

NSL2.7

FROM THE CRADLE
TO THE GRAVE,
BUT WHEN FINALLY ?

THE STORY OF THE NATIONAL
SECURITY LAW IN S. KOREA

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МІНКАНЧУР

CONTACT ADDRESS: 2ND FL, 592-7
CHANGSHIN-2-DONG, JONGRO-GU
SEOUL, 110-542, KOREA.
TEL: (02) 763-2606 FAX: (02) 745-5604

БЧ МІНКАНЧУР

(HUMAN RIGHTS GROUP FOR PRISONERS OF CONSCIENCE / SOUTH KOREA)

FROM THE CRADLE TO THE GRAVE, BUT WHEN FINALLY?
THE STORY OF THE NATIONAL SECURITY LAW IN S. KOREA

BY HINKAHCUP
(HUMAN RIGHTS GROUP FOR PRISONERS OF
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Born Cold

The National Security Law (NSL) was first enacted in S.Korea on December 1, 1948 soon after the liberation from Japanese colonial rule in 1945.

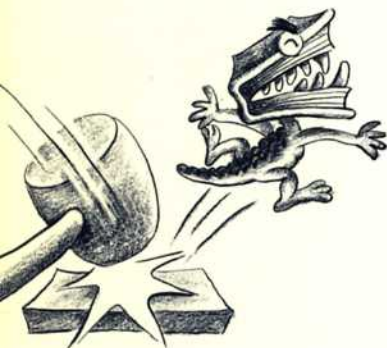
Korea was at that time politically divided between pro-US government in the South and the pro-communist government in the North on either side of the 38th parallel. But, even in the South were many active leftist parties and many socialist activists widely supported by Korean people.

On the verge of facing serious political unrest, the newly established US-backed South government enacted the NSL to persecute leftist and at the same time any kind of anti-government activities. The NSL itself was mostly based on the Internal Security Law of Japanese colonial era.

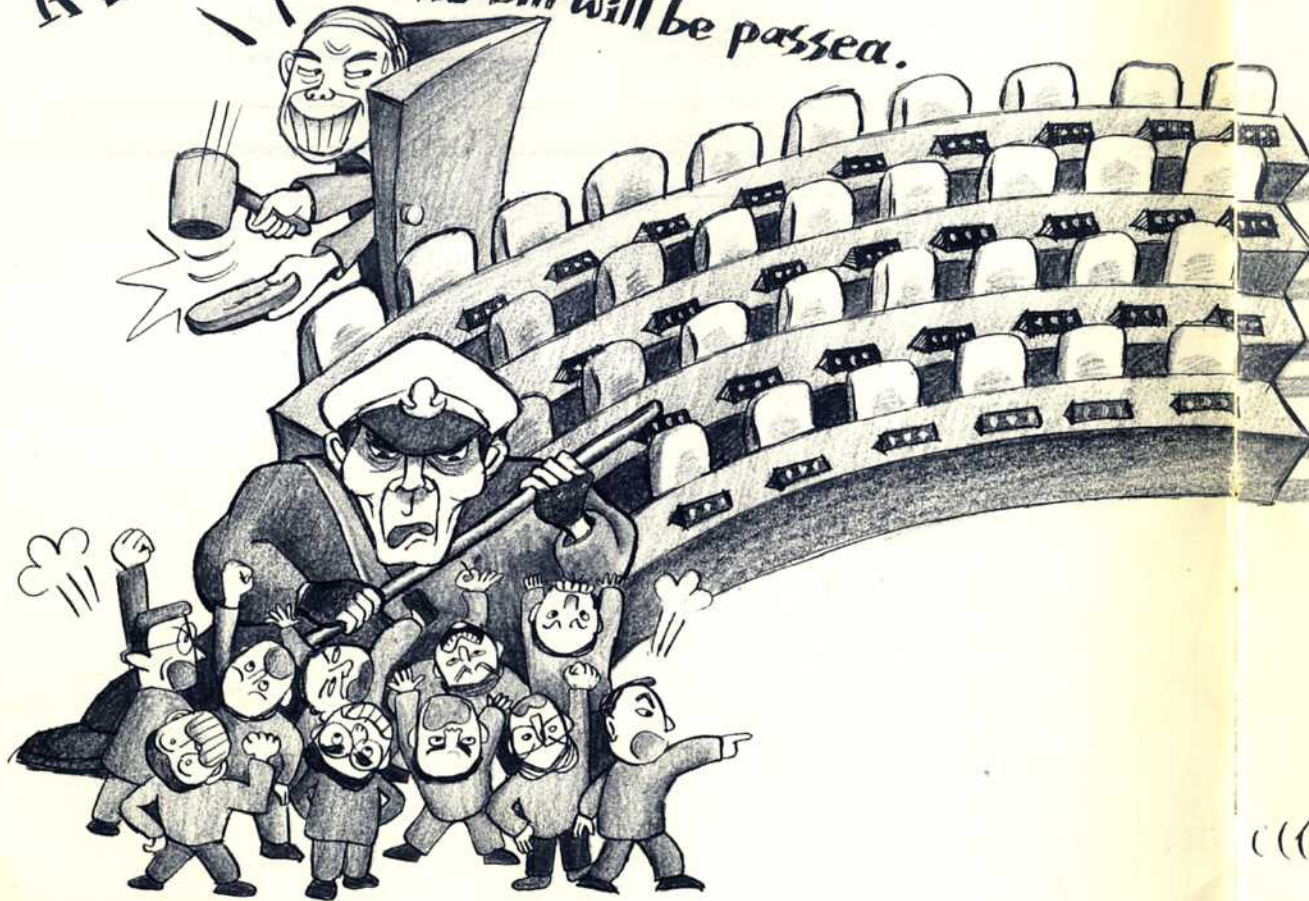
It prohibits such activities as formation of or participation in or benefiting an "anti-state organization". An "anti-state organization" in this context first meant to designate North Korea, but was later extended to include most organizations that were against the S.Korean government.

Its First Year

According to reports by the UN International Committee on Korean Affairs, under the NSL charges about 120,000 civilians and 9,000 soldiers were imprisoned and



*If there are no objections,
the bill will be passed.*



purged within the first one year period of its execution (one out of every 100 adults over 20 years of age).

Moreover, the first two months recorded dismantling of 120 political parties and social institutions.

The NSL charges were applied to 80% of the 100,000 or so indictments during the first year of the enactment of the law, as a result of which, when 10th month was closing since its start, the existing prisons had become full and the government had to order building two more.

Its Maturity

The NSL has been amended 7 times since its enactment. It can be easily seen that all these amendments correspond to political crisis in S.Korea, accompanying extensive propaganda campaign on communists' threat.

The legislative procedure of the revisions were usually conducted either after locking up law-makers of the opposition parties by specially trained policemen or through a military emergency bodies after dissolving the Assembly itself by coups-d'etat.

One revision act was passed in the National Assembly within 5 seconds - by three short sentences; "Any objections?", an immediate "No", and a declaration of "It's passed".



Its Appetite

The NSL restricts the freedoms of thought, conscience, and expression of individuals. Any act or expression in favor of socialism, communism or North Korea, for it confronts with S.Korea, is punished by this law.

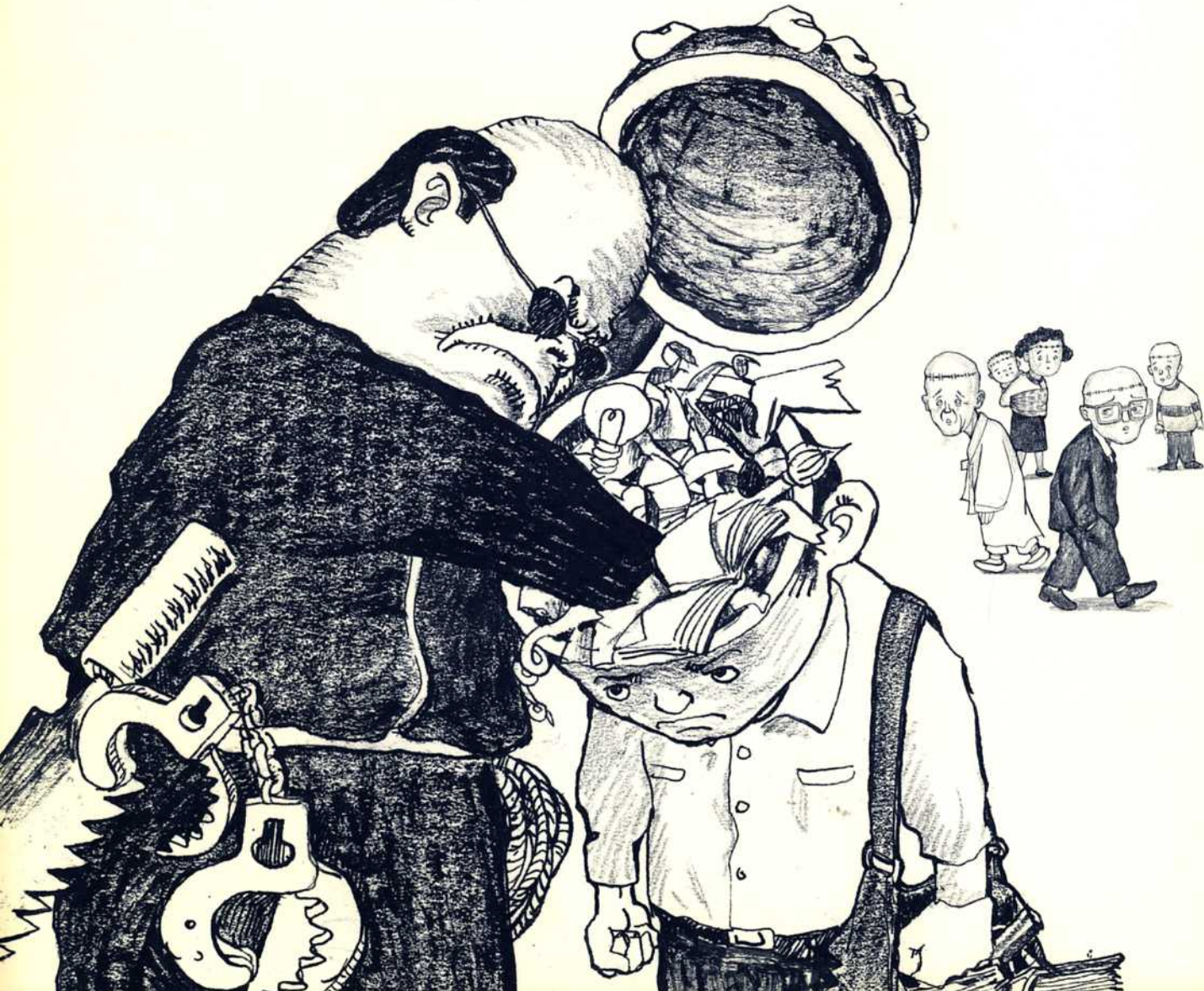
A great number of books, allegedly containing socialist views, are designated as banned books, mere reading or possession of which can be an illegal act. Among such books were the writings of E.H. Carr, Erich Fromm, Rev. Gutierrez, Gerog Lucas, and even some Korean scholars who later became government officials.

Persons who have failed to inform the authorities upon knowing a suspected NSL-related act is also subject to punishment. The most notorious of this law is "Conversion System" - the authority can prolong the prison term of and/or exempt benefits to an NSL prisoner if he or she refuses to convert from his or her alleged socialist ideologies until the end of the proper prison term.



Its Crusade

The NSL has kept in check innumeralbe civilians, students, intellectuals, and workers who demanded for or tried to bring about reunification process of Korea, by locking them into the prison cells. Born as soaked in the antagonism of the division of the Peninsula, the NSL has solidified the partition of two halves and pushed away converging hopes of reunification.



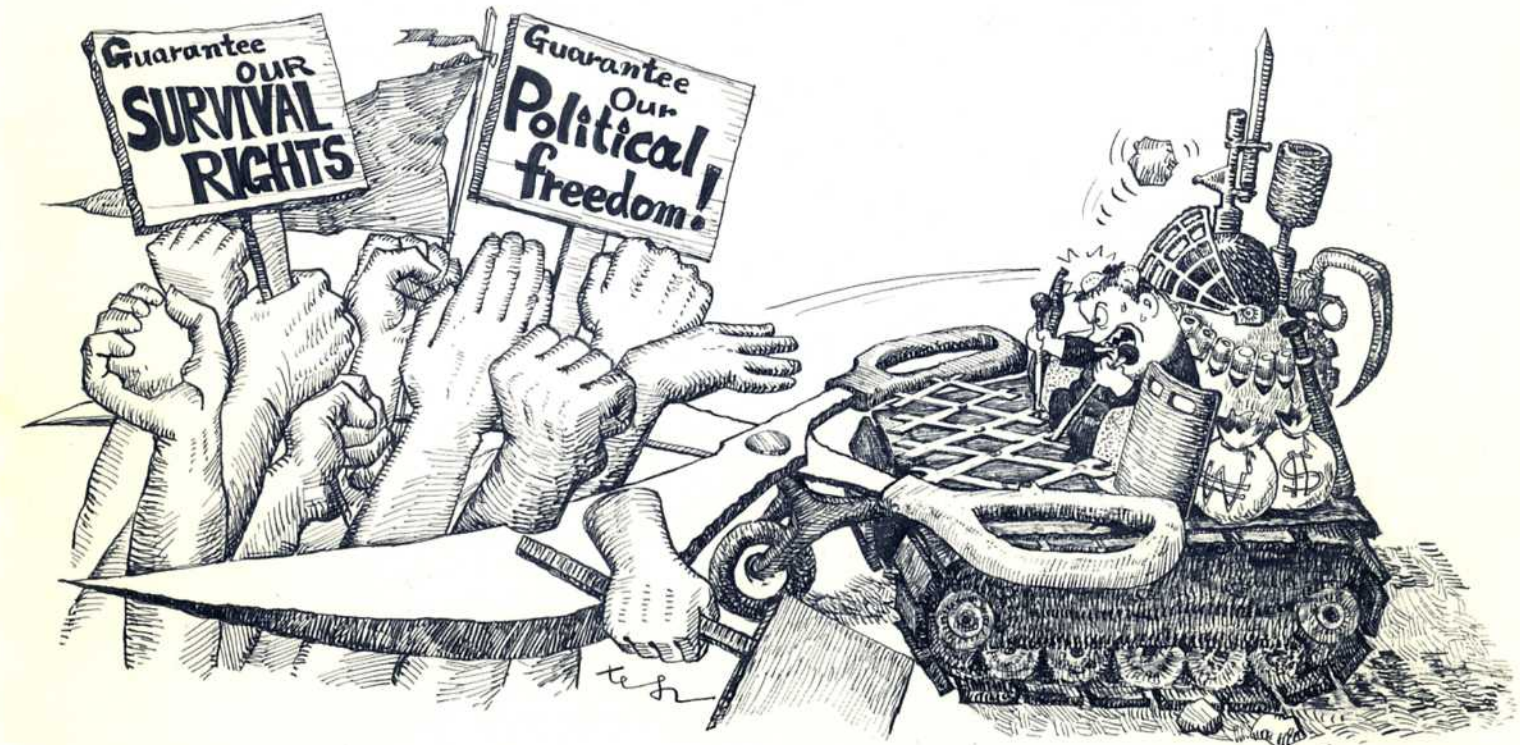
Although, [The South-North Korean Agreement on Reconciliation, Nonaggression, Exchange and Cooperation] has come into force, the NSL still states N.Korea as "an adversary nation" or "anti-state organization". In reality, the concept of "anti-state organization" is so broadly interpreted that any civilian attempts to build a reunification process are classified as infiltration into, escape to, meeting with, communication with, encouragement and praise of N.Korea, according to the NSL.

The Guardian!

Also born in the Cold and Warring period, S.Korean government has made a full use of the NSL in oppressing the political opposition and limiting the expression of public and individual opinions.

All acts and expressions critical of the authoritarian regimes were identified as threatening the 'national security'. The national security was idolized so as to demand people to offer political and civil rights (and right to live in many cases) as the sacrifice.

The sharp increase of the number of indictments, imprisoned persons, and the demanded and sentenced years of imprisonment clearly shows how exactly political crisis of a regime was translated into the crisis of the nation.

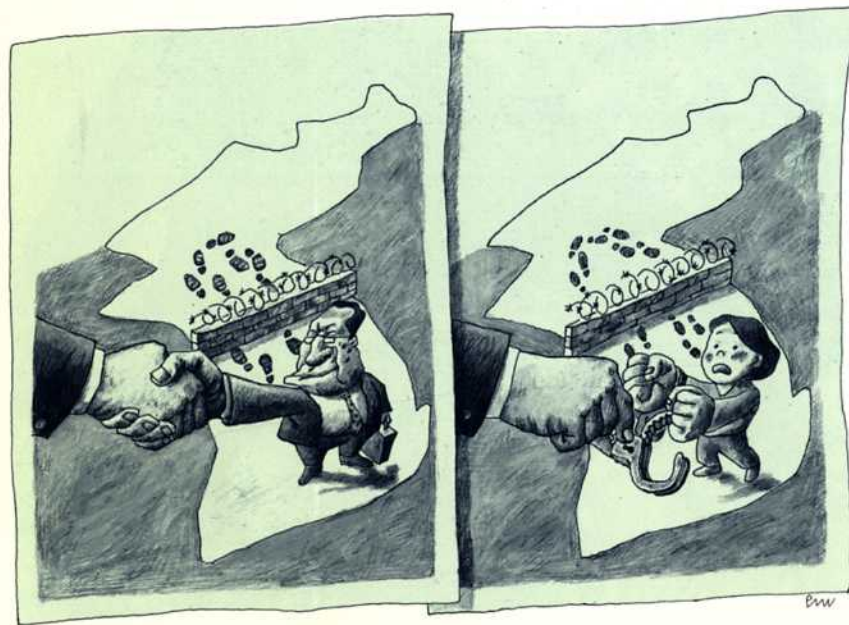


Schizophrenia

The NSL has a distinct taste for its victims - Dual Standards. Different persons with the same act receive different application of the law.

When Ms. Im Su-kyung, after having visited N.Korea as the representative of the S.Korea's national organization of university students, Chun-Dae-Hyup, in order to discuss on reunification of Korea with students in the North, came back to the South, she had to face and get punished under the charges of infiltration, escape and meeting with anti-state organization or its members.

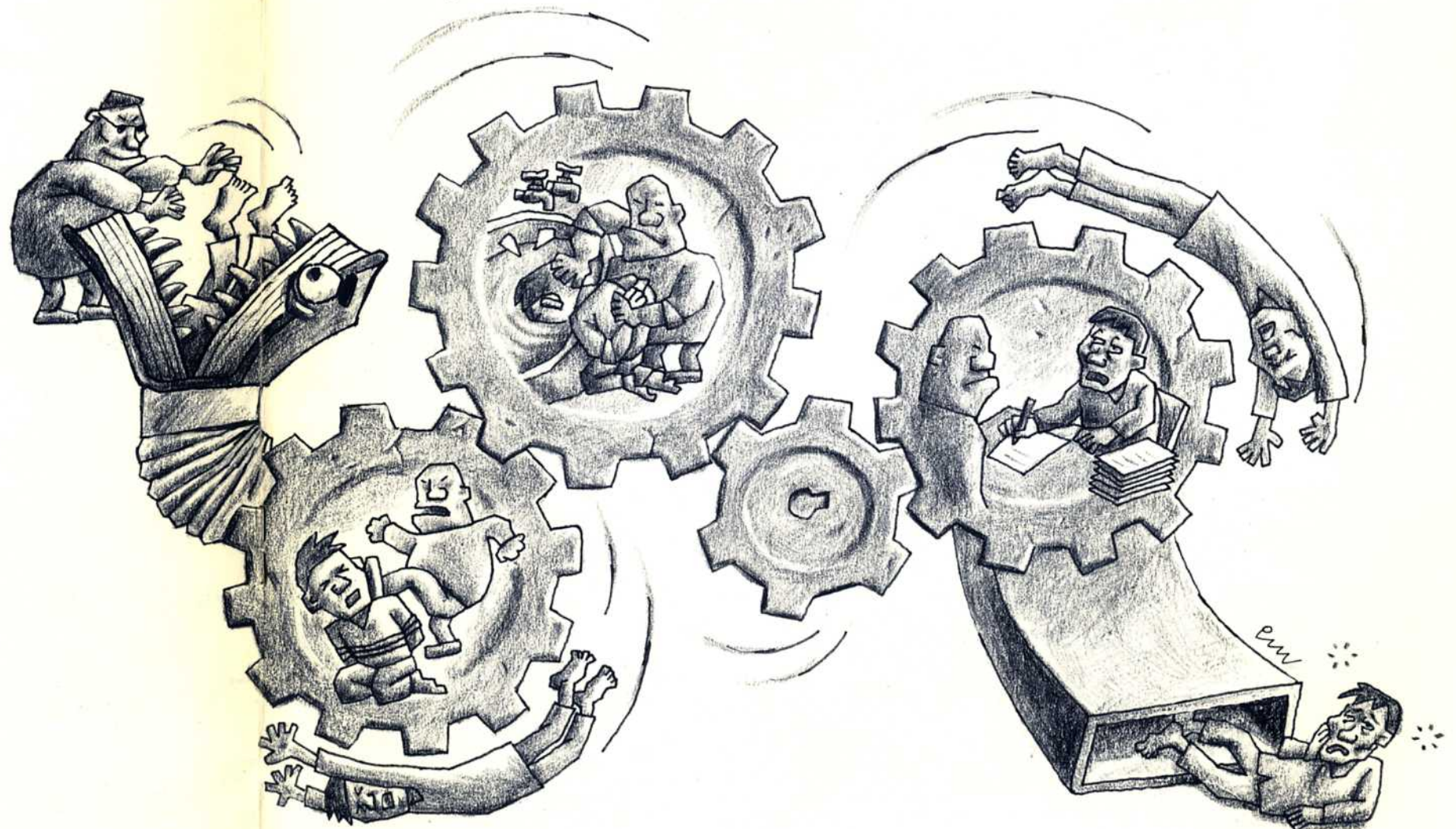
On the other hands, when government officials or important businessmen visit N.Korea and meet people there, there is no trouble for them. Either the S.Korean government or the judiciary could not give a coherent explanation to this irregularity.



Uncontrollable Might

Most of the suspects under the charges of the NSL are arrested without warrant of arrest and taken away by force.

They can be legally held in for interrogation until 50 days limit - 20 days longer than ordinary suspects. Moreover, once arrested, the suspects have been denied any access to a lawyer and his or her family members during interrogation. In one case, the suspect was isolated from the outside world for 144 days. The majority of the NSL suspects testify the exercise of severe tortures during the interrogation.





Obsession of Formality

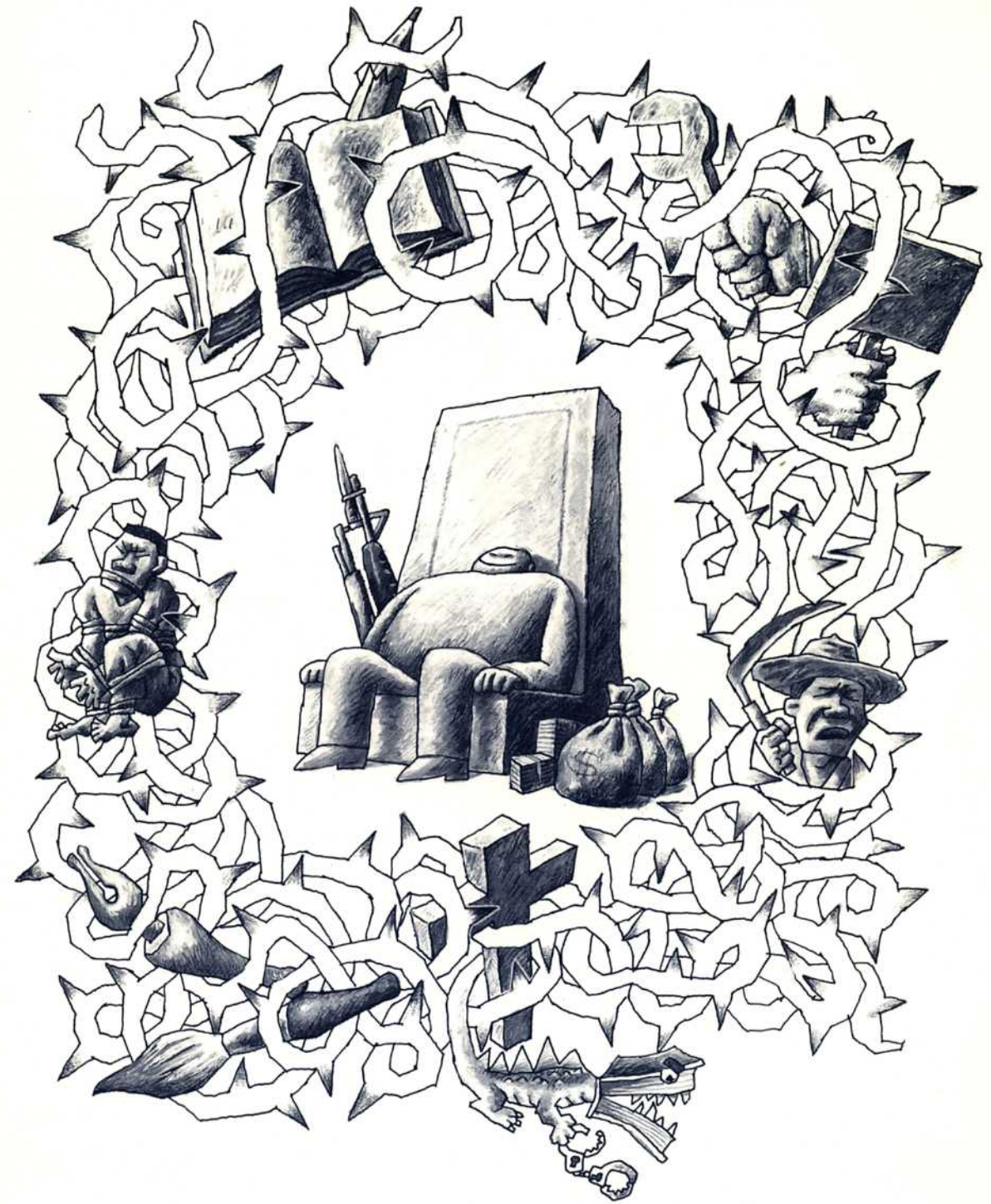
There is a routine formality - almost a formula - in the trials of the NSL suspects. It is very close to the truth to say that the verdicts are a mere repetition of the prosecutor's indictments.

Dealing with political opponents of the regime, this formula is carry the most swiftly : in one of the most notorious cases, the seven convicts of the alleged "People's Revolutionary Party" who received death sentence were hanged the very next day of the verdict. In other cases, the judges yell to the suspected person "You spy!" even before he has started the inquiry. The trials of the NSL cases are in short just matters of formality.

Frontier-Spirit

The reach of the NSL is so board that some NSL cases just cause ridicule if not a false awe. Not only to politics, but also to cultural acts, arts, scholarly works, religion, education and other basic life fields have been attacked by the NSL. A painting, Mr. Hong Sung-dam's for example, depicting the hardship of ordinary people's life in Korea will be classified as 'enemy-benefiting expression' and put its painter for some years in prison.

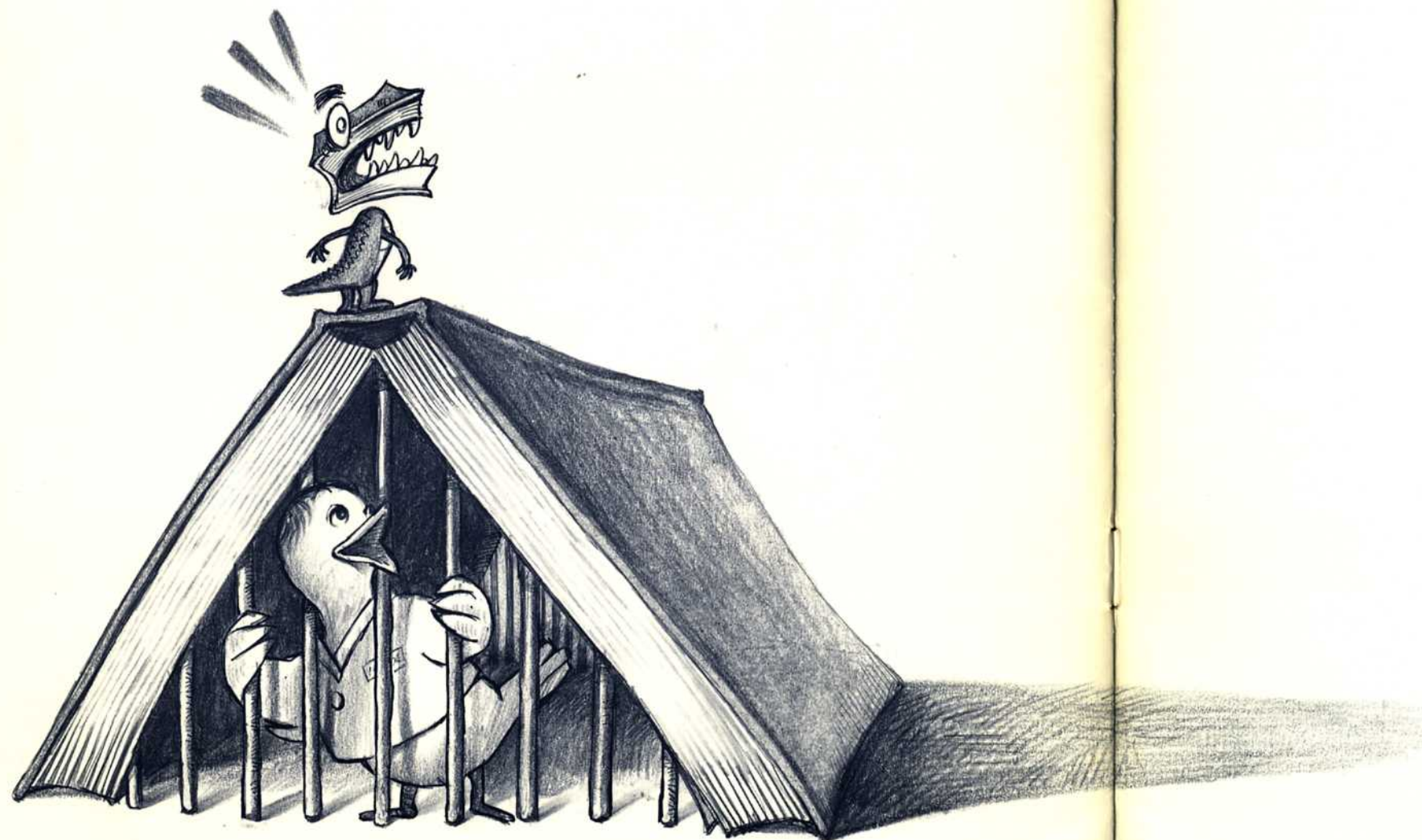
A law-maker in the National Assembly was punished after having said that the prime national policy should be reunification, not anti-communism. Even the most trite common-sense can be interpreted as state secrets : the S.Korean courts once ruled guilty of saying "Seoul-Pusan Highway has 4 lanes" and also "Tza-jang Noodle (a popular dish in Korea) is cheap" in another case, for example.





Dreadful Victim-Witnesses

In Korea, there are now 78 long-term political prisoners, those serving more than 7 years under the NSL. The longest surviving victim of the NSL is Mr. KIM Sun-Myung who sees this year as the 43th year in his prison life. 49 of the 78 prisoners have already spent more than 10 years, while 16 persons more than 20 years and 13 persons more than 30 years in tiny isolated cells. The average age of these long-term prisoners of the Cold War, having spent more than 20 years of their life in prison is 63.4. Though aging fast and health deteriorating quickly, they have continued to refuse to succumb to the deadly Conversion System and are manifesting themselves as the ultimate victims and witnesses of the NSL.



To the Grave, or To the Peace At Last ?

Today remaining as a half of the last divided country in the World, S.Korea is still haunted by an out-dated ghost, the NSL. Serious and continued human rights violations occur under the charges of threatening the national security. Those who yearn for true democratic reforms and people-oriented reunification process become the chief victims of the law. Moreover, through its dual standards of application and irregular trial processes the NSL causes a grave confusion of values on the part of the Korean people.

The NSL-related violations of human rights and basic freedoms and arrests of conscientious people must be brought to an end by a complete abolition of the law. Friends in the world who hope for a genuine peace, let us join our efforts to repeal all forms of national or internal security laws today!

PEOPLES' SOLIDARITY TO ABOLISH ALL NATIONAL (INTERNAL) SECURITY LAWS
IN THE WORLD !

