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URGENT ACTION

EXTERNAL (for general distribution)

AI Index: ASA 25/50/89
Distr: UA/SC

27 December 1989

0546-475-8881

Further information on UA 285/89 (ASA 25/23/89, 1 August and update ASA 25/31/89, 3 October) - Arrests

South Korea: Father Nam Kuk-hyon
Father Park Byung-joon
Father Ku Il-mo

인권 자료실		
등록일	분류기호	자료번호
	C4 -1	53

Amnesty International has learned that Father Nam Kuk-hyon, one of the three priests arrested on 29 July 1989 for arranging for another priest to go to North Korea, was released on 4 December. He was released after he had been sentenced by the Seoul District Court to two years' imprisonment, suspended for three years. Father Ku Il-mo was released on 7 September when the charges against him were dropped. Amnesty International is seeking confirmation that the remaining priest arrested in this case, Father Park Byung-joon, is still detained.

No further action is required at this stage.

Father Park Byung-joon (left) and Father Nam Kuk-hyon (centre back) outside Myongdong Cathedral in Seoul shortly before their arrest on 29 July 1989. © Popperfoto



Telephone: 01-833 1771 Fax: 01-956 1157 Telegrams: Amnesty London WC1 Telex: 28502

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of all prisoners.



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Father Park Byung-joon (left) and Father Nam Kuk-hyon (centre back) outside Myongdong Cathedral in Seoul shortly before their arrest on 29 July 1989. © Popperfoto



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Further information on UA 403/89 (ASA 25/34/89, 17 October, and update ASA 25/35/89, 25 October) - Hunger Strike

SOUTH KOREA (Republic of Korea): Soh Sung
Kang Yong-ju
Chang Ui-gyun
and five other prisoners in Taejon Prison

On 24 October 1989, prisoner of conscience Soh Sung wrote to his brother, Soh Kyung-shik, who lives in Japan, about his hunger-strike which ended on 23 October after relatives of the protestors visited Taejon Prison to urge that they end their protest. Excerpts from the letter are given below:

Soh Sung at first said that he had been unwilling to end his hunger-strike, but was eventually convinced by another brother, former prisoner of conscience Soh Joon-shik, that he should do so. "Although I was (three words censored) that thirty days' fast was not to be accomplished, it was unavoidable that I should give up the desire to complete the hunger-strike for the reasons that it would endanger many other peoples' lives and health. Furthermore I had to taken into account those persons outside prison who were anxious about our safety ..."

He then went on to describe his present state of health: "I weighed 140 pounds yesterday, 167 pounds before the fast, and my blood pressure and pulse were almost normal." During his hunger-strike he had pains in his joints and suffered from nettle rash, symptoms which were still apparent but he hoped would go when he resumed eating.

Soh Sung wrote about his first food after the fast: "Today, just after the fast, I ate thin rice gruel only. Nevertheless I am full of energy because of having met with members of the Japanese Diet (government), with Joon-shik and others. How wonderful it is for one to abstain from any cereals! One can realise this only after the experience of abstention. When I ate a cup of rice gruel, a mysterious thing happened. Peace, the very peace came to me, and pain which I felt in my joints, thawed. A tranquil and peaceful sleep came to me, and sleepless nights went away. To eat cereals in peace indeed. Rice is heaven."

During the hunger strike, Soh Sung fantasised about food. "One thing that made me feel painful (and merry at the same time) were memories of my favourite dishes. It was impossible for me to sleep at nights after the fast reached over twenty days, and so I could not help but give a dry swallow in my throat, remembering my favourite dishes which our mother used to cook at home". Soh Sung then describes various Korean traditional foods. "These dishes which I used to have in my childhood marched in my head in shoals one after another. I considered all dishes that I could remember, such as dishes of my country, Chinese dishes, Western dishes and Japanese dishes, and reconsidered them from the beginning. And, when it finished, it became four o'clock at dawn. Do not misunderstand, Kyung-shik, I was not always thinking only of food all the 25 days!"

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Soh Sung's morale was still good: "I was able to think of my past, my present and my future, and had an opportunity to think of myself. It seems to me that what I have done is too small and my future obscure. I am determined to do a few more things."

Soh Sung had learned of appeals from Amnesty International. In his letter to his brother he says: "I knew of your efforts, having received a post-card from you dated 14 October. And I am also grateful to the friends in Japan, United States, United Kingdom, etc. for their solicitude and encouragement, which I least expected."

Soh Sung closed his letter: "I thank you, Kyung-shik, again for your efforts. And I would like you to tell my deep thanks to everybody who is worried about my safety. With a clear head and a thin hand just after the fast, Your brother."

No action is required.

- Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.
- Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:
 - Article 3 — "Everyone has the right to life, liberty and security of person."
 - Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."
 - Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."
- The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.
- Copies of appeals should be sent to relevant diplomatic representatives in your country.
- In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.
- Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

EMBARGOED FOR: 17 JANUARY 1990

인권 자료실		
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	44-1	31

amnesty international

SOUTH KOREA

RETURN TO "REPRESSIVE FORCE AND TORTURE"?

December 1989

SUMMARY

AI Index: ASA 25/43/89

DISTR: SC/CC/CO/GR

Since April 1989 the South Korean Government has forbidden people with unacceptable views on reunification or labour activities to engage in peaceful political activities. This has led to hundreds of arrests.

After a December 1988 presidential amnesty about 200 political prisoners, most of whom had been arrested in the 1960s and 1970s, were still in detention. As of August 1989 the number of political prisoners had risen to over 800, not counting the thousands of people who had been briefly detained for taking part in demonstrations or strikes or who had been released on suspended sentences. A number of leading dissidents and student leaders had gone into hiding to escape arrest.

At present Amnesty International is calling for the release of some 100 prisoners whom it believes are being detained for the peaceful exercise of their rights of freedom of expression and association.

The law enforcement authorities have deliberately disregarded guarantees enshrined in the October 1987 Constitution and other measures introduced in 1987 and 1988 to prevent the torture and ill-treatment of detainees. Most people arrested on political grounds since April 1989 are believed to have been denied early and regular access to their lawyers or relatives and some have complained that they were tortured or ill-treated during interrogation in incommunicado detention.

The government of President Roh Tae-woo has undertaken to investigate abuses and irregularities under the previous government (1980-1988), but has evidently done little to investigate past human rights violations or to review the cases of people detained under previous governments who are still in detention.

In an attempt to curb an increase in violent crime the authorities executed seven people convicted on criminal charges in August 1989. This was at the end of two years when no executions took place.

This document describes developments in 1987 and 1988 which brought about some improvement in the protection of human rights, events in early 1989 which led to mass arrests of dissidents and others and further reported torture and ill-treatment. It also describes the cases of some of those arrested in recent months whom Amnesty International regards as prisoners of conscience.

This summarizes a 35-page document, South Korea: Return to "Repressive Force and Torture"? AI Index: ASA 25/43/89, issued by Amnesty International in December 1989. Anyone wanting further details or to take action on this issue should consult the full document.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

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Amnesty International
International Secretariat
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December 1989

SOUTH KOREA

RETURN TO "REPRESSIVE FORCE AND TORTURE"?

1. INTRODUCTION

Since April 1989 the South Korean Government has denied the right to engage in peaceful political activities to people whose views on reunification or labour activities it disapproved of, leading to hundreds of arrests.

After a December 1988 presidential amnesty about 200 political prisoners, most of whom had been arrested in the 1960s and 1970s, remained in detention. As of August 1989 the number of political prisoners had risen to over 800, not counting the thousands of people who had been briefly detained for taking part in demonstrations or industrial strikes or who had been released on suspended sentences. A number of leading dissidents and student leaders had also gone into hiding to escape arrest.

At present Amnesty International is calling for the release of some 100 prisoners whom it believes are detained for the peaceful exercise of their rights of freedom of expression and association.

Amnesty International is also concerned that law enforcement authorities have deliberately disregarded guarantees introduced in the October 1987 Constitution and other measures introduced in 1987 and 1988 to prevent the torture and ill-treatment of detainees. Most people arrested on political grounds since April 1989 are believed to have been denied early and regular access to their lawyers or relatives and some have complained that they were tortured or ill-treated during their interrogation in incommunicado detention.

Limited legislative reforms took place in 1988 and 1989, including the amendment of the Law on Assemblies and Demonstrations and the abolition of the Public Security Law - with the release of the remaining prisoners held under this law scheduled for September or October 1989. Other legislative reforms, however, such as the revision of the National Security Law, have so far been delayed and the law continues to be used to detain prisoners of conscience.

The government of President Roh Tae-woo has undertaken to investigate abuses and irregularities under the previous government (1980-1988), but has shown little progress in efforts to investigate past human rights violations or in the review of cases of people detained under previous governments who are still detained.

Amnesty International is also concerned that in an attempt to curb a reported rise in violent crimes the authorities executed seven people convicted on criminal charges in August 1989, after a period of two years when no executions took place.

This document reviews developments in 1987 and 1988 which brought some improvement in the protection of human rights, and outlines events in the first three months of 1989 which led to the mass arrests of dissidents and others and renewed reports of torture and ill-treatment. It describes the cases of some of those arrested in recent months whom Amnesty International regards as prisoners of conscience.

2. INVESTIGATIONS INTO ABUSES UNDER PRESIDENT CHUN DOO-HWAN'S GOVERNMENT (1980-1988)

The years 1987 and 1988 saw sweeping political changes, the release of a large number of political prisoners, greater freedom of expression and association and the introduction of important human rights safeguards. The starting point for these changes was a declaration by the then ruling Democratic Justice Party chairman, Roh Tae-woo, on 29 June 1987, in response to three weeks of widespread anti-government protests, in which he accepted a number of opposition demands for democratic freedoms. A new Constitution promulgated in October reinforced the rights of freedom of expression and association and safeguards against torture of detainees. (For details see Amnesty International document: South Korea: Human Rights Guarantees in New Constitution, ASA 25/56/87 November 1987). In December Roh Tae-woo, the ruling party's candidate, was elected president with 36.6% of the vote, defeating opposition candidates Kim Young-sam and Kim Dae-jung. In his inaugural address in February 1988 Roh Tae-woo declared his commitment to human rights: "The day when freedoms and human rights could be slighted in the name of economic growth and national security has ended. The day when repressive force and torture in secret chambers were tolerated is over." Hundreds of political prisoners were released under a series of amnesties and former prisoners had their civil rights reinstated. Most of them were students and workers who had been given short sentences of imprisonment for illegal demonstrations but a number of long-term prisoners of conscience, some held since 1968 were included in 1988.

In April 1988 the three opposition parties, The Party for Peace and Democracy, led by Kim Dae-jung, the Reunification Democratic Party, led by Kim Young-sam, and the New Democratic Republic Party, led by Kim Jong-pil, together won the majority in the parliamentary elections. Under their impetus the National Assembly began to investigate reports of financial corruption and other abuses and irregularities by the previous administration. They focussed on the Kwangju Incident of May 1980 and allegations of financial irregularities and corruption by leading government officials, notably former President Chun Doo-hwan and his relatives. Hundreds of civilians were killed at Kwangju during protests against the imposition of martial law and when troops stormed the city to end a four-day siege by anti-government protesters. Hearings were also held on some cases of human rights abuse, on the mass dismissal of civil servants and journalists and the forced merger and closure of news media after General Chun Doo-hwan took power in 1980. Proposals were debated to restrict the role of the civilian and military intelligence agencies and to repeal or abolish "undemocratic" laws which had been used to repress labour activists and anti-government critics.

The opposition parties sought to allocate responsibility for the killings during the May 1980 Kwangju Incident. They demanded the resignation of Chung Ho-young, then in charge of the brigades sent to quell the disturbances, from all official positions and insisted on calling former Presidents Choi Kyu-hah and Chun Doo-hwan to testify before the National Assembly. On 22 November 1988 Chun Doo-hwan made a televised apology to the nation for his misdeeds during the previous eight years and surrendered all his assets to the state before retiring with his wife in self-imposed exile to a remote Buddhist monastery. The opposition parties then dropped their demands that Chun Doo-hwan be legally punished but dissident groups and student organizations insisted that he should be arrested. They organized a series of mass demonstrations calling for his arrest and that of his wife. On 27 November, for instance, 20,000 people were reported to have joined rallies on this theme in 19 cities. When the National Assembly went into summer recess in mid-1989 the investigation into the Kwangju Incident had not yet been completed.



Riot police block a demonstration by families of the victims of the 1980 Kwangju Incident during a Memorial rally in May 1986.

© Gamma

The National Assembly also investigated human rights abuses but appears to have devoted relatively little time to this. Several former political prisoners, including people arrested in May 1980 after the Kwangju Incident, a publisher forced to surrender the ownership of his newspaper in the 1980 reorganization of news media, and former prisoner of conscience Kim Keun-tae (who was arrested in 1985), described how they had been tortured in the custody of the Anti-Communist Bureau of the National Police, the Agency for National Security Planning and the Defence Security Command. The Minister of Defence acknowledged before the National Assembly that 50 people had died in the "Samchong training camps" run by the military, to which some 10,000 people (mostly civil servants, trade unionists and alleged hoodlums) had been sent in the early 1980s, but documents which could have explained the circumstances of the deaths were said to have been destroyed. The Defence Security Command confirmed that five student activists who had been illegally conscripted into the army had died: one student had been shot dead and it said the other four had

committed suicide. The National Assembly also began investigating the circumstances of the deaths of nine political prisoners between 1980 and 1988. Its findings were not known and it is believed that little information was made available by the concerned authorities.

In parallel, a special team of public prosecutors was formed to investigate government corruption and other abuses and irregularities during the previous eight years. On 31 January 1989 it announced the results of its 45 days' investigation. By then 47 people, including two cabinet members, the former Director of the Agency for National Security Planning and seven relatives of former President Chun Doo-hwan had been arrested on charges of corruption. Nobody was charged for violations of human rights, although the prosecutors' team did initiate investigations into allegations that one police officer had tortured a number of political prisoners. Because the policeman did not appear (there were reports he had escaped abroad) it could not complete the investigation.

3. LIMITED LEGISLATIVE REFORMS

Proposals to repeal or amend "undemocratic" laws and to circumscribe the role of security agencies were debated but few changes were implemented.

The National Assembly debated proposals to deprive the Agency for National Security Planning of its right to investigate political offences and interrogate political prisoners and to conduct surveillance operations (the Agency was said to have 25,000 people on its surveillance list and to employ 470 people to monitor mail) so that, in the future, the Agency's role would be limited to the collection of overseas intelligence and counter-espionage activities. There were similar calls for an end to the involvement of the Defence Security Command in the detention and interrogation of political prisoners. No legislative reforms were however carried out and in April to July 1989 both the Agency for National Security Planning and the Defence Security Command joined the National Police Agency and prosecutors to form the Joint Public Security Investigation Headquarters which looked into the activities of thousands of dissidents and interrogated hundreds of people they had arrested. Two changes affecting the relations between the National Assembly and the Agency for National Security Planning took place, however: secret agents of the Agency engaged in surveillance of parliamentarians were made to vacate the premises of the National Assembly and the Assembly used its power under the 1987 Constitution to call the Agency to appear before it and report on its work. Before the constitutional changes the Agency was only accountable to the President.

Of the laws which had been used to restrict the rights of freedom of expression and association and detain prisoners of conscience, only the Law on Assemblies and Demonstrations and the Public Security Law have been amended.

The new Law on Assemblies and Demonstrations passed at the end of April 1989 authorizes anti-government demonstrations so long as "public order and security are protected." Over the years, thousands of people, mostly students, have spent a few months to three years in detention under vague provisions of the old law which banned "demonstrations likely to cause social unrest."

The Public Security Law of 1975 allowed the Minister of Justice to serve renewable two-year "preventive" detention orders on people who had served a sentence under the National Security Law if he was satisfied that the person was not "thoroughly anti-communist" and was likely to commit a similar offence again. This was repealed on 29 May 1989 and the 35 prisoners held under it were scheduled for release in September or October. On 16 June another law which allows for administrative detention without charge or trial was passed; it is due to take effect on 16 September. The new law, the Social Surveillance Law, will enable the authorities to place conditions on released political prisoners who have been sentenced to three years' imprisonment or more under the National Security Law and other specified laws. Those, for instance, who fail regularly to report to the authorities about their meetings, political activities, travel, etc. face imprisonment for up to three years. Those who fail to abide by an order issued by a policeman or a prosecutor not to associate with some people or take part in some meetings or demonstrations may be sentenced to up to one year imprisonment.



Two former prisoners of conscience and a son of a prisoner held under the PSL protest against the law.

people who met North Korean officials or alleged North Korean agents and against people whose political views were similar or close to

positions taken by North Korea on a variety of issues (such as inequality in a capitalist economy, lack of political freedom in South Korea, South Korea's relations with the USA or proposals for Korean reunification). In 1988 all the political parties agreed that the law should be amended, especially with respect to contacts with communist countries. This was made necessary by increased contacts between South Korea and Eastern European countries and China, and by President Roh Tae-woo's proposal, in his special declaration for peaceful reunification on 7 July 1988, for people from various walks of life to visit and trade between the north and the south. In early 1989 the government introduced a "Special Bill on Inter-Korean Exchanges" in the National Assembly but it was not passed; many pointed out at the time that the National Security Law ought to be amended at the same time. The ruling Democratic Justice Party was also reported to have introduced a proposal to limit the "anti-state" organizations under the law to North Korea and Chochongnyon, a pro-North Korean association of Korean residents in Japan. This proposed amendment was not passed either.

On 1 September the Prosecutor-General's Office sent a draft amendment of the National Security Law to the Legislation-Judiciary Committee of the National Assembly. The draft extends the period of interrogation of a suspect from a maximum of 50 days to 70 days; it gives prosecutors the

right to designate the time, place and duration of lawyers' interviews with suspects "in order to prevent interference with the investigation"; it also limits the maximum number of lawyers representing a defendant to three and abolishes the provision for mitigation or remission of punishment for people who prepared or conspired to commit an offence under the law but surrendered to the authorities before carrying out their plans. The three opposition parties and members of the legal profession voiced strong objections to the Prosecutor-General's Office draft, arguing that it was unconstitutional. The Constitution and the Code of Criminal Procedure guarantee the right of suspects to freely meet their lawyers.

The Labour Dispute Mediation Act, which prohibits third parties (that is people or organisations beside the employer and trade union concerned) from intervening in labour disputes and which had been used to detain members of church and other groups advising labour unionists, was not amended either and has continued to be used for the same purposes.

4. DISSIDENTS' ACTIVITIES, JANUARY-APRIL 1989

The first quarter of 1989 was marked by the emergence of a large dissident organization, Chonminnyon, the illegal visit to North Korea of the Reverend Moon Ik-hwan, and other dissidents, and attempts by others to meet North Koreans to discuss reunification of the Korean peninsula, the postponement of an interim assessment of Roh Tae-woo's presidency and, starting in April, the mass arrest of trade union activists, students and dissidents.

Chonminnyon, the National Coalition for Democratic Movement, was set up on 21 January 1989 and started a campaign against the Roh Tae-woo government and to promote Korean reunification. It regrouped over 200 dissident groups - from artists to farmers and workers organizations - and was described as the largest-ever organization of dissidents in South Korea. Its leaders are people in their forties who have all spent years in jail for their peaceful political activities and they vowed to be a grassroots democratic movement without formal relations with the opposition parties. Chonminnyon's main aims are to campaign for independence from foreign powers (that is, in their terms, mostly from US influence), Korean reunification, implementation of democratic reforms, and the rights of economically disadvantaged groups. At its inauguration meeting Chonminnyon leaders proposed a "Pan-national Conference for Peace and Reunification of Korea" to be attended by representatives of all walks of life from both the south and the north.

In the two months between its establishment and the arrest of some of its leaders at the beginning of April, Chonminnyon organized mass rallies on a number of issues. On 22 January, 10,000 people took part in a demonstration calling for an end to "economic oppression" of farmers and workers. In February it planned 10 days of nationwide protests against the visit of US President George Bush, demanding the withdrawal of the 43,000 US troops stationed in South Korea and protesting against US pressure to open South Korean agricultural markets. The rallies were blocked by the government and there were some arrests. In mid-March, after the government announced its plan to hold a referendum on Roh Tae-woo's presidency, Chonminnyon and other large dissident groups such as Chondaehyop, the National Council of Student Representatives, and the National Democratic Labour Movement, announced that they were setting up an organization to campaign for a vote of no confidence in the President and to force him to step down.



A riot policeman tramples down a protestor during a demonstration calling for farmers' and workers' rights which was organized by Chonminnyon on 22 January 1989.

© Popperfoto

During the presidential elections campaign in late 1987 Roh Tae-woo had promised that if elected he would conduct an interim assessment of his presidency after the Seoul Olympics, held from 17 September-2 October 1988. He confirmed this in his 1989 New Year message. The opposition parties at first asked that the interim assessment be held after a satisfactory completion of the investigations into abuses of the previous administration. Various suggestions were made on the form of the assessment and in early March it was proposed that a referendum would take place the following month on whether President Roh Tae-woo had fulfilled his 29 June 1987 promises for democratic reforms. The opposition parties generally agreed that the results of the referendum would not determine whether President Roh Tae-woo should relinquish or remain in his post, as this would have been unconstitutional. On 20 March President Roh Tae-woo announced that the referendum would be postponed indefinitely. He explained that his decision was caused by "fears that radicals would exploit it to fan political and social unrest" and he referred to widespread labour disputes and campus demonstrations. At the same time he announced a crackdown on "violent destructive activities and illegal collective actions seeking to overthrow our democratic system."

The first four months of 1989 also saw a large number of prolonged strikes significantly affecting the country's economic performance. In March the authorities used riot police to break some strikes and announced a crackdown on labour activists which they say were using labour disputes as part of a political campaign to overthrow the government.

As a result of liberalization in 1987 the number of unions, both those affiliated to the Federation of Korean Trade Unions and independent unions (which at the beginning of 1989 were said to account for 15% of union membership), had increased, as had the number of strikes. There were apparently less strikes in January-April 1989 than during the same period the year before but they were often prolonged and affected key industries. At the end of April the government estimated that 3 billion US Dollars had been lost in production as a result of the strikes. Strikes, the increase in labour costs and the appreciation of the Korean currency were identified by economic observers as the main reasons for the withdrawal of 100 foreign firms in the first three months of 1989 and fears that South Korea might start losing foreign markets.

In 1987 and 1988 the government had adopted a general policy of non-intervention in labour disputes. In a number of instances companies had refused to negotiate with unions or had closed down their operations altogether to avoid having to improve wages or work conditions. Many strikes were the occasion of violent incidents when "save the company squads" attacked strikers. In one such incident on 8 January 1989, 19 union leaders at the shipyard of Hyundai Heavy Industries Company in Ulsan were attacked by over 100 people allegedly organized by one of the firm's executive managing directors and two senior officers of a local police station were found to have connived at the attack.



Workers at Hyundai Heavy Industries Company demonstrate for better working conditions, 11 January 1989.

© Popperfoto

In mid-March the Seoul City authorities mobilized 10,000 riot police to break a strike of subway workers. Over 2,000 strikers were briefly detained. On 30 March, 10,000 riot police staged a land, sea and air assault on the world's largest shipyard in Ulsan. The strike at the shipyard owned by the Hyundai Heavy Industries Company had lasted 109 days. Over 700 workers were briefly arrested. Seven days after the raid some workers supported by students were still staging protests on the streets of Ulsan and often fighting against the riot police. Others reportedly attacked offices of the firm in Seoul and Pusan.

The government crackdown on union activities was also motivated by rumours of a general strike being organized for 1 May. Leaders of a nationwide labour organization, Chonnohyop (the National Council of Trade Union Movement) denied having such plans. Another group, the National Headquarters for Wage Struggle and Revision of Labour Laws, applied on 10 April for police permission to hold a May Day rally on Yoido Plaza in Seoul on 30 April but was turned down. On 15 April the Joint Public Security Headquarters announced that it would be searching for the organizers of the May Day "general strike" and would arrest third parties involved in labour disputes. Two days later the press reported that it had already arrested over 190 people for violence or illegal labour activities. The organizers of the projected May Day rally on Yoido Plaza ignored the ban and some fighting took place as demonstrators were prevented from reaching the rally site by massive riot police forces. The Korean press reported 3,600 arrests. The Joint Public Security Investigation Headquarters also arrested scores of people working in labour counselling offices and evening schools which the authorities said conducted "leftist indoctrination of workers."

Amnesty International has little information on the circumstances that led to the arrest of individuals for their trade union activities. It is seeking such information and has called on the authorities to release all those among them who were arrested for their peaceful activities.

Greater militancy was also noticeable among farmers. On 13 February, 12,000 farmers from 70 locations gathered at Yoido Plaza in Seoul. They called for abolition of the tax on irrigation, called on the government to buy surplus production of red peppers and called for an end to agricultural imports from the USA. After the rally ended some of the demonstrators attempted to walk towards the National Assembly building nearby but were prevented from doing so by riot police. Fighting erupted and some demonstrators attacked cars and buildings with stones and firebombs. Over 120 people, including policemen, were reportedly injured and 474 farmers and supporters were detained, six of whom were subsequently charged. The authorities accused dissident groups such as Chonminnyon, students and the Catholic Farmers' Association of having instigated the trouble, but some weeks later the prosecution announced that it had been unable to find any evidence of this.

On 1 March, the first national farmers organization was set up. Chonongnyon, the National Alliance of Farmers Movement, was said to have 200,000 members in two-thirds of the country. Its stated objectives are to launch a campaign against agricultural imports, the abolition of the irrigation tax and the writing-off of farmers' debts.

In the first half of 1989 the two main issues student activists campaigned on were proposed increases in university fees and other campus issues, and participation of South Korean students in the 13th World

Festival of Youth and Students to be held in early July in Pyongyang. Some students also joined workers demonstrating for union recognition or wage increases. Nationwide demonstrations involving tens of thousands of students were held in April and May calling for President Roh Tae-woo to step down and the release of people arrested by the Joint Public Security Investigation Headquarters.

Starting in December 1988 students at several universities occupied administration offices as part of their campaign against proposed increases in tuition fees. They also demanded the right to participate in the election of university presidents and other reforms of campus administration. In some universities this issue was only resolved in May.

On 28 December 1988 the North Korean Student Association invited Chondaehyop (the National Council of Students Representatives) to attend the World Festival of Youth and Students in Pyongyang in July. Chondaehyop's letter accepting the invitation was conveyed to the North Korean students through the South Korean Red Cross Society on 24 February 1989. The South Korean authorities at first approved in principle the participation of South Korean students in the festival, apart from its activities of a political character. On 27 January it set up a Council for promoting South-North Exchanges of Professors and Students, which



More than 500 university students were briefly detained in June 1989 when they attempted to march to the Demilitarized Zone to protest against a ban on their attendance at the World Festival of Youth and Students.

© Gamma

Chondaehyop was invited to join. Chondaehyop boycotted the Council and sought to communicate directly with North Korean students. However, its efforts to hold talks with North Korean students in Panmunjom were blocked by the South Korean authorities which insisted that the government should be involved in all north-south contacts. In June the police blocked student rallies in support of participation in the festival and raided universities where it confiscated posters and other materials produced for the festival and which had been smuggled into South Korea. A number of students who had organized activities in support of the festival were arrested (see below) and 145 dissidents and student activists were banned from travelling overseas lest they go to North Korea. One student, Im Su-kyong, managed to travel to Pyongyang where she represented Chondaehyop. She was arrested on her return as were dozens of other students suspected of having helped her (see below).

On several occasions education authorities and the government voiced their concern that campus journals and other student publications contained North Korean "propaganda." In March and June the police searched student union offices, confiscated materials and arrested editors and contributors to these journals.

Many student demonstrations ended in violent clashes with the police, with students throwing petrol bombs and stones and the police using tear gas. Small groups of students staged attacks on official buildings, including police stations and the US Cultural Center in Kwangju. At the beginning of May seven policemen burned to death in a police raid on the library building of Dongeui University in Pusan when they tried to rescue five officers held as hostages by students; On 1 May about 300 students had held a demonstration on the campus demanding a freeze in tuition fees and an explanation for incidents of alleged cheating at entrance examinations. A group then staged a protest in front of a local police station. Allegedly fearing that the students would attack the police station a policeman fired warning shots with his carbine and detained some students. Back on the campus the following day students took as hostages five plainclothes police officers and started to negotiate their release with the police in exchange for the arrested students. The students had poured paint thinner on the floor of the library and when the police raid started on 3 May they set it on fire. Seven police officers died in the fire and four students were charged with their murder. On 6 May, Im Chong-chol, the chairman of Chondaehyop, publicly apologized for the deaths of the policemen and vowed that demonstrations in the future would be peaceful. On 11 and 12 May the nationwide rally it held at Chungnam National University in Taejon was authorized by the police and proceeded peacefully. The following week, though, instances where students threw petrol bombs at police were again reported.

5. THE QUESTION OF KOREAN REUNIFICATION

Korea was a unified state from the seventh century until the end of the Second World War, although the country had been annexed by Japan in 1910. When Japan surrendered to the Allied forces in 1945, Korea was divided into two military zones. The Soviet army occupied the peninsula north of the 38th parallel line and the United States army occupied its southern half. A joint US-Soviet commission was formed to establish a national government in consultation with Korean parties but failed to reach agreement. At the end of 1947 the United Nations General Assembly set up a temporary commission to supervise parliamentary elections in May 1948, but this was rejected by the USSR. Elections were held in the south and in August 1948

the National Assembly elected Dr Syngman Rhee as the first President of the Republic of Korea. The following month the provisional government led by Kim Il-sung in the north proclaimed the Democratic People's Republic of Korea.

In June 1950, conflict broke out between North and South Korea and North Korean troops penetrated well south of the 38th parallel. The UN sent troops, most of them from the United States armed forces, to aid South Korea, while China sent troops to assist North Korea. The conflict lasted for three years, at great human and material loss. An armistice signed at Panmunjom in July 1953 created a four-kilometre-wide demilitarized zone (DMZ) dividing the country along the 38th parallel. The DMZ lies about 60 kilometres to the northwest of Seoul, the capital of South Korea.

The country has since remained divided with both states maintaining large standing armies and devoting a large proportion of national resources to defence. Since the Korean War, both North and South Korea have made proposals for the reunification of the country. On 4 July 1972, the two governments issued a communique pledging that they would seek reunification by peaceful means independent of external involvement. However, each government still regards the other as a serious threat to its national security. The two governments adhere to different ideologies: North Korea is communist and committed to the juche-sasang ideology, the principle of self-reliance. South Korea is strongly anti-communist and has a capitalist economy.

In 1984 and 1985, several delegations from the north and south met to discuss a series of issues including economic cooperation and inter-parliamentary meetings. Talks, which had been suspended in 1973, resumed between the two Red Cross Societies on the reunification of an estimated 10 million relatives separated by the Korean War in late 1984. In September 1985, for the first time, groups of separated relatives were able to meet in the two capitals. Sports talks were also held in Switzerland under the auspices of the International Olympic Committee (IOC) to discuss North Korea's demand to co-host the 1988 Summer Olympics.

North Korea suspended all talks in January 1986 in protest at the holding of the annual South Korea-US "Team Spirit" military exercises. The IOC offered to permit North Korea to host several events but refused to allow it to co-host the Olympics. North Korea boycotted the Games. In November 1987 a Korean Airlines plane disappeared on a flight from the Middle East and the South Koreans arrested a North Korean woman who confessed to having placed a bomb on the plane on the orders of the North Korean authorities to deter people from attending the Olympic Games. Direct talks resumed between the two sides in late 1988, although in the intervening period both sides had continued to exchange communications on various proposals.

On 7 July 1988, President Roh Tae-woo made a "Special Declaration for National Self-Esteem, Unification and Prosperity" in which he proposed to end confrontation, achieve common prosperity and actively promote exchanges of visits by people of various walks of life. In September, the Minister of Culture and Information announced new measures to allow public access to information on North Korea and other communist countries. In January 1989 the president of Hyundai, a big South Korean conglomerate, made a much-publicized visit to North Korea to discuss a business venture and in June Kim Young-sam, the leader of the opposition Reunification Democratic Party, met Ho Dam, a leading North Korean official, in Moscow.

Their meetings with North Korean officials had been approved by the South Korean authorities. In contrast, attempts by students, writers, religious figures and others to visit North Korea or meet North Koreans were prevented or, when they took place, led to their arrests (see below).

6. MASS ARRESTS (APRIL-AUGUST 1989)

The illegal visit of Reverend Moon Ik-hwan to North Korea at the end of March 1989, the widespread strikes and the start of a campaign by dissident groups to force Roh Tae-woo to resign, appear to have been the catalyst for a decision by the authorities to crackdown on dissidents. A Joint Public Security Investigation Headquarters made up of representatives of the National Police Headquarters, the prosecution authorities, the Agency for National Security Planning and the Defence Security Command, was set up on 3 April. Its first task was to investigate the visit of Reverend Moon Ik-hwan to North Korea and whether other people or organizations were engaged in activities supporting North Korea. It announced that it would investigate 33 groups which since 7 July 1988 had sought contacts with North Korea without involvement of the South Korean government as well as a number of labour counselling offices and evening schools which the authorities said conducted "leftist political indoctrination of workers."

The opposition parties claimed that the Joint Public Security Investigation Headquarters was dominated by the Agency for National Security Planning - which only a few months before the government had agreed should not be involved in domestic political matters - and that it was illegal. This last point was apparently conceded by the ruling Democratic Justice Party which, however, insisted that it was necessary to coordinate investigations into dissident forces. When it was disbanded on 19 June it had arrested 317 people and charged 126 others without detention. The majority of those arrested were reported to be workers involved in trade union activities and students.

At the beginning of June the National Police Headquarters announced that it would continue to keep a close watch on 259 religious, workers', cultural, teachers' and campus organizations and that it would search the homes of 53,116 people who had been arrested or investigated as a result of their anti-government activities. At the end of the month the Agency for National Security Planning was reported to have circulated a "resource book on the reality of the leftists in the country" which claimed that 10,500 "hard-core leftists" had infiltrated 126 organisations, such as Chonminnyon, Chondaehyop, the Catholic Farmers Association, the National Teachers Union, the Korean National Council of Churches, as well as workers and publishing groups. The report claimed that they were promoting a violent revolution to reunify the country with North Korea under communist rule.

Arrests continued after the Joint Public Security Investigation Headquarters was disbanded. According to a survey published by the dissident newspaper Hankyoreh Shinmun (One Nation Daily) on 11 August, 781 political prisoners had been formally arrested and charged in the previous eight months: 212 were arrested in the period between the 21 December 1988 presidential amnesty and the beginning of April 1989; 368 were arrested by the Joint Public Security Investigation Headquarters; and 201 were arrested from mid-June onwards. Those arrested were said to include 278 workers, 274 students, 78 teachers, 41 members of dissidents groups such as Chonminnyon, 38 publishers and artists and 28 street vendors and people who resisted evictions from urban areas due for redevelopment. Charges under

the National Security Law were brought against 170; 90 were charged under the Law on Assemblies and Demonstrations and over 50 under laws regulating trade union activities. In a report to the National Assembly on 18 September the National Police Headquarters disclosed that 1,315 people had been arrested for political activities between January and August 1989. It also disclosed that during 1980-1988 there had been on average 1.61 people detained every day for political activities; since President Roh Tae-woo's inauguration in February 1988, the figure had increased to 2.13 in 1988 and 5.26 in 1989.



An official inspects books seized by police during a raid on "subversive" bookshops and publishing companies in June 1989.

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Photograph by Shin Song-soon

Human rights lawyers in South Korea have complained that the Joint Public Security Investigation Headquarters, and, after it was disbanded, the Agency for National Security Planning and the prosecution authorities have prevented them from meeting their clients. In some cases they were only allowed to meet their clients after filing a complaint with the Prosecutor General (see the cases of Reverend Moon Ik-hwan and Professor Lee Yong-hee, below). In the case of Ms Im Su-kyong, they had to seek a court order to force the Agency for National Security Planning to let them see her. These restrictions and instances where the prosecution and the Agency for National Security Planning reportedly disregarded court orders to allow suspects access to their lawyers led the Korean Bar Association to issue an open letter to Kim Ki-choon, the Prosecutor General on 28 August, regretting these developments: "The prosecution and the Agency for National Security Planning have not only encroached upon basic people's rights" it said, "but also presented a serious challenge to the judiciary by repeatedly rejecting defence lawyers' requests to talk with suspects under arrest." As prisoners emerged from isolation and met their relatives and lawyers several of them claimed that they had been tortured or ill-treated during their interrogation. They complained mostly of sleep deprivation and beatings.

7. IMPRISONMENT UNDER THE NATIONAL SECURITY LAW

The majority of the political prisoners currently detained have been charged with with "anti-state" activities under the National Security Law.

The main offences under the National Security Law are:

- * forming or participating in an "anti-state" organization, or preparing or conspiring to do so (Article 3). Sentences on conviction range from two years' imprisonment to the death sentence for ringleaders. An "anti-state" organization is defined as any organization, in South Korea or abroad, whose purpose is to "assume a title of the government or disturb the state."

Organizations which have been regarded as "anti-state" have included groups of workers, students or political activists, often involving a small number of people, who discussed revolutionary or communist literature and ways to bring to an end the dictatorship of former Presidents Park Chung-hee (1961-1979) and Chun Doo-hwan (1980-1988).

- * illegal travel to North Korea and re-entry into South Korea, or preparing or conspiring to do so, under instructions from North Korea or in order to benefit it (Article 6). Sentences on conviction range from two to 10 years' imprisonment.

Amnesty International considers that the mere fact of travelling to North Korea without evidence either of espionage activities or of the use or advocacy of violence cannot justify imprisonment.

Until 1988 few South Koreans were known to have travelled to North Korea. Among those Amnesty International regards as prisoners of conscience arrested for visiting North Korea is Soh Sung, a student born in Japan, who was arrested in 1971. Five people were arrested in 1989 for illegally visiting North Korea.

- * benefiting North Korea by praising it, encouraging it, siding with it or through other means, or preparing or conspiring to commit such an offence (Article 7). Sentences on conviction range from one to seven years' imprisonment.

This provision has been used to arrest dissidents this year, among others, writers and editors of university campus papers who wrote articles supporting North Korean demands for the withdrawal of US armed forces from South Korea or publishers who reproduced books from North Korea or about the communist system in the north.

- * meeting, liaising or communicating with members of an anti-state organisation for its benefit, or preparing or conspiring to do so (Article 8). Sentences on conviction range from one to seven years' imprisonment.

This provision has been used mainly this year against students, writers or dissidents who sought to contact people in North Korea without the authorization of the South Korean government.

* failing to inform the authorities about a person who has committed an offence under the National Security Law (Article 10). The maximum sentence on conviction is five years' imprisonment, which can be mitigated or remitted in cases involving relatives.

In each of the five cases where people were arrested this year for illegally visiting North Korea, a number of their friends or colleagues were arrested for failing to report them to the authorities. Amnesty International also considers as prisoners of conscience people who are detained for helping someone to illegally travel to North Korea for legitimate and non-violent purposes, or failing to inform the authorities about people travelling to North Korea because they believe that South Koreans should have the right to freely travel to North Korea.

As mentioned above, proposals were discussed in the National Assembly in the second half of 1988 and the first half of 1989 to amend the National Security Law, in particular with respect to contact with North Korea and the authorities proposed a "Special Bill on Inter-Korean Exchanges" to provide a legal frame for the contacts with North Korea and other communist countries which it is now encouraging. These legislative changes did not, however, take place. It is understood that they will be further debated by the National Assembly after it reconvenes in mid-September.

8. CASES OF PRISONERS OF CONSCIENCE HELD UNDER THE NATIONAL SECURITY LAW

In addition to the 200 or so prisoners arrested under the National Security Law in 1989, Amnesty International has the names of over 200 prisoners arrested in previous years, most of whom were given long sentences. Some were arrested for allegedly making clandestine visits to North Korea or attempting to go to North Korea. A large group was accused of having met North Koreans in Japan or in other countries on the occasion of visits for business, studies or family reunions. The majority, including some who came from North Korea after the 1950-1953 war, were accused of spying for the north. Around 25 have been imprisoned since the 1950s, although their cases have only become known in the last year. Amnesty International's inquiries about these 200 prisoners have elicited little detailed information about the circumstances of their arrests. In a number of cases, however, relatives of the prisoners and other sources have reported that the prisoners were tortured to make them confess to offences they had not committed. These allegations are consistent with information Amnesty International has about interrogation practices at the time of the arrests in question and Amnesty International believes that these prisoners might indeed have been forced to confess under torture and sentenced after unfair trials. In a few cases it has been able to document more fully, Amnesty International has concluded that the prisoners were prisoners of conscience and that the charges of espionage or violent activities were not supported by reliable evidence.

8.1 The arrest of Reverend Moon Ik-hwan and businessman Yu Won-ho for visiting North Korea in March 1989

Reverend Moon Ik-hwan, 71, and Yu Won-ho, 69, a businessman, visited North Korea from 25 March to 3 April 1989. They travelled via Japan and China and their arrival in Pyongyang took many by surprise. Reverend Moon Ik-hwan was the first person to take up an invitation Kim Il-sung, the North Korean leader, extended in his New Year message to seven South Korean

public figures, namely the leaders of the four political parties, Cardinal Kim Sou-hwan and two dissidents, Reverend Moon Ik-hwan and Paik Ki-wan, to visit Pyongyang to discuss reunification.



A protestor is arrested during a demonstration on 13 April 1989 against the arrest of Reverend Moon Ik-hwan.

© Popperfoto

In North Korea Reverend Moon Ik-hwan had several meetings with government officials and reportedly held discussions with Kim Il-sung for seven hours. He issued a Joint Statement with Ho Dam, the chairman of the North Korean Committee on Reunification of the Fatherland, on the basic principles that should govern Korean reunification. He also attended church services and visited some of his relatives. On several occasions he explained his motives for visiting North Korea. Besides realizing a personal wish to visit his ancestors' graves, he said that he hoped his visit would give a fresh impetus to dialogue between the north and the south and open the way for contacts between non-government people.

Reverend Moon Ik-hwan and Yun Won-ho were arrested on 13 April upon their arrival at Kimpo International Airport near Seoul. They were immediately taken into custody by the Agency for National Security Planning. Reverend Moon Ik-hwan was not allowed to see his lawyers until 21 April, after they lodged a protest with the Prosecutor General over the refusal of the Agency to allow a meeting.

On 31 May Reverend Moon Ik-hwan was formally charged under the National Security Law on three counts. He was charged under Article 6(2) with "escaping to an enemy area under enemy instructions", under Article 7(1) with praising North Korea and under Article 8(1) with meeting and communicating with the enemy. Yu Won-ho was charged under the same law with arranging Reverend Moon Ik-hwan's visit to North Korea and with, the previous year, having accepted money from a group in Japan alleged to support North Korea. On 5 October both Reverend Moon Ik-hwan and Yu Won-ho were sentenced to ten years' imprisonment.

Forty-two other people who were suspected of having known in advance of Reverend Moon Ik-hwan's trip to North Korea were interrogated. His brother, Moon Dong-hwan, and his son, Moon Ho-kun, had their indictments suspended, but three leaders of Chonminnyon were charged with failing to report Reverend Moon Ik-hwan's visit to the authorities.

Reverend Moon Ik-hwan is a Presbyterian Minister and an Old Testament scholar. He has written 10 books of poetry and essays and is a proponent of "minjung (people's) theology". He became involved in anti-government activities in the mid-1970s and was imprisoned on four occasions, from March 1976 to December 1977, October 1978 to December 1979, May 1980 to December 1982, and May 1986 to July 1987. He was an adviser to Chonminnyon but undertook his visit to North Korea at his own initiative.



Reverend Moon Ik-hwan

8.2 The arrest of other dissidents for seeking contacts with North Korea

Following news of Reverend Moon Ik-hwan's visit to North Korea the authorities announced that leaders of organizations which had attempted to set up meetings with North Korean organizations would also face arrest under the National Security Law. A number of dissident leaders were arrested but most of them were released without charges. Five were formally charged and their trials are now under way. They are Lee Yong-hee, a professor of journalism at Hanyang University and a member of the editorial board of the newspaper The Hankyoreh Shinmun; three co-chairpersons of the dissident organization Chonminnyon (the National

Coalition for Democratic movement, see page 5 for a description of its objectives and activities); Lee Bu-yong, Lee Jae-oh and Lee Chang-bok; and Koh Eun, a poet and the vice-president of the dissident Association of Writers for National Literature. They were charged under the National Security Law with praising North Korea or attempting to communicate with North Koreans. The Chonminnyon leaders were additionally charged with organizing anti-government demonstrations and involvement in labour strikes.

Lee Yong-hee, 60, a professor of journalism at Hanyang University in Seoul and a member of the editorial board of the newspaper The Hankyoreh Shinmun (One Nation Daily), was arrested on 13 April 1989 under Articles 6 and 7 of the National Security Law for praising North Korea and conspiring to visit it.

His arrest relates to his purported plans to send a team of journalists to North Korea and to visit the country himself. According to the Agency for National Security Planning, Professor Lee Yong-hee wrote a letter to a Japanese publisher asking him to help arrange a visit to North Korea by journalists of The Hankyoreh Shinmun. In the letter attributed to him, excerpts of which were published by Korean newspapers, Professor Lee Yong-hee was to have stressed the importance of contacts between people in North and South Korea outside government circles and the need to independently find out the views of the North Korean leadership and convey these to the South Korean public. In particular he reportedly expressed his wish for an interview with Kim Il-sung: "It would be even better if you could get His Excellency President Kim Il-sung, whom I hold in respect, to spare his precious time for even brief face-to-face talks." The use of these expressions of respect for Kim Il-sung are said to be the basis for the charge that Professor Lee Yong-hee praised North Korea.

In addition, also according to a statement released by the Agency for National Security Planning, Professor Lee Yong-hee had allegedly planned to visit North Korea with foreign scholars after attending an academic conference in Canada in June.

Professor Lee Yong-hee was only allowed to meet his lawyers on 20 April after his lawyers had lodged a protest with the prosecution authorities over the refusal of the Agency for National Security Planning to allow a meeting. His trial started on 5 July and on 25 September he was sentenced to an 18-month prison term suspended for two years.

Professor Lee Yong-hee was previously adopted by Amesty International as a prisoner of conscience during his detention between November 1977 to January 1980, for his book Idolatry and Reason and his translations of articles by people who had visited China, and between 30 December 1984 and 14 February 1985 for his involvement in a research project on the presentation of the issue of Korean reunification in school textbooks issued by the government.

The charges against **Lee Bu-yong**, **Lee Chang-bok** and **Lee Jae-oh**, co-chairpersons of Chonminnyon, that they sought to contact North Koreans arise from Chonminnyon's proposal to hold a Pan-national Congress for National Reunification on 15 August 1989. They made the proposal in January 1989 when Chonminnyon was inaugurated; the North Korean Committee for Peaceful Reunification of the Fatherland gave its support to it. Participants at the congress were to include "representatives of all walks of life" in the south, the north and abroad. On 28 February 28 Chonminnyon

members attempted to go to the truce village of Panmunjom, on the border between North and South Korea, to meet members of the North Korean liaison committee for the congress. They were not allowed into the Demilitarized Zone and all were briefly detained. Twelve were charged without detention for attempting to illegally contact North Korea.

Lee Jae-oh, 44, a former teacher and a co-chairperson of Chonminnyon, as well as the chairperson of Chonminnyon's Committee for the Reunification of the Fatherland, was rearrested on 1 April 1989 and charged two days later under Article 8(1) of the National Security Law with attempting to set up a meeting between Chonminnyon and North Korean officials to discuss Chonminnyon's proposal for the holding of a Pan-national Conference for Peace and Reunification of Korea on 15 August 1989. At the beginning of September he was sentenced to one year's imprisonment.

Lee Jae-oh was first detained in 1971 and again in 1972 when he was chairman of the Youth Council for the Safeguarding of Democracy. In April 1973 he was again arrested for possessing "pro-communist" books. He was released in July 1974 on a suspended sentence. In February 1977 he was arrested for distributing leaflets critical of the government and was held until May 1978. In August 1979 he was arrested on charges of "spreading groundless rumours" after he spoke at a meeting against the arrest of members of the Catholic Farmers' Association. Three months later, while in detention, he was additionally charged in the group prosecution known as the South Korea National Liberation Front case and sentenced to five years' imprisonment. He was released under a presidential amnesty in August 1983. Prior to his arrest in 1979, Lee Jae-oh was a teacher and led a drama group which staged plays to audiences of farmers to educate them about their rights. The authorities say that from September 1987 until his arrest in April 1989 he ran classes on "leftist ideology" for young people.

Lee Bu-yong, 47, a former journalist and a co-chairperson of Chonminnyon, was arrested on 10 April 1989. He was charged under the National Security Law with communicating with North Korea about Chonminnyon's proposal for a Pan-national Congress for National Reunification. It is believed that he was also charged with failing to inform the authorities of Reverend Moon Ik-hwan's plans to illegally travel to North Korea. He was additionally charged under the Law on Assemblies and Demonstrations and the Labour Dispute Mediation Act with encouraging illegal strikes aimed at overthrowing the government. Article 13-2 of the Labour Dispute Mediation Act forbids involvement in a labour dispute of people who are not members of the company or of the union involved. On 7 October 1989 he was sentenced to two years' imprisonment.

Lee Bu-yong has played a central role in dissident activities since the mid-1970s. A journalist with the Dong-A Ilbo, he was dismissed from his job in 1975 for leading a campaign for press freedom and the right to set up a union. Since then he has been detained on several occasions for his political activities and adopted by Amnesty International as a prisoner of conscience in 1975, 1979 and 1986. He was last imprisoned between June and October 1988 for organizing anti-government demonstrations.

Koh Eun, 57, a well-known poet and the vice-president of the Association of Writers for National Literature, was arrested on 1 April and charged under Article 8(1) of the National Security Law with attempting to contact an "anti-state" organisation. He was released on bail on 2 June.

The Association of Writers for National Literature was set up in September 1987. It has around 500 members, all writers, poets, publishers and others involved in the literary field. At a press conference on 2 July 1988 it made a proposal for a "South-North writers conference" and announced its wish to meet North Korean writers. In mid-February 1989 a broadcast over Radio Pyongyang relayed the Central Committee of North Korean Writers' acceptance of such a meeting. It was reported that an official of the South Korean government's National Unification Board handed a copy of the broadcast's transcript to Koh Eun, asking to be kept informed of the plans of his Association to meet North Korean writers.

At a press conference on 7 March, Koh Eun acknowledged the reply of the North Korean writers and proposed that a preliminary meeting take place in Panmunjom 27 March. The North Korean Writers' agreement to this was announced by Radio Pyongyang and Koh Eun subsequently approached the South Korean authorities for their assistance in making the meeting possible. The Ministry of Culture and Information requested Koh Eun to postpone the meeting and on 24 March it announced that it would not allow it to take place. The Association then decided to hold a protest rally at Imjingak pavilion, the nearest point to the border to which South Koreans can go without government permission. On 27 March, as 26 members of the Association met at their offices and prepared to set off for Imjingak, the local chief of police visited them and warned that they would be arrested if they proceeded with their plans. They went ahead and as their bus approached Imjingak, it was boarded by police which forced it to return to Seoul. All were detained for two days. Three days later, on 1 April, Koh Eun was re-arrested and formally charged in connection with the unsuccessful attempt to meet North Korean Writers.

Koh Eun has been adopted by Amnesty International as a prisoner of conscience on two previous occasions. He was detained from August to December 1979 for supporting women workers at the Y H Trading Company who attempted to set up a labour union. In May 1980 he was again arrested for opposing martial law and was released in December 1982.

8.3 The arrest of National Assembly member Suh Kyung-won and others accused of failing to report his visit to North Korea

Suh Kyung-won, an opposition member of the National Assembly, was arrested on 28 June 1989 for making an unauthorized trip to North Korea on 19-21 August 1988. He had travelled to North Korea via Czechoslovakia on the occasion of a visit to Europe. During his stay in Pyongyang, he reportedly met the North Korean leader Kim Il-sung and Ho Dam, former Minister of Foreign Affairs and Chairman of the Committee on Reunification of the Fatherland.

On 25 June Suh Kyung-won reported to the Agency for National Security Planning on the advice of The Party for Peace and Democracy after he had informed its president, Kim Dae-jung, of his illegal visit to North Korea the year before. (The party subsequently expelled him). He was interrogated by the Agency until 17 July when he was transferred to Seoul Prison and referred to the prosecution authorities. He was formally indicted on 12 August and his trial started on 12 September.

Suh Kyung-won was accused of being a "spy" for North Korea, of having informed it of political developments in the south and of having engaged in political activities under instructions from the north. He is believed to face charges under Articles 4, 5(2), 6(1) and 8 of the National Security

Law. A conviction under Article 4 for "spying" for North Korea and acting under North Korean instructions is punishable by imprisonment or a death sentence. Article 5(2) provides a sentence of maximum seven years' imprisonment for accepting money from a member of an "anti-state" organization. Article 6(1) prohibits unauthorized travel to North Korea and provides for a maximum sentence of 10 years' imprisonment. Article 8 prohibits meetings and communications with members of an "anti-state organization", i.e. North Korea, and provides a maximum sentence of 10 years' imprisonment.



Suh Kyong-won during a trial hearing. September 1989 ©Korea Times - photo by Kim Kun-soo

During the 24 days he was interrogated by the Agency for National Security Planning Suh Kyung-won was prohibited from meeting his lawyers and one month after his arrest he had still not been allowed to meet his relatives. When he eventually met his lawyers for the first time on 22 July for 40 minutes, he complained that he had been ill-treated. Press reports quoted him as follows: "ANSP investigators punched me in the face and repeatedly landed crushing blows on my left foot about 10 days after I was taken into custody. The left side of my face was badly swollen and the inside of my mouth began bleeding. They provided me with medical treatment soon thereafter... They forced me to remain awake for the first three nights." One of the lawyers who met him on 22 July confirmed that his face was still swollen. A second meeting with his lawyers scheduled for 12 August failed to take place as the prosecution authorities insisted

that they should be present and that Suh Kyung-won's relations with The Party for Peace and Democracy's leader Kim Dae-jung not be discussed. Suh Kyung-won met his lawyers for a second time on 20 August for one hour and in the presence of four prison guards. He reportedly reiterated that he had been forced to make a false confession to prosecutors as a result of exhaustion. One of his lawyers quoted him as saying: "For the past 54 days since my arrest, I remember having been allowed to sleep for four days. I slept two or three hours each of these days." The senior prosecutor in charge of the case denied Suh's claims: "[The interrogators] never kept Suh from sleeping or exercised any other physical means to make him confess."

When he met his lawyers Suh Kyung-won reportedly denied visiting North Korea more than once, as some newspapers had reported. He justified his visit to North Korea and his discussion with North Korean officials as motivated by his desire to see Korea reunified. He denied acting as a North Korean spy. He is alleged to have received 50,000 US Dollars from the North Korean authorities, which he is said to have used to buy a business, support activities of the farmers' movement and finance his local Party chapter; this has not, however, been independently confirmed.

Suh Kyung-won was born in 1937 and was a farmer. He has been active in the Catholic Farmers' Association since 1971, was its vice-president in 1982-1984 and its president in 1984-1987. He became famous in the mid-1970s for successfully negotiating compensation from the government for farmers who had switched to producing sweet potatoes on the advice of the authorities but who could not sell their crop as a result of a glut of this product on the market. In the April 1988 parliamentary elections he was elected on The Party for Peace and Democracy ticket for Hampyong-Yonggwang, a district in south-western Korea.

According to some sources over 60 people were interrogated by the authorities about Suh Kyung-won's visit to the north; most of them were invited to go for a "voluntary interview" without a warrant of arrest. Those questioned involved his close aides, members of his family, leading members of the Catholic Farmers' Association, Catholic priests and politicians. Their questioning focussed on whether they helped to arrange Suh Kyung-won's visit to North Korea, or, knowing that he had made such a visit, did not inform the authorities of it.

On 12 August, seven people who were still under detention were indicted under the National Security Law. Like Suh Kyung-won, all had apparently been barred from meeting their lawyers for some time after their arrest and some later told visitors that they had been ill-treated. On 25 August Kim Dae-jung, the President of The Party for Peace and Democracy, and two other members of the Party were also charged with failing to report Suh Kyung-won's visit to the authorities. They were however not placed under detention.

The following eight people are in detention for failing to report Suh Kyung-won's visit to North Korea:

KIM Yong-nae, 38, an aide to Suh Kyung-won, was taken into custody on 28 June 1989 and formally arrested on 2 July. According to some press reports he was also suspected of having accompanied Suh Kyung-won to North Korea in August 1988, but it is not known yet if these reports are accurate.

PANG Yang-kyun, 34, secretary to Suh Kyung-won, was arrested on 2 July. He is accused of having been involved in arranging Suh Kyung-won's visit to North Korea and to have given documents on the South Korean Farmers' movement to a "North Korean operative" in Frankfurt in December 1988 and to have on this occasion received 10,000 US Dollars for himself and Suh Kyung-won. Pang Yang-kyun studied theology in Rome from 1975 to 1980 and the authorities are said to suspect that he met North Koreans or pro-North Korean exiles in Europe during that time. According to reports he was severely ill-treated during his interrogation.

LEE Kil-jae, Chairman of the International Relations Committee of The Party for Peace and Democracy and the head of the Party's Liaison Office with dissident groups and student activists. He was arrested on 3 July 1989 and apparently admitted that he had known about Suh Kyung-won's visit to North Korea since September 1988. Lee Kil-jae used to be a leading official of the Catholic Farmers' Association.

CHONG Song-hon 47, Secretary General of the Catholic Farmers' Association, was taken in for questioning on 29 June and formally arrested on 2 July. He was released on bail on 16 September 1989.

LEE Kon-u, 57, Chairman of the Catholic Farmers' Association Committee for National Reunification, was arrested on 21 July and charged on 12 August 1989.

Ms KOH Kum-suk, 38, a friend of Suh Kyung-won, was arrested on 3 July.

LEE Hi-woo, 37, Suh Kyung-won's brother-in-law, was arrested on 4 July. He is a Technical Deputy Chief in an electronics firm and was suspected of managing Suh's finances.

OH Tong-cho1, 33, Suh Kyung-won's chauffeur, was additionally charged with destroying photographs of Suh taken during his visit to North Korea.

Koh Kum-suk, Lee Hi-woo and Oh Tong-cho1 were freed on bail on 14 November 1989.

The authorities also issued a warrant for the interrogation of Yun Chae-go1, a journalist with the newspaper *Hankyoreh Shinmun*, who had interviewed Suh Kyung-won about his visit to North Korea but had not yet published an article on it. He was in hospital recovering from an operation on his back when the authorities issued a warrant against him on 3 July, and as of late August was believed not to have been yet taken in for questioning. However on 12 July they searched his desk at the newspaper office and confiscated various items, including photographs of Suh Kyung-won taken in North Korea.

Several leading members of The Party for Peace and Democracy were also questioned. On 2 and 3 August Party President Kim Dae-jung and National Assembly member Moon Dong-hwan, a brother of Reverend Moon Ik-hwan (see above, page 20) were questioned by the Agency for National Security Planning for nearly 24 hours, the maximum time allowed by the warrant issued by the court. They told the press afterwards that they were given only three breaks of half-an-hour each time. Kim Dae-jung was reportedly asked 260 questions about his relations with Suh Kyung-won, including the reasons for his nomination as a Party candidate in the 1988 parliamentary elections, whether he had given him a secret message to deliver to North Korean leader Kim Il-sung, about the time he knew of Suh's trip to North Korea and whether he received money from him. Kim Dae-jung denied any involvement in Suh's trip and of having known about it earlier than June 1989. He accused the authorities of using Suh's arrest to diminish his Party's chances of winning in a forthcoming by-election. Kim Dae-jung was interrogated a second time, this time by the prosecution, on 22 August for 15 hours. On 25 August he was charged under the National Security Law with having known of Suh's secret trip to North Korea since April 1989. He was also charged with violating the Foreign Exchange Control Law for allegedly failing to deposit in a bank or exchange 10,000 US Dollars that prosecutors say he received from Suh Kyung-won.

Kim Won-ki, The Party for Peace and Democracy's Floor leader, and **Lee Chul-yong**, a member of the National Assembly were also charged with failing to report Suh Kyung-won's visit to North Korea to the authorities. Lee Chul-yong was additionally charged under the Law on Assemblies and Demonstrations with arranging for Kim Dae-jung to make a speech before more than 8,000 people at a seminary in north-eastern Seoul on 16 July without securing police authorization.

8.4 Arrests in connection with the Youth Festival held in Pyongyang, 1-8 July 1989

The World Festival of Youth and Students was set up by the International Union of Students after World War II and is held every four years. It includes political, cultural, athletic and arts events. Past venues have included the USSR and Cuba and the venue for the 13th festival on 1 to 8 July was the North Korean capital, Pyongyang.



Student activists display posters for the World Festival of Youth and Students
© Korea Times
Photograph by Lee Ki-ryong

In January 1989 the South Korean authorities set up a Council for Promoting South-North Exchanges of Professors and Students and to consider sending an official student delegation to the festival. The North Korean authorities, however, sent invitations to the event only to members of *Chondaehyop* (The National Council of Students Representatives). On 6 June 1989 the South Korean Minister for Education issued a statement describing the festival as a communist propaganda campaign aimed at denouncing capitalist countries and banning all student organizations from participating in it.

Chondaehyop however proceeded with its plans to send delegates to the festival and students on many university campuses organized activities promoting attendance. Posters, leaflets, and other promotional material on the festival produced in North Korea and smuggled from other countries were openly displayed. Some university student associations staged parades, "festival waltzes", music and operatic performances and dances. Some gave Pyongyang street names to roads inside their campus. Such activities led to a number of arrests. For instance, on 9 June police raided the Sogang University Students' Association in Seoul and seized some 2,000 posters and other printed materials about the festival and took two students away for questioning. Later that day a meeting planned by *Chondaehyop* at Yonsei University to show their determination to attend the festival was prevented by riot police. Around 1,500 students were briefly detained. All were released except for 10 who were charged under the Law on

Assemblies and Demonstrations. The same day 34 students were arrested as they travelled towards the border to meet with North Korean representatives.



Kang Hee-sul (right) at a meeting of student activists

Among the student leaders who were formally charged is Ms **Kang Hee-sul**, 26, a student at Sungshin Women's University and Chairperson of its Students' Association and of the Seoul All Students' (Sochongnyon) Preparatory Committee for the 13th World Festival of Youth and Students. She was arrested on 5 June for having read the inaugural declaration of

Sochongnyon's Preparatory Committee for the festival at its inauguration ceremony in February. She is also accused of carrying out various promotional activities for the Festival such as selling handkerchiefs and postcards and pasting up posters promoting the Festival. On 25 September she was sentenced to 18 months' imprisonment.

Ms Im Su-kyong, a 22 year-old student of French literature at Hankuk Foreign Languages University, was able to travel to North Korea via Japan and West Germany and attended the festival as a representative of Chondaehyop. She was given a hero's welcome and during her stay signed a south-north student communique with North Korean student leaders calling on students on both sides to work together for the peaceful reunification of Korea.

After the festival ended she joined North Koreans and foreigners in a symbolic "peace march" which she hoped would take her across the length of the peninsula from Mt Paektu in the north to Mt Halla in the south. She announced her determination to return to South Korea on 27 July by crossing the border at the armistice village of Panmunjom.

On 26 July the Catholic Priests Association for Justice announced that they had sent **Father Moon Kyu-hyun** to North Korea that day to join Ms Im in her attempt to cross the border. They had made this decision, they explained, because Ms Im is a Roman Catholic and "to show support for the cause of patriotic students yearning for reunification of their Fatherland." Father Moon Kyu-hyun, 44, is the former head of the Education

Department of Chongju diocese and is currently studying at the Maryknoll seminary in New York, USA. He previously visited Pyongyang in June when he celebrated a mass and discussed reunification with Christian colleagues.



Im Su-kyong



Fr Moon Kyu-hyun

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Three leading members of the Catholic Priests Association for Justice, **Father Nam Kuk-hyun**, **Father Ku Il-mo**<1> and **Father Park Byung-joon**; were arrested on 28 July under the National Security Law for arranging Father Moon Kyu-hyun's travel to North Korea.

The United Nations Command which controls the armistice village of Panmunjom refused to authorize Ms Im and Father Moon to cross the border in the absence of agreement from the South Korean authorities. A news blackout was imposed in the south and all the roads to Panmunjom were blocked. People who tried to go to the border to welcome them on their

<1> Father Ku Il-mo was released on 7 September after the charges against him were dropped. Father Nam Kuk-hyun and Father Park Byung-joon were formally indicted the same day and are currently awaiting trial.

first attempted crossing on 27 July were arrested. Ms Im and Father Moon went on hunger-strike from 29 July to 2 August to press their demand to be allowed to cross the demarcation line. On 15 August they were able to cross the border and were immediately taken into custody by the South Korean authorities.



Fr Park Byung-joon (left) and Fr Nam Kuk-hyun (centre back) outside Myongdong Cathedral in Seoul, shortly before their arrest on 29 July 1989.
© Popperfoto

Ms Im, who was suffering from exhaustion, was first sent to Seoul National University Hospital where she stayed until 18 August. She was transferred to the custody of the Agency for National Security Planning. The Agency subsequently told the press that during her interrogation it had arranged for Ms Im to meet several defectors from North Korea in an attempt to have her change her views of North Korea, but said she refused to do so. Her lawyers were denied access to her and on 6 September obtained a court order requiring the Agency to let them meet her. Her family was not allowed to see her until 8 September when her case was transferred from the Agency for National Security Planning to the prosecuting authorities and she was moved to Anyang prison.

Father Moon Kyu-hyun was interrogated by the National Police Headquarters and was allowed to meet his lawyers and relatives for the first time on 31 August. The authorities reported that they were considering charging him with having illegally visited North Korea on three occasions and with having, on North Korea's orders, publicly expressed support for the north's view on reunification and on the withdrawal of US troops from South Korea.

Up to 100 people were reportedly interrogated by the authorities about their involvement in Ms Im's and Father Moon's trip to North Korea. It is not known, at present, how many were interrogated and how many were subsequently charged. Those whose detention has been confirmed include:

Kim Chi-son, Yu So-jong and Shin Hyon-kyong, three students at Hanyang University in Seoul and members of Chondaehyop. They were among ten students arrested on 31 July. Kim Chi-son, 22, a student of Home Management, was accused of having sent money given to her by a Chondaehyop member to Im Su-kyong in Tokyo. Yu So-jong, 22, a student of Dietetics, is accused of having selected Kim Chi-son to carry out the financial transaction. She had apparently turned down an offer to represent Chondaehyop at the Pyongyang festival herself. She is also accused of having written and distributed leaflets supporting Im Su-kyong's visit to North Korea when she was doing voluntary summer work in the countryside from 10 to 20 July. Shin Hyon-kyong, 21, a student of Korean language and literature, is also accused of having been involved in sending money to Im Su-kyong for her trip to North Korea.

The authorities also investigated the possible help given by Koreans abroad to the Chondaehyop students and Ms Im Su-kyong. On 2 September, **Kim Chin-yop**, 24, a dentist and an Australian citizen sent by an Australian church to work at the Ilshin Christian Hospital in Pusan, was arrested on suspicion of having asked Koreans in Australia and West Germany to help with Ms Im Su-kyong's travel.

9. ARREST OF TEACHERS

Thousands of teachers have been arrested since the middle of May for taking part in peaceful rallies and other activities to support their right to set up a trade union. Most were released shortly after their arrest. Around 50 were charged and tried, and all except one, Yun Yong-kyu, were released on suspended sentences.

Efforts by primary and secondary school teachers to form a union became public when 10,000 members of the National Council of Teachers (Chonkyohyop) took part in rallies in Seoul and nine other cities on 14 May. At the rally in Seoul Yun Yong-kyu, 53, a teacher of physical education in the south-western city of Kwangju and the chairman of Chonkyohyop, announced that they would inaugurate the National Teachers Union (Chonkyojo) on 28 May. On 22 May the Ministry of Education ordered local boards of education to sack 54 teachers who had organized the 14 May rallies, and on 24 May the prosecution authorities summoned them for questioning. Those who presented themselves to the prosecution were briefly held and those who agreed to discontinue union activities had the charges against them dropped. On 27 May arrest warrants were issued against Yun Yong-kyu and four other teachers who had ignored the summons.

The five teachers evaded arrest and on 28 May held Chonkyojo's inaugural meeting at Yonsei University after the original rally site at Hanyang University had been cordoned off by police and several hundreds of teachers and supporters were prevented from joining. Chonkyojo's stated objectives are the recognition of teachers' basic labour rights, election of school principals, establishment of teachers bodies at school level and educational reforms. Yun Yong-kyu was elected president of the union.

The Ministry of Labour refused to register the union and Ministry of Education officials repeatedly refused to speak to Chonkyojo representatives on the grounds that the union was "illegal." They accused the teachers of trying to introduce "leftist" (that is, pro-communist) ideology into schools and to seek to "change the country's democratic system." The authorities accepted, however, that revisions were needed to the curriculum and to some textbooks and announced that until the textbooks revision was completed in 1990 teachers would be free to depart from those which did not reflect the government's current approach to relations with communist countries or ignored abuses under the previous government of President Chun Doo-hwan.

Immediately after Chonkyojo's inaugural meeting, some 20 teachers, including Yun Yong-kyu, went to the offices of the opposition Reunification Democratic Party where they staged a hunger-strike until 5 June when they were taken to Yongdong Severance Hospital for medical check-ups. As they left the hospital a few days later they were taken into custody by the police for questioning. All were released shortly after except for five of them: **Yun Yong-kyu**; **Shin Maeng-sung**, 48, leader of Chonkyohyop's Inchon branch at a teacher at Chemulpo High School; **Kim Sok-kun**, 32, of Nam Seoul Middle School; **Won Yong-man**, 32, secretary general of Chonkyohyop and a teacher at Haksong Middle School; and **Lee Su-ho**, 40, deputy secretary general of Chonkyohyop and a teacher at Shinil High School. Except for Lee Su-ho, who worked for a private school, they were charged under Article 66 of the Civil Service Law which provides for a maximum sentence of one year imprisonment for teachers at state-run schools who agitate to form a union. Lee Su-ho is believed to have been charged on similar grounds under the Private Schools Law. All except Yun Yong-kyu were released in September 1989 on suspended sentences. Yun Yong-kyu was sentenced to one year's imprisonment on 11 November.

Chonkyojo members continued their activities to press for the recognition of their union, in spite of the Ministry of Education giving them until 15 July - the deadline was later extended to 5 August - to resign from the union or face dismissal or suspension. At the end of June 20,000 out of a total of 300,000 primary and secondary schools teachers in the country were said to have joined Chonkyojo. The government disputed this figure and to support their claim local chapters of the union published the list of their members in newspapers.

From 10 to 15 July, over 4,000 teachers were reported to have heeded Chonkyojo's call for "hunger-classes", that is hunger-strikes while continuing to teach, and overnight sit-ins on school premises. Throughout the dispute the teachers continued to give classes - most of their rallies were held on Sundays - although some classes had to be cancelled when the teachers were under arrest.

Six hundred teachers were said to have taken part in another hunger-strike in the precinct of Myongdong Cathedral from 28 July to 5 August. Seventy were arrested as they left the demonstration that marked the end of the hunger-strike. As of 6 August, the prosecution authorities announced they had formally arrested and charged 41 leading figures of the union and four others had been placed on the wanted list. On 8 August Chonkyojo launched a petition campaign in support of their demands and as of 12 August they had claimed to have collected 12,000 signatures. The Korean press reported several instances of signature collectors being briefly detained by police and having the sheets of signatures confiscated.



Police arrest a member of the National Teachers' Union during a demonstration at Hanyang University in Seoul, 28 May 1989
© Popperfoto

Parents were divided and set up groups either supporting or opposing the teachers' right to form a union. A large number of high school and university students staged sympathy protests. On 15 July 20 students at Kuro High School in Seoul were reportedly injured when riot policemen beat them for staging a street demonstration in support of Chonkyojo. On 19 July 45,000 high school and university students took part in protests in several cities. At the beginning of August four leaders of high school councils who had organised activities in favour of Chonkyojo were reported to have been sent to camps for "living together re-education" where they were to be informed about the "illegal character" of the teachers' union.

When classes resumed at the end of August after four weeks' summer vacation, 1,500 teachers had been dismissed or suspended from their jobs. Many, however, reported to their schools and the authorities banned meetings between the teachers and their former students. Many dismissed teachers appealed for reinstatement to government arbitration committees or private schools disciplinary committees. The trial of some of the 41 arrested teachers took place. By the beginning of September several had been released on probation or on suspended sentences and only 30 remained

in detention. The Constitutional Court to which teachers had filed a petition had not yet ruled on the legality of Chonkyojo. (Article 33(2) of the Constitution states that "Workers who are public officials shall have the right to association, collective bargaining and collective action only when designated by law".) Discussions by the National Assembly on amendments to the Education Law to allow teachers the right to form their own associations, although without the right to strike, had not reached a conclusion either.

10. RENEWED REPORTS OF TORTURE AND ILL-TREATMENT

In 1987 as a result of the public outcry following the death under torture of student Park Chong-chol in January, the authorities strengthened legal safeguards against torture and publicly condemned its use. For the rest of the year and in 1988 Amnesty International received few reports of ill-treatment of political prisoners but a number of instances were reported of criminal suspects being tortured or dying as a result of ill-treatment in police custody. Several prosecutions were brought in these cases and police officers sentenced to terms of imprisonment. At the end of 1988 and as part of its investigation into irregularities and abuses committed under the previous government, the prosecution started an investigation into claims of torture made by several former political prisoners against one police officer. That investigation was later suspended and to Amnesty International's knowledge none was conducted into other cases.



A mourner lights a candle at a shrine dedicated to Park Chong-chol who died under torture in January 1987.
© Popperfoto

In 1989 a number of incidents gave rise to concern. The Joint Public Security Investigation Headquarters, which arrested 368 people on political grounds in the period 3 April-19 June 1989, and the Agency for National Security Planning, which arrested hundreds of people in the following months, were accused by human rights lawyers of holding people without warrants of arrest and preventing detainees from meeting their relatives and lawyers. When detainees were allowed to meet their lawyers and relatives some alleged they had been ill-treated. In June two people detained on criminal charges died from police beatings and seven policemen accused of causing their deaths were prosecuted.

At the end of April, 15 striking workers in the southern industrial cities of Changwon and Masan alleged that they had been tortured by police with electric shock batons. One of them, Hwang Chong-su, apparently required two weeks of hospital treatment. A group of opposition members of the National Assembly who went to Changwon police station claimed that they were prevented from investigating the matter. The police authorities denied having tortured the 15 workers but did not deny having supplies of the electric shock batons.

On 10 May the body of Lee Chol-kyu, a student activist in Kwangju, was found in a reservoir. Dissidents claimed that he had been tortured to death but an official autopsy concluded that he had died of accidental drowning. Lee Chol-kyu, 24, was an electronics engineering student of Chosun University in Kwangju and the chief editor of the university paper Minju Chosun (Democratic Korea). Lee Chol-kyu had been released in September 1988 after serving two years' imprisonment for his political activities and was wanted by the Joint Public Security Investigation Headquarters for an article he had written for the inaugural issue of Minju Chosun in March. In his article "Revolution and Construction in North Korea" he reportedly wrote that the 1950-1953 Korean War had been started by the south and the USA, a view held by North Korea. According to the prosecutor's investigation, Lee Chol-kyu had last been seen on 3 May running towards a forested hillside away from the reservoir to evade police who had stopped the taxi in which he was travelling. According to experts of the National Institute for Scientific Investigation in Seoul the autopsy and forensic tests showed that Lee Chol-kyu had died of drowning, but this conclusion was challenged by a doctor who had observed the autopsy. On 20 May the prosecutor announced the result of the investigation and concluded that Lee Chol-kyu had most likely fallen into the reservoir by accident while escaping the police chase or later. However, because Lee Chol-kyu's face was severely disfigured and his body was covered with bruises and scratches, and because of unexplained circumstances surrounding his disappearance, student groups and dissidents claimed that he had been tortured and killed by the police. A team of 12 parliamentarians from all parties conducted an independent investigation but did not find any decisive evidence contradicting the prosecutor's conclusion that Lee Chol-kyu had drowned. A US forensic pathologist visited Kwangju at the end of June but the authorities would not allow him to perform a second autopsy on Lee Chol-kyu's body.

Amnesty International has so far received few detailed reports of the claims made by some prisoners arrested since April 1989 that they have been tortured or ill-treated during their interrogation. Most complaints refer to beatings and sleep deprivation. Human rights lawyers have complained that the Joint Public Security Headquarters and the Agency for National Security Planning have prevented them from meeting their clients. Incommunicado detention provides the conditions under which prisoners can

be ill-treated without news or evidence of it reaching people outside the detention place and it was precisely in order to prevent such abuses that the authorities in 1987 reinforced the law in this respect. Answering the lawyers' complaints, a spokesman of the Seoul District Prosecutor's Office announced at the end of May that the prosecution authorities would make regular inspections into detention facilities used by the Agency for National Security Planning and the police to ensure that no arrests were carried out without court warrants, and that torture, indefinite detention and bans on access to lawyers and relatives did not occur.

On 28 August 1989 Kim Chong-hwan, 23, a senior majoring in Korean literature at Kookmin University, claimed during a news conference organized by the Korean National Council of Churches that he had been illegally detained and tortured by military security officers. He said a man in his 30s had phoned him at his home on 9 August saying that he was a member of the Youth Council for Democratization and that he wanted to see him. Kim Chong-hwan who had previously been the chairman of the student council of his university's College of Liberal Arts agreed to meet him. As he arrived near the back gate of Korea University at around 7.30pm, he said that he was forced into a car by three or four men who then took him to a hill near Sodaemun-gu, a western district of Seoul. They blindfolded and handcuffed him and questioned him about the whereabouts of Kim Chong-dok, the editor-in-chief of Pugak, the university's paper and another student who were wanted in connection with an article on North Korea. Kim said that when he replied that he did not know where the two students were his abductors tied him to a tree, beat him and then threw him into a hole, shovelled earth on him and threatened to bury him alive. They released him at 1am the next day and gave him a phone number to contact them if he had any information on the fugitive students.

A spokesman of the Ministry of National Defence confirmed on 30 August that two military intelligence agents had contacted Kim Chong-hwan on three occasions to ask him for information on the whereabouts of Kim Chong-dok whom they suspected of having helped organize Ms Im Su-kyong's trip to North Korea (see page 23). The Defence Security Command had investigated Kim's claims that he had been put into a hole and threatened with being buried alive, and had concluded that they were untrue.

No far-reaching investigation was conducted into claims of torture made by political prisoners under the previous government. On 24 December 1988 several political prisoners who had been released under an amnesty that day claimed that they had been tortured by a senior investigator, who they named, at the Anti-Communist Bureau of the National Police in Namyoung-dong, Seoul, in 1979 and 1986. They alleged he beat them and tortured them with various devices including an electric shock baton. Kim Keun-tae, who had been released in May 1988 and had filed a torture complaint against four other police officers, confirmed that the same investigator was the "unidentified electric torture specialist" he had mentioned in his petition. The press reported him as saying "I am certain he conducted six of the eight electric torture sessions I underwent at the time [September 1985]". A spokesman for the National Police Headquarters confirmed that the investigator named had been responsible for these cases but denied that torture could have taken place. The following day the Prosecutor-General ordered an investigation into the torture allegations and assigned it to the special team which was looking into allegations of corruption and other abuses of the previous administration. The prosecutor's investigation was however obstructed by the disappearance of the investigator who, according to press reports, attempted to go abroad.

The trial of the four policemen accused by former prisoner of conscience Kim Keun-tae of torturing him in September 1985, started on 25 June 1989 and there was a second hearing on 19 July, in the absence however of Kim Keun-tae himself. He has apparently gone into hiding after the authorities issued a warrant of arrest against him for his activities with Chonminnyon. Kim Keun-tae's wife had filed a complaint with the prosecution about his torture at the end of 1985. In January 1986 the prosecutor decided not to initiate a prosecution. This decision was overturned by the Seoul Court of Appeal in December 1988 in response to an appeal by Kim's lawyer the previous February.

11. EXECUTIONS

No executions are known to have taken place between July 1987 and August 1989; this situation ended when seven prisoners were executed on 4 August 1989. They had been convicted of murder aggravated in some cases by rape, kidnapping or robbery. An official of the Ministry of Justice who announced the executions said that the executions had been carried out as a warning to violent criminals and in an effort to stem an increase in violent crimes, and that further executions might take place. Amnesty International wrote to the authorities to express its concern at the executions and suggested that the authorities consider implementing other crime prevention measures.

Korean newspapers seldom report death sentences imposed by the courts. One exception was the trial of Kim Hyun-hui, a 27-year-old North Korean woman who was convicted on 25 April 1989 of planting a bomb on a Korean Airlines plane in November 1987. Kim Hyun-hui and her companion were arrested in Bahrain hours after the plane with 115 people on board had disappeared. Both took cyanide; her companion died but she survived. She confessed to having placed explosives on the plane on orders from Kim Jong-il, the son and designated successor of the North Korean leader Kim Il-sung, to discourage countries from taking part in the 1988 Seoul Olympics. Her death sentence was upheld by the Seoul High Court on 22 July and she is believed to have appealed to the Supreme Court. Korean newspapers have quoted officials as saying that the government was likely to commute her sentence on the grounds that she was a victim of North Korea's "belligerence".

In recent years most death sentences have been imposed for convictions of murder, murder or rape in the course of robbery, leading an "anti-state" organization (that is a group seeking to overthrow the government) and espionage for North Korea. The last known execution of a political prisoner took place in 1982 and there are currently no political prisoners under a sentence of death.

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FOR
17 JAN 1990 **SOUTH KOREA**

LONG-TERM POLITICAL PRISONERS

The other two prisoners who were sentenced to three-year prison terms in this case are: Lee Jong-lin, aged 66, chairperson of the representative assembly of Minjatong and Lee Chun-jae, aged 57, chairperson of Minjatong's Public Liaison Committee.

For further information on arrests of political prisoners in South Korea, see Amnesty International circular South Korea: Return to "Repressive Force and Torture"? (ASA 25/43/89) embargoed for 17 January 1990.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

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SUMMARY

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Over 200 prisoners are currently serving long sentences of imprisonment in South Korea after they were convicted on charges of having been North Korean "spies" or "agents". Amnesty International does not normally take up the cases of prisoners convicted of espionage but has decided to seek further information about these prisoners because of the broad meaning given to espionage in South Korean law. This provides for the imprisonment of people for the exercise of fundamental rights that would not constitute "espionage" in the internationally accepted sense of the term. A further concern is that some of them may have been tortured or wrongly convicted after unfair trials. In several well-documented cases Amnesty International has concluded that prisoners charged with and convicted of "espionage" were in fact imprisoned solely for the peaceful exercise of their rights of freedom of expression and association and had been wrongly convicted after unfair trials.

Although the total number of prisoners convicted on "espionage" charges now in detention has not been confirmed, Amnesty International has received information on 30 prisoners who have been held for over 30 years and of 37 prisoners held for between 20 and 29 years. Ninety others are known to have been imprisoned for between 10 and 19 years and 25 others have been imprisoned for less than 10 years. Over 80 of the "espionage" prisoners are serving life sentences; the others are serving sentences of between seven and 20 years' imprisonment.

Until recently, little information has been available about prisoners convicted on "espionage" charges. Although the arrest of some of these prisoners date from the Korean War years, cases about which some detailed information is available are primarily those of prisoners detained in the 1970s and 1980s under legislation which makes punishable virtually any contact with North Korean citizens, contact with others who support the North Korean government, or the expression of views considered sympathetic to North Korea.

Those convicted on "espionage" charges whom Amnesty International has identified as prisoners of conscience or is investigating as possible prisoners of conscience include Koreans normally resident in Japan who have been detained because of alleged contact with individuals and legal institutions and organizations in Japan said to sympathize with North Korea. Others include South Koreans detained after periods in residence or

after visits to Japan, Western Europe and the United States who are alleged to have contacted pro-North Korean organizations and individuals there. Others are thought to have been convicted of "espionage" solely for having visited North Korea.

After Roh Tae-woo became President in February 1988 his government indicated that it would investigate irregularities under the previous government (1980-1988). It also made a number of statements pledging to improve relations with North Korea. Amnesty International is calling on the South Korean government to investigate all claims of human rights violations under previous governments and to review all the cases of prisoners serving long sentences for offences related to real or imputed contacts or sympathy with North Korea with a view to ordering the retrial of those found to have been convicted after unfair trials and the release of those detained on a charge of "espionage" solely for their peaceful political activities, without having acted on behalf of the Government of North Korea or having collected for it or delivered to its agents "secret information."

Amnesty International is also calling on the authorities to discontinue the practice of requiring that prisoners convicted of national security offences formally "recant" their alleged communist views as a condition for their release or better treatment in prison. Such a requirement is a denial of the rights of freedom of opinion and conscience.

This summarizes a 22-page document, South Korea: Long-term Political Prisoners AI Index: ASA 25/42/89, issued by Amnesty International in December 1989. Anyone wanting further details or to take action on this issue should consult the full document. For information on arrests on national security charges in 1989 see South Korea: Return to "Repressive Force and Torture"? AI Index: ASA 25/28/89 issued by Amnesty International in October 1989.

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SOUTH KOREA

LONG-TERM POLITICAL PRISONERS

1. INTRODUCTION

Over 200 prisoners are currently serving long sentences of imprisonment in South Korea after they were convicted on charges of having been North Korean "spies" or "agents". Amnesty International does not normally take up the cases of prisoners convicted of espionage but has decided to seek further information about these prisoners because of the broad meaning given to espionage in South Korean law. This provides for the imprisonment of people for the exercise of fundamental rights that would not constitute "espionage" in the internationally accepted sense of the term. A further concern is that some of them may have been tortured or wrongly convicted after unfair trials. In several well-documented cases Amnesty International has concluded that prisoners charged with and convicted of "espionage" were in fact imprisoned solely for the peaceful exercise of their rights of freedom of expression and association and had been wrongly convicted after unfair trials.

Although the total number of prisoners convicted on "espionage" charges now in detention has not been confirmed, Amnesty International has received information on 30 prisoners who have been held for over 30 years and of 37 prisoners held for between 20 and 29 years. Ninety others are known to have been imprisoned for between 10 and 19 years and 25 others have been imprisoned for less than 10 years. Over 80 of the "espionage" prisoners are serving life sentences; the others are serving sentences of between seven and 20 years' imprisonment.

Until recently, little information has been available about prisoners convicted on "espionage" charges. Although the arrest of some of these prisoners date from the Korean War years, cases about which detailed information is available are primarily those of prisoners detained in the 1970s and 1980s under legislation which makes punishable virtually any contact with North Korean citizens, contact with others who support the North Korean government, or the expression of views considered sympathetic to North Korea.

Those convicted on "espionage" charges whom Amnesty International has identified as prisoners of conscience or is investigating as possible prisoners of conscience include Koreans normally resident in Japan who have been detained because of alleged contact with individuals and legal institutions and organizations in Japan said to sympathize with North Korea. Others include South Koreans detained after periods in residence or

after visits to Japan, Western Europe and the United States who are alleged to have contacted pro-North Korean organizations and individuals there. Others are thought to have been convicted of "espionage" solely for having visited North Korea.

These prisoners' detentions have occurred against the background of Korea's division into two states after World War II. When Japan surrendered to the Allied forces in 1945, the Soviet army occupied the area north of the 38th parallel line and the United States army occupied the southern half. A joint US-Soviet commission was formed to establish a national government in consultation with Korean parties but failed to reach an agreement. Separate elections were held in the two areas and in 1948 the Republic of Korea was established in the south and the Democratic People's Republic of Korea in the north. In June 1950, conflict broke out and North Korean troops penetrated deep into the south. The United Nations sent troops to aid South Korea while China sent troops to assist North Korea. The war lasted for three years, at great human and material cost. An armistice signed at Panmunjom in July 1953 created a four-kilometre-wide demilitarized zone dividing the peninsula along the 38th parallel.

The country has since remained divided with both states maintaining large standing armies and devoting a large proportion of national resources to defence. Both governments support reunification of the country but on different terms. On 4 July 1972, they issued a joint communique pledging that they would seek reunification by peaceful means independent of external involvement. However, little progress has been made since then and each government still regards the other as a serious threat to its national security. The two governments adhere to different ideologies: North Korea is communist and committed to the juche-sasang ideology, the principle of self-reliance. South Korea is strongly anti-communist and has a capitalist economy.

Ten million families are estimated to have been separated as a result of the division of the country. For over 35 years they have not been allowed to communicate either by mail, phone or visits. In September 1985, for the first time, groups of separated relatives met in the two capitals.

After Roh Tae-woo became President in February 1988 his government indicated that it would investigate irregularities under the previous government (1980-1988). It also made a number of statements pledging to improve relations with North Korea. Amnesty International is calling on the South Korean government to investigate all claims of human rights violations under previous governments and to review all the cases of prisoners serving long sentences for offences related to real or imputed contacts or sympathy with North Korea with a view to ordering the retrial of those found to have been convicted after unfair trials and the release of those detained on a charge of "espionage" solely for their peaceful political activities, without having acted on behalf of the Government of North Korea or having collected for it or delivered to its agents "secret information."

Amnesty International is also calling on the authorities to discontinue the practice of requiring that prisoners convicted of national security offences formally "recant" their alleged communist views as a condition for their release or better treatment in prison. Such a requirement is a denial of the rights of freedom of opinion and conscience.

2. MAIN LEGAL PROVISIONS AND PROCEDURES FOR ARREST AND TRIAL

Three laws have been applied to punish contacts with North Korea or its supporters and the expression of views or activities supporting North Korea. They are the Criminal Code, promulgated in 1953; until its abrogation in 1980, the 1961 Anti-Communist Law; and the 1961 National Security Law which was amended in 1980 to incorporate some provisions previously part of the Anti-Communist Law.

Article 98 of the Criminal Code provides for the death penalty, life imprisonment or a sentence of imprisonment of at least seven years for people convicted of acting as spies for an enemy country, aiding or abetting a spy of an enemy country or divulging military secrets to an enemy country.

The main stated purpose of the Anti-Communist Law was to "block the activities of communist organizations that endanger national security". The purpose of the National Security Law is to "control anti-state organizations" which are defined as groups in South Korea or abroad, including communist groups, whose purpose is to "disturb" the state or "assume a title of the government".

The main offences under the National Security Law (which were also offences under the Anti-Communist Law) are:

- * forming or participating in an "anti-state" organization, or preparing or conspiring to do so (sentences on conviction range from two years' imprisonment to the death penalty for "ringleaders").

- * illegal travel to North Korea and re-entry into South Korea, or preparing or conspiring to do so, under instructions from North Korea or in order to benefit it. Sentences on conviction range from two to 10 years' imprisonment. Amnesty International considers that the mere fact of travelling to North Korea without evidence of either espionage activities or of the use or advocacy of violence cannot justify imprisonment. Until 1988 few South Koreans were known to have travelled to North Korea. One of them is Soh Sung who has been detained since 1971 and whom Amnesty International regards as a prisoner of conscience. His case is described below. Five people were arrested in 1989 for illegally visiting North Korea. Their cases are described in South Korea: Return to "Repressive Force and Torture"? AI Index: ASA 25/28/89, issued by Amnesty International in October 1989.

- * meeting, liaising or communicating with members of an anti-state organization for its benefit, or preparing or conspiring to do so (sentences on conviction range from one to seven years' imprisonment). This provision has been used mainly against people who met Koreans said to support North Korea during visits abroad.

- * failing to inform the authorities about a person who has committed an offence under the National Security Law or the Anti-Communist Law. (The maximum sentence on conviction is five years' imprisonment, which can be reduced or suspended in cases involving relatives). The National Security Law (and before 1981 the Anti-Communist Law) also provides "prize money" for members of the public who report offenders to the authorities, and for the staff of security investigation agencies who detect and arrest offenders.

Suspected offenders are arrested and interrogated by either the Anti-Communist Bureau of the National Police, the Korean Central Intelligence Agency (renamed Agency for National Security Planning in 1981) and the military security agency, now called the Defence Security Command.

Some prisoners who were convicted of alleged espionage activities in the 1970s or early 1980s and who have now been released have described their torture at the hands of these agencies in some detail. In addition, many government opponents arrested on other charges have also testified to having been tortured during their interrogation by these agencies. Imprisonment in these cases was characterized by a series of irregularities in detention and trial procedures, including arrests without warrants, interrogation for periods longer than allowed by the law and prohibition on meeting relatives or lawyers. Many prisoners claimed that they had been tortured to make a false confession and often their confession was the main evidence for their conviction. <1>

3. THE "RECAT" AND "CONVERT" SYSTEM

All the prisoners convicted under the Anti-Communist Law and the National Security Law are required to formally disavow their alleged communist beliefs and "convert" to "anti-communism". Usually only those who have done so are released early or have their sentences reduced under amnesties. Between 1975 and June 1989 when the Public Security Law was in force, some prisoners who had refused to make a statement of conversion to "anti-communism" were not released after completing their sentences and were served with preventive detention orders by the Minister of Justice on the grounds that since they had not converted they continued to pose a threat to the country's security.

Prisoners may receive better treatment, such as greater access to books, increased correspondence, visits home and other privileges, if they write a statement of conversion. Often relatives of prisoners are also asked to put pressure on the prisoners to "recant" and "convert". Several former prisoners have alleged they were punished or ill-treated because they refused to convert.

In September and October 1989 prisoners in several prisons, including Taegu and Taejon prisons, staged hunger-strike in support of a number of demands, including the abolition of the recantation system.

Amnesty International regards the requirement for prisoners to formally disavow their alleged political beliefs as a denial of the right to freedom of conscience and opinion and is urging the authorities to discontinue this practice.

<1> See, among others, South Korea: Violations of Human Rights ASA 25/21/86, issued by Amnesty International in June 1986 and South Korea: Torture Testimony: Kim Keun-tae ASA 25/03/88, issued by Amnesty International in February 1988.

ERRATA

SOUTH KOREA: LONG-TERM POLITICAL PRISONERS ASA 25/42/89, December 1989

Page 8, paragraph five:

Kim Yeong-sam was arrested in 1974 and not 1954.

Page 11, paragraph three:

Amnesty International has recently learned that Suh Sung-chul died in prison in May 1989.



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4. LONG-TERM POLITICAL PRISONERS

Until recently, because of the stigma attached to conviction as a North Korean spy or agent, relatives of prisoners convicted of such charges did not publicize their cases nor did human rights groups in South Korea itself feel able to campaign on their behalf. Moreover, the relatives of some of these prisoners told Amnesty International that they were warned by security agencies not to talk about the cases to anyone. Often too they could not find or could not afford lawyers to defend the prisoners. Sometimes the relatives themselves were interrogated or given a prison sentence for not reporting a spy. Even now little information is available on most of these cases.

Amnesty International has no details about the circumstances and reasons for the arrests of the prisoners held since the early 1950s. They may be North Korean operatives sent to the south at the beginning of the Korean War to support or organize local resistance to the Republic of Korea and United Nations forces and to administer the areas over which North Korea had gained temporary control; they could also be southerners who supported the occupying North Korean army or participants or suspected participants in partisan activities in support of the North Korean military offensive. During the Korean War, thousands of civilians suspected of being or helping indigenous guerrilla forces were killed or arrested.

A political prisoner at Pusan, summer 1950



Among the prisoners arrested in the second half of the 1950s and in the 1960s who are still detained, several are southerners said to have been members of the South Korean Labour Party who went to North Korea where they are said to have received training. They are accused of having gone back to the south where they were arrested for seeking to recruit people with "leftist sympathies" or relatives to engage in anti-government activities, to carry out espionage or to defect to the north. Others are said to have been arrested for supplying military information to North Korea. A few prisoners appear to have been arrested for not reporting to the authorities a visit from a relative from North Korea whom the authorities suspected of being engaged in espionage.

Amnesty International is seeking information on the 67 prisoners arrested in the 1950s and 1960s to establish whether they were indeed involved in espionage or violent activities or were arrested for their non-violent political views or activities.

Prisoners convicted of espionage in the 1970s and 1980s fall into the following groups:

A. Korean nationals resident in Japan arrested when visiting South Korea who are accused of having had contacts with members or officials of Chongnyon (see below) and to have been won by them as spies or agents for North Korea. Others have been accused of visiting North Korea with the help of Chongnyon members.

There are over 650,000 Koreans permanently living in Japan, most of them the descendants of Koreans who emigrated in search of work after Korea became a Japanese colony in 1910 or who were forcibly conscripted and transported to work in Japanese factories during World War II, and who after the war chose not to return to either North or South Korea. Two organizations compete for their allegiance: Mindan, the Korean Resident Association of Japan, and Chongnyon, the General Federation of Korean Residents in Japan. Both organizations are said to be heavily subsidized by their "home governments": Mindan by South Korea and Chongnyon by North Korea. Mindan members are said to be more amenable to assimilation within Japanese society; Chongnyon, on the other hand, emphasizes its members' Korean origins, mainly through a complete educational system in the Korean language.

B. South Koreans who visited Japan, for study, business or family meetings, and who were arrested after returning to South Korea. Some have been accused of having met members or officials of Chongnyon and given them information on South Korea; others of having visited North Korea with the help of Chongnyon.

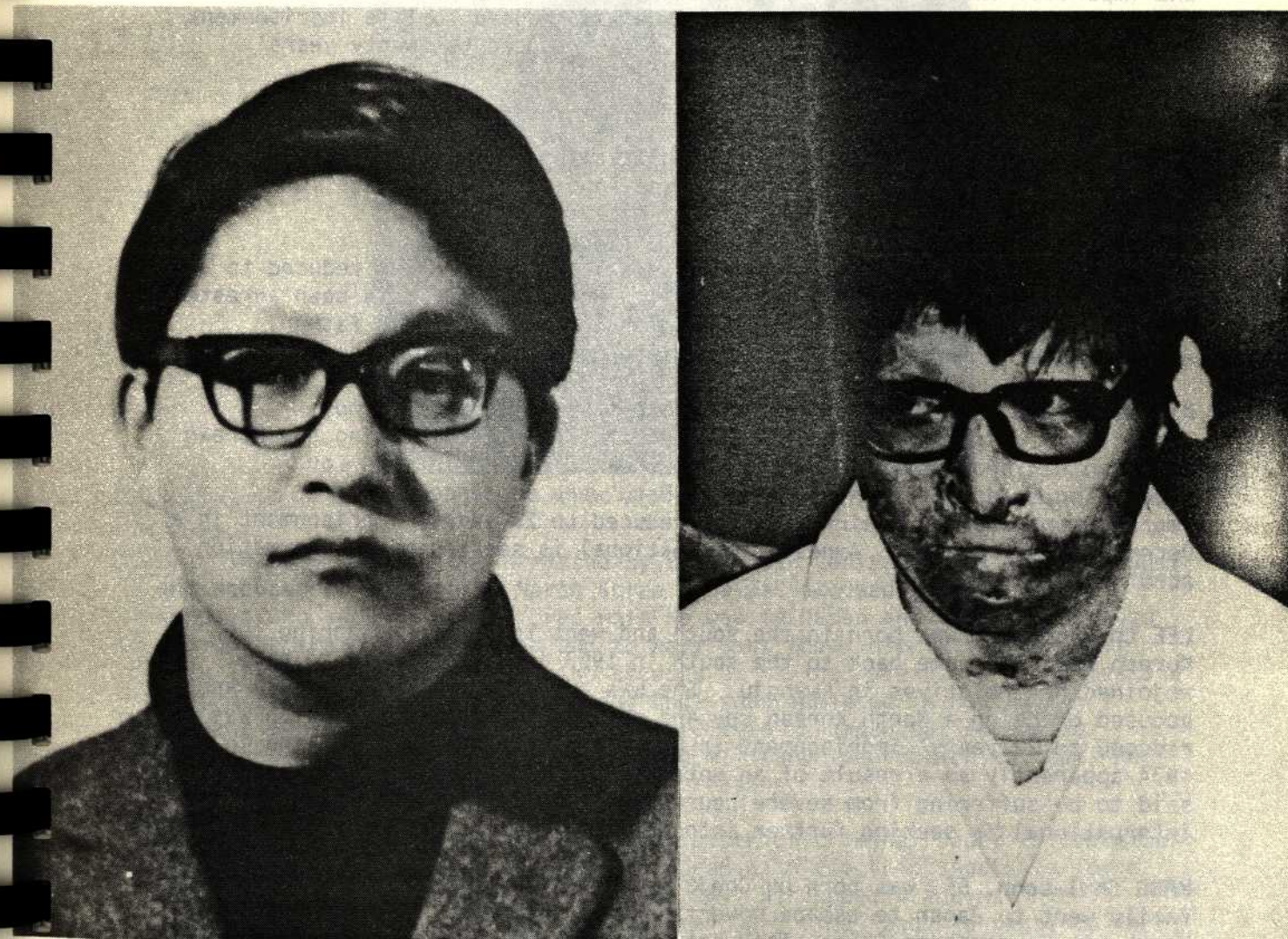
C. South Koreans who studied in or travelled to the USA or Western Europe and were accused on their return to South Korea of having met Korean exiles who support North Korea, having given them information on the political situation in South Korea, or who were accused of meeting North Korean diplomats in Europe or of visiting North Korea.

D. South Koreans who did not report visits from relatives who normally live in North Korea and whose clandestine visits to the south were alleged to be for spying purposes.

E. South Korean fishermen abducted to the north and subsequently accused of having engaged in espionage activities on their return.

CASE STUDIES

SOH Sung, 44, a Korean normally resident in Japan, was a post-graduate student in sociology at Seoul National University when he was arrested in April 1971. He was charged with spying for North Korea and instigating student demonstrations against the South Korean government. Widespread student demonstrations took place in April 1971 against the conduct of the presidential election in which President Park Chung-hee was re-elected to a third consecutive four-year term, and the opposition candidate, Kim Dae-jung, was narrowly defeated. Soh Sung was also charged with travelling twice to North Korea, in 1967 and in 1970. After two weeks in custody, Soh Sung reportedly wrote a confession in which he admitted having collected and transmitted information on South Korea to North Korea and having organized underground student communist groups in South Korea. He is said to have signed his confession about six weeks later, while in hospital recovering from a suicide attempt.



Soh Sung before his arrest

Soh Sung after his suicide attempt

During his trial Soh Sung admitted visiting North Korea but denied carrying out espionage activities or inciting students to demonstrate against the government. He explained that as a second-generation Korean living in Japan his search for national identity led him to be interested in both North and South Korea and that his visits to North Korea and his studies at a South Korean university were aimed at understanding the political realities in both Koreas which he felt should be reunified by peaceful means. To the district court judges and when appealing against his conviction, Soh Sung explained that he attempted suicide as he "could not endure the mental and physical pains during interrogation." In his appeal to the Supreme Court, dated 31 January 1983, he wrote: "... the prosecutor's indictment resulted from my involuntary statement, forced by torture, and from the investigation which was deceptively done under unsatisfactory physical and psychological conditions..." (Soh Sung sustained severe burns to 45 per cent of his body. In early 1989 it was reported that he was still unable to straighten his fingers because of the extensive damage from the burns on his hands, and that his face still bore scars.)

The courts accepted Soh Sung's confession as conclusive evidence of his guilt, although there are no indications that they conducted a thorough and impartial investigation to establish its validity. Soh Sung was at first sentenced to death but his sentence was reduced to life imprisonment on appeal. In December 1988 his sentence was reduced to twenty years' imprisonment under a presidential amnesty.

Amnesty International considers Soh Sung to be a prisoner of conscience detained for his peaceful political views. There is no evidence that he used or advocated violence or was involved in espionage for North Korea.

YU Jong-in, 53, was arrested in 1971. His life sentence was reduced to 20 years' imprisonment in December 1988. He is said to have been arrested for travelling to North Korea via Japan in order to meet his father. Amnesty International is seeking more information about his case.

KIM Yeong-gon, 58, was arrested in 1970, it is believed, for not reporting a visit from a brother who went to North Korea during the Korean War. Another brother, **KIM Yeong-sam**, 59, was arrested in 1954 for attempting to defect to North Korea. Both were sentenced to life imprisonment and had their sentences reduced to 20 years' imprisonment in a December 1988 amnesty. Amnesty International is seeking more information about their cases.

LEE Cha-hun, 70, was born in the south and went to the north during the Korean War. She came back to the south in 1953 and is believed to have rejoined her relatives in Kwangju. She was arrested in November 1972 and accused of being a North Korean spy and given a life sentence, which was reduced to 20 years' imprisonment in December 1988. She became blind in 1974 apparently as a result of an untreated dental infection and she is said to be suffering from severe neuralgia in cold weather. Amnesty International is seeking further information on her case.

KANG Chul-soon, 55, was born on Cheju Island. Two years later his family went to Japan to escape poverty and in 1940 they moved again to Manchuria in northern China. They returned to South Korea in 1945. Kang Chul-soon returned to Japan in 1951 where he still had relatives and studied English Literature at the Kansai School of Foreign Languages. In

1954 he started work as a teacher at the Shariji Elementary School for Korean children in Osaka. He continued his studies while working and in 1960 graduated from Osaka School of Literature. In 1963 he returned to South Korea with his wife and children.

Kang Chul-soon



In July 1972 he was arrested by the Korean Central Intelligence Agency and accused of spying for North Korea. He was accused of having met Koreans who support North Korea when he was in Japan and to have received espionage training from them and to have sent them information on daily life in South Korea. He was also accused of having received a radio message from North Korea. At his trial Kang Chul-soon admitted to having met Koreans who support North Korea when he lived in Japan but he denied receiving espionage training or passing military information to them. He said that his meetings were for social reasons.

His trial took place before Seoul District Criminal Court in September 1972. He claimed that he had been tortured with electric shocks to force him to confess to being a North Korean spy. His appeals against his conviction were rejected and the Supreme Court finalized his sentence in

October 1973. Due to financial hardship the family could not afford to engage a lawyer and he was defended by a lawyer appointed by the court. According to Kang's family the lawyer did not attend any of the trial hearings and visited the prisoner only once.

Kang Chul-soon is said to have been deeply impressed by the April 1960 "student revolution" which led to the downfall of President Syngman Rhee. (One year after the April 1960 student revolution, however, General Park Chung-hee took power in a military coup and re-imposed an authoritarian regime.) It is not known if after his return to South Korea in 1963 Kang Chul-soon took part in political activities or publicly expressed disapproval of government policies.

Kang Chul-soon is serving a life sentence. Amnesty International is seeking further information on the charges and evidence against him as well as on his political views and activities before his arrest. It is also calling on the authorities to investigate his claims of torture and the possibility that he was not given a fair trial.

YU Chong-sik, 50, was arrested in 1975 and is serving a life sentence. He was born in Seoul and was accused of having contacted Chongnyon when he was a student in Japan. He is said to have been tortured during his interrogation by the Korean Central Intelligence Agency and to be suffering from anxiety and heart problems. Amnesty International is seeking more information about his case.

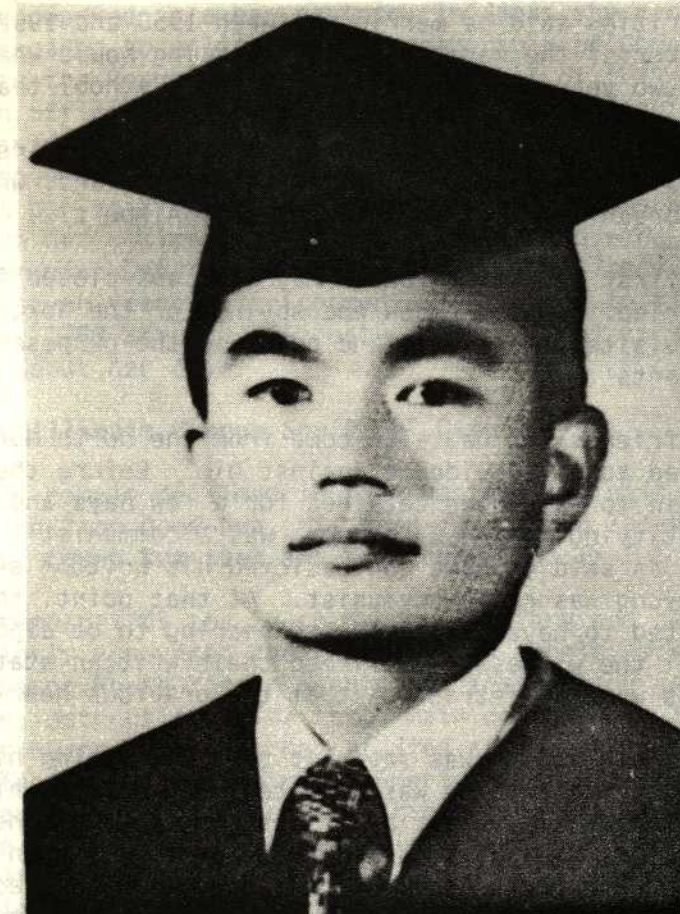
KIM Chu-tae, 57, was arrested in 1974 or 1975 and was accused of contacting Chongnyon when he was a student in Japan. His life sentence was reduced to 20 years in December 1988. Amnesty International is seeking more information about his case.

CHO Sang-nok, 44, graduated in English literature from Chungang University in Seoul and went to Japan in 1976 where he obtained a post-graduate degree in politics. While he was in Japan he is said to have been outspoken about his political views. He reportedly participated in a campaign calling for the amendment of Japanese history books which glossed over atrocities committed by the Japanese military forces in Korea and China during World War II. He is understood to have been strongly opposed to communism but of also being critical of the government of then President Park Chung-hee. In a letter to his father he reportedly wrote: "I hate the Japanese structure because we Koreans have suffered from Japanese colonization for 36 years. We should pursue reunification [of the Korean peninsula] and democracy. Park Chung-hee's dictatorship should be uprooted and democracy realized. We should establish our own independence and insist on it."

Cho Sang-nok was arrested in January 1978. He was reportedly taken from his home by two unknown men and forced into a car, where he was told to keep his eyes closed and threatened with being killed. He was held for interrogation in an unidentified location for 17 days before he was transferred to Seoul Detention Centre. When his wife met him some time after his arrest, he told her that he had been beaten and tortured, and she noticed that his ears bled and that he appeared very tired.

Cho Sang-nok was charged with having contacted North Korean agents while he was in Japan. It is believed that he was also charged with having studied books on socialism and communism, but that no specific evidence of espionage was presented against him. In May 1978 he was sentenced to life imprisonment by the Seoul District Court.

Cho Sang-nok



Amnesty International is seeking more information on the charges and evidence against Cho Sang-nok and is calling on the authorities to conduct an impartial inquiry into the claims that he was tortured and the possibility that he was not given a fair trial.

SHIN Kui-yong, 53, **SHIN Chun-suk**, 53, and **SUH Sung-chul**, 57, are relatives and merchant seamen. They were arrested in February 1980 and accused of having been won over to work as spies for North Korea by the elder brother of Shin Kui-yong who lives in Japan and is said to be a member of Chongnyon. They allegedly gave him information on the docks in Pusan and Shin Kui-yong was charged with receiving money as a reward. They have denied the charges of espionage and claimed that they were tortured by the Anti-Communist Department of the National Police in Pusan. Shin Kui-yong has argued that his brother sent him money legally to help with the expenses for their mother's funeral. Amnesty International is seeking more information about their cases.

HAM Ju-myong, 56, was born in what is now North Korea. In 1952, he moved to the south and gave himself up to the US forces which were the main component of the United Nations forces which had come to assist the

Republic of Korea during the Korean War. For the following 21 years Ham Ju-myong remained under observation by the South Korean authorities until the surveillance was lifted for good behaviour. Because of his background, he could not find employment with a large firm, and so set up his own cafe and sub-contracting company.

On 18 February 1983, he was arrested by the Agency for National Security Planning and accused of passing information to a woman in North Korea whom the authorities said he married between 1950 and 1952. She is said to be the daughter of the manager of the boarding house where he stayed during those two years, and to now be a middle-school teacher.

Ham Ju-myong was accused of having sent to his alleged first wife information about traffic check-points around Kanghwa Island, which is close to the North Korean border, and on Taegu City Airport.

Ham Ju-myong's first trial started in May 1983 and closed in May 1984. He denied having married in North Korea and spying for the North Korean government. He had visited Kanghwa Island but said the purpose of his trip was to visit his parents' tomb.

Several of his friends who had also come from the north during the Korean War were called to give evidence against him. Before they appeared in court they are said to have been detained for a few days and obliged to write statements testifying that Ham Ju-myong was a communist. In court, one of the witnesses is said to have contradicted his written statement and stated that Ham Ju-myong was not a communist. At that point, the prosecution is reported to have asked for the hearing to be adjourned. At the next hearing, all the witnesses confirmed their written statements, including the witness who had retracted it at the previous hearing.

Ham Ju-myong has claimed he was severely tortured during his three months' interrogation. Although he was arrested in February, his wife was not allowed to see him until May. At her first visit he was unable to talk because of the pain he said was caused by having been beaten on his chest. Ham Ju-myong told his wife that electric shocks had been applied on his hands and feet, that he had been repeatedly submerged under water, had been hung upside-down, as well as strapped to a board and beaten. He commented that he knew when he was to be tortured because he would not be given food that day to stop him from choking during the torture.

Ham Ju-myong was found guilty of espionage and given a life sentence. He appealed unsuccessfully against his sentence to the High Court and the Supreme Court.

Amnesty International is seeking more information about the charges and evidence against Ham Ju-myong and is urging the authorities to investigate his claims of torture and the possibility that he was convicted after an unfair trial.

LEE Chang-guk, 69, was arrested in 1983 and sentenced to 15 years' imprisonment for allegedly receiving a visit in 1962 from a brother who went to North Korea during the Korean War and for allegedly visiting North Korea himself in 1962 and 1973. Lee Chang-guk ran a stationery shop in Inchon and was a devoted Christian. Because his brothers and sister went to North Korea during the Korean War he was under regular police surveillance and his family denied that he ever met his brother after the war or visited North Korea. The main evidence against him was the confession he made

during 77 days' interrogation by the Agency for National Security Planning. Lee Chang-guk is said to have confessed under torture and to have attempted suicide to avoid further torture. He is said to be in poor health. Amnesty International is seeking further information about the reasons for his arrest and the charges and evidence against him and is urging the authorities to investigate the claims that he was tortured.

CHUNG Kum-ran, 40, was arrested in 1984 after coming back from Japan where she had worked as a bar hostess. In Japan she met a Korean man, Lee, whom she persuaded to relinquish his membership of Chongnyon and pledge allegiance to the Republic of Korea. As proof of this he apparently met South Korean officials in Japan before leaving for South Korea with her. Chung Kum-ran was accused of praising and supporting North Korea and of receiving money and goods from Chongnyon. Lee was not arrested and testified at her trial that she could not have become a North Korean agent. Chung Kum-ran has claimed that she was tortured during her interrogation by the Anti-Communist Department of the National Police in Cheju Island. Her sentence of seven years' imprisonment was reduced to five-and-a-half years in a December 1988 amnesty. Amnesty International is seeking more information about her case.

The "Western Illinois Campus Spy Ring" Case

Six prisoners remain detained in the "Western Illinois Campus Spy Ring" case. They are **Yang Dong-hwa**, **Kim Song-man**, **Hwang Tae-kwon**, **Kang Yong-ju**, **Chong Kum-taek** and **Kim Chang-kyu**. <1>

In September 1985 the South Korean military and civilian security agencies jointly announced the arrest of 20 people, mostly students, on charges of being North Korean agents and instigating campus unrest under North Korean instructions. The three main defendants, Yang Dong-hwa, Kim Song-man and Hwang Tae-kwon, had studied at Western Illinois University in Macomb, Illinois, United States of America, in 1982-1983, where they met, and had later moved to New York. During their stay in the USA they are said to have widely read in political science and about the political system in North Korea. Yang Dong-hwa and Kim Song-man had met North Korean officials, in Hungary and East Berlin in the case of Kim Song-man, and in Pyongyang itself in the case of Yang Dong-hwa. During these meetings, the South Korean authorities said, they received political indoctrination and instructions to engage in anti-government activities, and passed to the North Koreans information on the student movement in the south. Hwang Tae-kwon is alleged to have received "espionage" training directly from a Korean newspaper publisher in New York. After their return to South Korea, separately, in 1983 and 1984, Yang Dong-hwa and Kim Song-man renewed contact with activist students, some of whom were also arrested in this case. Both are said to have set up small study circles and to have supplied North Korean literature to students. Kim Song-man also wrote theoretical articles on the political situation.

All the arrests are believed to have taken place in June or July 1985, after the arrest of many student leaders in May. The prisoners were held incommunicado during their interrogation by the Agency for National Security Planning until 5 August and were reportedly tortured.

<1> For the full text of Hwang Tae-kwon's letters and more information about the case see South Korea: The 1985 "Western Illinois Campus Spy Ring" Case, ASA 25/24/89, issued by Amnesty International in September, 1989.

Their trial started in October 1985 and took place before the Seoul District Criminal Court with courtroom access limited mostly to family members and lawyers. According to several sources, the prisoners' families were intimidated into not engaging human rights lawyers for the first trial and the prisoners were represented by state-appointed lawyers. Observers at one of the hearings noted that the students spoke in their own defence in the absence of the state-appointed lawyers.

Kim Song-man



KIM Song-man was born in 1957 and graduated in physics from Yonsei University in Seoul. He comes from a Christian family and his grandfather founded the Evangelical Church in Korea. In his student days he was involved in political activities and was a member of the Christian Student Association. He went to the USA in June 1982 and enrolled at Western Illinois University to study political science. The following year he moved to New York and, according to some reports, contributed articles to Haeuiminbo (Overseas Korean News). In June 1983 he visited Europe and stayed at the North Korean embassy in Budapest, Hungary, for three days, and discussed the student movement and the political situation in South Korea. According to the indictment he was encouraged by the North Koreans he met to engage in anti-government activities and given instructions such as to encourage student activists to enter the Korean Military Academy. Kim Song-man has denied receiving any instructions or carrying them out; the only evidence to support the accusation is his confession which he

claims he made under torture. He has said that he met North Koreans to learn more about North Korea and to find out about the possibilities for Korean reunification.

Kim Song-man returned to South Korea in July 1983 and worked in the language laboratory of a private foreign language institute. He again became involved in the student movement and, according to the authorities, formed a group called Chonminjunghoe (The Entire People Association) in the Seoul area and wrote pamphlets calling for the withdrawal of US troops from South Korea.

Kim Song-man had, it seemed, remained in contact with the publisher of Haeuiminbo in New York who apparently facilitated his visit to East Germany in November 1984. On this occasion Kim spent three or four days in East Berlin and gave to the North Korean embassy staff copies of the pamphlets he had written. This gave rise to the charges in the indictment that he had passed national secrets to North Korea. Kim was reportedly invited to join the Workers' Party but refused and, according to him, expressed strong criticisms of the North Korea "juche" (self-reliance) philosophy.

In his appeal to the Supreme Court in August 1986, Kim Song-man wrote: "I am a person who wishes the independence of our nation and democracy. I think that this ideal can be realized in a socialistic country. I was interrogated and tortured mercilessly at the Agency for National Security Planning. During the interrogation and torture I was even forced to write a suicide letter addressed to my parents in order to disguise my possible death as a suicide. The press widely published my forced confession as though it was true. I only long for the day we can enjoy our independence from under slavish submission to a foreign power. Even if all the world does not believe me I know that God knows the truth."

Kim Song-man was sentenced to death by the courts. His sentence was commuted to life imprisonment under the December 1988 presidential amnesty.

Amnesty International has adopted Kim Song-man as a prisoner of conscience as it believes he was detained solely for his beliefs - that there is no evidence of his having carried out espionage activities or having used or advocated the use of violence. It is calling for his immediate and unconditional release.

HWANG Tae-kwon, 34, graduated in agriculture from Seoul National University in February 1982 and entered Western Illinois University in August 1982. The following year he enrolled in the Political Science Department of the New School for Social Research, New York City. He is believed to have contributed articles on the South Korean student movement or which reflected anti-government and anti-US views in Haeuiminbo. He was arrested in June 1985 at Seoul's Kimpo international airport as he was returning for a vacation. In appeals to the courts and other documents he has denied knowingly meeting North Koreans or North Korean agents and admits only to having been involved in the student movement, of having been critical of the South Korean government and of having been influenced by his Marxist readings, but he rejects the accusation that he is a communist. The main evidence to support the charges of "espionage" consisted of a confession during his interrogation. This, he claimed, was extracted from him under torture.

He was sentenced to life imprisonment and his sentence was commuted to 20 years under the December 1988 presidential amnesty.

In a letter written in prison last year Hwang Tae-kwon described his interrogation and explained his political views:

"... after 60 days of torture and beatings in the basement of the Agency for National Security Planning and after three years of imprisonment for a crime I did not commit, having been silenced all those years, I hope my story will expose the crimes that were committed against me by the powers-that-be in order to extract my 'confession'. I am also hoping to restore my own human dignity which has been ruthlessly trampled upon during the interrogation and imprisonment.

"... I was not an innocent apolitical citizen. I was active throughout my university years in the anti-dictatorship movement and, after graduation, wanted to study more systematically the problems our homeland faced. I wished that my knowledge would be used positively to achieve the reunification and democratization of our homeland. I did not even entertain the idea that becoming a North Korean agent would be one way of achieving these goals. I have acted according to the conscience dictated by my love for my country and the people. My desire to learn about North Korea stemmed from my desire to get a vision on reunification of the country divided in half, and not from a desire to follow the dictates of one side over the other. But the Agency for National Security Planning made my actions and political inclinations look like those dictated for North Korea. More specifically, I and others became the victims of the government's propaganda which linked North Korea with the growing anti-imperialist sentiment that swept the country from early 1985, which activated the student movement ..." Amnesty International has adopted Hwang Tae-kwon as a prisoner of conscience as it believes he is detained for the peaceful exercise of his rights of freedom of expression and association.

YANG Dong-hwa, 31, was expelled from Chosun University in the southwestern city of Kwangju in May 1980 because of his political activities. He went to the USA and enrolled at Western Illinois University in August 1983. He did not complete his studies and went to New York where he is said to have been in contact with the publisher of Haeuiminbo.

Apparently with the help of this publisher he travelled to North Korea via Vienna, Moscow and Peking, and stayed in Pyongyang from 29 August to 8 September 1984. The authorities accused him of having received intensive indoctrination and of having joined the Workers' Party as well as receiving instructions to infiltrate the South Korean student movement, incite anti-US sentiments and mobilize students to stage a second "Kwangju Incident". (On 18 May 1980 student protests against martial law were violently dispersed and clashes between the army and the students continued in the following days until the demonstrators were virtually in control of the city. On 27 May troops retook the city with great brutality. Official statistics indicate that around 200 people were killed but other sources claim the number was much higher.) On his way back from North Korea Yang Dong-hwa allegedly visited the North Korean embassy in Vienna.

Yang Dong-hwa returned to South Korea in September 1984. Amnesty International has no independent information about his activities between that time and his arrest in mid-1985. He was charged with recruiting a small group of people, mainly students, and giving them instructions. One of those he allegedly recruited was Kang Yong-ju, a student leader in Kwangju. Yang Dong-hwa is accused of having influenced Kang Yong-ju into

giving an anti-US and pro-North Korean slant to students' activities and of having instructed him to recruit other students to bomb the US Cultural Centre in Kwangju. An air stewardess whom Yang Dong-hwa allegedly recruited is said to have taken some anti-government documents produced in South Korea to the publisher of "Overseas Korean News" in New York. Another charge against Yang Dong-hwa is that he obtained information about Kwangju airport - which is partly used by the military - from US soldiers and that he intended to pass this information to North Korea.

Yang Dong-hwa



Yang Dong-hwa was sentenced to death by the courts. His sentence was commuted to life imprisonment in December 1988.

Amnesty International is concerned that Yang Dong-hwa may have been tortured or ill-treated to force him to falsely admit to charges of inciting others to carry out violent activities. So far it has not been able to collect enough information to show whether these accusations are grounded or false and it is continuing to seek further information on the grounds for Yang Dong-hwa's arrest in order to establish whether he is a prisoner of conscience.

KANG Yong-ju, 27, entered the Medical School of Chonnam National University in Kwangju in 1982 and was expelled from it in February 1985 because of his political activities.

In his case too Amnesty International has little independent information on his political activities before his arrest. According to press reports based on the official statements, Kang Yong-ju was at first involved in activities of the Christian Students Council and in November 1984 was elected chairman of the student group Mintu (People's Struggle). In early 1985 he organized a campaign for the boycott of the February parliamentary elections. After he was expelled from the university in February 1985 he reportedly organized student demonstrations on anti-US themes. With other students he allegedly formed underground groups called "Under I" and "Under II" and listened to radio broadcasts from North Korea. He is also accused of having travelled to Seoul with Yang Dong-hwa and another defendant to look for books on how to make bombs. In court he denied the charges and some people who knew him thought from his appearance that he had been ill-treated or tortured.

Kang Yong-ju was sentenced to life imprisonment by the courts and apparently did not benefit from a reduction of his sentence under the December 1988 presidential amnesty.

Amnesty International has been unable to ascertain whether Kang Yong-ju has been involved in organizing or planning acts of political violence and is continuing to seek information on his case in order to establish whether he is a prisoner of conscience.

CHONG Kum-taek, 28, a graduate student of Kookmin University in Seoul and **KIM Chang-kyu**, 26, a senior student at Sung Kyun Kwan University in Seoul were originally sentenced to 15 years' imprisonment by the courts. Their sentences were reduced to 10 years under the December 1988 amnesty. Amnesty International has no detailed information on the charges and evidence against the two prisoners or on their political activities prior to their arrests. It is continuing to seek such information.

LEE Byung-gyu, was a 19 year-old fisherman when he was kidnapped to North Korea for six months in 1969. In 1979 he took on a job as a coal miner and was active in promoting the formation of an independent trade union. In March 1985 he was arrested after over five thousand miners went on strike over the dismissal of a trade union organiser and Lee Byung-gyu was apparently arrested on charges of manipulating the strike as part of instructions he had received in North Korea. He was sentenced to seven years' imprisonment. Amnesty International is seeking more information on his case.

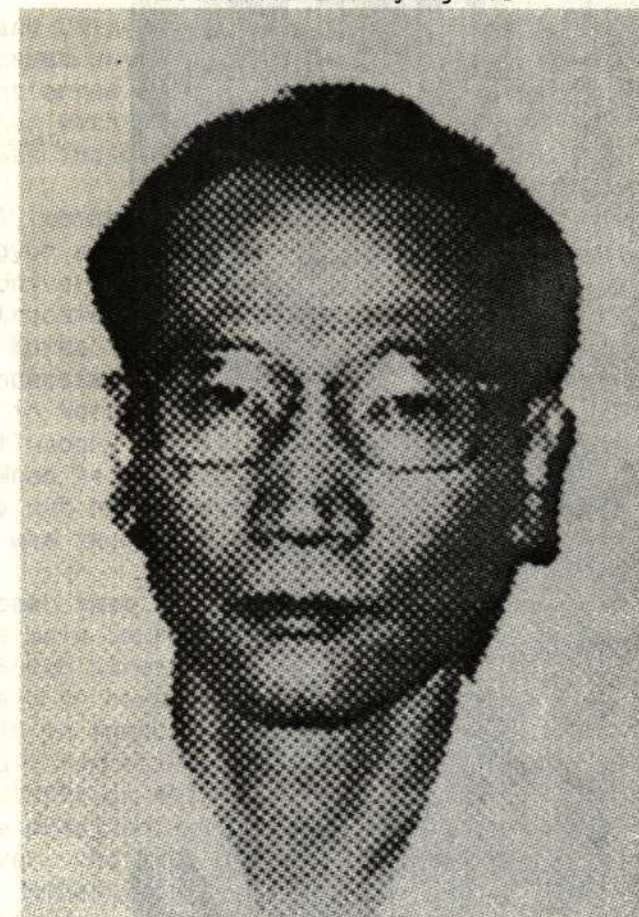
Professor LEE Pyong-sol, 51, was a professor of geography at Seoul National University when he was arrested in September 1986 on charges of being the alleged leader of a "spy ring". He was accused of having incited campus and labour unrest and of having organized four underground cells among students, workers and teachers.

The Agency for National Security Planning which arrested Professor Lee Pyong-sol claimed that he had been recruited by a North Korean agent based in Tokyo when he was studying there in 1975 and that he became a member of the North Korean Workers Party in February 1976. He is also accused of having accepted funds and a code book from North Korean agents in Japan.

Between August 1980 and February 1986, the South Korean authorities claim, Lee Pyong-sol visited Japan on five occasions in order to report back on his espionage activities to North Korean agents. During these trips he is alleged to have passed on "military and social information" on

South Korea collected by his recruits, including over 200 maps. Other sources have told Amnesty International that they believe that Professor Lee Pyong-sol may have been arrested because he is believed to have corresponded with his brother who lives in North Korea.

Professor Lee Pyong-sol



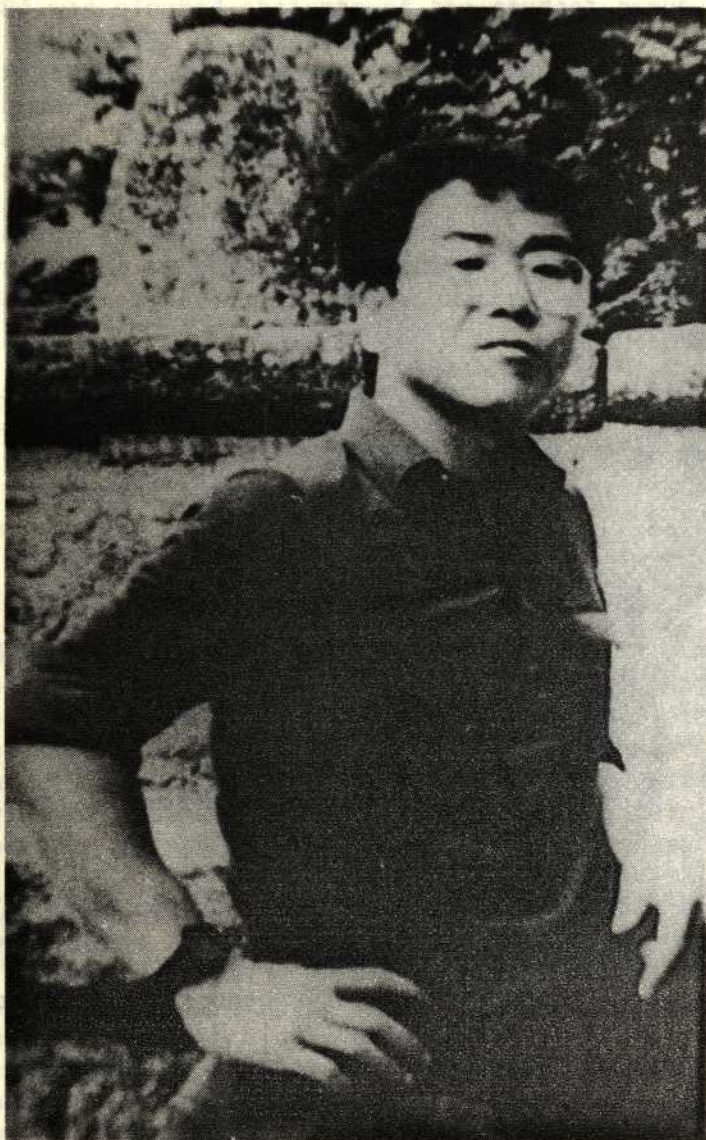
In January 1987, Professor Lee Pyong-sol was sentenced by the Seoul District Criminal Court to 15 years' imprisonment. In May 1987, his sentence was reduced on appeal to 12 years' imprisonment by the Seoul High Court.

[Amnesty International adopted one of Professor Lee Pyong-sol's co-defendants, **Yu Sang-dok**, a member of the Young Men's Christian Association's Council for the Realization of Democratic Education, as a prisoner of conscience after receiving detailed information about his trial and political activities. These confirmed that Yu Sang-dok had been arrested only for legitimate peaceful anti-government activities and that he had been tortured to confess to the espionage charges against him. Yu Sang-dok was released in July 1988.]

Amnesty International is seeking further information about the charges and evidence against Professor Lee Pyong-sol and about his political views and activities.

CHANG Ui-gyun, 38, graduated in journalism from Sogang University in 1980 after several interruptions to do his military service and to work in order to finance his studies. When at university, he was involved in political and labour issues. After graduating, he set up the Kaema

Publishing Company which specialized in books on ancient Korean history. In 1982, his publishing licence was withdrawn after he published a book of poetry which was critical of the government.



Chang Ui-gyun

In April 1985 he went to Japan and registered as a part-time student of ancient Korean History at Kyoto University. He also used the opportunity of his stay in Japan to learn more about North Korea, as documents from North Korea and books supportive of the north are forbidden in South Korea. He is said, for instance, to have met a journalist working for Chongnyon and to have visited Choson University, which had been set up by supporters of North Korea, where he borrowed books and attended lectures. Among his other known political activities in Japan was the organization of a meeting in May 1986 on the issue of Korean reunification. The meeting is said to have brought together Korean residents in Japan who supported either North or South Korea. A song on Korean reunification written by Chang Ui-gyun was performed at the meeting.

Chang Ui-gyun returned to South Korea in March 1987. He was arrested on 5 July. Up to thirty other people were interrogated by the authorities in connection with his arrest. Most of them are well-known dissidents whom he had visited after his return from Japan. At the time, some people

feared that the authorities were planning to arrest leading dissidents in an effort to curb anti-government protests. For three weeks in June, massive anti-government protests had taken place all over the country forcing the authorities to agree to some of the opposition demands for democratic changes.

Although Chang Ui-gyun was arrested on 5 July, a warrant for his arrest was not issued until eight days later. He was interrogated for 25 days and was transferred to Seoul Detention Centre on 30 July. Except for the brief encounter with his wife on 11 July, he was not allowed to see anyone until he was indicted on 29 August.

At his trial, which started in November 1987 before Seoul District Court, Chang Ui-gyun admitted meeting a journalist of Chongnyon and visiting Choson University, but denied the charges of espionage and of acting under instructions from North Korea and of having received money from North Korea. He explained that he met the journalist as part of his efforts to understand the division of the Korean peninsula and the political system in North Korea. He admitted reading books on North Korea's juche philosophy but said that he did not support it and had criticized it. When he visited Choson University he had been invited to visit North Korea but he had declined the offer, saying that he would go when the country was reunified.

It would appear that Chang Ui-gyun did pass information on the activities of the main South Korean opposition political parties and dissidents 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 indication, however, that any of the information provided consisted of national secrets. Amnesty International was informed that the South Korean dissident was planning to set up a research centre in Japan and that the information passed on by Chang Ui-gyun was to go this centre.

Regarding the charge that Chang Ui-gyun received money from North Korea, Amnesty International was told that during his stay in Japan Chang Ui-gyun had raised money for the dissident movement through the sale of calligraphies of the poet Kim Chi-ha and that he was given one million Yen from a church-based group to give to a dissident working on projects to improve the living conditions of poor people in Seoul.

In court, Chang Ui-gyun said that he had been tortured during his interrogation; he did not describe his torture, but simply said that these were "the tortures everybody knows about". It is believed that he was not allowed to sleep for the first ten days after his arrest and allowed to sleep only two or three hours for the next 15 days.

In December 1987 Chang Ui-gyun was sentenced to 15 years' imprisonment. His sentence was reduced to eight years on appeal in May 1988.

Amnesty International has adopted Chang Ui-gyun as a prisoner of conscience as it believes that he was arrested for his political views and activities and that there is no evidence of him being involved in espionage

or of using or advocating violence. Amnesty International is also urging the authorities to investigate Chang Ui-gyun's claims that he was tortured during his interrogation.

KIM Hyung-gyu, 38, went to West Germany in 1974. He first worked as a miner in the Ruhr area, then ran a grocery store in Hamburg and later worked in a plastics factory near Hamburg. He became a West German citizen in December 1986. He is said to be a supporter of the Alliance for Democracy and Reunification of Korea (Hanminryun), an organization of overseas Koreans which, since its founding in 1977, has been critical of successive South Korean governments and especially of its links with the USA and supports the reunification of North and South Korea into a confederation. Kim Hyung-gyu is also said to have been a member of a group of Korean Christians in West Germany who are promoting dialogue with Christians in North Korea.

Kim Hyung-gyu returned to South Korea at the beginning of September 1987 and is believed to have been arrested by the Agency for National Security Planning at the end of September or the beginning of October. He was accused of sending to North Korea information on the social and political situation in South Korea as well as on the military installations on the eastern coast. He was also accused of taking photographs of restaurants specializing in dog meat and of having collected other information which would present South Korea in a bad light abroad. He was accused of having been recruited by a North Korean agent living in West Germany in 1980 and to have visited North Korea on three occasions between 1983 and 1987 to receive espionage training. The authorities said the evidence against Kim Hyung-gyu included a code book and a camera they confiscated from him.

Kim Hyung-gyu denied having spied for North Korea. He was however found guilty. In April 1989 the Supreme Court reduced his sentence to nine years' imprisonment.

Amnesty International is seeking more information on the charges and evidence against Kim Hyung-gyu as well as on his political activities.

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인권자료실

INTERNAL (for AI members only)

AI Index: ASA/25/42/89
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COUNTRY: SOUTH KOREA
SUBJECT TITLE: LONG-TERM POLITICAL
PRISONERS

RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference.

This document is one of the external documents for the Extended Group Level Action (EGLA) on Political Imprisonment, Torture and the Death Penalty in South Korea scheduled to take place from 17 January to 15 April 1990. For information on the aims and activities of the EGLA see the circular ASA 25/38/89 of November 1989.

The photographs contained in this document can be ordered from the International Secretariat using the photo order form to be issued shortly.

DISTRIBUTION BY THE IS

This circular has been sent direct by the IS to:

- All sections;
- Campaign coordinators in all sections;
- South Korea country coordinators;
- Groups with South Korean prisoners;
- EASRAN coordinators for distribution to EASRAN groups (with specific recommended actions for EASRAN groups).

INTERNAL (for AI members only)

AI Index: ASA 25/41/89
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Amnesty International
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To: All sections
Campaign Coordinators
All groups with South Korean Prisoner Cases
Korea Country and EASRAN Coordinators

From: Asia Research Department

Date: December 1989

EXTENDED GROUP LEVEL ACTION ON POLITICAL IMPRISONMENT, TORTURE AND THE DEATH PENALTY IN SOUTH KOREA

APPEALS CASES

Summary

The attached circular provides outlines of South Korean prisoner cases, both adoption and investigation, taken up by AI groups. All the cases are listed under 13 different Appeals Groups:

- I Students
- II Teachers
- III Academics
- IV Publishers
- V Writers, poets and journalists
- VI Artists
- VII Religious People
- VIII Labour Activists
- IX Political Activists
- X Parliamentarians
- XI Espionage Cases: Unfair Trial Concern (for legal target sector)
- XII Women
- XIII Youths (under 24 years)

In a number of cases, prisoner outlines appear in more than one appeals group, for instance, a 21-year-old female student, Im Su-kyong, is mentioned in Appeals Groups I, XII and XIII.

Recommended Actions

Target Sector Appeals

The appeals in this circular have been prepared in such a way as to enable participants in the Extended Group Level Action (EGLA) to produce short circulars on each appeals group which can then be used to interest target sectors in their own countries to take up AI's concerns.