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SOUTH KOREA AND NORTH KOREA: FREEDOM ANNIVERSARY IS NOT CELEBRATED BY EVERYONE

As celebrations are readied to mark the 50th anniversary of Korea's liberation from Japanese rule, Amnesty International is calling on the Governments of South Korea and North Korea to free prisoners of conscience held in their respective countries.

"The 15th of August marks not just the anniversary of Korea's freedom, but also the beginning of the country's division, which has been used to justify human rights repression and to delay reform on both sides of the politically fractured peninsula," Amnesty International said.

"Not everyone will be celebrating Korea's day of freedom next week: Some people on both sides of the de-militarized zone remain jailed simply for what they believe, the words they have spoken or the people with whom they have associated themselves," the human rights organization said.

Amnesty International does not compare the human rights records of different countries and opposes the politically motivated misuse of its reports by governments. The human rights organization hopes for improved relations between the two Koreas but believes this should not be a precondition for the improvement of human rights on both sides of the peninsula.

Amnesty International also called on the governments of the Republic of Korea and the Democratic People's Republic of Korea to amend legislation used to lock up prisoners of conscience for the non-violent exercise of their rights to freedom of expression and association.

In South Korea, two men imprisoned during the Korean war (1950 - 53) are still held, ranking them among the world's longest-serving political prisoners. Seventy-year-old Kim Sun-myung, held for 44 years, and 64-year-old Ahn Hak-sop, held for 42 years, remain in prison solely because they have refused to renounce their belief in communism, Amnesty International said.

Dozens of other prisoners were sentenced to life terms in the 1970s and 1980s when the country was under military rule on charges of "espionage" for North Korea. At least 25 prisoners are believed to have been tortured and convicted after trials which were grossly unfair. Yu Chong-sik, for example, has been in prison for 20 years, while Park Dong-oon has been in prison for 14 years. Both Kim Song-man and Hwang Tae-kwon have just passed their 10th year in prison with no apparent prospect of release.

In North Korea, Amnesty International has documented the cases of people who "disappeared" in the 1960s and 1970s and have not been heard of since. In one such case, Cho Ho Pyong was arrested in 1967 and sentenced to 20 years' imprisonment for "espionage" allegedly for South Korea. The North Korean Government told Amnesty International that Cho Ho Pyong and his family were apparently killed by the army while trying to escape from North Korea.

Amnesty International is further concerned by reports that individuals and their families who try to leave North Korea face severe punishment. The organization believes that hundreds of other prisoners may have been held for years in North Korea, including people held for their non-violent political activities.

Both North and South Korea have legislation which may be used to restrict the rights to freedom of expression and association.

South Korea's National Security Law (NSL) punishes those who "praise" or "benefit" North Korea; those who visit North Korea or meet North Koreans without authorization; and those who pass on "state secrets" - a vaguely defined concept which may include information which is publicly available.

In South Korea, several hundred prisoners -- many of them prisoners of conscience -- remain in prison under the NSL, including some 120 arrested in the first six months of 1995, the organization said. On 31 July 1995, Park Yong-gil was arrested in South Korea for making an unauthorized visit to North Korea. She could be imprisoned for several years under the NSL.

North Korea's Criminal Code also contains vaguely defined provisions which may be used to punish those who exercise their rights to freedom of expression and association. Ill-defined "anti-state" acts and "subversive acts against the state" are severely punished.

In May 1995 North Korean Government officials admitted to an Amnesty International delegation that some 240 people are held for anti-state crimes, although they also said that Criminal Code had been amended, reducing the scope of crimes against the state.

The human rights organization believes there may be many more than this official number, including people detained or assigned to residence in specified areas under administrative orders, without judicial supervision.

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