

HUMAN RIGHTS IN SOUTH KOREA TODAY

- The Outline of the Human Rights Situation under the Kim Youngsam Regime -

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BACKGROUND

With the end of World War II, the United States emerged as a hegemonic power among capitalist countries and began to reorganize the world economy. The primary aim of US international policy was in blocking the expansion of communism that was gaining influence in East European and East Asian countries in order to maintain the capitalist world order.

In 1945, Korea was liberated from Japanese imperialism's brutal rule that had lasted for almost four decades. But it was before Korean people's excited joy of the liberation got cold that they were forced to suffer severe pain of national division which foretold the coming Cold War. In order to maintain south Korea as a unit of its international strategy, the United States needed the right wing figures to take the initiatives in political, administrative, military and police sections and it exerted decisive effect upon their taking the initiatives in south Korean society. Most of right-wing leaders, however, were blamed of their pro-Japanese activities during the colonial period. In a post-colonial atmosphere, it was widely believed that they should have been punished as national traitors. The United States, from the beginning, did not allowed Korean people to straighten their distorted history and democratically choose their own future. After the

repeated processes of grand-scale uprisings, merciless suppressions and atrocities, south Korea became a strategic unit of the United States' international policy and has served as anti-Communist bulwark in East Asia.

Today's tragic Human Rights situation in south Korea, I think, originated from such a historical background.

The history of anti-communism in south Korea is the history of frantic dictatorship. All successive dictators of south Korea, under the patronage of the USA, have been able to justify or cover up their terrors, abuse of power and graft by only putting up signs of 'anti-Communism' and 'national security'. By means of enormous resources and terrors, they have continuously and repeatedly implanted a sense of value turned upside down in the people: "All Koreans must make to anti-Communism a sacrifice of their Human Rights." So all Koreans, not only the oppressed but also officials, logically do not think that Human Rights are guaranteed in South Korea. "Tortures can be used for Communists," asserted Minister of Internal Affairs of the Kim Youngsam government.

Such a situation has continued for about 45 years from the Rhee Syngman (1948 - 1960) through the Kim Youngsam regime (1992-), passing through three generals' regimes, Park Chunghee (1961-1979), Chun Doo Whan (1980-1988) and Roh Taewoo (1988-1992).

THE HUMAN RIGHTS SITUATION

UNDER THE KIM YOUNGSAM REGIME

INTRODUCTION

In 1993, when a civilian, Mr. Kim Youngsam, was inaugurated as President after 32 years of military rule, many people, inside and outside of the country, expected epoch-making improvements in Human Rights situation and democracy in South Korea. In practice, opinions or arguments such as "the Human Rights situation in south Korea was remarkably improved" or "south Korea has completely settled the dispute on Human Rights" are in circulation. However, all of Human Rights activists including myself, believe that these assertions are intentionally and systematically being propagated by the south Korean government.

In short, the Human Rights situation under the Kim government is substantially the same as it was under the military government. This is, I think, due to two reasons.

First, in 1990, Mr. Kim Youngsam's opposition party formed an illicit connection with the ruling party. As the result, he won the 1992 presidential election standing on the organization and slush fund of the military government. His party holds a lot of human, fiscal and organic legacy from the military government. Because of this fact, he is in a very difficult position to reform the past.*

While he was a leader of an opposition party, President Kim ardently insisted that the National Security Law and unjust labor laws made by military dictators should be abolished or radically reformed. Now, his position is completely changed. He is insisting

on the necessity of 'the N.S.L' and unjust labor laws in the same logic as used by the military ; 'national security' and 'competitive power'.

Secondly, the south Korean economy has developed due to enormous amounts of foreign debts and the export drive policy based on low wages. The competitive power of south Korea in the world market so far means mainly cheap labor and the backwardness of social welfare. Inheriting such an economic structure from dictators who had propelled 'development dictatorship', President Kim would have no choice but to adopt the same means; forcing workers into slave labor and the actual freezing of the social welfare budget. Moreover, the new international trade system initiated by the U.S.A. after the collapse of communism in Eastern Europe is very hard for south Korea. Such a difficult situation is well expressed in President Kim's favorite slogan, "strengthening of international competitiveness". This slogan is nothing but the departed spirit of the development dictatorship which has oppressed human value with economic logic. The following process has clearly made its appearance under the Kim Youngsam regime as harsh reality.

The "strengthening of international competitiveness" can naturally be realized by systematically controlling labor, including the real-wage-decreasing policy, and by freezing the social welfare budget. At the end of the first year of the Kim Youngsam regime (1993), the government made a firm determination to propel the 'New Economic Policy' and made it public. In reality, however, there was nothing *new* in it. It was only the revival of the development dictatorship's policy of strengthening international competitiveness at the sacrifice of the Human Rights of Korean people. In 1994, many workers and

intellectuals, who had expected something new from the first civilian government after the thirty-two years of military dictatorship, expressed disappointment and took collective actions demanding labor reforms and authentic democracy.

However, Kim's government responded by crushing their claims with the same old fashion as that of the military government; the massive commitments of the anti-riot combat police into the factories and the mass arrest of workers along with protesting intellectuals with the maximum applications of the National Security Law.

At this point, I would like to make a fact clear. I, of course, admit that there has been some progress in the Human Rights situation under the Kim regime, even though they were for demonstration effects only and by no means "worthy of close attention". For example, some kind of reductions of the functions of the Agency for National Security Planning (ANSP: typical secret police in South Korea), the prohibition of electric and water tortures (at least to the suspects in 'public security offenders), the abolition of two or three extremely illegal treatments of criminal suspects and the accused, and the release of Mr. Kim Sunmyung who, having been in prison for 44 years, was the longest detained political prisoner in the whole world.

But, I do say, these changes were by no means achieved by the competence or strong will for the improvement of Human Rights of the Kim Youngsam government. These are nothing but the fruits of the Korean people's struggle for Human Rights gained at the cost of many lives including 62 self-burning protest suicides and 41 deaths from gloomy terrorism. Also these 'improvements' should be understood in a broader global

context. The end of the Cold War structure made it difficult for the right-wing military dictators to exercise tyranny over the people with the excuse of communist threats.

HUMAN RIGHTS UNDER THE KIM YOUNGSAM REGIME

To present the Human Rights situation under the Kim regime, I will try to explain the following issues one by one.

- * Did the Kim government make efforts to atone for the past misdeeds committed by the precedent military governments?
- * Were political and civil rights improved under the Kim government?
- * Did the state of workers change under the Kim government?
- * Was the social welfare improved under the Kim government?

(a) Cleansing of the Past or 'Impunity' Problem

In the historical process in which military governments have been replaced by civilian governments after the collapse of the Cold War structure, people's efforts to punish the figures who committed Human Rights crimes on the power's side in the past have formed an unique section of 'impunity' in the Human Rights movement. The reason why the Human Rights problems of the past are at the same time the Human Rights

problems of the present and future is well expressed in the following words. "We must neither forget nor forgive the past in order to prevent the repetition of bitter history."

In south Korea, the long lasting rule of military governments left behind serious Human Rights problems to be solved:

* Under the Public Security Law (1975-1989), about 160 political prisoners were not allowed to be released even after they finished their terms. They were detained in prison without trials due to their allegedly dangerous thought: about 50 of them spent additional 14 years and 16 died in prison.

* Almost 100 innocent people were framed as spies of North Korea through deadly tortures and forced to be in prison for 7 years to life. Many of them are still in prison.

* 39,000 people - ranging from those who had previous criminal records or those who were defined as hoodlums by the military government, to labor union leaders - were taken off to the concentration camps without any trial just after the 1980 coup. They were cruelly treated in order to "reform their personal nature." According to an investigation of 3,221 cases, 52 were killed during the training, 397 died from aftereffects of it, 4 got lost and 2,768 injured.

* It is presumed that a considerable number of people have mental diseases resulted from tortures by the security police, the Defense Security Command and the Agency for National Security Planning.

* 41 student and labor activists were found dead during the military rule. The mysteries behind their deaths are not solved, but it is widely believed that they were killed with political reasons.

* Throughout the military rule, 1,200 journalists, 1,517 teachers and 5,200 workers were fired because of their uncompromising behavior with the military government policy and they are still waiting for the regaining of their job and impaired reputations.

The Kim Youngsam government should solve these problems above all things in order to “sever itself from the dark age” if its slogans such as ‘democratization’ and ‘reform’ are not just lip services. But so far there is no sign of investigating what happened nor preparing a program to solve these problems at all.

(b) Political and Civil Rights

South Korean Human Rights activists do not think that the Koreans enjoy the freedom of opinion and expression. All international organizations which have ever investigated the Human Rights situation in South Korea will agree to the fact that the hardest gag for south Koreans is the National Security Law. A kind of discretion in openly speaking on social or ideological issues has become widely and firmly fixed into the mental constitutions of Korean people due to the NSL. The collective madness of anti-Communism has intermittently swept the Korean society away making Koreans daunted. Last year, just after the death of north Korean ex-President Kim Il-sung, the controversy

on the necessity (or unnecessary) to dispatch a condolence delegation to his funeral rites touched off the collective madness which, being amplified by irresponsible reports by the press, drove all Koreans into the panic of 'witch (allegedly Kim Il-sungist) hunting' in a moment. In the course of this panic which lasted for two months, over 200 people were taken into custody. This panic, I think, was planned and promoted by the ANSP in order to deal a fatal blow to the various kind of reunification and democratization-oriented opinions which had gradually become active since the beginning of the second year of the Kim regime.

It is true that Korean newspaper companies are no more subject to the direct intervention by the power, but it is also true that they obviously care about the NSL and the ANSP in reporting ('self-restriction', in their expression). According to the Federation of Reporter Unions, the ANSP has about 40 agents who specialize in monitoring the press. Another effective tool of the government in controlling the organs of public opinion is the continuous reminding of intensive tax investigations that the government can start any time.

About one-third of current south Korean laws were made by pseudo-legislative bodies which were respectively instituted after the coup of 1960, the October Restoration of 1972, and General Chun's coup in 1980. Many of these pseudo-laws are in nature either to restrict the fundamental human rights or to consolidate the might of the ruling forces. President Kim Youngsam, who once poignantly reproached these pseudo-

laws as a leader of an opposition party, is now making maximum use of these 'laws' in propelling his New Economic Policy.

A typical example of pseudo-laws intended to restrain the fundamental human rights is the article 12.2 of the labor union law which prohibits any outsider not affiliated with a union from participating, supporting, or assisting in collective bargaining with its company (the provision for the prohibition of intervention by a third party). Enacted by the hand-picked interim legislative council instituted just after General Chun Doo Whan's 1980 coup, this article has rendered great services for isolating and weakening the labor movement. A great number of activists and union leaders have been arrested by this article through the 1980s and 1990s: 9 labor movement leaders being arrested and 8 on the wanted list only in 1995. In spite of repeated recommendations for the abolition of this article by ILO (the Committee for Freedom to Association), OECD (Sep 14, 1995) and UN (the Human Rights Committee finally decided in July 1995 that the article violates the International Covenant on Civil and Political Rights article 19.2 -The Freedom Of Expression-), the Kim Youngsam government affirms to the world that it has no intention to amend this article at all (Sep 19, 1995).

The number of the prisoners of conscience may be regarded as a barometer of the Human Rights situation of a country. According to a recent government report presented to the National Assembly, the number of the people put into prison as 'public security offenders' (the violators of the NSL, the Act concerning Assembly and Demonstration, labor laws etc.) under the Kim Youngsam government is as follows.

1993 (beginning February) - 317

1994 - 903

1995 (until August) - 419

total (31 months) -1,639

638 (the National Security Law - 39%)

385 (the Act concerning Assembly and Demonstration)

178 (labor laws)

86 (fire-bottle)

352 (others)

Why were far fewer people arrested in the first year of the Kim regime compared with other years? In a "wait-and-see" atmosphere, not many people protested against the first civilian government which raised a flag of reform. Nevertheless, we can see that the numbers of the prisoners of conscience in the second and third years fully bear comparison with the statistics under military dictatorship. A statistic says that about 4,700 people were arrested under the Chun Doo Whan regime (7 years : 1.61 people per day) and 5,462 under the Roh regime (4 years : 4.5 people per day). The Kim Youngsam government put in 31 months 1,639 activists, workers, students etc. Into prison (1.7 people per day). It is reported that there are at least 363 of the prisoners of conscience in south Korean prisons at present (Oct, 1995).

We must pay attention to the proportion of the cases involving the NSL under Kim's regime (39%). But the ratio of the prisoners involved in the NSL to total 'public security offenders' is far high because they, usually sentenced to long terms in prison and hardly meeting chance to be granted a remission, have been accumulated in prison. The MINGAHYUP (the Family Association for Democracy: an association of family members of political prisoners) reported on November 10, 1995 that the ratio of the prisoners involved in the NSL to total 'public security offenders' 72.2 percent. This percentage clearly shows that the NSL should be urgently abolished to improve the Human Rights situation in South Korea.

Being driven by world-wide public opinion, the Kim Youngsam government recently released the world-longest detained political prisoner, Kim Sunmyung, who spent 44 years in prison. Nevertheless, south Korea, with 63 long term political prisoners, is still 'the nation of long term political prisoners.' Among them 12 have been in prison over 30 years and 12 over 20 years; 5 over 70 years old and 29 over 60 years old.

Despite of the repeated recommendations made by international Human Rights NGOs and protests of Korean Human Rights activists, the Kim government pays no attention in a reform of the outmoded prison system, a legacy of the Japanese colonial rule. The most notorious aspect of the system has been the enforcement of the "ideological conversion" which were usually carried out through merciless tortures in the past. It forced political prisoners to abandon their political creed by offering chances to be released or better treatments in prison. Now, "operations for the ideological

conversion" in prison does not accompany physical tortures, but those who do not abandon their political creed are denied to have various conveniences given to any prisoners.

Mr. Abid Hussain, UN Special Rapporteur on Freedom of Opinion and Expression, who visited south Korea to investigate its Human Rights situation last June, specially expressed his concern on the 'conversion system'.

Last May, the Working Group on Arbitrary Detention, an auxiliary organ of the Commission on Human Rights in the UN, newly concluded that 10 south Korean political prisoners had been detained arbitrarily. By this new decision, the prisoners who were detained arbitrarily count 16. But I believe that *almost all* prisoners in south Korea are arbitrarily detained prisoners due to the unfair investigation practices of the National Police. For example, the interrogating authorities in south Korea had often "kidnapped" the suspects without an arrest warrant under the name of 'voluntary accompanying'. After the Great Uprising of 1987, however, it gradually became difficult for the interrogating authorities to "kidnap" under the name of 'voluntary accompanying.' So they began to use an allegedly 'legal method', 'the urgent arrest warrant.' Prosecutors or police officers can temporarily issue it only under strict conditions defined in the law. The Chief of the National Police formally reported to the National Assembly that over 42,000 people (!) were arrested in 'the urgent arrest warrant' for a year and a half after Mr. Kim Youngsam's inauguration. Thus the traditional practice of kidnappings is prevalent even under the 'civilian' government in the appearance of 'legal method.'

Human Rights activists in south Korea insist that the positions of the police on torturing suspects have hardly changed. A survey conducted in 1990 reveals that with suspects of heinous crimes, 75 percent of the police officers think that it can be allowed to restrict the legal rights of suspects. 62.3 percent answer that to inflict physical pain is sometimes unavoidable. Agents of the interrogating authorities ordinarily deprive suspects of sleep, strip their clothes, and beat them to extract confessions, not realizing their behavior as a 'torture'. Of course they think they have good reasons for torturing 'Communists'.

Recently, a considerable number of people were seriously injured by the tear bomb shooting directly aimed to demonstrators by the anti-riot combat police and 39 university students suffered serious damages on their faces due to the close range sprays of unidentified liquid by the polices (Aug 7). Occasionally the anti-riot combat police make surprise attacks on the legal and peaceful rallies shooting tear-gas shells and beating the participants at random.

(c) the state of workers

The south Korean government recently has made intensive efforts to affiliate with the OECD, the Organization for Economic Cooperation and Development. In spite of these efforts, many international Human Rights NGOs and organs report that south

Korean labor policy is far from the level of OECD members. (On June 26, Human Rights Watch / Asia insisted that President Clinton should call upon President Kim Youngsam to stop violating Human Rights and worker's rights in south Korea.)

Beginning Chun Taeil who burned himself to death crying for the improvement of working conditions on November 13, 1970, 35 workers' self-burning protests are demonstrative of miserable conditions of south Korean workers. (Among total 62 self-burning protests, only 20 were students.) This year 3 workers and 1 disabled street vendor burned themselves to deaths.

5,220 workers had been dismissed because of their participation of labor disputes from 1988 (ex-President Roh took office in this year) to 1994; 328 workers, as far as we grasp, being dismissed under the Kim Youngsam regime (1993- 66, 1994- 262). The recent self-burning case of Mr. Yang Bongsu, who had fought for his resumption in extreme poverty since he was fired because of the strike in 1993, vividly shows us the hardship of dismissed workers. According to a statistic, 178 workers were taken into custody due to their participation of labor disputes only under the Kim regime (from Feb. 1993 to August 1994). Between January and June 6, 1995, 57 workers were taken detained and 81 were put on the wanted list because of their role in labor disputes.

The minimum wage fixed by the government is \$15 a day (\$370 a month), only about 23 percent of the real minimum living cost of average south Korean workers' household of 4 members. This means that the minimum wage worker oneself could not

sustain his normal life, not to mention the whole household. This standard, what is worse, is not applied to work places that have less than 10 employees. Workers denounce the minimum wage system as a measure intended not to guarantee workers' living but to suppress the workers' real wage level.

The *International Labor Statistics Yearbook* (1993) published by the ILO illustrates the low-wage, long-hour labor situation in south Korea. It is as follows.

* wage per hour = \$ 4.84

(Taiwan = \$ 5.34, Singapore = \$ 5.37, industrialized countries in Europe = over \$ 10.00)

* labor hour per week = 48.7 hours

(Taiwan = 46.8 hrs, Hongkong = 43.0 hrs, the USA = 41.0 hrs, Germany = 38.9 hrs)

According to the Statistics Administration of the Korean government (*Korea in the World -Seen through Statistic* (Aug 18, 1995), the labor hour per week of South Korean manufacturing industry (49 hours) is the longest and the rate of industrial disaster third place in the world.

Low-wage and long-hour-labor inevitably produce a lot of industrial disasters. According to *Yearbook International Labor Statistics*(1994), south Korea takes the fourth place in the world in the death rate due to industrial disaster. (64 countries investigated)

	1992	1993	1994
industrial disaster	107,435	90,228	85,948
the deaths due to industrial disaster	2,429	2,200	2,678 (8 per day)

* Factories under 5 workers are not included in this table.

Amended and enacted by the pseudo-legislative council instituted just after General Chun's coup, south Korean labor laws are full of tools to isolate workers from the society. Importantly they

- 1) prohibit the political activities of the labor unions:
- 2) prohibit organizing government employees' and teacher's union:
- 3) illegalize the organization of any national-level union which can compete with the Federation of Korea Trade Union which is authorized and sponsored by the government:
- 4) prohibit any outsiders not affiliated with a union from participating, supporting or assisting in collective bargaining with its employers (the provision for the prohibition of the intervention of a third party).

The Human Rights Committee (UN), the Committee on Economic, Social and Cultural Rights (UN) and the ILO have repeatedly suggested and recommended to remove these articles, but the Kim Youngsam government continues to ignore them, sometimes reproaching them as "interference in domestic affairs".

Since 1994, the Kim government, like precedent military governments, began to put massive anti-riot combat police into factories on strike. The only difference of Kim's civilian government from its military precedents is that it intentionally drives simple disputes into catastrophes of mass arrest and punishment in order to weaken the labor movement. For example, as soon as the Korea Telecommunication Union, the largest

trade union in south Korea, started the 'law-abiding struggle' (a struggle to keep the working hours prescribed in law, even before starting a collective negotiation) in last May, President Kim Youngsam publicly reproached it as a "conspiracy to overthrow the nation," surprisingly defined it as "being illegal" (!), and mobilized anti-riot combat police. Six leaders of the union were arrested and other 64 were punished by the company in a preemptive action to avoid a strike.

Indispensable issues in discussing the workers' state in south Korea is those of female and migrant workers. Unequal employment against women is one of the important tools in implementing the New Economic Policy. The Alliance of Women's Organization in Korea illustrates female workers' miserable states by statistics. According to the Alliance, female workers' wage level is only 56 percent of male workers'. It is known that there are over 100,000 migrant workers, legal or illegal, in South Korea. Their wages are from 25 percent to 70 percent of domestic workers' and the proportion of their industrial disaster is far high. The economic logic of the Kim government will not allow remarkable improvement of their miserable conditions. This issue recently began to arouse our attention, along with the issue of notorious labor controls of Korean enterprises in South East Asia and Latin America.

(d) social rights

The most important reason for the backwardness of social welfare in south Korea is, I think, the structuralized division of Korea. The military siphoned great portion of the national budget, leaving investment to social welfare and education virtually impossible. The anti-communism in south Korea, maintained by the National Security Law and oppressive labor laws, has shackled the development of the labor movement. As the result, the labor movement cannot still have proper political influence. It was fatal to the development of social welfare. Hence, the effort to improve social welfare was left to hands of a small number of concerned intellectuals who have worked in NGOs..

Recently, NGOs' efforts to improve 'the quality of living' became active in south Korea and, in response, the Kim government began to talk about 'the quality of living.' Many people, however, do not think that the New Economic Policy of the Kim government is basically compatible with improvement of social welfare. As a matter of fact, some scholars in social welfare insist that the welfare policy even move backward in the first civilian government. For example, the ratio of the social welfare budget to total budget continues to reduce in the Kim Youngsam government.

	1991	1992	1993	1994	1995
Social welfare budget / Total budget	6.4%	6.4%	6.3%	6.0%	5.9%
Social welfare budget / GNP	0.97%	0.93%	0.94%	0.89%	0.87%

Here are some statistics which make us understand the state of south Korean social welfare.

	S K	USA	G.B	Ger	Swed	Taiw	Japa	Mal	Thai
Doctor/ Doctor/100,000 of population	111				253		175		
Sanitary/ Sanitary/ total expenditure (%)	0.9	16	13.9	18.1					
Primary Primary school students /a teacher	31	15				25		20	17
Educational Educational expenditure / GNP (%)	4.4	5.3			8.8	5.7	4.7	5.5	

*quoted from 'Korea in the World -Seen through Statistic' (Aug 18, 1995)

According to a recent report of the Citizen's Solidarity for Slashing the Military Budget, the proportion of the military budget to the total budget was 22.1 percent in 1993, the seventh highest in the world. On the other hand, the level of the expenditure for social welfare was the seventieth highest and the social welfare in general was the one hundred and twenty second in the world. In addition, the report reveals various problems;

welfare budget for the aged (1995) - 0.12% (Japan - 12%, China - 2.9%)

the ratio of children who have access to day nurseries (1994) - 19.2%

the ratio of public rental houses (1994) -2.4%

the ratio of children who get lunch provided by the system in elementary-school (1994) - 38%

Welfare of the elderly people is emerging as an urgent issue in south Korea.

An 70 years old man who had not been supported by his sons killed his 90-year-old father in 1994. This incident was very shocking for all Koreans but when we see following

indexes, it would turn out to be no surprising at all. A report issued by the government in 1992 reveals that the ratio of public pension among the total income sources of the aged people only accounts for 1.7 percent (the USA-82.1 percent, Japan-64.6 percent). In result, the ratio of support from their sons (or daughters) accounts for 78.2 percent (the USA-2.4%, Japan-29.8%).

On June 1994, Mr. Shim Changsup brought a law suit against Ministry of Health and Social Affairs, insisting that Ministry violated his rights to live with dignity as a human being by paying extremely low pension, 65,000 won (about \$85) a month. According to a recent research, a south Korean needs at least \$135 in order to simply sustain his life in 1993. This case is still pending in court but many people do not expect that Mr. Shim will win the lawsuit.

Land and housing issues are of great importance in south Korea because 30 great chaebols posses 43.3 percent of land. The issue of the compulsory removal of houses which the urban poor had illegally built on chaebols' land is very serious and urgent. The HABITAT, an auxiliary organ of UN, reported last year that South Africa and south Korea are the nations which "remove the shacks most cruelly and inhumanely in the world." Now in south Korea, there are some agencies which specialize in cleansing of houses built from chaebols' land. Guaranteed to earn at least \$2,500,000 per task from chaebol, these agencies mobilize hoodlums and ex-members of military special units in order to drive away the residents who stubbornly resist demanding the government to guarantee the rights of habitation. The compulsory removal tasks remind us wars. The

hoodlums, who are usually paid at least \$ 600 a day and sometimes \$ 600 an hour, ruthlessly make raids and frequently inflict severe injuries upon the residents in the processes of their tasks. The police, of course, always tacitly approve cruel violence by the hoodlums.

The handicapped are in very difficult condition, too. According to a statistic of last year, only 19.7 percent of handicapped children who reached school age enter elementary school (the other statistic say it only 13.8 percent). Companies which have over 300 workers should have handicapped workers at least 2 percent of their employees in law, but the ratio remains only at 0.43 percent. The access to the mass-transportation system for the handicapped is almost impossible because of the lack of facilities.

CONCLUSION

The internationally projected image that "Human Rights situation in south Korea has remarkably improved" is, in fact, a manipulated result of the propaganda by the Kim government. As far as I know, reports on the Human rights situation in south Korea under the Kim government presented by Amnesty International, Human Rights Watch, and the State Department of the U.S.A. never use such expressions as "remarkable improvement." South Korean Human Rights activists think that the Kim government, from the beginning, has no will and policy to improve the Human Rights situation. In fact,

it has made no substantial efforts to raise the level of the south Korean Human Rights situation up to the international standard which south Korean government officially approved. Instead, high officials of the Kim government present false information or even lie in international conferences on Human Rights. They usually allege that the south Koreans enjoy Human Rights because they are guaranteed by laws, but in most cases, laws on Human Rights remain on paper. However, the traditionally used tools to suppress Human Rights such as the National security Law and unjust labor laws are still very active under the self-claimed "first civilian and democratic" government. During November 1995 only, more than 60 people were arrested by the National Security Law. The government illegalized the National Federation of Democratic Trade Unions and arrested its leaders because it would threaten the existence of the government-sponsored Federation of Korea Trade Union. In spite of the south Korean government's enormous efforts in international theater to enhance President Kim Yonungsam's image as a guardian of democracy and Human Rights, with the National Security Law and other suppressive obstacles, I can hardly say that there has been a remarkable progress in the Human Rights situation in Korea.

Considering irresistible currents of the times, however, I believe that the Human Rights situation in south Korea will gradually improve even under anti-Human Rights policy of the Kim government.

** The hottest issue now in Korea is the arrest of former military dictators Chun Doo Whan and Roh Taewoo. Opposition parties and the democratic camps have demanded their punishment from the beginning of the Kim government, but it refused to punish them relying on an outmoded nineteenth century theory that a coup which succeeded in seizing power is not subject to a judicial decision. In July, 1995, the prosecutors gave them an indulgence by a decision that the prosecutors does not have the right of arraignment because the term of the appeal was already expired. President Kim even appointed Kim Tong-jin to Chief of the Staffs even though he was a commander of a unit which was directly responsible for the Kwangju massacre of 1980. Kim Youngsam could become President due to the merge of his opposition party with the Democratic Justice Party, which Chun Doo Whan created in 1981 and inherited to Roh Taewoo in 1987, and another opposition party which was mainly composed of the May coup of 1961. This reveals that President Kim has fully cooperated with and benefited from former military dictators.*

Now, both Chun and Roh are in prison. How should we explain this sudden change? Did President Kim really have a resolution to sever himself from shameful history by punishing former military dictators? I do not think so. If he really had a will to cleanse the dirty past, then he must had not waste time until a dispute concerning the expiration of the term of appeal (15 years) has risen. He surely had enough time. The unexpected disclosure of Roh's slush fund shook the whole Korean society. Considering the angry public opinion, the arrest of Roh was unavoidable. Many people also believed that Kim Youngsam was benefited enormous amount of money from Roh's slush fund during his presidential election campaign in 1992. He was driven to the wall, and to escape from the predicament, he threw a hidden card of arresting Chun.

I really welcome the punishment of Chun and Roh who are responsible for the massacre of several hundred innocent citizens. However, what I am worrying about is that President Kim is abusing the desire of the Koreans to consolidate his personal power and to enhance his self-produced image as a guardian of democracy and Human Rights. I think he will symbolically punish only Chun, Roh, and a

very small number of his followers, burying all the crimes committed by the military regimes. We must not forget that the punishment of criminals of the Kwangju massacre of 1980 was not a gift from President Kim but a result from the continuous struggle of the democratic people.