

EXTERNAL (for general distribution)

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Further information on UA 310/92 (ASA 25/26/92, 6 October 1992) - Legal Concern/fear of torture/fear of ill-treatment

SOUTH KOREA: Mass Arrests: at least 60 people

including:

HWANG In-oh, aged 37  
SONG Hae-suk, aged 34, female  
KIM Nak-jung, aged 58, former politician, writer  
HWANG Ik-uk, aged 27, student  
LEE Sol-woo, aged 32, former politician  
CHUN Hee-shik, aged 34

and new

CHANG Ki-pyo, aged 46, leading member of Minjung names:  
(People's) Party, 1990-1992  
CHO Mu-ha, (female) aged 42, Secretary General of  
Minkahyop (Council of Families for the Realization  
of Democracy)

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Amnesty International is concerned to learn that Chang Ki-pyo and his wife Cho Mu-ha were denied access to lawyers following their arrest on national security charges in late September 1992. The two prisoners are held by the Agency for National Security Planning (ANSP) which refused to allow lawyers to interview them on 29 September. On 5 October a Seoul criminal court ruled that the ANSP had acted illegally by denying lawyers the right to interview the prisoners. The judge is reported to have said "It is unlawful for the ANSP to reject the attorneys' request to meet Chang and his wife, and such an act must be discontinued."

Chang Ki-pyo and Cho Mu-ha are among some 60 people who have been arrested on national security charges since late August in what the authorities have described as the biggest espionage case since the Korean War (1950-53).

According to South Korean human rights groups and lawyers, many of these prisoners have been denied access to lawyers and relatives for days or weeks and some have claimed that they were tortured. Amnesty International fears that further abuses may occur if access to lawyers is denied.

#### BACKGROUND INFORMATION

Prisoners arrested under the National Security Law (NSL) may be interrogated for up to 20 days by the Agency for National Security Planning (ANSP) and 30 days by the prosecution. Access to lawyers is sometimes restricted or denied, particularly during the first 20 days of interrogation by the ANSP. During this time, some prisoners have complained that they were subject to beatings and sleep deprivation.

The National Security Law (NSL) prohibits unauthorized contact with "anti-state" organizations, including the North Korean Government. Over the years it has been widely used to imprison people who visited North Korea without government authorization, people who met North Koreans or alleged North Korean agents abroad and people who expressed support for North Korea or whose views were similar to positions also taken by the North. In past years the courts have ruled that any information which could be useful to North Korea, even if it were publicly available, qualified as a "state secret". Amnesty International believes that some prisoners convicted of espionage activities are in fact held for the peaceful exercise of their political views.

Page 2 of FU 310/92

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or your own language:**

- expressing concern that lawyers were denied access to Chang Ki-pyo and Cho Mu-ha and at reports that some detainees arrested on national security charges since late August have been tortured;
- pointing out that international human rights standards and South Korean law guarantee prompt and regular access to lawyers and that such access is an important means of protecting prisoners from torture and ill-treatment;
- urging the authorities to ensure that all prisoners have prompt and regular access to relatives and lawyers and are not ill-treated;
- urging the authorities to ensure that those responsible for the interrogation of prisoners fully respect their rights of access to lawyers and other legal protection from torture and ill-treatment.

**APPEALS TO: (Please note these names are different to those in the original action following a cabinet reshuffle in the last few days):**

1) Mr Lee Jung-woo  
Minister of Justice  
Ministry of Justice  
1 Chungang-dong  
Kwachon-myon  
Shihung-gun  
Kyonggi Province  
REPUBLIC OF KOREA

**Salutation: Dear Minister**

**Telegrams: Justice Minister, Republic of Korea**  
**Telexes: 24757 MOJUST K**  
**Faxes: + 82 2 504 3337**

2) Mr Lee Hyun-woo  
Director  
Agency for National Security Planning  
Presidential Office  
The Blue House  
1 Sejong-no, Chongno-gu  
Seoul  
REPUBLIC OF KOREA

**Salutation: Dear Sir**

**Telegrams: Director, ANSP, Seoul, Republic of Korea**

**Telexes:** 24651/24652 WOIMUBU K (via Ministry of Foreign Affairs)  
**Faxes:** + 82 2 720 2686 (via Ministry of Foreign Affairs)

**COPIES OF YOUR APPEALS TO:** diplomatic representatives of South Korea accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 20 November 1992