the President, but in the fact the government could not be born without the fruits of democratic movement which has long been continued despite the severe sacrifices. There are no country and no age in which governments have fully protected and promoted human rights through reform. Therefore it is on us the people, to protect and promote human rights against all the unjust power.

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참석자 및 발표주제

주제발표 1 :

아시아 시민사회운동의 성장과 전망 : Ed dela Torre

주제발표 2 :

아시아에서의 발전패러다임의 현재와 미래 : 오재식, 이미경

나라별 상황보고 : 한국, 중국, 필리핀, 태국

종합토론 : 아시아에서의 새로운 발전패러다임과 우리의 연대 과제

결론 : "서울 아시아NGO 연대선언" 채택

쿠바라이

해외참석자

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대중민주주의연구소(IPD) 소장, IPD는 현재 필리핀 시민사회운동 내에서 가장 적극적이고 광범위한 교육훈련 활동을 펴고 있음. 필리핀 저항운동의 오랜 지도자로서 국제적인 지명도가 높음, 전 천주교 사제로서 기독교민족해방운동(Christians for National Liberation: CNL) 창시자, CNL을 통해 반마르코스 투쟁을 이끔, 대안적 발전패러다임을 모색하는 국제NGO네트워크인 PASD(People's Alliance for Social Development)의 창립자중의 한사람, PASD를 이끌고 코펜하겐 사회개발정상회의 참가 및 활약, 뛰어난 사색가, 연사로 전세계적인 초빙을 받고 있음. 한국 사회운동 지도자들과 70년대부터 교분을 맺어 한국 사회상황에도 익숙함.

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아시아발전문화포럼(아시아발전문제에 관한 시민지도자포럼)

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Asian Regional Exchange for New Alternatives

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Kwok Tat Chiu : 홍콩 도시산업선교회 총무 Minister

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Labor Church

Documentation for Action Groups in Asia

아시아행동단체를 위한 자료센터

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Janet Hugher : 아일랜드 최대노조 SIPTU 교육 및 정책담당 임원

Service, Industrial and Professional Trade Union

아일랜드 개발단체와 노동조합에서는 최근 한국 대기업이 아일랜드와 영국 노동자의 저임금과 정부의 우호적인 정책을 이유로 진출하고 있는 점에서 대해서 민감한 반응을 보여왔음.

국내참석자 및 참석자들의 단체

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한국여성단체연합

참여민주사회시민연대

민주사회를 위한 변호사모임

민주주의민족통일전국연합

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환경운동연합

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우리신학연구소

정의평화정보센터

익산 노동자의 집

좋은세상 열여가는 익산시민모임, 등.