

PUBLIC

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Torture

NORTH KOREA

Yu X (m), aged 44, South Korean national

South Korean national Yu X (full name known to Amnesty International) was arrested on 30 March at the Kaeseong Industrial Complex in North Korea, where he was working. He has been held incommunicado since then, putting him at risk of torture or other ill-treatment. The North Korean government have told the South Korean government that they detained Yu for criticizing North Korea's government and trying to persuade a woman from North Korea to leave her country and go to South Korea.

The North Korean government has not told his employers or the South Korean government where he is being held. If he is put on trial in North Korea, he will face charges which do not constitute internationally recognized offences under a judicial system which falls short of international standards, is not transparent and where he has no access to lawyers of his choice or due process.

Yu X works for Hyundai Asan Corporation, which along with another South Korean company, the Korea Land Corporation, has been developing and managing the Kaeseong Industrial Complex. It was opened in December 2004, and employs approximately 40,000 North Korean workers. It is 10 km north of the border with South Korea, to which it has direct road and rail access.

It is not clear when the North Korean authorities will finish their investigation into Yu Seong-jin. Under North Korean law he can be held for up to four months of investigation before he is charged: Yu's incommunicado detention for over 80 days appears excessive. Under an agreement with South Korea, South Korean nationals working in North Korea who are found guilty of breaking North Korean law are fined and deported to South Korea.

The North Korean government did not respond to repeated requests by the South Korean government to release Yu Seong-jin, during their bilateral talks on the Kaeseong Industrial Complex, on 11 and 19 June.

The North Korean government appears to be using Yu X as a pawn in its negotiations with South Korea on the future operation of the Kaeseong Industrial Complex.

Two American journalists, Laura Ling and Euna Lee, who work for the California-based broadcaster Current TV, were arrested by North Korean agents on 17 March near the Tumen river, which forms North Korea's border with China. It is not clear whether the women had crossed the border into North Korea, or were in China when they were arrested. On 8 June, they were convicted of an unspecified "grave crime" against the nation and sentenced to 12 years imprisonment with hard labour. They had been investigating human rights abuses suffered by North Korean women.

BACKGROUND INFORMATION

Access to North Korea is tightly restricted, hampering investigation of the human rights situation. Despite repeated requests, the government denies access to the UN Special Rapporteur on the Human Rights Situation in North Korea and the UN Special Rapporteur on the Right to Food as well as to Amnesty International and other independent human rights monitors.

Reports from these bodies, from North Koreans who are now settled in many countries (including South Korea and Japan), human rights NGOs and journalist contacts indicate a serious pattern of human rights violations, including torture, detention of political prisoners and cruel and inhuman prison conditions.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Korean, English or your own language:

- urging the authorities to release Yu X immediately and unconditionally unless he is charged with an internationally recognisable criminal offence and tried promptly in proceedings which meet international fair trial standards;
- urging them to reveal where he is being detained, and give him access to his family, a lawyer of his choice and consular support.

APPEALS TO:

KIM Jong-il
Chairman of the National Defence Commission and
General Secretary of the Workers Party of Korea
Pyongyang
Democratic People's Republic of Korea

Salutation:

COPIES TO:

KIM Yong-nam,
President of the Presidium of the Supreme People's Assembly
Pyongyang
Democratic People's Republic of Korea

Fax: +850 2 381 4410

Salutation:

KIM Yong-il
Prime Minister,
The Cabinet
Pyongyang
Democratic People's Republic of Korea

Salutation:

JU Sang-song
Minister of People's Security
Pyongyang
Democratic People's Republic of Korea

Salutation:

and to diplomatic representatives of North Korea accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 August 2009.