

# **REPUBLIC OF KOREA (South Korea) @Letters from prisoners and their families**

Amnesty International groups around the world are actively campaigning on behalf of political prisoners in the Republic of Korea (South Korea). Most of these political prisoners are being held under the National Security Law. Many of them are held for the non-violent exercise of their rights to freedom of expression and association.

The National Security Law provides for the death penalty or life imprisonment for those convicted of being the "ring leaders" of broadly defined "anti-state" organizations or for those who are convicted of "espionage". The term "anti-state" is open to wide interpretation and has been used by successive governments to imprison people who hold socialist or communist political views or whose views are alleged to be similar to those of the government of the Democratic People's Republic of Korea (North Korea). The National Security Law also provides for imprisonment for up to seven years of other members and supporters of such organizations and for those who "praise" or "side with" North Korea. In recent years, the National Security Law has been widely used to imprison people who visited North Korea or met North Koreans without government permission and those who established or joined leftist, allegedly pro-North Korean organizations.

The South Korean Government justifies continued use of the National Security Law by the current state of tension between itself and North Korea. Amnesty International believes, however, that the restrictions imposed by the National Security Law on the rights to freedom of expression and association go far beyond the limitations of these rights permitted by international human rights standards. It believes that a large number of prisoners held under the National Security Law are being held for peacefully expressing their views without use or advocacy of violence. Amnesty International believes that the South Korean Government continues to use the National Security Law to imprison those whom it simply considers to be a potential threat to their authority.

In their campaigning for these prisoners, Amnesty International groups frequently enter into correspondence with the prisoners on whose behalf they are working (although some prison authorities appear to restrict prisoners' mail to and from other countries). This document contains excerpts from some of the letters Amnesty International members have received during 1994. They show the immense support and hope that prisoners and their families are able to derive from this correspondence.

**Kim Song-man, long-term prisoner and former political science student**

Kim Song-man, aged 37, is serving a life sentence under the National Security Law. Amnesty International considers him to be a prisoner of conscience.

Kim Song-man studied physics at Yonsei University in Seoul, and enrolled at the Western Illinois University in the USA in 1982 in order to study political science. During his studies, he read widely about the political system in North Korea and met several people considered to be pro-North Korean.

Upon returning to South Korea in June 1985, Kim Song-man (along with fellow student Hwang Tae-kwon) was arrested under the National Security Law. He was accused of passing state secrets to North Korean officials and encouraging South Korean students to engage in "anti-state" activities. Kim Song-man and Hwang Tae-kwon were held incommunicado for approximately 60 days by the Agency for National Security Planning. Both men say they were tortured, and in 1986 Kim Song-man was sentenced to death. On the occasions of a presidential amnesty, his sentence was commuted to life imprisonment in 1988.

Amnesty International groups in Belgium, France, Sweden and the US are among those who have been campaigning for the release of Kim Song-man. On 4 February 1994, he wrote to an Amnesty International group in Denmark, describing his life in prison:

*"I live on the first floor of a three storeyed building. No other prisoners live with me. There are only two men on the first floor - me and a prison guard. I have a meal, take exercise...only by myself. I can never meet prisoners who live on the other floors or in other buildings. In general, prisoners live collective lives, but I am isolated and under close surveillance...Reading books and searching for truth I surmount my loneliness and yearning for people. Thank you for your warm kindness to send me a message."*

In May, he wrote to a group in Belgium:

*"All packages sent to me are delivered to me no matter who sent them. They are opened by a prison guard in the presence of me. The contents are handed over to me on the spot, except some items which prisoners can't possess. I was very pleased to hear that you are to continue to send me packages. It is remarkably delightful in my daily routine to receive letters or packages...they are*

*a string linking me, who is kept in isolated confinement, to the outside world.  
They allay my feelings of loneliness."*

On 27 June 1994, Kim Song-man was moved from Andong prison (where he was in isolation) to Taegu prison, where his conditions appeared to be better. He wrote:

*"I received packages, including watercolour, with thanks. Watercolour is useful to me. A political prisoner who lives in next room but one to me is in these days lost in drawing pictures. He was beside himself with joy to see the watercolour. I will use it together with him. I am grateful to you for sending me packages."*

Kim Song-man also expressed his thanks to members of AIUSA, writing:

*"Foreign institutions of human rights such as Amnesty International and foreign and domestic individuals that tried to save my life I do thank from the bottom of my heart and can never thank enough."*

On 30 April 1993, the United Nations Working Group on Arbitrary Detention, in decision 28/1993, declared the detention of Kim Song-man to be "arbitrary, being in contravention of articles 5,9,19 and 21 of the universal Declaration of Human Rights, and articles 7,9,14,19 and 21 of the International Covenant on Civil and political Rights". The Working Group requested "the Government of the Republic of Korea to take the necessary steps to remedy the situation in order to bring it into conformity with the norms and principles incorporated in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights".

### **Yang Dong-hwa, long-term prisoner and former student**

Along with Kim Song-man, prisoner of conscience Yang Dong-hwa was also arrested under the National Security Law and charged with espionage for North Korea. He was arrested on 2 June 1985 after a two year stay at the Western Illinois University and a week-long unauthorized visit to North Korea. After his arrest under the National Security Law, he was held incommunicado until 5 August, during which time he says that he was beaten repeatedly and subjected to intense psychological pressure to make a "confession". He was accused by interrogators of receiving espionage training in North Korea and of working for North Korea when he returned to the South by passing on secret information. Yang Dong-hwa later said that he had been forced to make false "confessions" under torture.

Yang Dong-hwa was charged before Seoul District Court. He and other defendants in this case said that they were intimidated into not appointing lawyers. Instead, they were represented by state-appointed attorneys and the prisoners mostly conducted their own defence. Yang Dong-hwa was sentenced to death in 1986 (commuted to life imprisonment in 1988). Amnesty International has adopted him as a prisoner of conscience, and has assigned his case to Amnesty International groups in Norway and the Netherlands. In 1994, Yang Dong-hwa wrote to a member of the Dutch group, saying:

*"I can't thank you and all the members of your group enough for going on sending me letters letting me know that "I am not forgotten"...Your letter with strong feelings of friendship made my heart too full for words."*

#### **Yu Chong-sik, long-term prisoner and former businessman**

Yu Chong-sik, a 55 year-old prisoner of conscience, is serving a life sentence and has already spent 20 years in prison. Born in Japan, Yu Chong-sik lived there until the age of five, when his family moved to the city of Pusan in South Korea. He attended university in Seoul and then moved to Japan in the early 1960's, where he studied agriculture at Tokyo and Nihon Universities. He returned to South Korea in 1970, where he got married and had two children.

In March 1975, Yu Chong-sik was arrested under the National Security Law and accused of having received espionage training when he visited North Korea several years earlier. Yu Chong-sik denies these charges, saying that although he did visit North Korea twice while he was resident in Japan, these trips had been made solely out of curiosity.

Yu Chong-sik was interrogated for one month by the Korean Central Intelligence Agency (now called the Agency for National Security Planning). During this time he is

reported to have been held incommunicado and tortured. He did not see a lawyer until his trial commenced, and was in a very poor state of health when he appeared in court. Amnesty International believes that he was convicted on the basis of a forced confession extracted under torture. Amnesty groups in Norway and Germany are among those corresponding with Yu in prison. In 1994 he sent his thanks to the German group, writing from Andong Prison:

*"I deeply appreciate your kindness that carries humanistic love transcending national barriers. Good luck and God bless you."*

### **Ham Ju-myong, long-term prisoner and former businessman**

Ham Ju-myong, aged 62, was born in what is now North Korea. He sided with North Korea during the Korean War (1950-53). After the war he went to South Korea, where he was arrested and tried. He was given a two-year suspended prison sentence and released. He then settled in South Korea with his family, but says he was subject to constant surveillance from the authorities and found it difficult to obtain permanent employment.

On 18 February 1983, Ham Ju-myong was arrested by the Agency for National Security Planning and held incommunicado for over 60 days. He later claimed to have been subjected to electric shock and water torture and to have been beaten and deprived of sleep. He also said that he was forced to sign a confession extracted under torture.

During his trial on charges under the National Security Law, Ham Ju-myong denied the charges against him. Several of his friends who had also come from North Korea during the Korean War were called to give evidence. They are said to have been detained for several days before the trial and obliged to write statements testifying that Ham Ju-myong was a communist. This evidence and his own forced confession were the main evidence used to convict Ham Ju-myong of espionage. He was sentenced to death. However, following an appeal to the High Court, his sentence was commuted to life imprisonment. Groups in Canada and Denmark have been working on his behalf for several years. On 8 April 1994, Ham Ju-myong's son wrote to the group in Canada:

*"You and your friends have given my father and other imprisoned prisoners of conscience much hope. I hope you will continue to support my father...Thank you peace dove!"*

### **Woo Jin-sung, theology student and lay minister**

Woo Jin-sung was one of dozens arrested in September and October 1992 for their alleged links with a "spy" ring which the authorities claimed was operated by the North Korean government. Amnesty International is concerned that many of those arrested in this case, including Woo Jin-sung, may have been imprisoned for their peaceful exercise of their rights to freedom of expression and association.

Woo Jin-sung, a 29 year-old Presbyterian lay minister, was arrested on 13 September 1992 as he was returning home from a church service. He was accused of passing military secrets to members of the aforementioned "spy" ring, who were alleged to have passed the information on to North Korea. Woo Jin-sung's arrest appears to be linked to an article he had written about his experience in the military and which he had then passed on to a friend. Sources told Amnesty International that the alleged military secrets were in fact public information. Woo Jin-sung later said that after his arrest he was deprived of sleep for two days and beaten by his interrogators. On 20 September 1994, Woo Jin-sung wrote to a correspondent from Amnesty International in Austria:

*"You and I are at a long distance and have never seen each other. But I could feel your warm and tender heart. Thank you."*

On 29 December, he wrote again:

*"In these days, I have been receiving many things from you and your friends; numerous Christmas cards, a jacket and two pairs of gloves...First I thought I would write back to each person who sent me a Christmas card. But now, I realize that this is impossible because they are uncountable! I've never received so many cards from abroad ever since I was born. It's really a joyful and*

*wonderful Christmas season! I don't know how to thank you! How can I ever repay you? Please deliver my thankful mind to everyone who didn't forget me..."*

### **Shim Sang-duk, student of statistics**

Shim Sang-duk was also arrested in September 1992 in connection with the same alleged "spy ring". Shim was 20 years old and a member of the student section of the Patriotic League, said by the South Korean Government to be a pro-North Korean group. On 17 September, he was arrested by Agency for National Security Planning officials who did not show a warrant of arrest. According to his family, Shim was ill-treated during his interrogation. He was deprived of sleep, forced to do repeated physical exercises and beaten while interrogators urged him to confess that he had written birthday greetings messages to the former North Korean President Kim Il Sung and distributed pro-North Korean leaflets. Shim Sang-duk was sentenced to four years' imprisonment for belonging to an "anti-state" group.

In 1994 Shim Sang-duk's mother wrote to Amnesty International members in the Netherlands last year, saying:

*"I was so touched by your letter that came from so far away that tears came to my eyes. The people in my country take no interest- I thank you from the bottom of my heart for sending appeals from so far away. The Secretary-General of Minkahyup [South Korean human rights group] has publicised my son's case all over the world and he is receiving many letters. I am so happy that I could almost fly."*

### **Hyon Jong-dok, former chemistry student**

Hyon Jong-dok was arrested on 17 September 1990 and accused of being a member of an "anti-state organization" (*Sanomaeng*), a socialist organization which was established in 1989. Members and supporters claim that it is an organization which is merely seeking political representation for the working class. Since 1990, over 200 members or alleged members of *Sanomaeng* have been arrested.

Hyon Jong-dok was accused of being a member of *Sanomaeng's* "liaison bureau". The authorities said that he and others carried out a variety of "anti-state" activities which included distribution of leaflets, publication of documents and preparation of an armed uprising. Amnesty international has found no evidence to suggest that *Sanomaeng* members was seeking an armed uprising or was any more than a South Korean organization with a leftist agenda.

Hyon Jong-dok claims to have been tortured during his interrogation by the Agency for National Security Planning. He is reported to have told his lawyer that he had been stripped naked several times and beaten with wooden clubs on the head, back and legs and that his penis had been hit with a plastic ruler. He also said that he had been deprived of sleep for three consecutive days. He is said to have tried to commit suicide as a result of his treatment. Hyon Jong-dok was sentenced to eight years' imprisonment and is a prisoner of conscience.

The UN Special Rapporteur on Torture raised the case of Hyon Jong-dok with the South Korean Government in August 1991. In its reply, dated 14 November 1991, the South Korean Government said that Hyon Jong-dok had "made a confession after being faced with various evidence". It dismissed the complaint about Hyon Jong-dok's torture.

Amnesty International members in Italy, the Netherlands and Australia have been working hard for Hyon Jong-dok's release. In January 1994, a member of the public who wrote to Hyon in response to a Amnesty International greetings card campaign received this response:

*"My name is Hyon Jong-dok. I worked for Korean labour interests and the reunification of my country. But Korean government imprisoned me for that reason.*

*Thank you for your card  
I read it with great pleasure.  
I am glad to know you.  
I don't know about your country.  
I hope to know your country.  
Would you teach me?"*

**Hwang Suk-yong, writer**



Hwang Suk-yong, aged 52, is a well-known and popular writer who has written over 20 novels and essays. In 1987, he established and became Executive Director of the Association of Writers for National Literature, and one year later founded the Korean Nationalistic Artistic Federation. Under his guidance both organizations set up committees to prepare for talks between writers and artists in North and South Korea.

In 1989 Hwang made an unauthorized visit North Korea where he met the North Korean President Kim Il-sung and other officials. His trip was conducted publicly and received wide media coverage. He later justified the visit as an attempt to overcome the division between North and South Korea. As several other people who had made unauthorized visits to North Korea in 1989 were imprisoned under the National Security Law when they returned to South Korea, Hwang Suk-yong lived in exile abroad, first in Germany and later in the USA.

In 1993, after the election of President Kim Young-sam, who promised a "new Korea" which would be freer and more democratic, Hwang decided to return to his own country in order to take part in the movement for reform. Knowing that he faced possible imprisonment, he made a public statement before leaving the US saying:

*"Though I myself do not recognize the National Security Law in my mind, I hope that I will be the last victim to be punished under the law and that this will bring about the justification to the people for its abolition".*

Hwang Suk-yong arrived at Kimpo Airport in Seoul on 27 April 1993 and was immediately arrested by the Agency for National Security Planning, which held him for 20 days. During this time he was subjected to lengthy interrogation, threats and sleep deprivation. He was then transferred to Seoul Detention Centre, where the prosecution interrogated him for a further 30 days. Hwang Suk-yong was charged under several articles of the National Security Law for forming and participating in an "anti-state" organization, for visiting North Korea and for receiving instructions from North Korea. He was also accused of having received funding from North Korea as an "operational" fee. He denied these charges, stating that the money he received from North Korea was a copyright fee for the permission to make a film of his book *Jankilsan*, one of his best-known works.

In October 1993, Hwang Suk-yong was sentenced to eight years' imprisonment by the Seoul High Court. After a series of appeals his sentence was reduced to seven years. He is a prisoner of conscience.

On 4 April 1994 Hwang Suk-yong's wife sent the following message from her husband to the International Secretariat, thanking Amnesty International for its efforts on his behalf:

*"I would like to express my sincere gratitude for the support you and your organization have shown me while I have remained in prison since my return to South Korea about a year ago. Your support has given me the courage to continue to struggle against forces of repression and to seek a new vision of a reunited Korea in our time."*

### **Ahn Jae-ku, former professor of mathematics**

On 14 June 1994, 61-year-old prisoner of conscience Ahn Jae-ku, along with at least 22 other people, was arrested by the Agency for National Security Planning and the police for alleged pro-North Korean activities. He was accused under the National Security Law of forming a pro-North Korean group called the National Front for the Salvation of the Fatherland (*Kukukchonui*), with the aim of spying for North Korea. He was questioned for 20 consecutive days by the Agency for National Security Planning, who subjected him to sleep deprivation and intense psychological pressure to sign a "confession". On 17 November the prosecution asked for a death sentence to be imposed on Ahn Jae-ku. At that time, he was forced to wear handcuffs 24 hours a day. On 30 November 1994, the Seoul District Criminal Court sentenced Ahn Jae-ku to life

imprisonment.

Describing her father's plight, Ahn Jae-ku's daughter wrote to Amnesty International members on 11 December 1994, saying:

*"I am writing to thank you on behalf of my father, Ahn Jae-ku, who was arrested in connection with the "National Front for the Salvation of the Fatherland". Two hours after the prosecution demanded the death penalty for my father, he was handcuffed and forced to wear these handcuffs 24 hours a day. Later, he was barely able to stretch his body from the lack of exercise. I cannot help but think that such harsh treatment imposed on a man over 60 virtually amounts to a form of torture, which is carried out in prisons as authorities please. As you are well aware, my father was sentenced to life imprisonment on 30 November."*

*The warm concern you have shown for my father and others involved in the same case has consoled my family and others. My father has especially asked me to convey his message of thanks to you all, and says that your devotion and efforts have helped to imbue him with a sense of strength.*

*From now on, the families involved are determined to join together and work hard to reveal the truth about this case. I hope that you will continue to participate and cooperate in our efforts. Again, I am sincerely grateful to you all; I cannot fully express how much your concern and efforts have been the source of strength and courage for us. Wishing that Amnesty International will continue to progress well into the future, I will end my letter here."*

On 15 April 1995 the prison authorities at Youngdungpo Prison, where Ahn Jae-ku is held, are reported to have sealed the window of Ahn Jae-ku's prison cell with a steel plate. Amnesty International wrote to the Ministry of Justice expressing concern that Ahn Jae-ku was being denied access to daylight and fresh air, in contravention of international human rights standards.

### ***RELEASED PRISONERS***

#### **Kim Un-ju (f), women's rights activist and student**

Kim Un-ju, aged 25, and her brother Kim Sam-sok were arrested in September 1993 under the National Security Law. They were accused of contacting an alleged pro-North Korean group in Japan and leaking "state secrets". Amnesty International adopted the two as prisoners of conscience, considering the charges against them to be unfounded.

In February 1994, Kim Un-ju was given a suspended sentence and released. She told Amnesty International that during 17 days of questioning by the Agency for National Security Planning she was repeatedly kicked and slapped and forced to do physical exercises. She was also deprived of sleep for four days and threatened with sexual harassment.

Upon her release, Kim wrote to the International Secretariat, saying:

*"Thank you for everything you have done concerning our case. I am sure that it is due to your efforts that I was released early. I am so grateful. Living in my lonely prison cell, I had to fight with the terrible loneliness as I was separated from other people. There were even flies and maggots in the toilet that was attached to my cell during the winter, which gave off a terrible stench. I had to take my meals on the wooden floor of my cell. Prisoners of conscience still live in such unimaginable environments. I look forward to your future efforts toward the release of prisoners of conscience."*

Kim's brother, Kim Sam-sok, was sentenced to seven years' imprisonment, which was reduced to four years on appeal. He is now being held in Taejon Prison.

### **Kim Chin-ju (f), pharmacist and editor**

Prisoner of conscience Kim Chin-ju, a 38-year-old pharmacist, was also accused of belonging to *Sanomaeng* and sentenced to four years' imprisonment under the National Security Law for belonging to an "anti-state" organization.

Kim Chin-ju graduated from Ewha Women's University in 1978 with a degree in pharmacy. She worked as a pharmacist before working for *Sanomaeng* as an editor. After her arrest in February 1991, Kim Chin-ju was interrogated for 20 days, during which time she was deprived of sleep, hit and insulted. Her husband, Park No-hae, a well-known poet and leader of *Sanomaeng*, was also arrested and has been sentenced to life imprisonment for establishing an "anti-state" organization.

Kim Chin-ju was held in Hongsong Prison and was unable to communicate with her husband since their arrest. In early 1994, an Amnesty International group in the Netherlands received this letter of thanks from Kim Chin-ju's father:

*"Today I have received your letter and gift for Christmas for my daughter Chin-ju with much thanks. Fortunately, my wife was planning to go to the prison to meet my daughter in a few days, so she can bring your letter and gift to our daughter at that time.*

*My wife and I are deeply impressed by the letters and gifts of much love from you and your friends and don't know how to express our thankfulness to you."*

Kim Chin-ju was due to be released on 1 May 1995 at the end of her sentence.

#### **Park Dong-su, trade union leader**

On 21 June 1993 the Agency for National Security Planning announced that it had arrested two trade unionists, Park Dong-su and Chong In-kun, on 17 June. It accused the two men of trying to visit North Korea without government authorization; having connections with *Pomminnyon* (Pan-National Alliance for Reunification), an organization which the South Korean authorities regard as pro-North Korean; and of having watched North Korean films. Amnesty International adopted the two men as prisoners of conscience. In October, Park Dong-su was sentenced to 18 months' imprisonment. Amnesty International groups in France, Germany and Sweden were among those campaigning for his release. On September 29, he wrote to a German group:

*"The sovereign efforts of the Korean people will soon produce fruits of unity. The warmth and interest of Amnesty International is a great support for those striving for unification. I wish you and other members of Amnesty International good health and every success with your work."*

Park Dong-su was released in December 1994 at the end of his sentence.