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# AMNESTY INTERNATIONAL NEWS SERVICE 128/93

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NEWS SERVICE ITEMS: EXTERNAL - USA, S.KOREA

NEWS INITIATIVES - INTERNAL

- GOOD NEWS! Ramcharan Bickaroo and Robinson LaVende of Trinidad & Tobago were granted stays of execution yesterday (see item in News Service 125). The appeal process they can now go through can take about two years - certainly enough time for the final decision to be made on the Jamaican test case in the Judicial Committee of the Privy Council in London.

- PLEASE NOTE: The South Korea item enclosed is not embargoed, but was written to go with the document: South Korea: Unfair Trial and Torture - Long-term Political Prisoners, AI Index ASA 25/33/93, which was sent out in this week's Weekly Mailing.

- CORRECTION: To item on Swaziland, in News Service 127. Para 6, line 7, should read: "peaceful critics or opponents of the government..."

## INTERNATIONAL NEWS RELEASES

Myanmar - 8 October - SEE NEWS SERVICE 111

\*\*Yugoslavia/Kosovo - 12 October\*\* - SEE NEWS SERVICE 117/126  
News release has today been faxed/e-mailed/telexed to sections.

\*\*EJEs and "Disappearances" - 20 October\*\* - SEE NEWS SERVICE 124/126

The news release was faxed/e-mailed/telexed to sections yesterday. The international launch of the campaign is going to be held in Washington - organized with AIUSA. Will be held at 9.30am local time, Wednesday 20 October, in the Lisagor Room, National Press Club, Washington DC. Pierre Sané will make a keynote speech at the launch.

India & Pakistan - 7 December - SEE NEWS SERVICE 126

## TARGETED AND LIMITED NEWS RELEASES

Council of Europe Summit - 7 October - SEE NEWS SERVICE 122

Francophone Summit - 11 October - SEE NEWS SERVICE 111/126

North Korea - 15 October - SEE NEWS SERVICE 88/119/124

Afghanistan - 26 October - SEE NEWS SERVICE 124

Algeria - 28 October - SEE NEWS SERVICE 127

## FORTHCOMING NEWS INITIATIVES

Commonwealth Heads of Government meeting - 21-25 October (undecided)

Iran - 3 November (international)

Venezuela - 10 November - SEE NEWS SERVICE 121

Papua New Guinea - 19 November (targeted)

Colombia - 16 March 1993 - SEE NEWS SERVICE 123 + UAs AMR 23/56+57/93

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**USA: DEATH PENALTY SHOULD NOT BE SOUGHT FOR TEENAGERS, SAYS AMNESTY INTERNATIONAL**

Amnesty International is calling on the Florida authorities not to seek the death penalty in the cases of four black teenagers - aged between 13 and 17 - charged yesterday with the murder of a British tourist last month.

"We do not in any way excuse the crime these young people are accused of, but in all circumstances the death penalty is a barbaric punishment. A penalty which denies any possibility of rehabilitation or reform is also particularly abhorrent in the case of minors and other young offenders," said the organization.

"The death penalty is often used by authorities as a cheap shot to ease political pressure on them to combat crime. It would be an outrage if this were to happen in the case of these teenagers," said the organization. The family of the murder victim have also publicly stated that they would not wish for death sentences to be passed on those responsible for his death.

The USA stands almost alone in the world in still permitting the execution of juvenile offenders under 18 at the time of their crime, in violation of minimum international standards. Three such offenders - two of them black and one of latin american origin - have been executed this year - two in Texas and one in Missouri. Although older at the time of execution each was only 17 when they committed their crimes. The only other execution of a minor known to Amnesty International last year was in Saudi Arabia.

There are currently at least 36 juvenile offenders under sentence of death in 12 states in the USA - six of these in Florida. The youngest person on death row in Florida - who is black - was aged only 15 at the time of the crime - the others (all white) were 16 and 17. In 1988 the US Supreme Court ruled that offenders as young as 16 could be sentenced to death and executed.

In October 1991 Amnesty International published its findings in the cases of 23 juveniles sentenced to death in the USA. The majority came from acutely deprived backgrounds - many had been physically or sexually abused as children, most were of below-average intelligence and many suffered from mental illness or brain damage. Furthermore, many of these prisoners had been inadequately represented at their trials, with lawyers failing to present mitigating circumstances at the sentencing hearing in which judges or juries choose between a life or death sentence in a capital case. In some cases the defendant's youth itself was not presented as a significant factor in death sentencing.

Amnesty International has also called on the Clinton Administration to bring US practice into line with minimum international standards by seeking an end to state executions of juvenile offenders.

ENDS/

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**SOUTH KOREA: TORTURE AND UNFAIR TRIAL OF DOZENS OF LONG-TERM POLITICAL PRISONERS**

Amnesty International is calling on the South Korean Government to urgently review the cases of dozens of long-term political prisoners who are serving prison terms of between seven years and life imprisonment under the National Security Law.

In a new report detailing specific cases of abuse which occurred between the mid 1970s and 1992, Amnesty International expressed concern that many of these prisoners have already spent years in prison for political charges which appear to have been fabricated. There are consistent reports that the prisoners were held incommunicado and tortured by the Agency for National Security Planning and that they were convicted after trials which did not conform to international standards.

South Korea's National Security Law defines "spying" very broadly and the courts have ruled that any information which might be useful to North Korea may be considered a state secret, even if it is already publicly available. Any unauthorized contact with a North Korean may also be interpreted as an act of espionage. Amnesty International believes that the National Security Law has frequently been used to silence government critics. It believes that the restrictions the National Security Law impose on the freedom of expression and association go far beyond the requirements of national security and have led to the imprisonment of prisoners of conscience.

Amnesty International's report highlights the cases of 16 prisoners arrested between 1975 and 1993 on national security charges. They include cases which appear to have been fabricated. There are consistent reports that these prisoners were held incommunicado for up to 60 days after their arrest, that they were severely tortured and that they were convicted largely on the basis of coerced confessions made by themselves or others. Some of these prisoners have been denied the possibility of early release on parole because they have refused to sign a statement of "conversion" renouncing their alleged communist views.

Political science students Kim Song-man and Hwang Tae-kwon were both arrested in 1985 and accused of passing state secrets to North Korea. Both claim to have been tortured and there was no evidence to support the accusations of spying. They are now serving life terms and have been adopted by Amnesty International as prisoners of conscience. In April 1993 the United Nations (UN) Working Group on Arbitrary Detention also took up their cases, stating that their detention was in contravention of human rights standards which have been ratified by the South Korean Government.

Businessman Ham Ju-myong was arrested in 1983 and held incommunicado for over 60 days. He claims to have been tortured and forced to write a false confession. He was later sentenced to life imprisonment. Another prisoner, Yu Chong-sik, has already served 18 years of a life sentence imposed in 1975. He is also said to have been tortured and denied a fair trial. For many years Amnesty International has called for a review of these cases.

In 1993, 13 people were sentenced to prison terms of between seven years and life for their alleged involvement in a "spy ring" operated by North Korea. Many of these prisoners were tortured and ill-treated during interrogation and denied access to lawyers. They include writer and political activist Kim Nak-jung who has been adopted by Amnesty International as a prisoner of conscience. He was held incommunicado and ill-treated during interrogation. He was later sentenced to life imprisonment, solely for his peaceful attempts to bring about reunification between North and South Korea.

In February 1993 a new government took office in South Korea and pledged itself to introduce greater democracy and freedom and to root out corruption. However, the government has as yet failed to investigate the cases of long-term political prisoners. Indeed, it

**has sought to convince the world that there are no human rights problems in South Korea. In June 1993 the Minister of Foreign Affairs spoke at the World Conference on Human Rights in Vienna. He said:**

**"As we gather here at the World Conference on Human Rights, I am happy to report to you that human rights have finally come of age in Korea. I stand before you representing a nation and a people who can proudly say that truth, freedom and democracy have at last triumphed in their country".**

**In spite of these words, there are still over 300 political prisoners in South Korea, including some 80 long-term prisoners, serving sentences of between seven years and life imprisonment on national security charges. The authorities have consistently failed to investigate past human rights abuses which may have led to the unfair conviction of political prisoners. Detainees continue to be subjected to incommunicado detention and torture and to face long prison sentences under national security legislation which severely restricts the rights of freedom of expression and association.**

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