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# £SOUTH KOREA

## @Prisoner of Conscience

### Kim Keun-tae

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Kim Keun-tae, a 44-year-old leading dissident and co-chairman of the dissident organization *Chonminnyon* (National Alliance for Democratic Movement), is serving a two year prison term for his non-violent political activities. Amnesty International regards him as a prisoner of conscience in respect of the most serious charges against him. Kim Keun-tae refused to defend himself at his trial as a protest against his arrest and Amnesty International has based its assessment of his case on various court documents, including the verdict.

Kim Keun-tae is co-chairman of the dissident organization *Chonminnyon* (National Alliance for Democratic Movement) which was established in January 1989. It is the largest organization of dissidents in South Korea and has over 200 groups affiliated to it. Its main aims are to campaign for national independence from foreign powers, Korean reunification, democratic reforms and the rights of economically disadvantaged groups.

On 14 May 1990 Kim Keun-tae was arrested at the home of his brother in law on the island of Cheju where he is reported to have addressed residents of the Young Mans Christian Association. He was charged under the National Security Law, the Law on Assemblies and Demonstrations and the Law on the Punishment of Violent Acts.

Kim Keun-tae was charged under Article 7 of the National Security Law. The National Security Law prescribes lengthy prison sentences for "benefiting an anti-state organization (North Korea) by praising it, encouraging it, siding with it or through other means" and "importing, disseminating, buying or selling" information for the above purposes. The evidence to support this charge consists of statements made by Kim Keun-tae at a number of public meetings including the inauguration rally of *Chonminnyon* in January 1989, and documents

produced and disseminated by *Chonminnyon*. These statements and documents include the expression of views about the South Korean Government, reunification and relations with foreign states. Although calling for a change of government none of these statements advocate the use of violence to achieve political changes.

Kim Keun-tae was also charged under the Law on Assemblies and Demonstrations for organizing five demonstrations without informing the police in advance. Two of these demonstrations took place in January and February of 1989, over one year before his arrest. The three other meetings took place in the first half of 1990. Although the charges do appear to be legitimate, Kim Keun-tae was the only leader of *Chonminnyon* prosecuted for organizing these demonstrations.

Kim Keun-tae has also been charged under the Law on Punishment of Violent Acts for the injuries to police officers and damage to property which took place at three demonstrations in 1990. Although many anti-government demonstrations result in violence, many are peaceful and there is no evidence to suggest that Kim Keun-tae organised or incited violence during the three rallies he took part in. In its verdict the court noted that in the course of the preparation of rallies to be held in 17 cities on 9 May, Kim Keun-tae had expressly indicated that peaceful means should be used. With respect to the two other rallies (where participants numbered between several hundred and 20,000), the court concluded that Kim Keun-tae was responsible for the clashes with the riot police on account of anti-government statements he made at the rallies or through his participation. The statements Kim Keun-tae made criticised the government but did not call or encourage participants in the demonstrations to use violence. It would appear that Kim Keun-tae, alone among the organizers of the rallies, has been held responsible for the violent acts of some participants, without any indication that he was involved in the violence, directed it or was responsible for it, beyond the fact that he was one of the organizers or one of the speakers at the demonstrations in question.

In September 1990 Kim Keun-tae was sentenced to three years' imprisonment for organizing illegal demonstrations and for making anti-government statements. Following an appeal to the High Court in January 1991, his sentence was reduced to two years. This sentence was upheld by the Supreme Court in April 1991.

Amnesty International therefore regards Kim Keun-tae as a prisoner of conscience with respect to the charges under the National Security Law and the Law on Punishment of Violence Offenses. It urges the authorities to release him after he has served that part of his sentence related to his conviction under the Law on Assemblies and Demonstrations.

Kim Keun-tae was adopted by Amnesty International as a prisoner of conscience during his detention from 1985 to 1988 for his involvement in the National Youth Alliance for Democracy and for organizing demonstrations against the then president, Chun Doo-hwan. On 30 January 1991 four policemen were sentenced to prison terms ranging from two to five years for torturing Kim Keun-tae after his arrest in 1985.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ,  
UNITED KINGDOM

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