

EXTERNAL

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 the surveillance, arbitrary arrest, torture and ill-treatment of political suspects and is not always held accountable for its actions.

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:

- 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 February 1997.