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## REPUBLIC OF KOREA (SOUTH KOREA) 290 National Security Law arrests in first six months of 1997

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Between January and early July 1997 at least 290 people were arrested under South Korea's National Security Law which prohibits activities judged to be pro-North Korean. This is almost 100 more arrests than at the same time last year. Those arrested include students and graduates, some of whom were completing their military service. Amnesty International is concerned about the increased number of political arrests and is calling for the release of those held for non-violent activities. It also appeals to the authorities not to misuse the National Security Law in connection with South Korea's Presidential election in December.

Most arrests are under Article 7 of the National Security Law which provides up to seven years' imprisonment for those who "praise" or "benefit" North Korea with the aim of damaging state security. In practice this provision has been misused to detain people with left-wing views, especially those with political opinions and ideas about Korean reunification which are considered similar or identical to those of communist North Korea. In most cases suspects are tried within six months of arrest and either sentenced to a short prison term or given a suspended sentence and released. The National Security Law appears to be used to detain people who are considered by the authorities to pose an ideological rather than a physical threat to state security.

Over 60% of those arrested under the National Security Law in 1997 were held under Article 7 of the law on charges of forming an organization which "benefits" North Korea. Many appear to have belonged to small groups or organizations established with the aim of providing political representation and education for workers and students. Because of their socialist outlook and their ideas about Korean reunification - sometimes similar to those of the North Korean Government - they were considered a threat to security. The following examples were related to Amnesty International by human rights groups in South Korea and gathered from media reports. To Amnesty International's knowledge those mentioned were arrested for non-violent activities.

Twenty members of *Saminchong* (union of socialist youth), including Cho Chang-mok, Park Soo-jong, Choi In-ki, Park Jin-ok and Byon Song-min, were arrested by the National Police Administration on 18 March and 10 April. At the time of arrest, the police also confiscated numerous books, pamphlets and a computer from the organization's office. Established in 1985,

*Saminchong* is a socialist organization which has organized study groups to provide political and economic education for workers. The authorities claim that its views on socialism and Korean reunification are pro-North Korean. Eight of its members were arrested in August 1994 on similar charges, all of whom were later released.

The Pusan police arrested five people on 10 April on charges of working to re-establish *Nojinchu* (committee for a workers progressive party), an organization which had been disbanded in 1996 after many of its members were arrested. Charges against them included working for the release of those detained last year. On 20 May and 4 June the National Police Administration arrested several members of Labour Political Solidarity group on charges of forming an organization which benefits North Korea. They were accused of seeking the formation of a workers' political party with communist views, holding ideological study sessions for workers and distributing a newsletter called *Labour and Politics*. Members of the organization claim that it was formed in March 1996 with the aim of forming a progressive political party and educating workers.

On 28 June the Seoul police arrested nine members of Korea Labour Youth Solidarity on charges of spreading pro-North Korean ideology. Established in February 1996, it had apparently stated its aims as being the realization of a democratic society, development of progressive politics, improving the political, economic and social rights of workers and achieving Korean reunification.

In several cases the charges related to events several years ago. In early July the North Cholla Province police and military police arrested 18 former students, eight of whom were completing their mandatory military service. They were accused of forming a pro-North Korean group called Chunbok University Reform Group in October 1995, although all had since left university and claimed that the organization in question had never existed. According to the police, they had infiltrated the student movement and tried to spread North Korean ideology.

There have also been some arrests for attempts to contact North Koreans. Three students from Duksung Womens' University were arrested by the Seoul Police on 23 February because they had received a New Years greeting from North Korean students. Kim Eun-hee, President of the Students Association, and Moon Ji-yeon, were apparently charged for copying and attaching the greeting to a campus notice board. Kim Min-jong was accused of receiving the greeting from North Korea via the electronic mail. Five members of *Pomminnyon* (pan national alliance for reunification of Korea) were arrested in July for sending famine relief money to North Korea. The five, including Choi Jin-su and Nah Chang-soon, were reported to have sent 15,000 dollars to a North Korean in Japan. In March the South Korean Government lifted a ban on private donations, but insisted that all the money be channelled through the South Korean Red Cross.

The recent arrests have occurred against a background of student protests which escalated in late May when violent clashes resulted in the deaths of three men, two of whom were allegedly killed by students. Since then at least 240 students have been arrested on charges relating to unauthorized demonstrations and violence. Some were also charged under the National Security Law. After these events, the authorities defined *Hanchongnyon* (the national association of university student councils) as an "enemy benefiting" organization under the National Security Law. Its leaders were told to leave the organization by 1 August or to face arrest. Amnesty International does not condone student violence but is concerned that the confrontation with *Hanchongnyon* has led to a more general crackdown on students, resulting in the arrests of students and former students for peaceful activities and on charges unrelated to the demonstrations.

Amnesty International is also concerned that in branding *Hanchongnyon* as a pro-North Korean organization the authorities have deliberately confused the public's fear of North Korea with public concern about student violence. This has enabled the authorities to argue that the National Security Law is needed in order to crack down on violent protest while in practice it is frequently used to detain people for non-violent activities.

The authorities also appeared to whip up public fear of North Korea in early July when the Agency for National Security called a press conference with Hwang Jang-yop, a high-level defector from North Korea. At this press conference Hwang Jang-yop is reported to have said that he had the names of an unspecified number of pro-North Koreans operating in South Korea. The authorities later announced that they were investigating a number of people in this connection, without revealing any names. Amnesty International is concerned that the authorities may now use this alleged information to detain or discredit government opponents in the run-up to the Presidential election in December. A similar tactic was used before the last Presidential election in 1992 when a largely-fabricated "spy" case was announced just before the election, leading to dozens of arrests.

As a signatory to the International Covenant on Civil and Political Rights (ICCPR), South Korea's continued misuse of the National Security Law is in violation of its international commitments. In 1992 the United Nations Human Rights Committee (which monitors states' implementation of the ICCPR) told the South Korean Government, ". . . a serious attempt ought to be made to phase out the National Security Law which the Committee perceives as a major obstacle to the full realization of the rights enshrined in the Covenant". At the time of writing the government had not implemented this recommendation and its second periodic report to the Human Rights Committee was overdue by one year.

#### **WHAT YOU CAN DO**

Send letters and faxes to President Kim Young-sam and Minister of Justice Choi Sang-yup:

- expressing concern about the high number of arrests under the National Security Law during the first six months of 1997;
- calling for the release of those detained for non-violent activities;
- calling for the National Security Law to be amended in accordance with international standards.

President Kim Young-sam

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*This is a Quick KOTARAN action (action ref 06/97), sent to KOTARAN Coordinators for distribution to groups. It is sent to AI Sections for information.*

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