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# *amnesty international*

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## £SOUTH KOREA

### @Concern about the treatment of alleged spies

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On 10 September 1992 Amnesty International wrote to the South Korean authorities expressing concern about the treatment of Kim Nak-jung who is reported to have been held incommunicado following his arrest under the National Security Law on 25 August. It urged the authorities to ensure that Kim Nak-jung is accorded his full rights, guaranteed by both international and domestic law, relating to the arrest and interrogation of prisoners. Amnesty International is also concerned about the treatment of Shim Keum-sup, Kwon Du-young and Noh Jong-sun who were arrested two days later. It is urging the South Korean authorities to ensure that their rights to a fair trial are fully ensured.

Kim Nak-jung, aged 58, was arrested on 25 August along with his 52-year-old wife and his two daughters, aged 24 and 22. According to information received by Amnesty International, the family was arrested without a warrant of arrest and held incommunicado for 10 days by the Agency for National Security Planning (ANSP). During this time lawyers requested but were refused access to Kim Nak-jung. On 3 September Kim Nak-jung's wife and two daughters were released. Lawyers who were permitted to interview Kim Nak-jung on 7 September said that he had been beaten and deprived of sleep. They were not permitted to hold a private interview with their client.

On 27 August three more men were arrested in this case and are currently held by the ANSP. They are Shim Keum-sup, aged 58, Kwon Du-young, aged 64 and Noh Jong-sun, aged 53. Amnesty International is concerned at reports that these three prisoners were also detained without warrants of arrest, denied access to their lawyers and that they were beaten and deprived of sleep during interrogation. When asked to comment on the arrests,

a senior official of the ANSP is reported to have said that prisoners suspected of espionage should not have the right to legal assistance during interrogation.

International human rights standards require that all detainees are brought promptly before a judge, granted immediate access to lawyers, and promptly informed of the reasons for their arrest and the charges against them. They also prohibit the use of torture and ill-treatment. These rights are guaranteed by the International Covenant on Civil and Political Rights which was ratified by the Republic of Korea in April 1990. Amnesty International is concerned that these rights may not have been accorded to these four prisoners.

On 7 September the Agency for National Security Planning announced that the four men had been part of a pro-North Korean spy ring. It said they had contacted North Korean agents and received considerable sums of money to finance their espionage activities. The ANSP announced that over 40 people had been investigated in connection with this case, including several leading members of the former *Minjung* Party and members of *Minsahyop* (Council for Democratic Reform and Social Progress). Opposition groups and family members have denied that the men were involved in espionage activities.

Amnesty International is concerned that the four prisoners may be held for the peaceful exercise of their political views. The National Security Law prohibits unauthorized contact with "anti-state" organizations (including the North Korean Government). Over the years, Amnesty International believes that the law 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, even if it were publicly available, which could be useful to North Korea, 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.

During the 1960s and early 1970s Kim Nak-jung lectured on economic history at Korea University. In 1955 he visited North Korea to submit a reunification plan to the North Korean Government but was arrested by the North Korean authorities and imprisoned for one year. In 1956 he was returned to South Korea where he was arrested by the South Korean authorities on charges of spying. He was released from prison in 1960 but was arrested again in 1973 for his involvement in the student movement and alleged espionage activities. After his release in 1980 he joined a number of groups supporting reunification including the National Centre for the Promotion of Korean Reunification and the Citizens' Coalition for Economic Justice. In 1990 he joined and became co-president of the *Minjung* Party, a political party which was established in November 1990 with a moderate left-wing platform. In 1991 he founded the Research Group for Peaceful Reunification which is said to have been a centre for the discussion and analysis of reunification issues. The three other prisoners were also associated with this group. Kim Nak-jung has written five books about Korean reunification and the labour movement in South Korea.

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