2. Prevent human rights violations by riot police

In recent weeks, some protests have ended in violent clashes between demonstrators and riot police. Amnesty International does not in any way condone the use of violence by protesters and recognises your government's responsibility to maintain order. However, this must be done within the limits of international human rights standards. Amnesty International is concerned that in some cases peaceful demonstrators and bystanders have been injured by riot police.

Amnesty International is concerned that the current climate of confrontation may lead to more violent clashes, and to a repeat of previous incidents, such as those of August 1996, when student demonstrators clashed with riot police. In this incident, Amnesty International documented many cases of human rights violations, including beatings and sexual harassment in the course of arrest and interrogation.[2]

While law enforcement personnel have a responsibility to maintain public order, they also have a responsibility to protect human rights. Amnesty International calls on your government to:

- issue clear instructions to the law enforcement agencies, consistent with international standards on the use of force by law enforcement officials;

- explain what steps your government has taken to ensure that riot police do not resort to beatings and other forms of ill-treatment of demonstrators;

- review and improve the human rights training of all law enforcement personnel responsible for the arrest and interrogation of detainees.

3. Do not arrest trade union members for the exercise of their basic rights

At the time of writing, at least five provincial leaders of the Korean Confederation of Trade Union (KCTU) have been arrested for organizing "illegal" strike activity and 16 others remain under threat of arrest. They include KCTU President Kwon Young-kil and Vice Presidents Dan Byung-ho and Kim Young-dae, all of whom were adopted by Amnesty International as prisoners of conscience after previous arrests.

Amnesty International opposes the arrest of trade union leaders solely for organizing strike action and protests, amounting to the non-violent exercise of their rights to freedom of expression and association.

Trade unions, individuals and other non-governmental organizations should have the right to communicate about and campaign against violations, free of persecution, arrest or harassment.

Amnesty International is also disturbed by unfounded government statements that the trade union leaders are "pro-North Korean" and may pose a threat to state security. The organization fears that such statements may lead to the arrests of government opponents under the National Security Law.

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[2]See Footnote 1

4. Ensure that labour legislation conforms to international standards

The new labour legislation will continue to limit freedom of expression and association and may lead to the imprisonment of trade union members for exercising this right. The legislation also contradicts commitments made by South Korea to the OECD and to the ILO to reform labour legislation in accordance with relevant international standards.

Amnesty International is particularly concerned that the legislation extends the prohibition on the establishment of trade union organizations with the same potential membership as existing ones. In practice the KCTU will continue to operate as an illegal organization for several years and its leaders will continue to face harrasement and possible arrest. The ban on "third party intervention" in labour disputes has not been removed and may still be used to imprison trade union leaders. Teachers and public employees will continue to be denied the right to form or join a trade union.

- Amnesty International calls on your government to immediately lift all restrictions on the exercise of freedom of expression and association which are not consistent with international human rights standards, and which may lead to the arrest of trade union members.

5) Ensure that the conditions of political prisoners conform to international standards

Amnesty International has received consistent reports from former political prisoners and relatives of current prisoners indicating that the conditions of detention of these prisoners frequently deteriorate during periods of social tension. This may result in less exercise time, restrictions on reading material, restrictions on the right to send and receive correspondence, restrictions on meetings with other prisoners and other sanctions.

Amnesty International urges you to remember the situation of political prisoners, several dozen of whom were tried unfairly many years ago and appear to have been forgotten by your government. We again urge you to review their cases and to ensure that their conditions of detention conform to international standards.

I look forward to receiving your response to the points raised in this letter at your earliest convenience.

I am sending copies of this letter to your government's Ambassador to the United Kingdom and Ambassador to the OECD; to the Secretary General of the OECD and to the Director General of the ILO.

Yours sincerely,

Pierre Sané
Secretary General

URGENT ACTION

AMNESTY INTERNATIONAL

AI Index: ASA 25/05/97
16 January 1997

Further information on EXTRA 02/97 (ASA 25/03/97, 9 January 1997) - Fear of arrests as prisoners of conscience / fear of mass ill-treatment

REPUBLIC OF KOREA (SOUTH KOREA) **At least five trade union leaders arrested / 16 others under threat of imminent arrest**

Since 11 January, at least five trade union leaders have been arrested and 16 others remain under threat of arrest. Mass protests have resulted in outbreaks of violence between demonstrators and riot police.

Five provincial leaders of the Korean Confederation of Trade Unions (KCTU) - Kim Byung-soo, Oh Hyung-keun, Chu In-sang, Chu Ki-seung and Kim Joong-il - were arrested between 11 and 16 January for organizing "illegal" strike action. It is not known whether additional charges of violence against four of them have been substantiated.

Sixteen other leaders of the Korean Confederation of Trade Unions (KCTU) face imminent arrest on charges of organizing "illegal" strike action, seven of whom are currently taking refuge at Myongdong Cathedral in Seoul. They include KCTU President Kwon Young-kil and Vice Presidents Dan Byung-ho and Kim Young-dae, all of whom were adopted by Amnesty International as prisoners of conscience: Dan Byung-ho in 1990 and 1995, Kim Yong-dae in 1991 and Kwon Young-kil in 1995.

Amnesty International opposes the arrest of the trade union leaders solely for organizing the recent strike action and protests, which constitutes a violation of their rights to freedom of expression and association. The organization is also concerned that the arrest of top trade union leaders may lead to further violent confrontation between police and protesters and may result in mass human rights violations.

Amnesty International is disturbed by unfounded government statements that the trade union leaders are "pro-North Korean" and may pose a threat to state security. The organization fears that such statements may lead to the arrest of domestic government opponents, under the National Security Law (see below).

FURTHER BACKGROUND INFORMATION

On 16 January the Constitutional Court announced that it would consider whether the passage of new labour and security legislation violates the constitution. The two laws were passed in a secret parliamentary session on 26 December while the opposition parties were absent.

Amnesty International has written to President Kim Young-sam expressing concern that the new labour legislation will continue to limit freedom of association and may lead to the imprisonment of trade union members for exercising this right. The legislation also contradicts commitments made by South Korea to the Organization for Economic Cooperation and Development (OECD) and to the International Labour Organization (ILO) to reform labour legislation in accordance with relevant international standards.

The organization also expressed concern that the sweeping powers granted to the Agency for National Security Planning (ANSP) will lead to human rights violations against domestic opposition. The ANSP has been responsible for

- Mr Koo Bohn-young, Ambassador to the OECD, c/o Minister of Foreign Affairs, 77 Sejong-no, Chongno-gu, Seoul, Republic of Korea. **FAX: +822 270 2686**
- Korean Confederation of Trade Unions, 4th Floor, Samsun Bldg. 12-1 Samsun-dong, 1-ka, Sungbuk-ku, Seoul, Republic of Korea.
-diplomatic representatives of the Republic of Korea (South Korea) accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 13 Feburary 1997.

Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

Tel: (44)(171) 413 5500
Fax: (44)(171) 956 1157

AMNESTY INTERNATIONAL
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МЕЖДУНАРОДНАЯ АМНИСТИЯ
國際特赦組織

URGENT ACTION

EXTERNAL

AI Index: ASA 25/05/97
16 January 1997

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The organization also expressed concern that the sweeping powers granted to the Agency for National Security Planning (ANSP) will lead to human rights violations against domestic opposition. The ANSP has been responsible for the surveillance, arbitrary arrest, torture and ill-treatment of political suspects.

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the surveillance, arbitrary arrest, torture and ill-treatment of political suspects.

Under the National Security Law, people accused of "praising" or "benefitting" North Korea may be imprisoned for up to seven years. Many of the hundreds arrested under this law during 1996 were held for the non-violent exercise of their rights to freedom of expression and association.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters in English, your own language or Korean:
- urging the South Korean authorities to take every precaution to avoid violent confrontation between protesters and riot police;
- calling for the release of the detained trade unionists, if they are held solely for non-violent trade union activities;
- calling on the authorities not to arrest trade union leaders for organizing the recent strikes and protests and to refrain from arresting peaceful protesters;

appeals to the OECD:
- calling on the OECD to make urgent protests to the South Korean authorities about restrictions on freedom of association in the new legislation which could result in the arrest of trade unionists for non-violent trade union activities, and about the arrests and threatened arrests of trade union leaders.

Please bring to the attention of trade union activists.

APPEALS TO:

1) President Kim Young-sam
The Blue House
1 Sejong-no
Chongno-gu, Seoul, Republic of Korea
Faxes: +822 770 0253
Telegrams: President Kim Young-sam, Seoul, South Korea
Salutation: Dear President

2) Minister of Justice
Mr Ahn Woo-mahn
1 Chungang-dong
Kwachon-myon
Shihung-gun
Kyonggi-do, Republic of Korea
Faxes: +822 503 9711
Telegrams: Justice Minister Ahn, Shihung-gun, Kyonggi Province, South Korea
Salutation: Dear Minister

3) Minister of Labour
Mr Jin Nyum
1 Chungang-dong
Kwachon-myon
Shihung-gun
Kyonggi-do, Republic of Korea
Faxes: +822 503 9711
Telegrams: Labour Minister Jin Nyum, Shihung-gun, Kyonggi Province, South Korea
Salutation: Dear Minister

4) OECD
Mr Donald Johnston, Secretary-General
OECD
2 rue André Pascal
75775 Paris Cedex 16
France
Fax: +33 1 45 24 85 00
Salutation: Dear Secretary General

COPIES TO:

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Telegrams: Justice Minister Ahn, Shihung-gun, Kyonggi Province, South Korea
Salutation: Dear Minister

3) Minister of Labour
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Salutation: Dear Minister

4) OECD
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France
Fax: +33 1 45 24 85 00
Salutation: Dear Secretary General

COPIES TO:
- Mr Koo Bohn-young, Ambassador to the OECD, c/o Minister of Foreign Affairs, 77 Sejong-no, Chongno-gu, Seoul, Republic of Korea. FAX: +822 270 2686

- Korean Confederation of Trade Unions, 4th Floor, Samsun Bldg. 12-1 Samsun-dong, 4 ka, Sungbuk-ku, Seoul, Republic of Korea.
-diplomatic representatives of the Republic of Korea (South Korea) accredited to your country.

news release

AMNESTY INTERNATIONAL
AMNISTÍA INTERNACIONAL
AMNISTIE INTERNATIONALE
МЕЖДУНАРОДНАЯ АМНИСТИЯ
منظمة العفو الدولية
國際特赦組織

News Service 03/97

AI INDEX: ASA 25/02/97
08 JANUARY 1997 – FOR IMMEDIATE RELEASE

SOUTH KOREA: GOVERNMENT'S NEW POLICIES COULD CAUSE FURTHER HUMAN RIGHTS VIOLATIONS

New security and labour laws passed in a secretive parliamentary session by South Korea's ruling party will lead to further human rights violations in 1997, Amnesty International warned today, as it urged the government not to arrest workers demonstrating against the laws.

"The protesters have legitimate concerns about the restrictions on the rights to freedom of expression and association contain contained within these laws," Amnesty International said. "Anyone arrested for peacefully protesting would be considered a prisoner of conscience."

While international concern has focused on the new labour legislation, the human rights organization opposed new powers given to the Korean Agency for National Security Planning (ANSP).

"The ANSP has been given back the very same powers which were taken away from the agency two years ago because of its poor human rights record. There is nothing to suggest that the agency has changed since then," the organization said.

The government says the ANSP needs new powers to investigate people detained under Articles 7 and 10 of the National Security Law in order to counter North Korea's spying activities. But the vast majority of people detained under these articles are held for exercising their rights to freedom of expression and association.

South Korea's labour legislation still has repressive provisions, such as the ban on "third party intervention" in labour disputes, which has been redefined, but not removed in practice. The Korean Confederation of Trade Unions, with some 500,000 members, will still be illegal for the foreseeable future, and government employees and teachers continue to be denied the right to form a trade union. Workers taking illegal strike action can be imprisoned for three years.

The government maintains that labour reforms are necessary if South Korea is to retain its competitiveness in the global market, but Amnesty International believes that economic development should not come at the expense of internationally recognized human rights for workers.

ENDS.../

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News Service 03/97

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REPUBLIC OF KOREA (SOUTH KOREA)

Long-term prisoner Kim Chang-ho

January 1997

AI INDEX: ASA 25/10/97
DISTR: CO/GR

Kim Chang-ho was arrested in December 1982 under the National Security Law and reportedly interrogated for 85 days during which time he claims to have been tortured and forced to make a confession. Kim Chang-ho was sentenced to death on charges of espionage, after a trial which is believed to have been unfair. His death sentence was later reduced to 20 years' imprisonment. Amnesty International believes that Kim Chang-ho may be a prisoner of conscience and is calling for an urgent review of his case.

Background information about long-term political prisoners:

For many years Amnesty International has called for a review of the cases of long-term political prisoners who were arrested during the 1970s and 1980s and sentenced to long prison terms on charges of spying for North Korea. Amnesty International believes that at least 20 current prisoners, including Kim Chang-ho, were convicted during this period after unfair trials and that they were the victims of torture. In these cases there is evidence of illegal arrest, incommunicado detention for a long period of time; claims by the prisoners that they were forced to confess under torture or ill-treatment; lack of facilities in the preparation of the defence and conviction mainly based on confession. Many of these prisoners had lived in Japan or had relatives in Japan. They were accused of passing "state secrets" to North Korean agents in Japan.

In some of these cases, the information available to Amnesty International strongly supports the view that they are prisoners of conscience and should be released. In the other cases, including that of Kim Chang-ho, Amnesty International is seeking additional information and is calling on the authorities to review their cases.

All these arrests took place in the context of a divided Korea. Since the Korean War (1950-53) the governments of the Democratic People's Republic of Korea (North Korea) and the Republic of Korea (South Korea) have prohibited almost all contact between citizens of the two countries. In South Korea, unauthorized contacts have often resulted in imprisonment under the National Security Law. The National Security Law provides long

prison terms for unauthorized contacts with North Koreans, for "praising" and "benefitting" North Korea and forming or joining organizations alleged to be pro-North Korean. It also provides long sentences or the death penalty for "espionage", a term which is vaguely-defined in the law and has sometimes been used to imprison people who were exercising their rights to freedom of expression and association.

During the 1970s and 1980s, when many long-term prisoners were convicted, the country was ruled by military governments and human rights violations were widespread. Since 1993 South Korea has been governed under President Kim Young-sam, a civilian president who has introduced some reforms. However, the current government has failed to review the cases of long-term political prisoners who were convicted unfairly under previous governments.

For several years, human rights lawyers in South Korea have sought retrials for some long-term political prisoners. Under the Code of Criminal Procedure a retrial may be granted if it is proved that evidence was forged, testimony was false and when new "clear evidence" is discovered. The requirements for a retrial have proved to be extremely difficult to meet and as far as Amnesty International is aware, no long-term political prisoner has secured one.

In addition, the statute of limitations on public prosecutions means that it becomes impossible to prosecute those responsible for human rights violations after a certain period has passed. In many cases of long-term political prisoners, the violations occurred too long ago for those responsible to be brought to justice under South Korean law.

In 1995 the government introduced legislation which extended the statute of limitations for certain crimes, including mutiny and treason. This led to the successful prosecution of two former presidents, Roh Tae-woo and Chun Doo-hwan, and 13 other former army officials on charges which included the killing of civilians at Kwangju in May 1980. However, there has been no investigation into many cases of torture and unfair trial under former governments, including the cases of long-term political prisoners. This means that many officials responsible for past human rights violations have escaped prosecution and that many victims of past human rights violations have not received redress.

Kim Chang-ho's case:

Kim Chang-ho was born in Japan in 1941. In 1945, after Korea had been freed from Japanese rule, his family went to live in Korea. But living conditions there were difficult and Kim Chang-ho returned to Japan illegally in 1958 in order to find work. For the next decade he worked as a labourer in the construction business in Tokyo.The company Kim Chang-ho worked for apparently had links with the North Korean organization *Chochonnyon* .[1]

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[1]*Chochonnyon* groups the Korean residents of Japan who are North Korean nationals. It officially represents the views of the North Korean Government. A different organization, *Mindan*, groups the Korean residents who are South Korean nationals.

Kim Chang-ho visited his family in South Korea in December 1981. The following December he decided to make a second visit, but he was arrested at the airport as he tried to enter the country. He is reported to have been held and questioned by the Agency for National Security Planning (ANSP) for 85 days, during which time he claims to have been tortured and forced to make a confession.

The ANSP said that Kim Chang-ho had visited North Korea in 1973 to receive espionage training and that after his return to Japan he had received wireless transmissions from North Korea. During his visit to South Korea in December 1981 he was said to have collected information about several military installations and passed this information on to North Korea. Kim Chang-ho admitted visiting North Korea, but denied the accusations of espionage, which he claimed were extracted under torture. There appears to have been no concrete evidence to support the charges, apart from Kim Chang-ho's confession.

Recommendations to the government

Amnesty International urges the South Korean Government to:

- Order and urgent and impartial review of Kim Chang-ho's trial and conviction, including an investigation into reports that he was tortured and convicted largely on the basis of a coerced confession.

- Review the cases of those long-term political prisoners who were convicted during the 1970s and 1980s where there are reports of unfair trial, on the basis of coerced confession.

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REPUBLIC OF KOREA (SOUTH KOREA)

Long-term prisoner Kim Tae-ryong

January 1997

AI INDEX: ASA 25/09/97
DISTR: CO/GR

Kim Tae-ryong was arrested in July 1979 under the National Security Law and interrogated in incommunicado detention for 36 days during which time he was reportedly tortured. He was sentenced to life imprisonment on charges of espionage after a trial which is believed to have been unfair, largely on the basis of coerced confessions. Kim Tae-ryong's sentence was later reduced in a prisoner amnesty and he is due for release in 1999. Amnesty International believes that he may be a prisoner of conscience and is calling for an urgent review of his case.

Background information about long-term political prisoners:

For many years Amnesty International has called for a review of the cases of long-term political prisoners who were arrested during the 1970s and 1980s and sentenced to long prison terms on charges of spying for North Korea. Amnesty International believes that at least 20 current prisoners, including Kim Tae-ryong, were convicted during this period after unfair trials and that they were the victims of torture. In these cases there is evidence of illegal arrest, incommunicado detention for a long period of time; claims by the prisoners that they were forced to confess under torture or ill-treatment; lack of facilities in the preparation of the defence and conviction mainly based on confession. Many of these prisoners had lived in Japan or had relatives in Japan. Others had relatives in North Korea. They were accused of passing "state secrets" to North Korean "agents".

In some of these cases, the information available to Amnesty International strongly supports the view that they are prisoners of conscience and should be released. In the other cases, including that of Kim Tae-ryong, Amnesty International is seeking additional information and is calling on the authorities to review their cases.

All these arrests took place in the context of a divided Korea. Since the Korean War (1950-53) the governments of the Democratic People's Republic of Korea (North Korea) and the Republic of Korea (South Korea) have prohibited almost all contact between citizens of the two countries. In South Korea, unauthorized contacts have often resulted in

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Kim Tae-ryong's case:

Kim Tae-ryong, now aged 48, worked for a construction company in Taegu City during the 1970s. On 15 June 1979 he was arrested by the "anti communist division" of the police and taken to their headquarters at Namyongdong in Seoul. He was not shown a warrant of arrest or told of the reason for his arrest. For the next 36 days he was interrogated without access to a lawyer or to his family and claims to have been forced to make a "confession" through torture. He said that police interrogators make him take off his clothes and beat him with fists and clubs. They also applied electric shocks to his body. He was deprived of sleep and threatened. Eleven other members of Kim Tae-ryong's family were also arrested and also claim to have been ill-treated during interrogation.

Kim Tae-ryong and members of his family were charged with spying for North Korea. The charges related to a relative who had gone to live in North Korea during the

Korean War (1950-53). In July 1968 this relative had come to South Korea and visited the family home. The family did not report the visit.

According to the charges, Kim Tae-ryong had been recruited as a spy by his North Korean relative. He had then given information to North Korea about police and military activity in his home town. He had also formed an "anti-state" organization called the "Kangwon Provincial Committee of the Unification Revolutionary Party". He denied the charges, which he said were extracted under torture.

Kim Tae-ryong was defended in court by a state-appointed lawyer. There is reported to have been no concrete evidence to prove that he had spied. He was found guilty and sentenced to life imprisonment. Other family members were given sentences of between three years' and life imprisonment. His father was sentenced to death and executed in 1983.

Recommendations to the government

Amnesty International urges the South Korean Government to:

- Order and urgent and impartial review of Kim Tae-ryong's trial and conviction, including an investigation into reports that he was tortured and convicted largely on the basis of coerced confessions.

- Review the cases of those long-term political prisoners who were convicted during the 1970s and 1980s where there are reports of unfair trial, on the basis of coerced confessions.

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REPUBLIC OF KOREA (SOUTH KOREA)

Long-term prisoner Kim Byong-ju

January 1997 AI INDEX: ASA 25/08/97
DISTR: CO/GR

Kim Byong-ju was arrested in November 1983 under the National Security Law and interrogated for 49 days during which time he was reportedly tortured. In May 1984 he was sentenced to death on charges of espionage, after a trial which is believed to have been unfair. Kim Byong-ju's death sentence was later commuted and then reduced in a series of prisoner amnesties. He is now aged 75. Amnesty International believes that Kim Byong-ju may be a prisoner of conscience and is calling for an urgent review of his case.

Background information about long-term political prisoners:

For many years Amnesty International has called for a review of the cases of long-term political prisoners who were arrested during the 1970s and 1980s and sentenced to long prison terms on charges of spying for North Korea. Amnesty International believes that at least 20 current prisoners, including Kim Byung-ju, were convicted during this period after unfair trials and that they were the victims of torture. In these cases there is evidence of illegal arrest, incommunicado detention for a long period of time; claims by the prisoners that they were forced to confess under torture or ill-treatment; lack of facilities in the preparation of the defence and conviction mainly based on confession. Many of these prisoners had lived in Japan or had relatives in Japan. They were accused of passing "state secrets" to North Korean agents in Japan.

In some of these cases, the information available to Amnesty International strongly supports the view that they are prisoners of conscience and should be released. In the other cases, including that of Kim Byung-ju, Amnesty International is seeking additional information and is calling on the authorities to review their cases.

All these arrests took place in the context of a divided Korea. Since the Korean War (1950-53) the governments of the Democratic People's Republic of Korea (North Korea) and the Republic of Korea (South Korea) have prohibited almost all contact between citizens of the two countries. In South Korea, unauthorized contacts have often resulted in imprisonment under the National Security Law. The National Security Law provides long

prison terms for unauthorized contacts with North Koreans, for "praising" and "benefitting" North Korea and forming or joining organizations alleged to be pro-North Korean. It also provides long sentences or the death penalty for "espionage", a term which is vaguely-defined in the law and has sometimes been used to imprison people who were exercising their rights to freedom of expression and association.

During the 1970s and 1980s, when many long-term prisoners were convicted, the country was ruled by military governments and human rights violations were widespread Since 1993 South Korea has been governed under President Kim Young-sam, a civilian president who has introduced some reforms. However, the current government has failed to review the cases of long-term political prisoners who were convicted unfairly under previous governments.

For several years, human rights lawyers in South Korea have sought retrials for some long-term political prisoners. Under the Code of Criminal Procedure a retrial may be granted if it is proved that evidence was forged, testimony was false and when new "clear evidence" is discovered. The requirements for a retrial have proved to be extremely difficult to meet and as far as Amnesty International is aware, no long-term political prisoner has secured one.

In addition, the statute of limitations on public prosecutions means that it becomes impossible to prosecute those responsible for human rights violations after a certain period has passed. In many cases of long-term political prisoners, the violations occurred too long ago for those responsible to be brought to justice under South Korean law.

In 1995 the government introduced legislation which extended the statute of limitations for certain crimes, including mutiny and treason. This led to the successful prosecution of two former presidents, Roh Tae-woo and Chun Doo-hwan, and 13 other former army officials on charges which included the killing of civilians at Kwangju in May 1980. However, there has been no investigation into many cases of torture and unfair trial under former governments, including the cases of long-term political prisoners. This means that many officials responsible for past human rights violations have escaped prosecution and that victims of past human rights violations have not received redress.

Kim Byong-ju's case:

Kim Byong-ju was born in September 1922 and moved to Japan with his family in 1931. He returned to Korea in 1945, after it had been liberated from Japanese rule, but was unable to find work and moved back to Japan where he settled in Matsuzuka city and took employment in the real estate business.

At the end of the Korean War (1950-53) Kim Byong-ju's family was divided. He was living in Japan, his older sister was living in North Korea and his parents were living in South Korea. Kim Byong-ju became chairman of the Matsuzaka City branch of *Mindan*[1].

[1]*Mindan* groups the Korean residents of Japan who are South Korean nationals. A different organization, *Chochonnyon*, groups the Korean residents of Japan who are North Korean nationals.

Kim Byong-ju visited South Korea regularly to see his parents and on business. On one such business trip in 1983 he was arrested by the Agency for National Security Planning (ANSP), South Korea's intelligence agency. He was held by the ANSP from 28 November 1983 until 15 January 1984 during which time he claims to have been tortured. He said that he was beaten by a group of some 20 officials who also threatened to kill him. Under these circumstances he was forced to make a "confession".

In February 1984 the ANSP announced publicly that Kim Byong-ju had spied for North Korea. It said that he had gone to North Korea in 1981 to receive espionage training. Kim Byong-ju, however, said he had merely gone to visit his family. He was also accused by the ANSP of collecting military secrets from several contacts in the military and delivering them to North Korea. However, there appears to have been no concrete evidence to support these allegations, apart from Kim Byong-ju's confession.

In May 1984 Kim Byong-ju was sentenced to death by Seoul District Court. His sentence was commuted and then reduced in a series of amnesties, the latest of which was in February 1995. At the time of writing he is scheduled for release in 1999, when he will be 77 years old.

Recommendations to the government

Amnesty International urges the South Korean Government to:

- Order and urgent and impartial review of Kim Byong-ju's trial and conviction, including an investigation into reports that he was tortured and convicted largely on the basis of a coerced confession.

- Review the cases of those long-term political prisoners who were convicted during the 1970s and 1980s where there are reports of unfair trial, on the basis of coerced confessions.

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REPUBLIC OF KOREA (SOUTH KOREA)

Long-term prisoner Kang Hui-chol

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Kang Hui-chol was arrested in April 1986 under the National Security Law and held incommunicado for 85 days during which time he was reportedly tortured. Seven months later he was convicted of espionage after an unfair trial, largely on the basis of his own confession. Since 1986 he has remained in prison and the current government has failed to review his case. Amnesty International has adopted Kang Hui-chol as a prisoner of conscience and is calling for his immediate and unconditional release.

Background information about long-term political prisoners:

For many years Amnesty International has called for a review of the cases of long-term political prisoners who were arrested during the 1970s and 1980s and sentenced to long prison terms on charges of spying for North Korea. Amnesty International believes that at least 20 current prisoners, including Kang Hui-chol, were convicted during this period after unfair trials and that they were the victims of torture. In these cases there is evidence of illegal arrest, incommunicado detention for a long period of time; claims by the prisoners that they were forced to confess under torture or ill-treatment; lack of facilities in the preparation of the defence and conviction mainly based on confession. Many of these prisoners had lived in Japan or had relatives in Japan. They were accused of passing "state secrets" to North Korean "agents" in Japan.

In some of these cases, including that of Kang Hui-chol, the information available to Amnesty International strongly supports the view that they are prisoners of conscience and should be released. In the other cases Amnesty International is seeking additional information and is calling on the authorities to review their cases.

These prisoners were arrested and tried under military governments at a time when human rights violations were widespread. It is believed that the authorities at the time may

have used such cases to create a climate of fear and insecurity which was used to justify continued military rule.

Since 1993 South Korea has been governed under President Kim Young-sam, a civilian president who has introduced some reforms. However, the current government has failed to review the cases of long-term political prisoners who were convicted unfairly under previous governments.

For several years, human rights lawyers in South Korea have sought retrials for some long-term political prisoners. Under the Code of Criminal Procedure a retrial may be granted if it is proved that evidence was forged, testimony was false and when new "clear evidence" is discovered. The requirements for a retrial have proved to be extremely difficult to meet and as far as Amnesty International is aware, no long-term political prisoner has secured one.

In addition, the statute of limitations on public prosecutions means that it becomes impossible to prosecute those responsible for human rights violations after a certain period has passed. In many cases of long-term political prisoners, the violations occurred too long ago for those responsible to be brought to justice under South Korean law.

In 1995 the government introduced legislation which extended the statute of limitations for certain crimes, including mutiny and treason. This led to the successful prosecution of two former presidents, Roh Tae-woo and Chun Doo-hwan, and 13 other former army officials on charges which included the killing of civilians at Kwangju in May 1980. However, many other human rights violations carried out under past military governments have gone unpunished. There has been no investigation into many cases of torture and unfair trial and imprisonment under former governments. This means that many officials responsible for past human rights violations have escaped prosecution. It also means that many victims of past human rights violations have not received redress.

Kang Hui-chol's case:

Kang Hui-chol was born in 1958 on the island of Cheju, off the southern coast of South Korea. In 1975 he went to Japan illegally to join his parents who had moved there several years before. He attended a high school affiliated with *Chochonnyon* (General Association of Koreans in Japan)[1] and later worked in a factory. In 1981 he was arrested by the Japanese police because of his illegal resident status and deported to South Korea. He settled down in South Korea, completed his military service and took a job as a hotel clerk on Cheju Island. He got married and had one son.

On 28 April 1986 Kang Hui-chol was arrested by the police on Cheju Island and held incommunicado for 85 days. Although he was arrested on 28 April, official records state his time of arrest as 21 July 1986, the date a warrant was issued for his arrest. He was charged with espionage. According to the prosecution, he had entered Japan illegally and passed secret information to *Chochonnyon*. This secret information included the location

[1] *Chochonnyon* groups the Korean residents of Japan who are North Korean nationals. It officially represents the views of the North Korean Government. A different organization, *Mindan*, groups the Korean residents of Japan who are South Korean nationals.

of government offices and roads on Cheju Island. He was also accused of having visited North Korea for espionage training. Kang Hui-chol is said to have admitted this during questioning and before Cheju District Court, which sentenced him to life imprisonment on 4 December 1986.

However, Kang Hee-chol was convicted largely on the basis of his own confession, which he says was extracted under torture. There was little other evidence. The prosecution is said to have presented a pen and a sweater which they said he had obtained in North Korea. But Kang Hui-chol said that the pen was bought in Japan and that the sweater was given to him by a relative.

Human rights activists in South Korea have examined the investigation records in Kang Hui-chol's case and found many inconsistencies.[2] For example, a sketch he is alleged to have drawn of a North Korean training facility is identical to his own apartment. He was accused of delivering secrets to his brother's house in Japan at a time when his brother did not live there.

The alleged secret information which Kang Hui-chol was accused of giving to North Korea was information already in the public domain, such as photographs of government buildings and roads. Under the National Security Law, any information considered useful to North Korea may be considered a "state secret", even if it is publicly available.

A police investigator, interviewed by the Catholic Task Force on Fabricated Spy Cases, admitted that the police had no evidence that Kang Hui-chol had taken photographs of government offices and roads. But the investigator claimed that the police knew Kang Hui-chol had taken some photographs because he had confessed.

Kang Hui-chol may have been targeted because he was easily connected with North Koreans living in Japan. The fact that he attended a school run by *Chochonnyon* meant that he came into contact with members of that organization. However, there was no convincing evidence that he had committed espionage and numerous inconsistencies in the case against him.

Recommendations to the government

Amnesty International urges the South Korean Government to:

- Release Kang Hui-chol immediately and unconditionally
- Review the cases of those long-term political prisoners who were convicted during the 1970s and 1980s where there are reports of unfair trial, on the basis of coerced confession.

[2] This information has been researched by the Catholic Task Force on Fabricated Spy Cases, which is composed of members and supporters of the Catholic Human Rights Committee, based in Seoul.

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REPUBLIC OF KOREA (SOUTH KOREA)

A HUMAN RIGHTS AGENDA FOR SOUTH KOREA QUESTIONS AND ANSWERS

1. Does Amnesty International expect South Korea's human rights situation to change after the inauguration of Kim Dae-jung as President?

Amnesty International strongly urges Kim Dae-jung to improve South Korea's human rights situation as soon as he takes office as President. The organization cannot predict the actions of Kim Dae-jung's administration, but it hopes that it will have the political will to get reform through, and to end human rights violations inherited from the past.

The presidency of Kim Dae-jung, a former prisoner of conscience and long-standing human rights advocate, could mark a new departure for human rights, provided he upholds his election pledges and maintains a firm commitment to carry out legal and judicial reforms. His long-standing support for human rights is a good omen for South Korea. As a former victim he of all people should understand the need for putting human rights principles into practice.

Kim Dae-jung has long advocated the universality of human rights and has himself supported what he described in 1995 as the *"increasing awareness of the importance of democracy and human rights among Asian peoples"*.

In November 1997, President-elect Kim Dae-jung pledged that he would consider measures such as the release of some, but not all, prisoners of conscience. Amnesty International hopes that these commitments will be clarified and followed through early on in his presidency, and that further action will be taken to remedy past human rights violations and prevent new ones from occurring.

2. What did Amnesty International do about Kim Dae-jung when he was himself targeted by the South Korean authorities?

Kim Dae-jung was subjected to human rights violations for peacefully exercising his right to freedom of expression. He spent much of the 1970s under house arrest or in prison. It was during this period that he was first adopted as a prisoner of conscience by Amnesty International.

He was arrested in March 1976, as a prominent signatory of a "Declaration for National Democratic Salvation". He was arrested again in May 1980, just before the Kwangju Massacre, and was accused of having "instigated" agitation. He was sentenced to death in September 1980.

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His eldest son Kim Hong-il and his brother Kim Dae-hyun were sentenced to imprisonment at the same time, while his wife, Lee He-ho, was kept under partial house arrest.

Amnesty International, and many other human rights and pressure groups, campaigned vigorously on Kim Dae-jung's behalf throughout that period. In 1981, following widespread international protests and campaigning by international organizations, his death sentence was commuted; in 1982 he was released on a "suspended" sentence. In February 1985, he was placed under house arrest again on the day he returned from two years' exile in the USA. House arrest and harassment continued until February 1986.

During a visit to London in 1993, Kim Dae-jung presented Amnesty International Secretary General Pierre Sané with a calligraphy he had written, of four Chinese characters meaning "All Nations are One Family".

3. Specifically, what does Amnesty International want the new president to do?

Before the South Korean presidential election, Amnesty International published an open letter to all candidates, asking them to commit themselves to an 18-point agenda of human rights reforms. Amnesty International is now reiterating this request to the new President.

In particular the organization calls for the release of prisoners of conscience and the amendment of the National Security Law in accordance with international standards. It also calls for steps to be taken to eradicate torture and ill-treatment, and to abolish the death penalty.

Amnesty International also wants the new administration to ensure that full and impartial investigations are conducted into all human rights violations - past and present. It wants the new President to set up mechanisms to protect and promote human rights, possibly through the establishment of an independent national human rights commission. It hopes that the new administration will reform its asylum procedures and that it will fully implement the international human rights treaties it has signed.

4. Some human rights organizations claim that there are hundreds of prisoners of conscience and political prisoners in South Korea. What is Amnesty International's figure? How is it compiled?

Amnesty International does not document and research every individual political detainee or prisoner - given the high number of arrests this would not be practical. Therefore, it cannot say how many prisoners exist at a given point in time. Instead, the organization studies patterns of arrest and calls for legal and procedural changes which will avoid such human rights violations in future. Amnesty International campaigns on individual prisoner cases in order to demonstrate a pattern of human rights violations. It also uses its resources to work for those prisoners who have been sentenced to long prison terms and are therefore in most need of outside help.

Hundreds of people are arrested every year for political activities in South Korea - over 600 people were arrested under the National Security Law in 1997. Most are released after relatively short periods, but some receive lengthy prison sentences. The high number of arrests makes it

difficult to keep exhaustive tabs on arrests, and it is also difficult in many cases to monitor the release of individuals.

Amnesty International has long-term concerns for dozens of political prisoners serving long prison sentences. Most are prisoners of conscience, others are not classified as such by Amnesty International - often because we do not have enough detailed information about them to do so. Amnesty International does not claim that it monitors all possible prisoners of conscience: it consistently signals that the individual cases taken up by the organization represent wider patterns of repression

Amnesty International regards as prisoners of conscience those who are detained for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, birth or other status - who have not used or advocated violence. The organization believes the imprisonment of such people cannot be justified in any circumstances and that they should be immediately and unconditionally released.

Amnesty International also calls for fair and prompt trials for all political prisoners - whether or not they have used or advocated violence. It may also call for the release of political prisoners who have been held for a long time after an unfair trial, unless their cases are reviewed urgently.

5. Kim Dae-jung said he wants to improve relations with North Korea. What is Amnesty International's view, and what do you expect him to do about human rights violations in North Korea?

Amnesty International hopes that increases in inter-Korean contacts and talks will contribute to reducing tension on the Korean Peninsula, and to improving human rights safeguards for all Koreans. The organization urges South Korea (and all other countries) to place human rights at the top of the agenda in any dialogue with North Korea - as should be the rule for all international dialogues.

There is very little reliable, independent information on the human rights situation in North Korea. South Korea could significantly contribute to a better understanding of the human rights situation in North Korea by allowing more public scrutiny of information from North Korean sources, and by refraining from misusing for propaganda purposes reports of human rights violations in North Korea.

Wider access to information on North Korea by independent academics and observers, could also contribute to improving understanding of human rights violations in North Korea. To promote greater public awareness and understanding, South Korea should allow its own citizens to be involved in discussions about contacts with North Korea and reunification issues.

6. Isn't North Korea's human rights situation much worse than that in the South? Shouldn't Amnesty International pay more attention to it than it does to the situation in South Korea?

North Korea is in the grip of a very serious economic crisis, with widespread food shortages which have led to famine and the premature death of at least one million people, possibly many

more. In addition, there is clear evidence that the North Korean authorities do not tolerate the public, peaceful expression of critical views. Amnesty International believes that grave human rights violations have occurred in this context.

Amnesty International's work on North Korea is hampered by a lack of independent and accessible information about that country. In spite of these difficulties, in recent years it has published several reports about severe human rights violations in North Korea. The organization remains very concerned about the poor human rights situation in North Korea and continues to seek ways to improve human rights protection there.

Amnesty International does not compare the human rights situation in different countries. It holds the South Korean Government responsible for the protection and promotion of human rights in South Korea. It also expects the South Korean Government to press for improvements in the human rights situation in other countries, including North Korea.

7. Doesn't Amnesty International see that the economic crisis in Asia will overshadow the human rights agenda? Isn't overcoming the economic crisis a human rights priority too?

The economic crisis in South Korea is severe and is obviously a major priority for the new President. South Korea's economic problems may well impact upon the Korean people's enjoyment of economic, social and cultural rights. However, this should not become a justification for the denial of civil and political freedoms as well.

Human rights protection is particularly important at a time of crisis - it will be important for the new administration to ensure that the political, economic and social rights are not eroded during this period and that the rights of disadvantaged groups are protected, including those of women and non-unionised workers.

Amnesty International also believes a strong human rights program will be a good foundation on which to build the country's recovery. The economic crisis in Asia has shown the importance of the rule of law, government accountability and freedom of information (key factors in protecting human rights) to economic stability and sustainable development.

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REPUBLIC OF KOREA (SOUTH KOREA)

A Human Rights Agenda for South Korea

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

REPUBLIC OF KOREA (SOUTH KOREA)

A human rights agenda for South Korea

Amnesty International is a worldwide voluntary movement which works to prevent human rights violations by governments. The main focus of its campaigning is to free all prisoners of conscience, to ensure fair trials for political prisoners, to abolish the death penalty and torture and to end extrajudicial executions and "disappearances".

The organization also works to promote all the human rights contained in the Universal Declaration of Human Rights and other international standards, through human rights education programs and campaigning for ratification of international human rights treaties.

Amnesty International has over 1,000,000 members in countries throughout the world, including South Korea. Research into human rights violations and individual victims is conducted by the International Secretariat in London. To ensure impartiality, the organization's members campaign for individual victims in countries other than their own.

Amnesty International's Korean Section works to improve human rights in South Korea, through human rights promotion and education programs and campaigns to bring South Korean law and practice into line with international standards. It also campaigns for the victims of human rights violations in other countries.

In October 1997 Amnesty International's Secretary General wrote an open letter to all candidates in the Presidential election. The letter called on candidates to commit themselves to a program of human rights reform if elected.

After the publication of Amnesty International's letter, Kim Dae-jung made a public commitment to release some, but not all, prisoners of conscience. After his election as President, Kim Dae-jung made public a number of other proposals for human rights reforms. These included the reform of the Agency for National Security Planning, the establishment of a human rights commission, measures to protect the rights of women and a commitment to ensure that Korean law and practice is in conformity with international human rights standards. These proposals have been welcomed by Amnesty International.

Amnesty International wrote again to President-elect Kim Dae-jung in February 1998 describing its proposals for human rights reform, including the following points.

Release prisoners of conscience and amend the National Security Law
Amnesty International calls for the release of all prisoners of conscience and for the National Security Law to be amended in accordance with international standards. In recent years Amnesty International has campaigned on behalf of hundreds of individual prisoners whose cases demonstrate a pattern of human rights violation under the National Security Law. The organization calls for the release of *all* prisoners who are currently held for the non-violent exercise of their rights to freedom of expression and association.

Most of the individual prisoners Amnesty International is campaigning for have been sentenced to long prison terms. They include prisoners who were convicted of espionage during the 1970s and 1980s, prisoners accused of belonging to "anti-state" groups and those who made an unauthorized visit to North Korea. These cases highlight the problems associated with unfair trials of political prisoners in past decades and the broad definition of the terms "espionage" and "state secrets" under the National Security Law

Amnesty International is also concerned about a pattern of shorter-term arrest where prisoners are held for up to six months for minor violations of the National Security Law. At least 600 people were arrested under the National Security Law in 1997 alone. Many of these prisoners were charged under Article 7 of the National Security Law which provides up to seven years' imprisonment for the act of "praising" and "benefitting" North Korea. Article 7 has been used widely to detain people for the non-violent exercise of their rights to freedom of expression and association.

Amnesty International believes that the National Security Law should be amended so that provisions which punish non-violent political activities are removed. Many provisions of the law are vaguely worded and appear to be used selectively.

Reform the Agency for National Security Planning
Amnesty International is encouraged at reports that the new President proposes to reform the Agency for National Security Planning (ANSP) and urges him to ensure that this reform will prevent the Agency from abusing fundamental rights. In recent years Amnesty International has received reports of torture and ill-treatment committed by the ANSP. In December 1996 it was concerned about the passage of legislation which extended the agency's powers, without additional measures or curbs to ensure that these powers were not abused.

Investigate human rights violations - past and present
Amnesty International calls for a thorough, impartial and independent investigation into all reported human rights violations in South Korea, past and present. This includes a thorough investigation into the May 1980 killings in Kwangju and into cases of torture, political arrest and unfair trial carried out under past administrations. It believes that all those responsible for human rights violations, past and present, should be brought to justice.

The investigation of all reported human rights violations should conform to international human rights standards, which seek to end impunity for human rights violations. They state that all reports of human rights violations should be thoroughly and impartially investigated, the results of investigations should be made public, those responsible for such violations should be brought to justice, and victims should receive adequate compensation.

Improve human rights promotion and education
On the 50th anniversary of the Universal Declaration of Human Rights Amnesty International has called on the new President to promote the importance of civil, political, economic and social rights throughout Korean society.

It has urged him to integrate human rights education into school teaching and to ensure that human rights education is including in training programmes for all government officials, law enforcement and military personnel. It has also called on the President to promote equality throughout Korean society in order to prevent social and institutional discrimination against women and other disadvantaged groups.

Establish a human rights commission
Amnesty International is encouraged by the new President's proposal to establish a Human Rights Commission and urges him to ensure that the commission's statute is consistent with international standards for human rights commissions.

The new commission's mandate should include investigation of reported human rights violations, including by security agencies, making suggestions for legislative reforms and taking a lead in human rights education work. However, a commission should not be seen as a substitute for effective legal structures and an independent judiciary. To be effective, a human rights commission must be independent and impartial and must command the trust and respect of human rights defenders and the public in South Korea.

End torture and ill-treatment
Torture and ill-treatment of detainees by police and security agencies should not be tolerated. In practice this means introducing effective measures to end the widespread use of sleep deprivation, threats, coercion and sometimes beatings of suspects in custody aimed at obtaining a confession.

Amnesty International urges the new President to ensure that existing legislation against torture is reinforced and effectively implemented. It should be made fully consistent with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which South Korea has ratified.

Improve prison conditions
Amnesty International calls for conditions of imprisonment for all prisoners to be improved, by providing more and better medical facilities in prisons, fitting prisons with heating and

providing warmer clothing for all prisoners in winter. It believes that political prisoners should not be isolated from other prisoners, denied meetings with lawyers or denied the opportunity to correspond with supporters.

Amnesty International also calls for an end to the system of ideological "conversion" of certain political prisoners which is used arbitrarily and is a violation of prisoners' right to freedom of conscience. Some long-term political prisoners have been held in poor conditions for over three decades and are denied the possibility of release on parole solely because of their refusal to "convert".

Abolish the death penalty
Following the execution of 23 people on 30 December 1997, Amnesty International wrote to President-elect Kim Dae-jung urging him to abolish the death penalty during his term in office. As a first step it calls on the new President to commute all death sentences and ensure that no further executions are ordered.

Respect trade union rights
Amnesty International urges the new President to ensure that labour legislation conforms with international standards relating to freedom of expression and association. South Korea should commit itself to protecting basic labour rights by ratifying conventions 87 and 98 of the International Labour Organization (ILO) which guarantee the rights to establish and join a trade union and to be protected from discrimination.

Implement international human rights treaties
South Korea should fully implement the international conventions which it has ratified. They include the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Protect the rights of foreigners and asylum seekers
People of any nationality seeking asylum in South Korea must not be sent back to a country where they face human rights violations and all people seeking asylum should have access to a fair and satisfactory refugee status determination process. Foreign workers in South Korea should also be afforded legitimate safeguards for their civil and social rights, in accordance with international standards.

Promote human rights throughout the world
As an active member of the United Nations, South Korea has a responsibility to press for improvements in the human rights situation internationally. Amnesty International urges the new President to express support for the UN's work to further protect human rights, and to commit his government to active human rights diplomacy both within the UN system and bilaterally with other governments. It also calls on him to uphold and promote the Universal Declaration of Human Rights in its 50th anniversary year.

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His eldest son Kim Hong-il and his brother Kim Dae-hyun were sentenced to imprisonment at the same time, while his wife, Lee He-ho, was kept under partial house arrest.

Amnesty International, and many other human rights and pressure groups, campaigned vigorously on Kim Dae-jung's behalf throughout that period. In 1981, following widespread international protests and campaigning by international organizations, his death sentence was commuted; in 1982 he was released on a "suspended" sentence. In February 1985, he was placed under house arrest again on the day he returned from two years' exile in the USA. House arrest and harassment continued until February 1986.

During a visit to London in 1993, Kim Dae-jung presented Amnesty International Secretary General Pierre Sané with a calligraphy he had written, of four Chinese characters meaning "All Nations are One Family".

3. Specifically, what does Amnesty International want the new president to do?

Before the South Korean presidential election, Amnesty International published an open letter to all candidates, asking them to commit themselves to an 18-point agenda of human rights reforms. Amnesty International is now reiterating this request to the new President.

In particular the organization calls for the release of prisoners of conscience and the amendment of the National Security Law in accordance with international standards. It also calls for steps to be taken to eradicate torture and ill-treatment, and to abolish the death penalty.

Amnesty International also wants the new administration to ensure that full and impartial investigations are conducted into all human rights violations - past and present. It wants the new President to set up mechanisms to protect and promote human rights, possibly through the establishment of an independent national human rights commission. It hopes that the new administration will reform its asylum procedures and that it will fully implement the international human rights treaties it has signed.

4. Some human rights organizations claim that there are hundreds of prisoners of conscience and political prisoners in South Korea. What is Amnesty International's figure? How is it compiled?

Amnesty International does not document and research every individual political detainee or prisoner - given the high number of arrests this would not be practical. Therefore, it cannot say how many prisoners exist at a given point in time. Instead, the organization studies patterns of arrest and calls for legal and procedural changes which will avoid such human rights violations in future. Amnesty International campaigns on individual prisoner cases in order to demonstrate a pattern of human rights violations. It also uses its resources to work for those prisoners who have been sentenced to long prison terms and are therefore in most need of outside help.

Hundreds of people are arrested every year for political activities in South Korea - over 600 people were arrested under the National Security Law in 1997. Most are released after relatively short periods, but some receive lengthy prison sentences. The high number of arrests makes it

difficult to keep exhaustive tabs on arrests, and it is also difficult in many cases to monitor the release of individuals.

Amnesty International has long-term concerns for dozens of political prisoners serving long prison sentences. Most are prisoners of conscience, others are not classified as such by Amnesty International - often because we do not have enough detailed information about them to do so. Amnesty International does not claim that it monitors all possible prisoners of conscience: it consistently signals that the individual cases taken up by the organization represent wider patterns of repression

Amnesty International regards as prisoners of conscience those who are detained for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, birth or other status - who have not used or advocated violence. The organization believes the imprisonment of such people cannot be justified in any circumstances and that they should be immediately and unconditionally released.

Amnesty International also calls for fair and prompt trials for all political prisoners - whether or not they have used or advocated violence. It may also call for the release of political prisoners who have been held for a long time after an unfair trial, unless their cases are reviewed urgently.

5. Kim Dae-jung said he wants to improve relations with North Korea. What is Amnesty International's view, and what do you expect him to do about human rights violations in North Korea?

Amnesty International hopes that increases in inter-Korean contacts and talks will contribute to reducing tension on the Korean Peninsula, and to improving human rights safeguards for all Koreans. The organization urges South Korea (and all other countries) to place human rights at the top of the agenda in any dialogue with North Korea - as should be the rule for all international dialogues.

There is very little reliable, independent information on the human rights situation in North Korea. South Korea could significantly contribute to a better understanding of the human rights situation in North Korea by allowing more public scrutiny of information from North Korean sources, and by refraining from misusing for propaganda purposes reports of human rights violations in North Korea.

Wider access to information on North Korea by independent academics and observers, could also contribute to improving understanding of human rights violations in North Korea. To promote greater public awareness and understanding, South Korea should allow its own citizens to be involved in discussions about contacts with North Korea and reunification issues.

6. Isn't North Korea's human rights situation much worse than that in the South? Shouldn't Amnesty International pay more attention to it than it does to the situation in South Korea?

North Korea is in the grip of a very serious economic crisis, with widespread food shortages which have led to famine and the premature death of at least one million people, possibly many

more. In addition, there is clear evidence that the North Korean authorities do not tolerate the public, peaceful expression of critical views. Amnesty International believes that grave human rights violations have occurred in this context.

Amnesty International's work on North Korea is hampered by a lack of independent and accessible information about that country. In spite of these difficulties, in recent years it has published several reports about severe human rights violations in North Korea. The organization remains very concerned about the poor human rights situation in North Korea and continues to seek ways to improve human rights protection there.

Amnesty International does not compare the human rights situation in different countries. It holds the South Korean Government responsible for the protection and promotion of human rights in South Korea. It also expects the South Korean Government to press for improvements in the human rights situation in other countries, including North Korea.

7. Doesn't Amnesty International see that the economic crisis in Asia will overshadow the human rights agenda? Isn't overcoming the economic crisis a human rights priority too?

The economic crisis in South Korea is severe and is obviously a major priority for the new President. South Korea's economic problems may well impact upon the Korean people's enjoyment of economic, social and cultural rights. However, this should not become a justification for the denial of civil and political freedoms as well.

Human rights protection is particularly important at a time of crisis - it will be important for the new administration to ensure that the political, economic and social rights are not eroded during this period and that the rights of disadvantaged groups are protected, including those of women and non-unionised workers.

Amnesty International also believes a strong human rights program will be a good foundation on which to build the country's recovery. The economic crisis in Asia has shown the importance of the rule of law, government accountability and freedom of information (key factors in protecting human rights) to economic stability and sustainable development.