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£SOUTH KOREA @Prisoner of Conscience Chang Ki-pyo

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Chang Ki-pyo, 46-year-old Chairman of *Minsahyop* (Council for Democratic Reform and Social Progress) and former politician is serving a one-year prison term under the National Security Law (NSL). Amnesty International has adopted him as a prisoner of conscience and is calling for his immediate and unconditional release.

Chang Ki-pyo was arrested on 26 September 1992 along with his wife Cho Mu-ha, Secretary General of *Minkahyop* (Council of Families for the Realization of Democracy). He was charged under the National Security Law with meeting a North Korean agent called Lee Son-sil and accepting money from her. He was also charged with failure to report his meetings with Lee Son-sil to the South Korean authorities. The National Security Law imposes long sentences of imprisonment or the death penalty for "anti-state" activities and contacts with "anti-state" organizations (including the North Korean Government) and the broadly-defined charge of espionage. Over the years the NSL has been used widely to imprison people with socialist or communist views or who expressed sympathy for North Korea.

Chang Ki-pyo is one of 62 prisoners tried since late 1992 on charges of involvement in a "spy ring" allegedly operated by the North Korean Government. According to the Agency for National Security Planning (ANSP), Lee Son-sil, a 70-year-old woman, is a high-ranking North Korean official. The ANSP stated that, while living in South Korea from, 1980 to 1990, Lee Son-sil organized a clandestine South Korean chapter of the Workers Party of North Korea, encouraged the formation of a legal political party, the *Minjung* Party (People's Party), and infiltrated various sectors of society with the help of more than ten North Korean agents¹. None of the alleged North Korean agents appear to have been arrested. Some 40 of Chang Ki-pyo's co-defendants in the "spy ring" case have been sentenced to prison terms ranging from one year to life imprisonment.

At his trial, which started in January 1993, Chang Ki-pyo admitted to meeting an elderly woman called Lee Son-sil who had visited the *Minjung* Party office on two occasions and donated a photocopying machine. However, he said that he had not known she was an agent. In his view, the charges against him amounted to a "political conspiracy". Friends and supporters told Amnesty International that Chang Ki-pyo had believed Lee Son-sil to be a party supporter and consequently accepted her donation of a photocopying machine. Although Lee Son-sil is thought to have told him that she was working for reunification and that she had some sympathy for the North Korean position, she did not say that she was an agent and there is no reason he should have suspected a 70-year-old woman of spying for the North Korean Government. They pointed out that many people offered support to the *Minjung* Party and associated with Lee Son-sil, who appeared at the inaugural meeting of the *Minjung* Party.

Human rights groups and supporters have told Amnesty International that Chang Ki-pyo and Cho Mu-ha, who are both well-known figures, have been detained and tried in connection with the "spy ring" case to enhance the importance and increase the level of publicity around the arrests. Chang Ki-pyo and Cho Mu-ha were detained, along with the other alleged "spy ring" members, in the weeks preceding the December 1992 Presidential election.

In February 1993 Chang Ki-pyo was sentenced to one year's imprisonment for failing to report his meetings with Lee Son-sil to the authorities. However, he was found not guilty of meeting an "anti-state" organization. In its verdict the court is reported to have said: "It is not believed that he met the North Korean agent with the intent of serving the interests of North Korea".

Amnesty International believes that there is no evidence to suggest that Chang Ki-pyo was involved in espionage. This appears to have been confirmed by the court verdict that he had no intent of serving the interests of North Korea. Amnesty International believes

¹On 26 February 1993, a Seoul district criminal court issued a verdict against Hwang In-oh, another prisoner accused by the ANSP of involvement in the "spy ring" case. That court accepted the ANSP's charge that Hwang In-oh had met with a spy who was using the alias "Lee Son-hwa". However the court did not accept that ANSP's statement that Lee Son-hwa was actually the same person as the North Korean Workers Party dignitary Lee Son-sil. It is unclear whether the court which passed judgement on Chang Ki-pyo accepted the ANSP's statement that the "North Korean agent" he met was that person.

that Chang Ki-pyo has been punished only for failing to report his meeting with Lee Son-sil, in the absence of any activity detrimental to his country. In Amnesty International's view, this is a clear violation of his rights to freedom of expression and association.

Amnesty International has also expressed concern about reports that some of the prisoners arrested in this case were tortured or ill-treated by the ANSP. Many were arrested illegally and denied access to their families and some, including Chang Ki-pyo, were denied access to their lawyers². Chang Ki-pyo and Cho Mu-ha were arrested by the ANSP on 26 September 1992 without warrants of arrest and were not allowed visits from family members until some 20 days after their arrest. Lawyers who requested a meeting with them on 29 September were denied access and were only allowed to meet the couple after applying to a Seoul criminal court which ruled in their favour on 5 October.

Chang Ki-pyo was also adopted as a prisoner of conscience in 1977 when he was sentenced to three years' imprisonment for "anti-state" activities which included writing articles and poetry critical of government policy, for listening to North Korean radio broadcasts and for activities in the labour movement. In November 1990 he helped launch the *Minjung* Party and became the party's chief policy spokesman. He stood for election to the National Assembly in March 1992 but was not elected. The *Minjung* Party was forced to disband after the election when it failed to obtain a sufficient number of votes.

Cho Mu-ha was freed on bail in December 1992 following appeals from many groups and individuals, including Cardinal Kim Sou-hwan, that she be released to look after the couple's two young daughters, aged 10 and 12. She was tried in January 1993 and given a suspended prison sentence.

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²See Amnesty International report, South Korea: Reported Illegalities and Ill-Treatment in Latest "Spy Case" (ASA 25/31/92)