

# £SOUTH KOREA

## @Prisoners of Conscience Held for Over 40 Years

Amnesty International is calling for the immediate and unconditional release of two prisoners held since the Korean War (1950-53). Ahn Hak-sop and Kim Sun-myung were each sentenced to life imprisonment on charges of espionage. According to available information they were tortured, convicted unfairly and continue to be held solely because of their refusal to "convert" to anti-communism. They have now been held for over 40 years, making them two of the longest serving prisoners of conscience in the world.

Ahn Hak-sop and Kim Sun-myung were convicted under the National Defence Act, promulgated on 5 July 1948 and abolished in 1963. To date lawyers and human rights groups have been unable to obtain copies of trial documents and access to the two prisoners is generally limited to their family members, who visit rarely. On the basis of available information, Amnesty International believes that their convictions were unfair and that they continue to be held solely on account of their imputed political opinions.

Former "unconverted" long-term prisoner Lee Chong-whan was granted a conditional release in March of this year. He was arrested in similar circumstances and has been able to describe his trial and imprisonment in some detail. Lee Chong-whan was a prisoner of conscience. He is now free but Amnesty International believes the restrictions on his freedom should be lifted.

### *The case of Ahn Hak-sop*

Ahn Hak-sop, aged 63, was born and educated in Kanghwa-do island, close to the border between North and South Korea. During the Korean War he fought as an ordinary soldier in the North Korean army. He was captured by the South Korean armed forces in Kanghwa province on 26 April 1953 when his whole unit was destroyed and he was the lone survivor. After interrogation by a special police unit, Ahn Hak-sop was moved to Taegu Prison. There he says that he was badly beaten and accused of being a North Korean spy, a charge which he denies. In 1953 Ahn Hak-sop was sentenced to life imprisonment by a military court. His family believe that this charge was based on the fact that he was captured alone, close to the border, and that his family did not come forward to identify him. In fact, the family were living on Kanghwa-do island at the time and were unable to obtain permits to cross to the mainland and visit him. A member of his family only managed to reach Taegu one week after the trial and was apparently told that if she had come one week earlier and paid 7000 won she could have secured his release.

*The case of Kim Sun-myung*

Kim Sun-myung, aged 68, was born in Kyonggi province and left school before completing his education. In 1940 he came to Seoul where he worked in the textile and steel manufacturing industries. During the Korean War he also served as an ordinary soldier in the North Korean army. He was arrested on 15 October 1951 by the UN forces as he was trying to cross to the south. Kim Sun-myung was originally tried in a military court and sentenced to 15 years' imprisonment on charges of espionage. Had he served this sentence he would have been released many years ago. However he was tried again in March 1953 on a more serious espionage charge, which he denies. At this time he says that he

was severely beaten. He believes that he was charged because when he crossed to the south he saw some military installations which the authorities apparently suspected he might have reported to the North Korean army, had he been released. He was tried by a military court and sentenced to death. The sentence was commuted to life imprisonment the following year.

The two prisoners have consistently refused to sign a statement of "conversion" to anti-communism. This means that they are denied the possibility of early release on parole and generally receive poorer treatment than other prisoners. For example, they have been held in solitary confinement for most of their 40-year imprisonment and are not permitted any contact with other prisoners. They are generally allowed visits from family members only and their mail is restricted. During the 1970s and 1980s such prisoners were tortured in order to force them to "convert". At present there are some 30 "unconverted" political prisoners in South Korea, of whom Ahn Hak-sop and Kim Sun-myung are the longest-serving.

Ahn Hak-sop and Kim Sun-myung are currently held in Taejon Prison. Their families have suffered a great deal through being branded as families of "spies". Kim Sun-myung's family no longer visit him and he has only had six visits throughout his 43- year imprisonment. Ahn Hak-sop's family were unable to visit in the earlier years of his imprisonment and they now go about once each year. Both men are said to be in poor physical and mental health as a result of torture, prolonged imprisonment in poor conditions and lack of contact with other people.

No other political prisoners in South Korea have been held in such conditions for so long. In spite of their old age, ill-health and lack of contact with the modern world, the South Korean Government appears to regard these two elderly prisoners as a threat solely because they may still have communist views. Amnesty International believes that the prolonged

imprisonment of these two men for their political views is in clear contravention of both domestic and international standards safeguarding the right to freedom of thought and freedom of expression.

### *Lee Chong-whan's experience*

Former long-term prisoner Lee Chong-whan was arrested in similar circumstances in 1951 and was released in an amnesty in March 1993, after spending 43 years in prison. He had also refused to "convert" but was released after 43 years in prison because he had reached the age of 70. He told Amnesty International that during the Korean War he had fought in the North Korean army. In 1951 he came to the south to visit his family and was arrested and accused of spying. He was tried and sentenced along with 20 or 30 other people by a military court. He said that in court the prisoners were grouped together and that each group of prisoners was given a different sentence, in an apparently arbitrary manner. They were not permitted to deny the charges against them. In 1953 he was tried again on a more serious charge of espionage and sentenced to death, later commuted to life imprisonment. He believes that the basis for this charge was that he had seen some South Korean military installations when he crossed to the south, which the authorities apparently suspected he might have reported to the North Korean army, had he been released.

From the 1960s until 1993 Lee Chong-whan was in solitary confinement and throughout his imprisonment he received no visits from the outside and no letters. During the 1970s he was severely tortured to force him to "convert" but he refused to do so because he believed that he had the right to hold his own opinions. Now, aged 71, he is free but his release is not unconditional. He is still under surveillance and is required to make a regular report of his activities to his local police station, in conformity with the Social Surveillance Law. Amnesty International believes these conditions are a violation of his right to freedom of association and should be lifted immediately.

***HELP PRISONERS OF CONSCIENCE HELD FOR OVER 40 YEARS:***

◆ *Write to the Minister of Justice and the President seeking the immediate and unconditional release of Ahn Hak-sop and Kim Sun-myung; send copies of your letters to diplomatic*

representatives of South Korea in your country;

◆ Encourage others to send appeals; Contact professional groups and others in your country and urge them to take up the cases.

◆ Write to the President and Minister of Justice urging the immediate lifting of restrictions on Lee Chong-whan.

***Send appeals to:***

Mr Kim Doo-hee, Minister of Justice  
Ministry of Justice  
1 Chungang-dong  
Kwachon-myon, Shihung-gun  
Kyonggi Province, Republic of Korea.  
***Fax: +822 504 3337***

President Kim Young-sam  
The Blue House  
1 Sejong-no  
Chongno-gu  
Seoul, Republic of Korea  
***Fax: +822 770 0253***

***Send copies of your letters to:***

Editor, Hankyoreh Shinmun  
1-2 Yangpyeong-dong 2-ga  
Seoul, Republic of Korea ***Fax: +822 710 0360***

Editor, Chosun Ilbo  
61 Taepyeongro 1-ka, Jung-ku  
Seoul, Republic of Korea ***Fax: +822 724 5359***

**KEYWORDS:**

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

---