

EXTERNAL (for general distribution)

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Further information on UA 237/94 (ASA 25/23/94, 17 June 1994) - Mass arrests / fear of ill-treatment and new concern: Prisoner of conscience faces possible death sentence

SOUTH KOREA Ahn Jae-ku, aged 61, former professor of mathematics

On 17 November the prosecution asked for a death sentence to be imposed on prisoner of conscience Ahn Jae-ku, currently on trial before Seoul District Criminal Court on charges under the National Security Law. The court's verdict on this case is expected on 30 November. Since 17 November Ahn Jae-ku has been forced to wear handcuffs 24 hours a day. Amnesty International opposes the death penalty and believes that the permanent handcuffing of Ahn Jae-ku is an arbitrary additional punishment which amounts to cruel, inhuman and degrading treatment. The organization is calling for the immediate and unconditional release of Ahn Jae-ku.

After his arrest on 14 June Ahn Jae-ku was questioned for 20 consecutive days by the Agency for National Security Planning (ANSP) who subjected him to sleep deprivation and intense psychological pressure to sign a "confession". He is currently in poor health, suffering from arthritis and rheumatism.

Twenty-two others arrested in this case are also on trial. They include 66-year-old Yu Rak-jin and Ahn Jae-ku's son, Ahn Young-min, also adopted by Amnesty International as prisoners of conscience. Some of the other prisoners in this case were reportedly beaten by ANSP investigators.

FURTHER BACKGROUND INFORMATION

The death penalty, generally imposed for murder, may be enforced for over 100 offences under South Korea's Criminal Code. The last execution for a political offence was carried out in 1982. According to the Ministry of Justice, prisoners under sentence of death, or facing a death sentence, may be kept in handcuffs in order to prevent them from committing suicide. However, international standards impose strict limits on the use of instruments of restraint, including daily medical checks.

Ahn Jae-ku is charged under the National Security Law with establishing an "anti-state" organization, the National Front for the Salvation of the Fatherland, with the purpose of spying for North Korea. However, to Amnesty International's knowledge there is no evidence that the group formed by Ahn Jae-ku had been involved in any such espionage activities.

This is the latest in a succession of cases where Amnesty International believes that suspects have been framed by the ANSP and subsequently accused of "espionage". The National Security Law forbids any unauthorized contact with North Korea, defines the crime of "espionage" in broad terms and has often been used to convict people who were exercising their rights to freedom of expression and association.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- expressing concern Ahn Jae-ku may be sentenced to death and stating Amnesty

International's opposition to the death penalty in all cases, as the ultimate form of cruel, inhuman and degrading punishment;

- stating Amnesty International's opposition to the permanent handcuffing of prisoners which constitutes ill-treatment if not carried out strictly in accordance with international standards limiting the use of instruments of restraint;

- expressing concern that Ahn Jae-ku and other prisoners in this case were ill-treated during questioning by the ANSP;

- calling for the immediate and unconditional release of Ahn Jae-ku, a prisoner of conscience.

APPEALS TO:

1) President

President Kim Young-sam

The Blue House

1 Sejong-no, Chongno-gu

Seoul, Republic of Korea

Telegrams: President Kim, Seoul, Republic of Korea

Telexes: 24651 or 24652 or 24653 WOIMUBU K

Faxes: +822 770 0253 or +822 720 2686 (via Ministry of Foreign Affairs)

Salutation: Dear President Kim

2) Minister of Justice

Mr Kim Doo-hee

Minister of Justice, Ministry of Justice

1 Chungang-dong

Kwachon-myon, Shihung-gun

Kyonggi Province, Republic of Korea

Telegrams: Justice Minister Kim, Shihung-gun, Kyongi Province, Republic of Korea

Telexes: 24757 MOJUST K

Faxes: +822 504 3337

Salutation: Dear Minister Kim

COPIES OF YOUR APPEALS TO:

Chief Judge

Seoul District Criminal Court

1701-1 Socho-dong, Socho-gu

Seoul, Republic of Korea

Minkahyop (human rights group)

2F1, 592-7 Changshin-2-dong

Jongro-ku, Seoul 110-542

Republic of Korea

◆ and 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 31 December 1994.