

REPUBLIC OF KOREA (SOUTH KOREA)

Mass ill-treatment of students in August 1996

Summary of report and its findings

This report is about the ill-treatment of students by the police which occurred in August 1996, at the time of a violent confrontation between students and riot policemen on the campus of Yonsei University. In the space of one week over 5800 students were arrested and taken to police stations throughout Seoul. There were widespread reports of beatings, threats and sexual harassment in the course of arrest and interrogation.

This report contains a summary of Amnesty International's findings in relation to the incident. It is based on information collected by the organization when it visited Seoul, in September 1996. It also uses information compiled by human rights groups in South Korea and media reports.

Amnesty International is concerned that large numbers of students were subjected to widespread and systematic ill-treatment by police, most of which occurred between 12 and 22 August 1996. The organization does not condone the use of violence by student protesters, but believes this was no justification for police ill-treatment. Some of the most serious beatings were meted out to defenceless students in the course of arrest and interrogation. Some beatings were inflicted on innocent bystanders.

The police's action showed a clear lack of discipline and a need for training procedures to be reviewed. Through its failure to condemn the police action, the South Korean Government appears to have condoned the beatings and other forms of ill-treatment inflicted on students.

The government was quick to blame the students for the incident, labelling their activities as "pro-North Korean" and "communist". Furthermore, it appears to have used the incident as a pretext for a new crackdown against alleged leftist groups and as an excuse for increasing the powers of the police and intelligence agency, the Agency for National Security Planning (ANSP).

This incident occurred one-and-a-half years after the government ratified the United Nations Convention against Torture (CAT). When a state ratifies the CAT, it pledges itself to take measures to ensure that torture and ill-treatment do not occur. In this case, the South Korean Government appears to have taken its responsibilities lightly.¹

Background information about the demonstration

Violence between police and students erupted when government authorities banned a student rally at Yonsei University, on the grounds that it was pro-North Korean. The rally had been organized by *Hanchongryon* (the national federation of student councils) to mark the 15 August anniversary of Korea's liberation from Japanese rule.

¹ For further information about Amnesty International's reaction to this incident, see Urgent Actions of 20 August (AI Index: ASA 25/19/96) and 22 August (AI Index: ASA 25/21/96) and report entitled *Reported ill-treatment of students* (AI Index: ASA 25/23/96) of 3 September 1996.

The students said that the rally would be peaceful, if the authorities allowed it to take place. Similar student events are held each year in August and are sometimes banned by the authorities. The students were demanding reunification with North Korea, the abolition of the National Security Law and the withdrawal of 37,000 US troops from South Korea. Their demands are unpalatable to the South Korean authorities because they are seen to be similar to those made by the North Korean Government.

Hanchongryon leaders defied the ban and went ahead with the festival. The authorities responded by sending thousands of riot policemen to break it up. Hundreds of students and policemen were injured during a week of violence and one policeman died.

Police action during the demonstration

Between 10 and 20 August the authorities deployed around 20,000 policemen in the area around the campus. The student rally started on 13 August and police moved in to halt their activities. Violence ensued, with the police using batons and tear gas, while some of the students threw fire bombs, used metal piles and threw stones and rocks.

Amnesty International does not condone the use of violence by students. But in many respects the police action was excessive and resulted in human rights violations. Police used 12 helicopters to drop a huge amount of tear gas onto the campus. According to some estimates, the police dropped over 1000 canisters of tear gas on the campus each day. A medical student told Amnesty International that every day hundreds of students sustained skin blisters as a result of exposure to tear gas and that dozens of others needed treatment for more serious burns, after being hit at close range.

A student demonstrator is arrested. (c)
National Federation of Student
Journalists

From 15 August police entered the campus and the students retreated into two buildings: the science block and an administration building. The police blocked all exits and arrested any student who tried to leave. From 17 August the police refused to allow the delivery of food and medicine for injured students. Many of the students became exhausted through lack of food. On 19 August the water supply was cut off, causing students to suffer from dehydration and increasing the risks of infection and diarrhoea. In some cases the authorities refused to allow ambulances to enter Yonsei University to transport injured students to hospital.

Ill-treatment during arrest and interrogation

On 20 August riot policemen stormed the campus and arrested thousands of students who were briefly detained in local schools and then taken to over 30 police stations throughout Seoul.

Amnesty International received numerous reports that students were beaten during arrest. Reports of ill-treatment were received from eye-witnesses and victims themselves. In some cases policemen are reported to have stolen items of value from student detainees. Female students reported that police had touched their breasts and other parts of their bodies, shouted insults and threatened to rape them. Male and female students were hit by police with batons, kicked and threatened.

Students are forced to kneel on the ground after arrest. (c) Mahl Magazine.

Students were also systematically ill-treated during interrogation at police stations throughout Seoul. Most were forced to sit or kneel in the same position for several hours without a break and some were beaten and threatened during interrogation sessions. Most were not allowed to telephone their families and were not allowed to see their families or a lawyers until their release, up to 48 hours later. Many were forced to write a statement of "confession".

Students who appeared to be seriously injured were taken to a police hospital for treatment. Those with less serious or less obvious injuries were taken to police stations and received no medical attention until their release, some 48 hours later. One injured student told Amnesty International that he had received no medical attention at a police station, in spite of repeated requests for help.

The number of students who were ill-treated is unknown. However, on the basis of testimonies and eye-witness accounts, the abuse appears to have been widespread. A group of human rights activists in South Korea interviewed a random selection of over 100 students, the majority of whom reported that they were subjected to some or all of the abuses listed above. Out of 70 female students interviewed by the group, 41 said they had been subjected to sexual harassment during arrest.

The treatment of female students has led to calls for an inquiry by womens' groups and by members of the National Congress for New Politics (NCNP, the main opposition party). On 10 October NCNP politician Choo Mi-ae was reportedly heckled and booed by members of the ruling New Korea Party (NKP) after she suggested to the National Assembly that it should form a committee of inquiry into the reported sexual harassment of female students. A spokesman for the NKP issued a statement criticising her description of the sexual harassment and supporting police efforts in this incident.

The following accounts were related to Amnesty International by a cross-section of students who were detained by the police.²

² Some students told Amnesty International that they did not wish their full names to be used, in order to protect their privacy. For this reason, the full names of students detained in this case are not given in this report.

Mr Kim of Korea National University of Education was on the roof of the administration building when he was arrested on 20 August. He said that policemen ordered a number of students to remove items of value, including expensive watches, which were confiscated and reportedly not returned. The students were then told to walk down the staircase to the ground floor. Policemen stood on either side of the staircase and hit the students with batons as they descended. When they reached the ground floor they were handcuffed and were again beaten as they were escorted to police buses. Mr Kim was taken to Kangnung police station where he was interviewed for two hours. During interrogation he was beaten when he denied having used firebombs or steel pipes. At one point police made him stand on his head for ten minutes, in an attempt to force him to make a "confession". He was released without charge, less than 48 hours after his arrest.

Mr Soh of Seoul National University was on the roof of the administration building on 20 August when he was hit by something which he believes was thrown from a police helicopter. It caused a serious injury to his foot. In spite of his injury he was handcuffed along with other students and forced to walk to a police bus. He was taken to Dongbu Police Station where he asked for medical attention, which was refused. Instead, a policeman attempted to bandage his foot, in an effort to stop the bleeding. He and other students were forced to kneel on the floor with their heads lowered for several hours. Any student who tried to sleep or who raised his head was hit. When he was released, on 22 August, Mr Soh went to Suwon Hospital where he underwent surgery. He had a hairline fracture and part of his shoe and sock had become embedded in his foot. The exact cause of his injury is unknown.

When she was arrested on 20 August, Ms Kim was on the fifth floor of the administration building. There were other female students with her and they were told to walk down the stairs to the ground floor. Police stood on either side of the staircase and grabbed at the womens' breasts and other parts of their bodies as they descended the stairs. The students were also beaten as they were put into a police bus and taken to Tongdaemun Police Station. Inside the bus, policemen were abusive and threatening, making insults of a sexual nature. Ms Kim was released without charge the following morning.

A student is arrested. (c) Mahl Magazine

Mr Lee of Yonsei University was arrested on 20 August as he tried to escape from the campus. He and other students were beaten as they were transported by bus to Kwanak Police Station. At the police station he was forced to kneel with his head lowered for six hours and was then questioned for several hours. During interrogation he was told to make a confession and was beaten when he refused to do so. On the second day of his detention he and other students were forced kneel with their heads lowered all day. At one point he and other students had to stay in this position for four hours without a break. He was released 47 hours after his arrest.

Some of those detained had no connection with the demonstration. They were arrested and interrogated because they were students and because they were walking in the area of Yonsei University between 12 and 20 August.

Mr Im of Korea University was arrested on 15 August near the university, on his way to a part-time teaching job. As he walked along, police stopped him twice and asked to see his identity card. He was in a hurry and on the second occasion he refused to show the card. He was then detained by six policemen who forced him into a car. When he protested, he was hit with a baton on his shoulders and back. The police refused to say where he was being taken. He was then taken to Sudaemun Police Station where he was interrogated from 11pm until 4am the following morning. He was beaten when he tried to exercise his right to remain silent. One policeman said "only reds [communists] exercise their right to remain silent". He was interrogated again the following day and this time he decided to answer questions. He made the following statement: "I exercised my right to silence and for this reason I was beaten". He noticed that the police did not include this statement on their investigation report, and when he mentioned this they beat him again. He was released 47 hours after his arrest and went to see a doctor. He needed two weeks' of medication to recover from his injuries.

Mr Lee was arrested on 16 August as he was waiting for a bus in the area of Yonsei University. He had been returning home from a part-time job and appears to have been detained solely because he was a student. When he protested he was beaten and dragged to a police bus. One policeman hit him on the head with a baton, causing him to bleed. He was also beaten in the police bus. He was taken to Sudaemun Police Station where he continued to protest that he had not been involved in the demonstration. In spite of his head injury, he received no medical attention at the police station. When he was released, some 45 hours later, he went to hospital where he needed stitches for his head injury.

Ms Cha of Yonsei University was arrested at 6pm on 18 August as she was walking home with a friend. Police stopped her and asked to see her identity card, which she showed. She appears to

have been arrested solely because she was a student of Yonsei University. She was put into a police bus and taken to a primary school where she was held until around midnight. She was not allowed to telephone her family. Then she was taken to Dongbu Police Station. As she and other female students entered the police bus, policemen grabbed at their breasts and shouted insults such as “only ugly girls take part in demonstrations” and other insults of a sexual nature.

Prosecutions

The majority of students were released without charge. Over 440 students were charged for involvement in violence and 38 were additionally charged under the National Security Law for leading an organization which “benefits” the enemy (North Korea). According to the prosecution this is the largest number of indictments for one single incident ever recorded. A small number of students were also charged with causing the death of a riot policeman.

Government Reaction

The authorities prohibited the demonstration, although the students had agreed to demonstrate peacefully and the government labelled the students as “pro North Korean and “communist”. These factors, together with the huge show of force by riot policemen, served as catalysts for a violent confrontation which resulted in serious injuries (including one death) and mass human rights violations.

The South Korean Government has failed to accept responsibility for the escalation of violence in this incident and the human rights violations which occurred. Through its failure to condemn the police action, the government appears to have condoned the beatings and other forms of ill-treatment inflicted on students.

The government has assigned responsibility for this incident to the students. On 21 August President Kim Young-sam is reported to have told university presidents: “I will never tolerate radical students adhering to communism and will deal sternly with anachronistic pro-North Korean forces”. He urged the universities to ensure that students receive the proper ideological education.

Shortly after the demonstration, the government announced plans to amend the Law on Assembly and Demonstration, making it more difficult for students and other groups to hold a demonstration. The proposed amendment would require any person planning a demonstration to obtain prior permission from the owner of the building or land he intends to use for the demonstration. The government also announced that it would introduce legislation to strengthen the powers of the Agency for National Security Planning (ANSP), as a means of countering the growth of “leftist” and “pro-North Korean” groups. The police announced plans to introduce better weapons to combat student demonstrators.

Amnesty International is concerned that these are repressive measures which may lead to further human rights violations and further curbs on the rights to freedom of expression and association.

Amnesty International's recommendations

Amnesty International urges the government to do the following:

- order an independent inquiry into the human rights violations which occurred in this incident and publish its findings;
- ensure that those found responsible for human rights violations in this case are brought to justice and that victims receive compensation;
- review and improve the human rights training of all law enforcement personnel responsible for the arrest and interrogation of detainees;
- ensure that students and others who wish to demonstrate peacefully are able to do so, in accordance with their rights to freedom of expression and association.