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# *amnesty international*

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## ENORTH KOREA

### @The Death Penalty

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Amnesty International is concerned at reports that the death penalty is widely used in the Democratic People's Republic of Korea (DPRK or North Korea). It is listed as a "basic penalty" under the Criminal Code for a variety of ill-defined offences and although the North Korean authorities say that it is rarely used, they have failed to provide any statistics about its use. The organization is also concerned that some executions are carried out in public and believes that defendants are not tried in accordance with international standards for fair trials.

Amnesty International opposes the death penalty unconditionally because it is a violation of the right to life and the ultimate form of cruel and inhuman punishment. It urges the North Korean Government to commute all death sentences and to consider abolishing the death penalty for all crimes. Pending such measures, it also calls on the government to end the practice of public executions of prisoners.

Amnesty International is concerned at reports that the death penalty is widely used in North Korea as a penalty for a variety of crimes, including political offences. In October 1993 the North Korean Government told Amnesty International that the death penalty is imposed rarely in "extremely serious cases". This statement appears to contradict Article 22 of the country's Criminal Law which describes the death penalty as one of the two kinds of "basic penalties" to be imposed on criminal offenders. Witnesses at public announcements of death sentences, former detainees and visitors to North Korea report that the death penalty is used frequently, and has been increasingly used in recent years against alleged economic offenders. Reports suggest that dozens of prisoners are executed each year. In spite of repeated requests, the North Korean Government has failed to provide any official statistics on the number of death sentences imposed and executions carried out.

Some of the offences subject to penalty of death, according to the Criminal Law of 1987, are not clearly defined. The death penalty is mandatory under Article 52 of the Criminal Law for activities "in collusion with imperialists" aimed at "suppressing the national-liberation struggle" and the "revolutionary struggle for reunification and independence" or for "acts of betraying the Nation to imperialists". It is provided as an optional punishment for the following offences: "extreme cases" of betrayal of the country and defection, espionage or helping the enemy (Article 47); "instigating", "masterminding" or being a "principal participant" in a "plot to overthrow the Republic" or "in a revolt" (Article 44); "acts of terrorism" against "[Party and government] cadres and patriotic people", "with a view to opposing the Republic" (Article 45); murder, in "particularly serious cases" (Article 141).

Executions are carried out either by shooting or hanging. In some cases, prisoners sentenced to death are displayed at public meetings attended by workers and students, including school-age children. At these meetings, the alleged crimes of the prisoners, and their sentence, are read out by officials. Executions have reportedly been carried out in front of these meetings, although in some cases it appears that the prisoners were taken away for execution. In places of detention, detainees have reportedly been executed in front of assembled inmates.

In November 1992 Chu Su Man, aged 30, was publicly executed before a large crowd of onlookers in the city of Hamhung. The execution had reportedly been announced in advance by posters in the streets of Hamhung. In a letter to Amnesty International, in October 1993, the North Korean Government said that Chu Su Man had been convicted of murder and sentenced to death under Article 141 of the Criminal Law after a trial "in which all procedural safeguards were respected". The letter went on to say that he was "publicly executed in November at the request of the crowd", which appears to suggest a lack of legal safeguards.

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