AMNESTY INTERNATIONAL

Public Statement

AI Index: ASA 25/001/2003 (Public)
News Service No: 063

Embargo Date: 19 March 2003 00:01 GMT

Republic of Korea (South Korea): Will all detainees under the National Security Law be released?

Published

Amnesty International welcomes the reported commitment made by the recently appointed Minister of Justice Kang Kum-sil on 6 March to investigate the possibility of releasing prisoners of conscience and political prisoners this coming April.

The commitment was made to representatives of human rights organizations following hunger strikes undertaken by 46 year old Park Kyung-soon and eight other political prisoners protesting against the continued detention of prisoners under the National Security Law and calling for its abolition. Despite suffering from cirrhosis of the liver, Park Kyung-soon fasted from 27 February to 7 March in Busan Prison and ended his hunger strike only after he received assurances that his demands were being considered by the Minister of Justice.

Amnesty International believes that the National Security Law has been used to imprison or detain activists such as Park Kyung-soon for their attempts to peacefully exercise their rights to freedom of expression and association. As of 5 March 2003, at least 26 prisoners were reportedly being held under the National Security Law. Many of these prisoners are held because of their non-violent political activities including publishing and distributing material deemed to "benefit" North Korea.

Amnesty International acknowledges that every government has a right to take measures to ensure the security of its citizens. It also appreciates that South Korea has special security concerns with regard to North Korea. However, this should not be used as an excuse for denying people the right to express different political views.

The use of the National Security Law has been arbitrary and appears to contradict the government's "Peace-Prosperity Policy" of engagement towards North Korea. While some people are permitted such contacts, others continue to be arrested for merely discussing reunification, publishing "pro-North Korean" material or having views considered similar to those of the North Korean Government.

Amnesty International has repeatedly called on the South Korean government to take steps to abolish the National Security Law, or otherwise amend it to bring it into line with international standards

regarding clarity of criminal law, freedom of expression and association. The organization continues to call for the law to be reviewed and for the release of all political prisoners detained or imprisoned for non-violent political activities.

Background

Park Kyung-soon has been serving a seven year sentence under the National Security Law and had been adopted by Amnesty International as a prisoner of conscience. Park Kyung-soon was arrested in July 1998 and found guilty under the Article 7 of the National Security Law for "formation and membership of an enemy-benefiting organization". Amnesty International has repeatedly expressed concern at reports of his deteriorating health and is calling for his immediate and unconditional release.

The National Security Law, which has been in force since 1948, has been used through out the years to imprison people for non-violent political activities. The law provides long sentences or the death penalty for "anti-state" and "espionage" activities but these terms are not clearly defined and have often been used arbitrarily against people whose only crime is to exercise their basic rights to freedom of expression and association. Most arrests in the past year are made under Article 7 of the law that provides sentences of up to seven years' imprisonment for "praising" and "benefiting" the enemy (generally meaning North Korea).

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