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## £SOUTH KOREA

@Over 41 Years in Prison

Two of the World's Longest-Serving  
Prisoners of Conscience

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One year ago, in December 1993, Amnesty International published a report about Kim Sun-myung and Ahn Hak-sop, prisoners of conscience who have been imprisoned in the Republic of Korea (South Korea) for over 40 years (*ASA 25/41/93, Prisoners of Conscience held for over 40 years*). One year later the two men are still held in Taejon Prison with no apparent prospect of early release, except on the grounds of old age. During 1994 a lawyer wishing to act on their behalf was denied access to the prisoners who continue to be held in solitary confinement, isolated from the outside world.

Kim Sun-myung is now aged 69 and has been in prison for 43 years. Ahn Hak-sop is now aged 64 and has been in prison for 41-and-a-half years. The two men were arrested during the Korean War (1950-53) and sentenced to life imprisonment on charges of espionage on behalf of the Democratic People's Republic of Korea (DPRK). According to available information they were tortured and convicted unfairly. Amnesty International believes that they continue to be held solely because of their refusal to sign a statement of "conversion" to anti-communism.

Throughout 1994 human rights groups in South Korea and Amnesty International groups worldwide campaigned for the release of Kim Sun-myung and Ahn Hak-sop. Lawyers in South Korea have been attempting to represent them in legal proceedings. However, their efforts have been hampered because of the lack of available information about the cases and by apparent obstruction from the authorities. They have been unable to obtain copies of trial documents, in spite of requests made to the Ministry of Justice. Access to the two prisoners is generally limited to family members.

On 16 May a lawyer belonging to the organization *Minbyun* (Lawyers for a Democratic Society) went to Taejon Prison to visit the two prisoners but after waiting for some four hours he was told that access was denied on the grounds that he did not have a "power of attorney" signed by the two prisoners. He returned to Seoul and prepared the required documents for signature by the prisoners. The documents were taken to Taejon prison in June by a representative of *Minkahyop* (human rights groups) but the prison refused to accept them. Since then lawyers have filed a complaint of administrative malpractice against the authorities. Pending the outcome of this complaint, all avenues of legal redress on behalf of the two prisoners are effectively blocked.

Ahn Hak-sop and Kim Sun-myung are currently held in Taejon Prison. Their families have suffered a great deal through being branded as families of "spies". Kim Sun-myung's family no longer visit him and he has only had six visits throughout his 43-year imprisonment. Ahn Hak-sop's family were unable to visit in the earlier years of his imprisonment and they now go about once each year. Both men are said to be in poor physical and mental health as a result of torture, prolonged imprisonment in poor conditions and lack of contact with other people.

The two prisoners have consistently refused to sign a statement of "conversion" renouncing their alleged communist beliefs. This means that they are denied the possibility of early release on parole and generally receive poorer treatment than other prisoners. For example, they have been held in solitary confinement for most of their 40-year imprisonment and are not permitted any contact with other prisoners. They are generally allowed visits from family members only and their mail is restricted. During the 1970s and 1980s such prisoners were tortured in order to force them to "convert". At present there are some 30 "unconverted" political prisoners in South Korea, of whom Ahn Hak-sop and Kim Sun-myung are the longest-serving.

No other political prisoners in South Korea have been held in such conditions for so long. In spite of their old age, ill-health and lack of contact with the modern world, the South Korean Government appears to regard these two prisoners as a threat solely because they may still have communist views. Amnesty International believes that the prolonged imprisonment of these two men for their political views is in clear contravention of both domestic and international standards safeguarding the rights to freedom of thought and freedom of expression.

### *The case of Ahn Hak-sop*

Ahn Hak-sop, aged 64, was born and educated in Kanghwa-do island. This is situated close to the Demilitarized Zone which has separated North and South Korea since the Korean War ended in an armistice in 1953. During the Korean War Ahn Hak-sop fought as a soldier in the North Korean army. He was captured by the South Korean armed forces in Kanghwa province on 26 April 1953 when his whole unit was reportedly destroyed and he was apparently the lone survivor. After interrogation by a special police unit, Ahn Hak-sop was moved to Taegu Prison. There he says that he was badly beaten and accused of being a North Korean spy, a charge which he denies. In 1953 Ahn Hak-sop was sentenced to life imprisonment by a military court. His family believe that this charge was based on the fact that he was captured alone, close to the border, and that his family did not come forward to

identify him. In fact, the family were living on Kanghwa-do island at the time and were unable to obtain permits to cross to the mainland and visit him. A member of his family only managed to reach Taegu one week after the trial and alleged that she was told that if she had come one week earlier and bribed officials she could have secured his release. To Amnesty International's knowledge no photograph of Ahn Hak-sop exists.

### *The case of Kim Sun-myung*

Kim Sun-myung, aged 69, was born in Kyonggi province and left school before completing his education. In 1940 he came to Seoul where he worked in the textile and steel manufacturing industries. During the Korean War he also served as an ordinary soldier in the North Korean army. He was arrested on 15 October 1951 by the UN forces as he was trying to cross to the south. Kim Sun-myung was originally tried in a military court and sentenced to 15 years' imprisonment on charges of espionage. Had he served this sentence he would have been released many years ago. However he was tried again in March 1953 on a more serious espionage charge, which he denies. At this time he says that he was severely beaten. He believes that he was charged because when he crossed to the South he saw some military installations which the authorities apparently suspected he might have reported to the North Korean army, had he been released. He was tried by a military court and sentenced to death. The sentence was commuted to life imprisonment the following year.

Drawing of Kim Sun-myung, aged 69, imprisoned for 43 years

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