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001. email	Steven Naplan to Eric Schwartz re Lee (1 page)	02/10/1999	P1/b(1)
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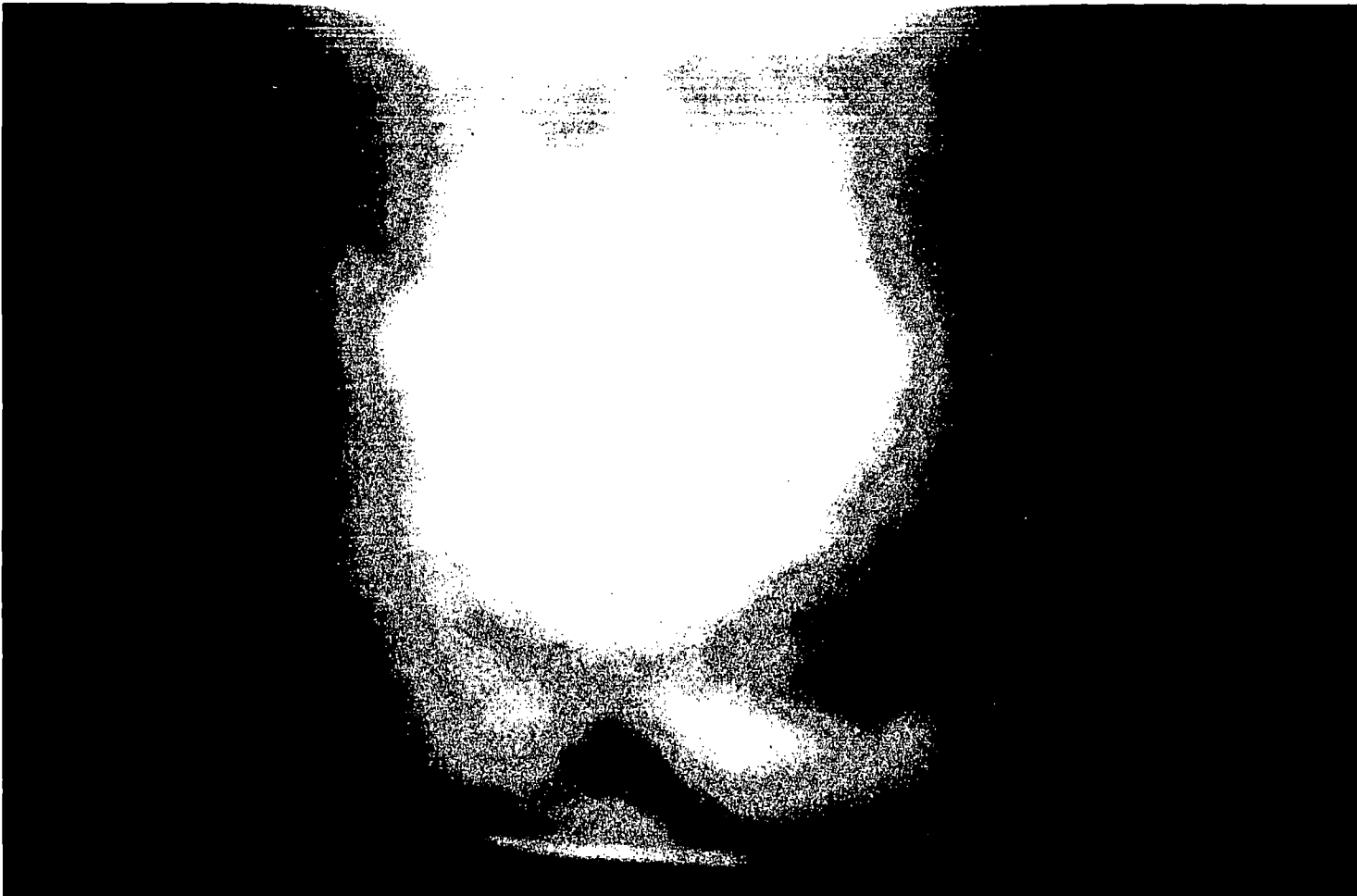
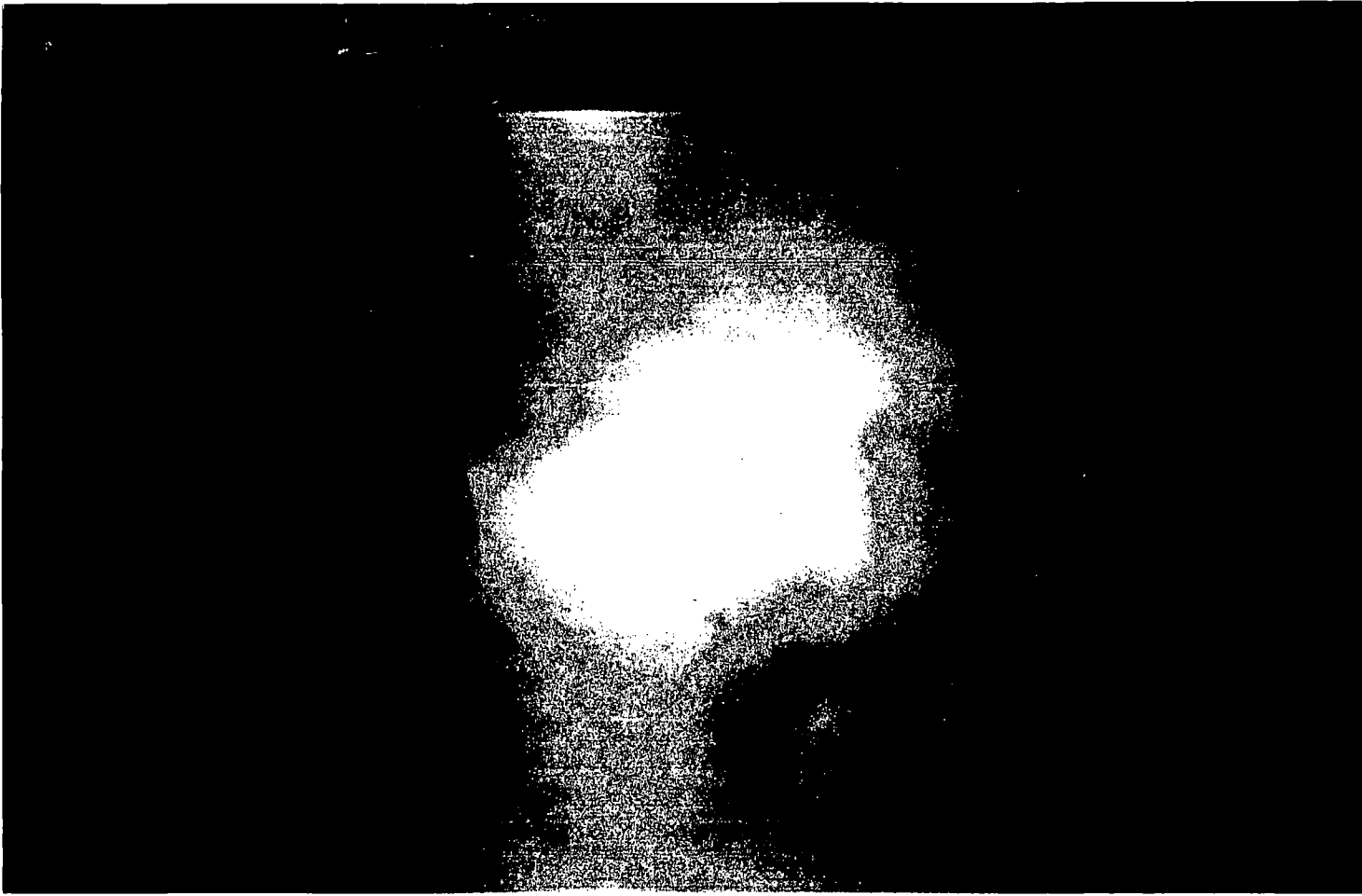
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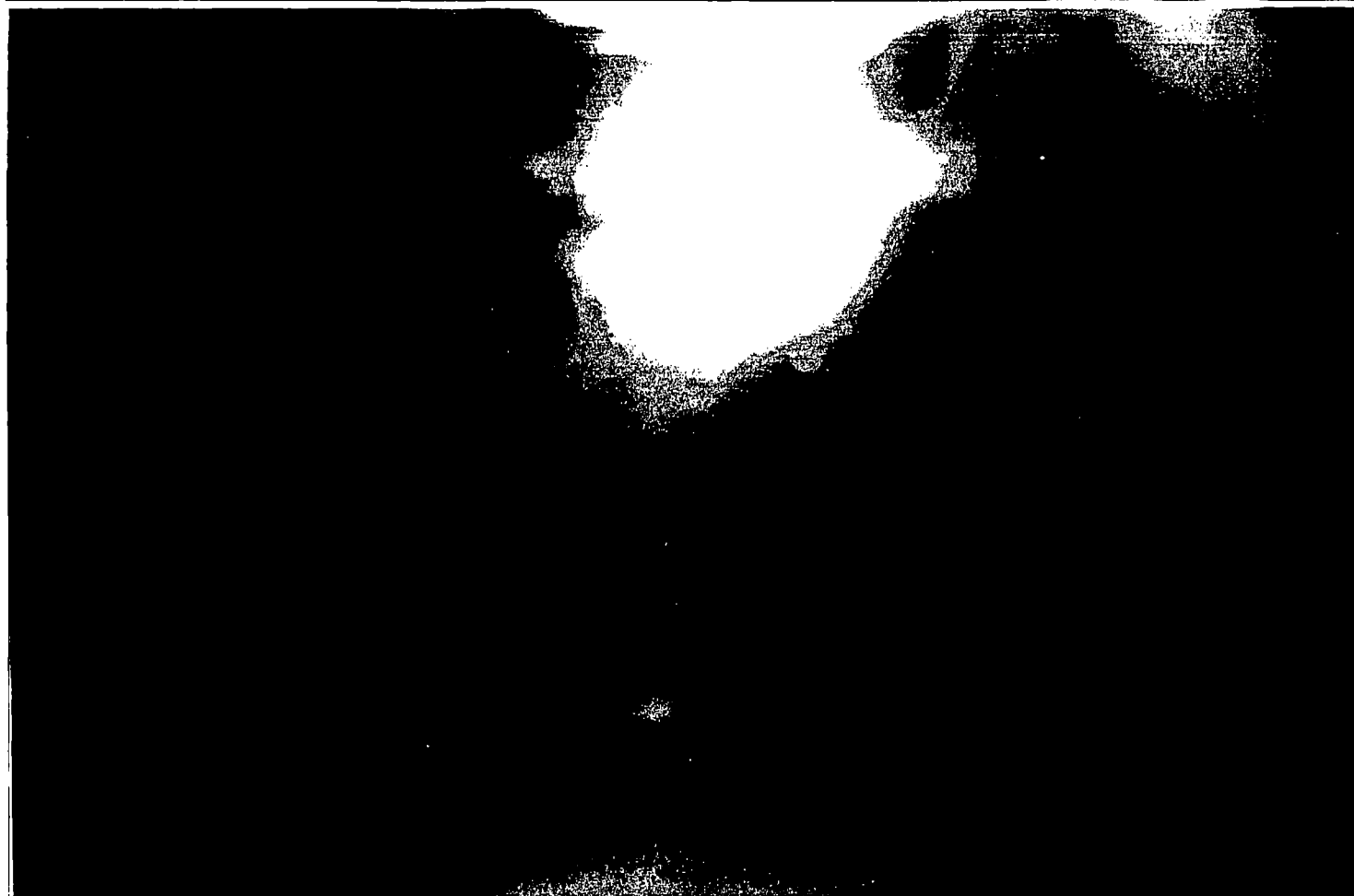
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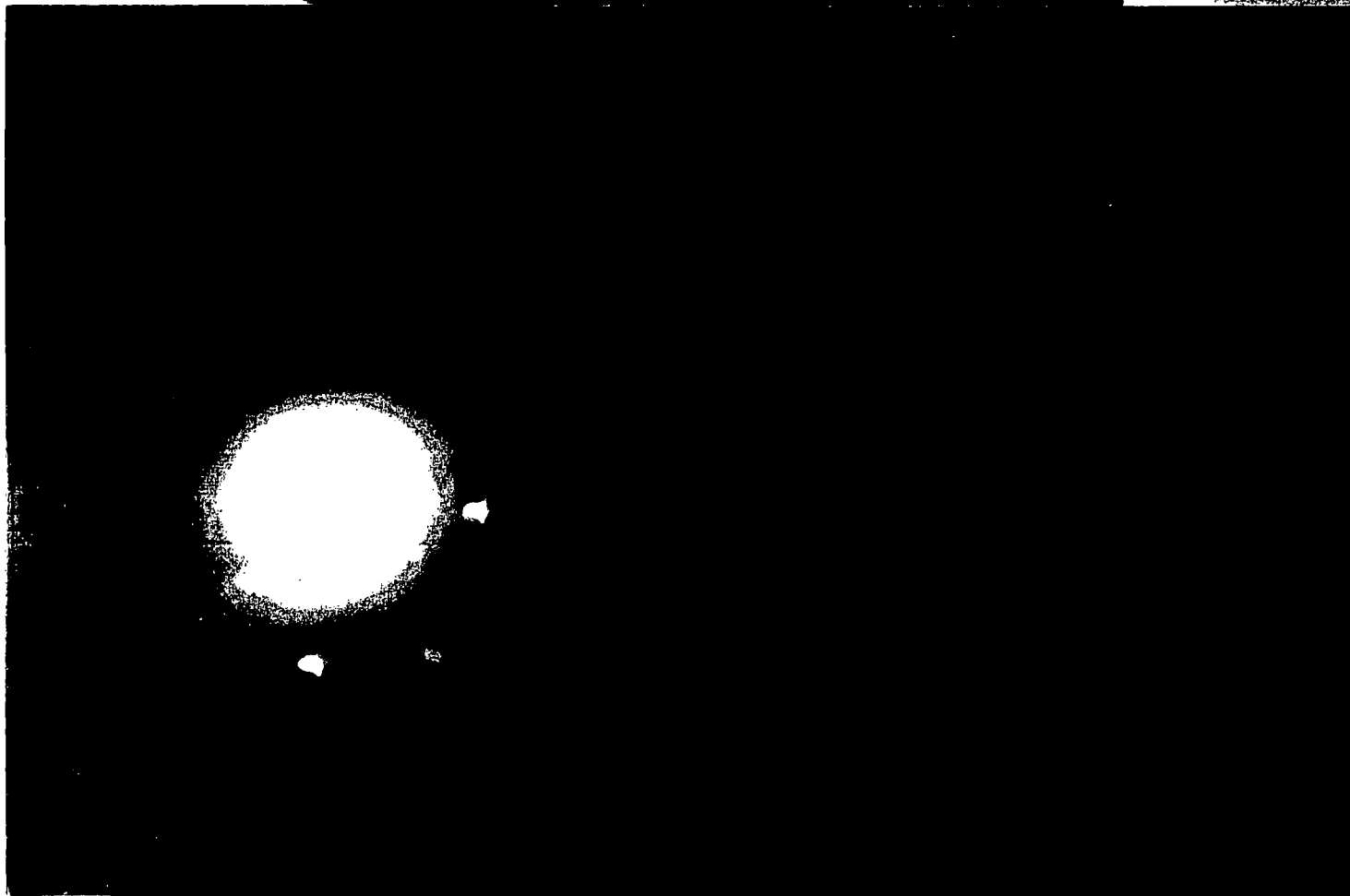
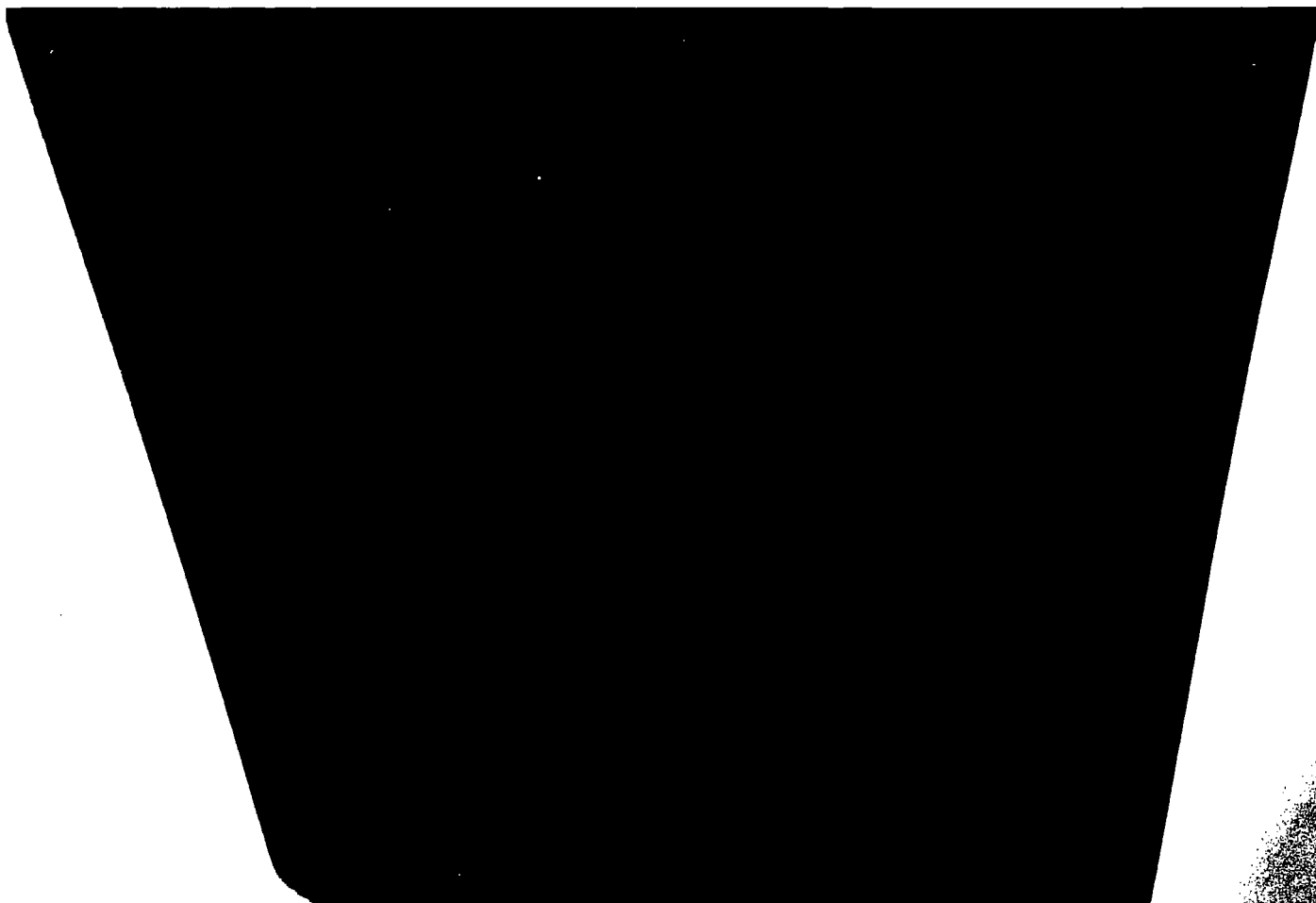
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The Incident of Torturing Men Who are Suspected to have Requested a Shoot-Out at the Panmoonjom

-The Truth and Actual Condition

of Unlawful Violation of Human Right-

by Kim, Young-Sun, attorney for the detainees

1. Abstract

Under the power what is called the government of the people, the prosecutory authority has been reduced to an examining organization of the NSP(The Agency for National Security Planning), and the NSP viciously violated the law like that the NSP is doubtful for examining at the Supreme Public Prosecutors Office, even though the NSP must be neutral to the politics.

It is an obviously illegal action that the severe examination, conciliation, investigation, and the process of arrest of the suspects disregarded the investigation with a warrant and the right of the lawyer. The Supreme Public Prosecutors Office is the organization that protects and fortifies the human rights, but the illegal action of the Supreme Public Prosecutors Office is the action that denies and gives up itself.

2. The Harshness

On the investigation of this case, the 3 suspects related to the PUK-POONG case ~~was interrogated~~ ^{was interrogated} ~~must be examined~~ ^{was interrogated} severely, and ~~violated~~ ^{assaulted} physically. There are obvious evidences.

The suspect, Seok Joong Chang, was severely examined and conciliated for three days. Mr. Chang revealed the fact of the

physical violation with the photos of the injury. Mr. Chang was assaulted by 20 professional examiners. They are 1.5 times bigger(195cm) than common people. Mr. Chang remembered that they have a Seoul accent in speech and about 45 years old. Mr. Chang still evacuates the bloody feces with the rupture of the bowels that was caused by the assaulting by the examiners.

Also, when the suspect, Jung Eun Oh, was examined, he was taken to the basement in an black eyepatch and examined in pent-up and conciliating mood by the prosecutor. The breast and chin of the suspect, Jung Eun Oh, was assaulted several times, and so the dried scab formed over the lip and the both side of the lip tore and bled.

The suspect, Seong Ki Han, is ordered to restrain interviewing and tele-communicating with anybody by the prosecutor, and at the room #1144 of the Seoul District Prosecutors Office, he was severely examined by the four officers of the NSP. The very serious injury remains on the knees and still bleeds with purulent matters. The suspect almost does not move for the assaulting of the breast, the waist, and the head.

In October 5, 1998, the suspects revealed the fact of the harsh examination with their injury and the statement in the trial. It was ~~proved~~ *seen* at the court.

3. Interference of the Administration of Justice

1) The negligence of the designation of counsels and the procedure of law

The suspects were not informed the designation of attorney-at-law when they were arrested. It is the violation of

the Miranda principle. Furthermore, the families of the suspects were not informed the lawyer's order to interview, and the suspects were not informed the lawyers' order to protect the evidences, re-examine, and examine the bodies of the suspects and then appeared in court. Therefore, the suspects could not be prepared for the trial. In other words, as humans, the suspects were interfered from the information of the procedure of law and the human rights.

the detainees'

2) The Denial of the Lawyer's Right to Interview

The Seoul District Public Prosecutors Office ordered to forbid meeting with the family and the lawyer. That is out of the question in a democratic nation. Although the right of interview is one of the rights of the lawyer ~~and detainees~~ it was impossible for the lawyer to interview with the suspect.

*10/6.7.9. 10.11.12.
continued denial of
meeting.*

3) The Violation of Due Process

First of all, Jung Eun Oh was taken to the NSP without a warrant(9.8), and he was examined without a warrant before fifty hour of the official arrest. According to the Criminal Procedure Code, it is impossible to re-arrest in forty eight hours without the warrant by a judge. Thus, it is obviously illegal. The suspects are examined from 6 a.m. to over than 12 p.m. without a warrant.

4) The Cooperation of examination of the organization to protect the human right

The suspect, Seong Ki Han, was arrested by the NSP because of his fraud, but the officers of the NSP assaulted and severely examined him. The NSP that follows the procedure of the law to

protect the human rights must give up its duty.

Under any severe military dictatorship, there was no a similar example that the officers of the NSP examined the suspects in the Supreme Public Prosecutors Office. Therefore, the new forged PUK-POONG case of the government must the heinous atrocity to destruct an opposition party.

5) The Concealment and Conciliation of the National Investigating Organization

To conceal the destructing of the human rights, on September, 7, the officers of the NSP bought scotch whiskey to the suspect, Seok Joong Chang, at No-Rae-Bang(KaRaOKe) by 3 a.m. after the dinner. The officers tried to conceal to cover their severe action. That must recognize their illegal and harshness by themselves.

4. The Promulgation of The Fact of The Suspects

On October, 6, the NSP made public the forty paged materials to be summarized the statement that the suspects, Seong Ki Han, Jung Eun Oh, and Seok Joong Chang, revealed. Even though the investigation had not been completed yet, the NSP unusually made public the wrong statement that the candidate of Hwoi Chang Lee lead the suspects to ask North Korea to shoot at the Panmoonjom for winning the election of the President.

The NSP and the Supreme Public Prosecutors Office made public the uncertain evidence ingeniously.

It means to reveal that an organization participated in the election of the President by propagation of the NSP's suspected

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It means to reveal that an organization participated in the election of the President by propagation of the NSP's suspected

matter. It is a violation of basic of the law of criminal procedure to make public a suspected matter before the first trial. Also, the political freedom has been infringed through the forged mass-communication.

5. The Unusual Investigation

The suspect, Seok Joong Chang, had gotten the permission to meet the North Korean, so the fact of meeting with North Korean in Beijing is not illegal. Despite of the fact, the Supreme Public Prosecutors Office ordered the warrant because he held counsel the shoot-out at the Panmoonjom.

Because the suspect, Seong Ki Han, informed before five days of the departure to Beijing and should report after the visiting, it is obviously legal. However, the prosecutors agency insisted that it was illegal.

However, according to the warrant by the Prosecutors Agency, there is no content that the suspect, Seok Joong Chang, intended to cause the case of shooting at the Panmoonjom. Therefore, it is not the violation of the law.

Despite of that, the NSP, the Supreme Public Prosecutors Office, the National Congress for New Politics(The Ruling Party) politically attack and investigate through the severe invented examination because the suspects and people related to the case deliberate on shooting at the Panmoonjom. It is the illegal investigaton other than the cause of warrant.

또한 오정은 안기부로부터 고문을 당한 때 검은 안대로 얼굴을 가리고 지하철로 문여가 엄청난 위축된 상태에서 검사의 회유와 억압적인 분위기에서 조사를 받았다. 피의자 오정은 가슴과

피의자 장식장의 경우, 2박3일간 안기부에서 고문·회유 등을 당하였으며, 장씨는 본인이 직접 고문 상처를 촬영하여 구타사실을 폭로한 바 있다. 장씨는 고문전공가의 덩치가 보통사람의 1.5배(195cm)나 되는 20여명으로부터 구타를 당했으며, 그 사람들은 북쪽람씨를 쓰는 45세 가량의 남자였던 것으로 기억했다. 장씨는 북쪽람씨를 쓰는 45세 가량의 남자였던 것으로 기억했다. 장씨는 북

피의자 3인은 본사건의 수사과정에서 고문, 구타 등 위법적 수사를 받았다.

2. 가혹행위

오정은 등 3인의 피의자들이 당한 고문, 회유, 박제조사 그리고 불법 연행과정 등은 영장실질심사의 박탈, 변호사 선임권 불고지 등으로 사법정착을 방해한 명백한 불법행위이다. 검찰의 이러한 행태는 인권옹호기관이자 보루가 되어야 한 최고의 사법기관으로서의 검찰권 자체를 스스로 부정하고 포기하는 행위이다.

국민의 정부'라 자칭하는 헌정권하에서 정의수호를 위해 양자 정치에 관여치 않겠다던 안기부가 검찰청에까지 직접가서 고문을 한 의혹이 있는 등 인권침해행위가 이루어졌다.

1. 개요

판문점 종결요청 피의자 고문조작 사건
- 그 진상과 위법적 인권유린 실태 -

뺨을 여러차례 구타 당했으며 입술 전체가 시커멓게 타서 딱딱한 딱정이가 붙어 있고, 입술 양쪽 부위 피부는 찢어지고 그 사이로 피가 났다.

한성기의 경우, 검사에 의해 면회금지 및 통신금지 조치를 당했으며, 서울지검 1144호실에서 안기부 직원 4명에 의해 집단 고문 수사를 받았다. 양무릎의 엄청난 상처와 아직도 계속 피가 흐르는 피고름과 진물, 가슴과 허리 머리에 가해진 타격으로 반불구자 상태를 만들었다.

98년 10월 5일 법원에서 실시된 「증거보존 신청 검증재판」에서 피의자들의 고문흔적과 진술을 통해 피의자들에 대한 엄청난 고문사실이 입증된 바 있다.

3. 사법행위 방해

1) 변호인 선임권 불고지 및 법적 진행절차의 불고지

피의자 3인은 체포구금시에 변호인의 선임권을 고지받지 않았다. 이는 「미란다」 법칙을 위배한 것이다. 또한 피의자 3인은 가족 및 변호인의 접견요청 사실도 고지받지 못했으며, 피의자들은 변호인들이 신청한 증거보존 신청, 검증신청, 신체감증신청의 사실도 전혀 고지받지 못한 채 법정에서 출두하여 전혀 준비없이 수사의 객체로서만 대우를 받았을 뿐이다. 즉 인간으로서 피의자의 권리를 행사할 수 있는 권리뿐 아니라 절차의 진행상황 정보로부터도 철저히 차단되었다.

2) 변호인 접견권의 부인

검찰(서울지검)이 피의자 가족은 물론 변호인 접견 금지조치로 면회 자체도 거절되는 등 민주법치국가에서는 상상도 할 수 없는 인권유린행위가 자행되었다. 접견권은 변호인의 권리임에도 피의

자의 변호사가 선임된 이후에도 제대로 접견이 이루어지지 못했다.

3)Due Process의 위배

피의자 오정은은 영장없이 안기부에 9월8일 연행되었다. 또한 장씨는 정식구속이 되기 전 50시간 이상을 구속영장없이 체포된 상태에서 고문과 조사를 받았다. 형사소송법상 48시간이내 판사의 사후영장을 받지 않으면 다시 구속할 수 없게 되어 있음에도 처음부터 장씨를 구속한 것은 위법이다. 피의자들은 새벽6시에 일어나 24시이후까지 밤샘조사를 매일 받았으며, 영장실질심사권이 박탈되었다.

4)인권수호기관의 고문 협력

피의자 한성기의 경우 안기부 요원이 사기죄로 검찰에 송치되어 있는 상태에서 안기부 요원이 검찰에 와서 고문,구타를 했다. 이는 인권수호의 적법절차를 지켜야 하는 검찰이 그 직무를 포기하고 가혹행위에 공조한 것이다.

과거 그토록 혹독했던 군사독재 정권하에서도 검찰청사에 안기부 요원들이 직접 파견되어 집단으로 가혹한 고문행위를 자행한 유례가 없었다.

5)국가수사기관의 회유 및 은폐기도

이런 인권유린행위를 은폐하기 위해 9월7일 잠시 안기부에서 석방될 무렵 피의자 장석중에게 저녁식사 후 어느 노래방에 들어가서 새벽 3시경 나올 때까지 술(양주)을 사주며 어혈이 없어지게 하고 고문사실 은폐를 회유하는 안기부의 행위는 자신들의 고문사실을 자인하는 것으로 밖에 볼 수 없다.

3. 피의사실 공표

안기부는 10.6일 한성기, 오정은, 장석중씨 등 총격요청설 3인방의 진술내용 등을 요약한 40쪽짜리 자료를 공개했다. 아직 수사가 완결되지도 않은 사항에 대하여 마치 피의자 3인이 이회창 후보의 당선을 위해 판문점 총격을 유도했다는 내용의 피의사실을 사전에 이례적으로 공개한 것이다.

이외에도 검찰과 안기부는 확인되지 아니한 피의사실을 언론기관에 흘리는 등의 교묘한 방법으로 피의사실을 공표했다.

이는 안기부 명의의 피의사실 및 물건을 유포함으로 대선에 조직적으로 개입했음을 밝히려는 의도로써 제1회 재판기일 이전에는 피의사실을 공표하지 못하게 하는 형사소송법의 기본원칙을 침해했을 뿐 아니라 모호하고 막연한 언론조작을 통해 정치적 자유를 말살하고 역매카시 선풍적 탄압을 자행하고 있는 것이다.

5. 별건 수사

피의자 중 장석중씨는 포괄적 대북접촉승인을 받은 상황이었으므로 남북교류협력법상 아무런 하자가 없었으며, 따라서 그가 북경에서 북한사람을 접촉한 것은 적법한 행위이다.

한성기씨의 경우는 북경 출발 5일전 통일부에 신고했으므로 사후 보고하면 아무런 법적 하자가 없음에도 사전승인절차 없이 접촉하여 위법이었다는 주장은 사실과 다르다.

검찰이 발부한 구속영장에 의하면 장석중 피의자가 북한과 총격 사건을 유발했다는 내용은 전혀 없으므로 범죄가 되지 않는다.

그럼에도 불구하고 검찰, 안기부, 국민회의는 서로 공조하여 경제

교류 목적이 아닌 총격사건을 모의했다는 이유로 정치적 공세를
퍼는 한편 고문을 통한 조작수사를 하고 있다. 이는 구속영장 이
외의 사유를 수사하는 명백한 탈법이다.

members of
Re: Description of ~~delegation~~ ^{visiting Korean Parliamentary members}
^{of the Korean National Assembly}

their
concerns
about

^{interested} Three members ~~delegates from~~ the Grand National Party (GNP), Korea's main opposition party, are visiting the U.S. to discuss ~~issues on human rights, freedom of speech and South-North Korea relations, as well as other related issues.~~ They will stay in Washington, D.C. from October 13-14 and in Los Angeles from October 15-16, 1998. ^{mutually}

The three members are:

Honorable Lee, Shin-Bom, member of the National Assembly, from Seoul, Korea. He is currently serving as Vice Chairman, Committee on National Unification, Foreign Affairs and Trade; member of the Special Committee on Budget and Audits. Executive Director of the Human Rights Committee and Legal Aid Commission of the GNP.

Mr. Lee was exiled to Washington, D.C. in the 1980s after serving approximately 5 years and 8 months in prison for human rights activities against military dictatorship. ^{Lee was a co-defendant with now President Kim Dae Jung.}

Honorable Cho, Woong-Kyu, member of the National Assembly, PhD in Political Science; Executive Director of the Korea-U.S. Interparliamentary Group; currently a member of Committee on Education, National Assembly; served as a Foreign Affairs Committee member for the past two years. He was a Political Science professor in the United States in the 1960s-1980s. He supported the activities for Korea Democratization movement in the United States. ^{In 1988, he} He returned to Korea to teach at Kyemyung University.

Honorable Kim, Young-Sun, Esq. member of the National Assembly's Committee on Prime Minister's Office, Fair Trade and Financial Supervisory Commissions. She is also a member of the Human Rights Committee of the Grand National Party. Ms. Kim, a 38 year old attorney, has recently defended detainees who have been tortured by the government. The government has tried to subpoena Ms. Kim due to her speech during June 1998 local election campaign, in which she criticized the government's policy decisions and backgrounds of the ruling party candidates.
the

호 소 문

수신: 유엔인권 위원회 인권고등판무관
메리 로빈슨 사무총장 귀하

우리들은 지난 한국 대통령선거 기간중 북한의 무력도발을 유도하려했다는 혐의로 한국정부에 구속되어 있는 오정은, 한성기, 장석중의 가족들입니다.

우리가 당사자들을 면회한 바에 따르면 이들은 한국의 안기부로부터 심한 고문을 받아 그 상처가 법정에서도 확인이 되었습니다. 한국정부는 이 사건을 조작하고 과장하여 정치적으로 악용하여 이들의 인권은 지금 무참히 짓밟히고 있습니다.

한국 내에서 여러 곳에 호소하였으나 사태가 더욱 악화되고 있기 때문에 간곡히 호소하오니 귀단체에서 관심을 가지고 이들에 대한 고문과 사건 조작을 밝혀 주시기를 바랍니다.

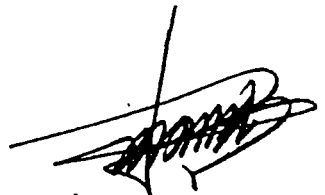
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1998. 10. 5

오정은의 처 김은옥, 한성기의 처 이기호, 장석중의 동생 장석두

(3)

for info



October 6, 1998
Mrs. Kim Eun-Ok
454 Hongun-2-dong
Kukdong Apt. 106-1107
Sodaemun-ku, Seoul, Korea
Phone (02)395-8573
Hand Phone 017-254-8573

H.E. Mary Robinson
Secretary General
The Office of the U.N. High Commissioner
for Human Rights
Palais des Nations
8-14 avenue de la Paix
ch 1211 Geneva 10, Switzerland

Dear Ms Robinson:

We are writing to you regarding serious torture case in South Korea. We are family members of Mr. Oh Jeung-Eun, Han Sung-Ki, and Jang Suk-Jung who have been detained by the South Korean government on charges of "plotting to have North Korea provoke armed attack at the truce village of Panmunjom during the December 1997 Presidential election campaign period in Korea for the benefit of then-majority Party candidate Lee Hoi-Chang."

In their shortly allowed meeting with us, and in their testimony before the Seoul District Court Judge on October 3, the three detainees made it clear that they were seriously tortured by the Agency for National Security Planning(ANSP) agents in September. Particularly Mr. Han and Jang showed the remaining scars on their bodies even at the court.

Mr. Han said that he was physically tortured at the

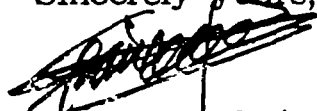
Interrogation Room Number 1144 of the Seoul District Prosecution Office by four agents from the ANSP from August 31 to September 14 to sign a fabricated confession that he plotted to ask North Korea to make a shooting incident in December. Mr. Jang complained that he still feels paralysed symptom at the right side leg. Mr. Oh said that he was beaten by the ANSP agents.

The detainees' human rights are seriously abused as the Kim Dae-Jung government fabricated and exaggerated the charges for domestic political purpose. Therefore, we are appealing to you to help us find the truth and protect their human rights.

We attach the detainees' complaints about torture in Korean today but will do our best to send you English translation as soon as possible.

We thank you for your assistance.

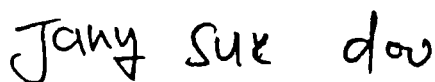
Sincerely yours,



Kim, Eun-Ok(Mrs. Oh Jeung-Eun)



Lee, Ki-Ho(Mrs. Han Sung-Ki)



Jang Suk-Doo(Brother of Jang Suk-jung)

호 소 문

수신: 국제 사면 위원회 런던본부 사무총장

페레 씨네 사무총장 귀하

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1998. 10. 5

오정은의 처 김은옥, 한성기의 처 이기호, 장석중의 동생 장석두

(2)

Long

Long

October 6, 1998
Mrs. Kim Eun-Ok
454 Hongun-2-dong
Kukdong Apt. 106-1107
Sodaemun-ku, Seoul, Korea
Phone (02)395-8573
Hand Phone 017-254-8573

Mr. Perre Sane
Secretary General
Amnesty International
1 Easton Street
London, WC1X 8DJ United Kingdom

Dear Mr. Sane:

We are writing to you regarding serious torture case in South Korea. We are family members of Mr. Oh Jeung-Eun, Han Sung-Ki, and Jang Suk-Jung who have been detained by the South Korean government on charges of "plotting to have North Korea provoke armed attack at the truce village of Panmunjom during the December 1997 Presidential election campaign period in Korea for the benefit of then-majority Party candidate Lee Hoi-Chang."

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Mr. Han said that he was physically tortured at the Interrogation Room Number 1144 of the Seoul District Prosecution

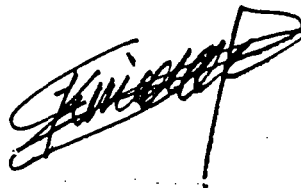
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The detainees' human rights are seriously abused as the Kim Dae-Jung government fabricated and exaggerated the charges for domestic political purpose. Therefore, we are appealing to you to help us find the truth and protect their human rights.

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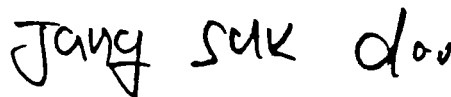
Sincerely yours,



Kim, Eun-Ok(Mrs. Oh Jeung-Eun)



Lee, Ki-Ho(Mrs. Han Sung-Ki)



Jang Suk-Doo(Brother of Jang Suk-jung)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Steven Naplan to Eric Schwartz re Lee (1 page)	02/10/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Steven Naplan (Multilateral & Humanitarian Affairs)
OA/Box Number: 3038

FOLDER TITLE:

South Korea

2009-0528-F
kc1505

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. note	handwritten, re Lee (1 page)	02/09/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Steven Naplan (Multilateral & Humanitarian Affairs)
OA/Box Number: 3038

FOLDER TITLE:

South Korea

2009-0528-F
kc1505

RESTRICTION CODES

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	re Fax from Kim (5 pages)	01/27/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Steven Naplan (Multilateral & Humanitarian Affairs)
OA/Box Number: 3038

FOLDER TITLE:

South Korea

2009-0528-F
kc1505

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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*copy-
Steve
Jack*

January 26, 1999

Dear Mr. Eric Schwartz:

I greatly appreciate your efforts to promote human rights situations and freedom of speech in Korea. Because of your efforts, the Korean government rescinded the ban of the travel.

I sincerely appreciate your help.

Very truly yours,

Assemblyman LEE, SHIN BOM

facsimile TRANSMITTAL

(TEL) 202-482-5522

Name: Eric Schwartz
Organization: White House NSC
Fax: 202-456-9140
Phone: 202-456-9141
From: Shannon Yu
Date: January 15, 1999
Subject: RE: Congressman Shin Bom Lee
Pages: 15 (including fax cover)

Congressman Lee and his wife have requested that the following information should be faxed to you right away.

Thank you for your support.



ATTORNEY AT LAW

J.S. KIM
JAMES A. FREITTO

LAW OFFICE OF
J. S. KIM & ASSOCIATES, INC.

12912 BROOKHURST ST., SUITE 400
GARDEN GROVE, CA 92640

TEL: (714) 834-0804

(714) 487-7118

FAX: (714) 834-0811

Dear

I am J.S. Kim, an attorney practicing in the City of Garden Grove, California. I am writing this letter on behalf of Hon. Lee, Shin Bom, Member of the National Assembly and the opposition, The Grand National Party, also a member and vice chair of Foreign Affairs, Unification, and Foreign Trade Committee of National Assembly of Korea, to direct your attention to Human Right Issues in Korea.

On or about December 31, 1998, assemblyman Lee announced to his fellow members of the opposition party during the Caucus Meeting that he heard from a reliable source that Korean agency for National Security Planning (NSP), which has been renamed as the National Intelligence Agency, which had been known as Korean Central Intelligence Agency (KCIA) for many years before it changed its name to NSP, has engaged in surveillance activity on the members of National Assembly in room #529 in the National Assembly Building in Korea. He urged his fellow members to go to room #529 to check whether or not the information he received was true. Assemblyman Mr. Lee had to come to the United States on that night; however, his fellow members have been able to locate about 59 documents which show the room was used to monitor members of the National Assembly in the National Legislature. Because of this statement, Assemblyman Lee has been charged with criminal defamation and is prohibited from leaving the country (Korea), and could be arrested and imprisoned. How can this be a crime? All the statements he made was done in a caucus meeting and is related to his job duty as an assemblyman and as a member of the party. In addition, all the statements he made were true.

It appears that this prosecution constitutes serious violations of human rights and appears to have been done to oppress the opposition party. Furthermore, his mother-in-law is eighty-seven (87) years old, and a U.S. citizen. She was so shocked to receive the news that she became seriously ill as a result.

Please help assemblyman Lee to visit his mother-in-law. By doing this you are also helping to promote freedom of speech in Korea. Your prompt attention will be greatly appreciated. If you have any questions, please contact me.

Very truly yours,

J.S. KIM



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[Times Interview] Pres. Kim's Admin. Reverting to Authoritarianism: Rep. Lee

01/13(¼8) 18:37

By Kim Yong-bom

Staff Reporter

Opposition Grand National Party (GNP) Rep. Lee Shin-bom, an outspoken critic of President Kim Dae-jung, accused Kim's administration of reverting to authoritarianism, claiming that the "human rights conditions and parliamentary democracy suffered a critical setback under Kim's government."

To support his accusation, Rep. Lee, 48, cited the alleged torture of the suspects involved in the so-called North Korean shootout scheme, the attempts to stigmatize the opposition with false charges, and the alleged recent political surveillance on lawmakers' activities.

Rep. Lee is the very one who alleged that the Agency for National Security Planning (NSP) conducted "political surveillance" using Room 529 of the National Assembly building.

He was banned from traveling overseas for his involvement in the break-in into the room and was charged with defamation of the intelligence agency. ||

Upon the exit ban imposed while he was visiting the United States, Rep. Lee said, "First of all, it is ridiculous to ban someone who already went abroad from leaving the country." ||

In his scathing criticism of the incumbent government, Lee claimed that the latter is doing what even the former dictatorships refrained from. "Even during the dictatorship of late president Park Chung-hee, the government kept its hands off inter-partisan conflicts at the House. When then-opposition lawmakers ravaged the Speaker's office in their protest against the railroading of an evil law in 1971, Park took no legal action against them," he said.

"Compared to the last government of Kim Young-sam, too, the parliamentary democracy has definitely deteriorated under Kim's administration," Lee claimed. "The number of lawmakers facing legal actions is greater now than in any other governments," he contended.

Lee, the whistle blower of a series of alleged misdeeds of the intelligence agency, claimed that he was politically harassed by the NSP, saying that the latter applied pressure upon him when he called for a cut in the NSP budget at a House session in last November.

In an interview with The Korea Times, Rep. Lee repeatedly emphasized that Kim's government is reverting to "authoritarian rule," stating, "Kim is still refusing to admit to the misdeeds of the intelligence agency, just arrogantly ignoring the opposition's demand."

He used as an example the former government, which took immediate action upon the disclosure of the NSP's bid to interfere with political affairs.

"When the NSP was found to have been involved in the alleged scheme to delay the local polls, then-president Kim Young-sam fired the director right away."

As other examples of the authoritarianism of the incumbent administration, Lee cited the legal action against a mere joking remark made by Rep. Kim Hong-shin of the GNP about President Kim and a series of railroading of bills in spite of the opposition's objection.

"Parliamentary democracy is being dismantled in the bid to tame the opposition," he insisted.

Lee attributed such "abuse of power" to the fact that the press now remains vulnerable to the pressure of the ruling camp, mainly due to their "financial difficulties."

Saying that the truth of the surveillance scandal is yet to be fully brought to light by the press, Lee stressed, "The basic fact of the scandal is that unlicensed NSP agents have set up an illegal surveillance camp at the legislature without the latter's permission."

Meanwhile, Lee refused to identify the source who tipped him on the existence of the NSP's alleged surveillance camp at the House, only saying that the informant is a figure "well informed of how the ruling camp works."



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Third Subpoena Considered for Six GNP Reps

01/15(±Y) 17:28

The prosecution, currently probing a National Assembly break-in and the subsequent seizure of secret documents, will consider issuing third subpoenas to six opposition Grand National Party lawmakers due to their failure to comply with two earlier subpoenas ordering them to report to the prosecutor's office by 2 p.m. yesterday.

The opposition lawmakers were ordered to turn themselves in to the prosecution for their alleged leading roles in breaking into and taking documents from a room used by the Agency for National Security Planning on Dec. 31.

The concerned lawmakers are Rep. Lee Jae-oh, Nam Kyung-pil, Rim In-bae, Shin Yung-kook, Park Won-hong and Shin Kyung-sik.

They are among 11 GNP lawmakers prohibited by the prosecution from leaving the country in connection with their involvement in the break-in.

A senior prosecutor said that sending them third subpoenas will be "seriously considered" owing to the difficulties officials have had in attempting to bring them to the prosecutor's office. An extraordinary National Assembly session is underway currently.

The five other lawmakers who refused to comply with the first prosecution request to report for questioning on Thursday were asked to appear at the prosecutor's office by 2 p.m. Monday.

The decision to summon GNP lawmakers followed its questioning of 11 National Assembly employees on the break-in, and the consequent filing of lawsuits by NSP and National Assembly officials.

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National



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Rival Camps Remain Locked in Stalemate

01/15(±Y) 17:21

By Kim Yong-bom

Staff Reporter

Even after Prime Minister Kim Jong-pil expressed his regret over the political surveillance scandal Thursday, the rival camps remained locked in a stalemate yesterday, with the opposition camp refusing to let up in its offensive against the coalition ruling camp.

The opposition Grand National Party yesterday declared that Kim's remarks fell far short of its expectations for a sincere apology, saying, "The GNP is dissatisfied with Kim's insincere attitude in admitting the misdeeds of the intelligence agency."

The opposition camp was particularly disgruntled with the refusal of Prime Minister Kim to admit that what the agents of the Agency for National Security Planning based in National Assembly room 529 were doing was "illegally spying on lawmakers."

"As the prime minister failed to admit to and apologize for the NSP's illegal activities, the GNP asks once again that President Kim Dae-jung offer an apology and dismiss NSP director Lee Jong-chan," GNP spokesman Rep. Ahn Taik-soo said.

In response to the GNP's hardline posture, the coalition ruling camp, which earlier made a conciliatory gesture to the opposition, shifted to an aggressive stance by rejecting the opposition's demand.

Rep. Cho Se-hyung, acting president of the ruling National Congress for New Politics, said, "Any apology (over the surveillance issue) is absolutely out of the question."

Rep. Cho added that the "expression of regret by Prime Minister Kim was never meant to acknowledge that political surveillance took place."

At the same time, the NCNP pushed ahead with its original parliamentary hearing plan, warning that it is ready to unilaterally conduct the hearing on the economic crisis if the opposition boycotts it.

Keeping up its pressure on the opposition over the hearing issue, the NCNP went on to claim a "conspiracy" of ex-president Kim Young-sam and GNP leader Lee Hoi-chang to stymie the hearing.

"The opposition camp is suspected of colluding with the ex-president to foil the scheduled hearing. But the NCNP is determined to push for it by putting Kim on the witness stand at the parliamentary hearing," NCNP spokesman Rep. Chung Dong-young warned.

The opposition camp, for its part, kept up its offensive by continuing its sit-in protest at the Assembly speaker's office over the alleged surveillance at the House.

In addition, the GNP decided to take legal action against five NSP officials, including NSP director Lee Jong-chan, over their alleged intervention in political affairs. ||

The GNP's legal action was launched upon the disclosure of NSP documents last week suggesting that the intelligence agency was engaged in an anti-GNP operation.

The GNP is also set to launch an outdoor anti-government campaign in Suwon, Kyonggi-do, next Monday.

In spite of the prolonged standoff, the rival camps were yesterday cautiously mapping out measures to ease the political stalemate.

The GNP's new floor leader, Rep. Lee Bu-young, indicated his willingness to resume dialogue with the coalition ruling camp, while the latter continued his efforts to persuade the opposition to join in the operation of the parliamentary hearing.

The NCNP said that it may delay the opening of the hearing, slated for Monday, to Wednesday, if the GNP agrees to participate.

At the same time, the coalition ruling camp was considering the launch of political summit talks between President Kim and opposition leader Lee Hoi-chang aimed at securing a political truce.

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**January 4, 1999, Monday
Foreign Desk**

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A Locked Door Is Broken, and Seoul Lawmakers Have a Spy Furor

By NICHOLAS D. KRISTOF

Room 529 in the National Assembly Building in South Korea has an inconspicuous brown door that is usually locked, but a growing mystery about what goes on inside has set off a ferocious political dispute and raised questions about whether Korea's spies are running out of control.

The dispute erupted on Wednesday when an opposition member of the National Assembly announced that he had information from a source he could not disclose that the national spy agency was using Room 529 as a base to conduct surveillance on members of the assembly. That announcement set off a furor, with opposition members conducting a round-the-clock sit-in outside the door, which had not particularly attracted attention before.

On New Year's Eve, the increasingly frustrated opposition legislators broke the lock and forced their way in, seizing 59 documents that they say show that the room was used by the spy agency, the Agency for National Security Planning, to monitor politicians in the national legislature and the political process.

"It was a clear violation of the law," said Lee Shin Bom, the member of the National Assembly who first asserted that Room 529 was a surveillance center. "This is a serious challenge to Korean freedom of speech."

The accusations are particularly resonant in South Korea, a young democracy where the spy agency -- formerly known as the Korean Central Intelligence Agency -- operated for decades beyond any law. President Kim Dae Jung, a former dissident whom the former agency had tried to kill, has vowed to stop the new agency from domestic spying.

Mr. Kim has been hailed for his efforts to bring conciliation at home and across East Asia. But his critics say that having inherited a repressive apparatus, he

decided not to dismantle it and instead redirected it to monitor and intimidate his rivals.

So far, Mr. Kim has said nothing about the latest uproar, but his aides suggested that Room 529 was being used merely for liaison work between the National Assembly and the Agency for National Security Planning. Some of the documents supposedly showing surveillance were actually just summaries of news articles, the aides said, and they denounced the opposition members for breaking into an office.

"This is a totally illegal act," Park Jie Won, President Kim's chief spokesman, said of the break-in.

There is no evidence directly linking Mr. Kim or Blue House -- the presidential office and mansion -- to the spying on politicians. Indeed, some of the seized documents, 12 of which were released, suggest that the Agency for National Security Planning was gathering intelligence on members of the governing party as well as on the opposition -- and that it was concerned less with Mr. Kim than with protecting its own institutional hide from criticism by politicians of all stripes.

Opposition politicians called on the agency's director, Lee Jong Chan, to step down, and on Mr. Kim, who appointed the director, to apologize to the nation. Mr. Lee took the offensive, though, and the agency filed a complaint with prosecutors accusing dozens of opposition members of the National Assembly of breaking and entering.

Prosecutors have been investigating the incident, even taking fingerprints on the door to determine who, precisely, broke the lock. Under Korean law, members of the National Assembly can be indicted but cannot be arrested while the assembly is in session, unless a majority of the members approve the arrests.

The governing party has the votes to do that, but such a move would lead to a total breakdown of political cooperation in South Korea. The party, the National Congress for New Politics, did not say whether it might go that far, but a party spokesman, Yoon Ho Joong, said today, "Under no circumstances can we accept an act of breaking and entering a place that houses national secrets."

Park Shin Il, a spokesman for the opposition Grand National Party, said that the documents from Room 529 clearly show that the people inside were not just liaison officers but that they were running an intelligence-gathering network in the National Assembly.

01-05-99 : Ruling coalition set to take GNP to court over office intrusion

By Choe Seung-chul Staff reporter

The ruling coalition yesterday reaffirmed its pledge to take the opposition Grand National Party (GNP) to court for stealing confidential documents from an intelligence office in the National Assembly building.

It also vowed to pass urgent reform bills through the Assembly before the current special session closes Thursday even in the absence of GNP lawmakers.

'The incident is not an issue of political argument but a matter of the rule of law,' said Rep. Cho Se-hyung, acting president of President Kim Dae-jung's National Congress for New Politics (NCNP).

Rep. Cho said the authority of government agencies should be safeguarded against all political odds.

'No matter who they are,' the No. 2 man in the NCNP said. 'Those GNP members involved in this serious crime should be sternly dealt with in the name of law because they obviously violated the law when they snatched state secrets and made them public.'

Rep. Cho also said that the ruling coalition will open a plenary session today to act on more than 100 crucial but undisputed bills.

'This time, the ruling parties will not tolerate any attempts by the GNP to block the passage of bills,' he said. Rep. Chung Dong-young, spokesman for the NCNP, accused the GNP of stepping up what he called a politically motivated offensive.

He also blasted GNP president Lee Hoi-chang, a former Supreme Court justice, for orchestrating what he called the illegal seizure of the parliamentary liaison office of the Agency for National Security Planning (NSP).

'Lee has denied his identity as a chief advocate of the rule of law because he ordered party members to break into the NSP liaison office the other day and now tells the people, 'we couldn't help but do it,' Rep. Chung said. Rep. Chung claimed that Lee's party was exaggerating the NSP documents it had seized last week to support its earlier allegations that NSP agents spied on the GNP lawmakers.

The United Liberal Democrats (ULD), the NCNP's coalition partner, also



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Lee Demands Kim Apologize for Political Spying

01/04 (월) 17:00

By Kim Yong-bom

Staff Reporter

Lee Hoi-chang, leader of the opposition Grand National Party (GNP), demanded that President Kim Dae-jung make an apology for the alleged political surveillance of the nation's legislature in an emergency press conference.

"The surveillance on lawmakers is a violation of the Constitutional order and a threat to the nation's legislature. The GNP demands that President Kim apologize and promise to put an end to such practices (of the Agency for National Security Planning)," Lee charged.

Lee warned that the opposition camp will stage an anti-government struggle if the coalition ruling camp refuses to accept the demand.

"The ruling camp will be subject to a harsh judgment by the people if it continues to ignore this demand," Lee stressed, saying that the opposition may stage an outdoor anti-government campaign.

In the press conference, the GNP leader highlighted the earlier struggle of President Kim Dae-jung, when the latter used to lead an opposition force, against political surveillance.

"President Kim is the very figure who spearheaded the fight against illegal spying on politicians. If President Kim were leading an opposition camp, it would have called for a campaign to topple the government."

At the same time, Lee justified the action of the GNP

lawmakers, who broke into National Assembly office number 529 Thursday night, as an inevitable act designed to "protect the Constitutional order."

"To obtain evidence of the spying on the lawmakers and bring to light the flagrant violation of the Constitutional order, it was inevitable to forcibly break the door open," Lee said, adding that he would assume all the responsibility for the violence at the House.

As to the pending legal action by the state prosecution against the GNP lawmakers who forcibly broke into the Assembly office, Lee made it clear that the GNP would never comply with it.

"It is outrageously preposterous to probe the action of opposition lawmakers, instead of the illegal spying on the nation's legislature," he said.

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Lee also stressed that the GNP would block any bid of the coalition ruling camp to approve the court request for arrest of the lawmakers, who are now facing prosecution for their alleged corrupt activities.

But, Lee added, the opposition would cooperate with passage of the ordinary pending bills at the House, stating, "The political issue should not interfere with normal operation of the House."

The opposition leader also said the GNP would unveil the remaining 47 files collected from NSP branch office 529 at the House. "Except for a few papers related to privacy of individual lawmakers, the GNP will unveil all of it soon."

The GNP released 12 pieces of the NSP documents, out of a total 59, to the press and is currently refraining from disclosing the rest, which allegedly contain information about the personal misdemeanors of politicians.

After Lee's press conference, the opposition GNP held a caucus of its lawmakers to pledge a continued struggle against the political surveillance.

The GNP lawmakers also decided to file a motion in the House today for dismissal of NSP chief Lee Jong-chan, charging him with violating NSP law, which bans the intelligence agency from interfering with political affairs.

12/31/98. Korea Herald

GNP claims NSP runs spy office in Assembly

The National Assembly failed to deliberate on any bills yesterday in the wake of an opposition protest over allegations that the nation's top spy agency runs an office inside the Assembly building.

The legislative turmoil began when Rep. Lee Shin-bom of the Grand National Party claimed in a meeting of the party's lawmakers that the Agency for National Security Planning (NSP) has an office in the Assembly.

Lee claimed that the NSP runs the office in connection with surveillance activities on opposition lawmakers.

Enraged GNP lawmakers rushed to the office, where they found two phones directly linked to the NSP and devices for preventing wiretapping of telephone and fax communications.

The GNP lawmakers accused the NSP of using the office to keep tabs on opposition members and demanded that the agency and the Assembly secretariat disclose the purpose of the office.

But both the NSP and the ruling National Congress for New Politics (NCNP) rejected the opposition demand, saying that the GNP was jumping to conclusions.

They said the NSP began using the office four years ago when the GNP was in power and the office serves merely as a "liaison between the NSP and the Assembly."

The office has nothing to do with political surveillance, the NCNP said in a statement. It added that the NSP kept some confidential documents in the office, which is not manned by permanent staff.

Minister seeks help from GNP



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House Operations Remained Crippled for 'Political Surveillance'; GNP Demands Apology from Pres. Kim

12/31(목) 17:16

By Kim Yong-bom

Staff Reporter

National Assembly operations remained crippled yesterday as a result of the standoff between the rival camps over the alleged "political surveillance" of the nation's legislature by the intelligence agency.

Upon hearing a disclosure made by an office run by the Agency for National Security Planning at the main Assembly building, the opposition camp continued its protests against what it called "political terror against parliamentary democracy."

The opposition Grand National Party (GNP) called on President Kim Dae-jung to make an apology for the illegal surveillance on the legislature, as well as to dismiss the chief of the agency, which is to be renamed the National Intelligence Service (NIS).

"It is an outright violation of the revision bill of 1994 to the law on the intelligence agency, which banned the NSP from political intervention," Rep. Ahn Taik-soo, spokesman for the GNP, said.

The GNP even held the House Speaker Park Jyun-kyu and Secretary-General of the Assembly Park Shil responsible for the illegal activities at the Assembly.

However, the coalition ruling camp, which is comprised of the National Congress for New Politics (NCNP) and the United Liberal Democrats (ULD), flatly denied the surveillance charges, arguing that the office is nothing but an ordinary "liaison office of the NSP" under the wing of the House intelligence committee.

But, the opposition GNP refuted the argument, citing the fact that the office was secretly run by the NSP without the permission or awareness of either the House Speaker or the chairman of the House's intelligence panel.

The GNP, at the same time, continued its sit-in protest at the House for a second day, demanded that desks and file cabinets in the NSP office be opened in the presence of the press.

The opposition camp claimed that a file cabinet at the NSP office is suspected of containing results of the monitoring of the activities of opposition lawmakers.

But, the ruling camp refused to accept the demand, proposing, instead, a closed-door inspection of the office exclusively by the members of the intelligence panel in order to safeguard confidential material.

Amid the tense tug-of-war, the plenary session of the House was aborted again yesterday, thus shelving more than 400 pending bills for the House to deal with in its next session, which is scheduled for next week.

The coalition ruling camp once attempted to take unilateral action to table the bills in a House sitting, but failed to do so as ULD members refused to attend the session in order to protest the legal action against Rep. Lee Won-bum.

The prosecution searched Lee's ULD chapter office in Taejeon Wednesday on suspicion that he engaged in corrupt activities.

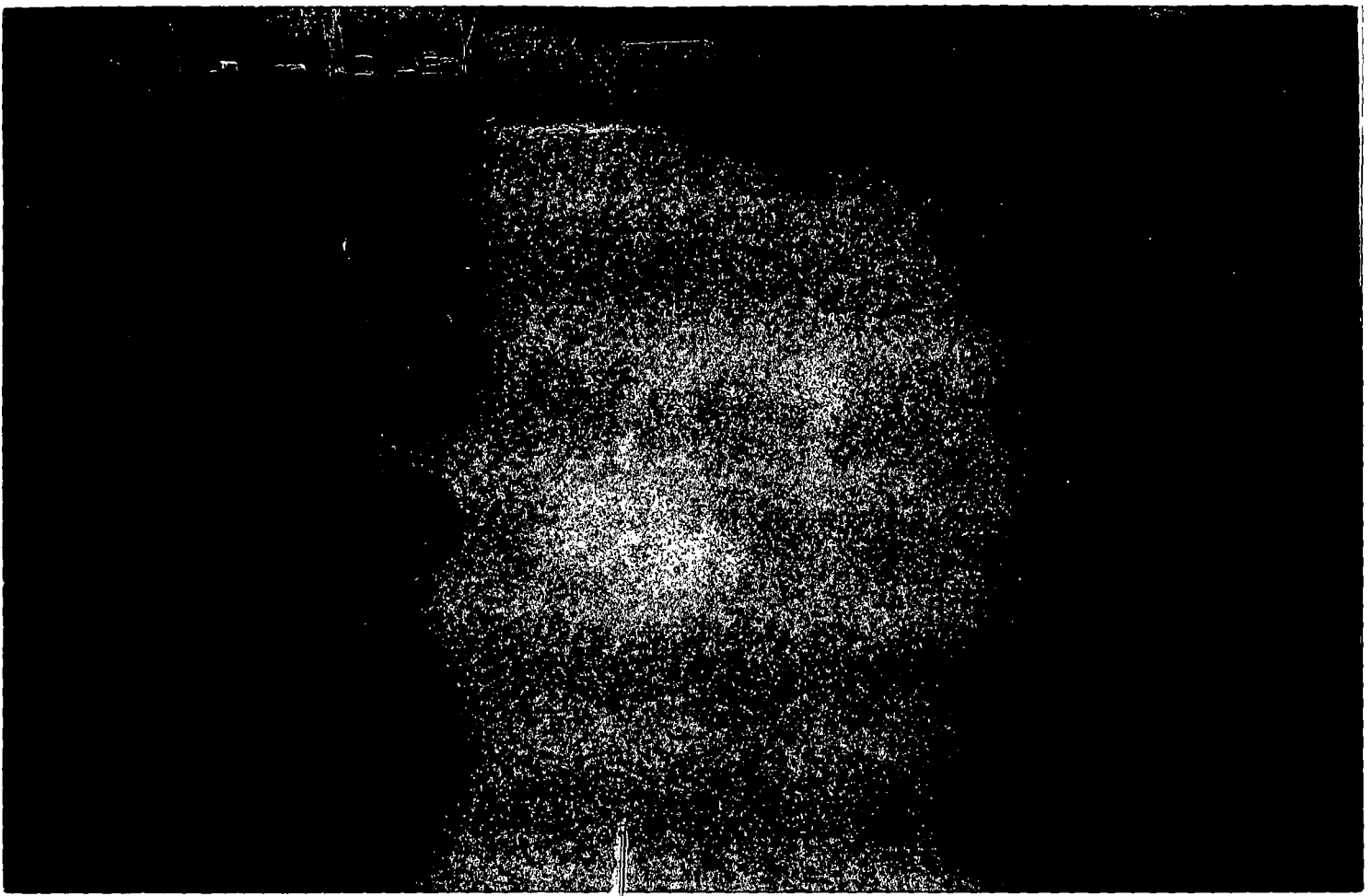
The action against Rep. Lee critically strained the cooperative ties of the coalition partners, with ULD lawmakers regarding it as a grave "provocation" to their party.

Meanwhile, the political conflicts erupting over the alleged illegal NSP office at the House and the legal action against the ULD make the remaining portion of the House session, which lasts until Jan. 7, quite unpredictable.

In addition, the aggressive position of the GNP, now claiming it caught the intelligence agency "red-handed," is likely to impede the passage of the pending bills.

Against that backdrop, the House is expected to open another extraordinary session next month, as it is unlikely to pass the huge number of bills by the end of next week.

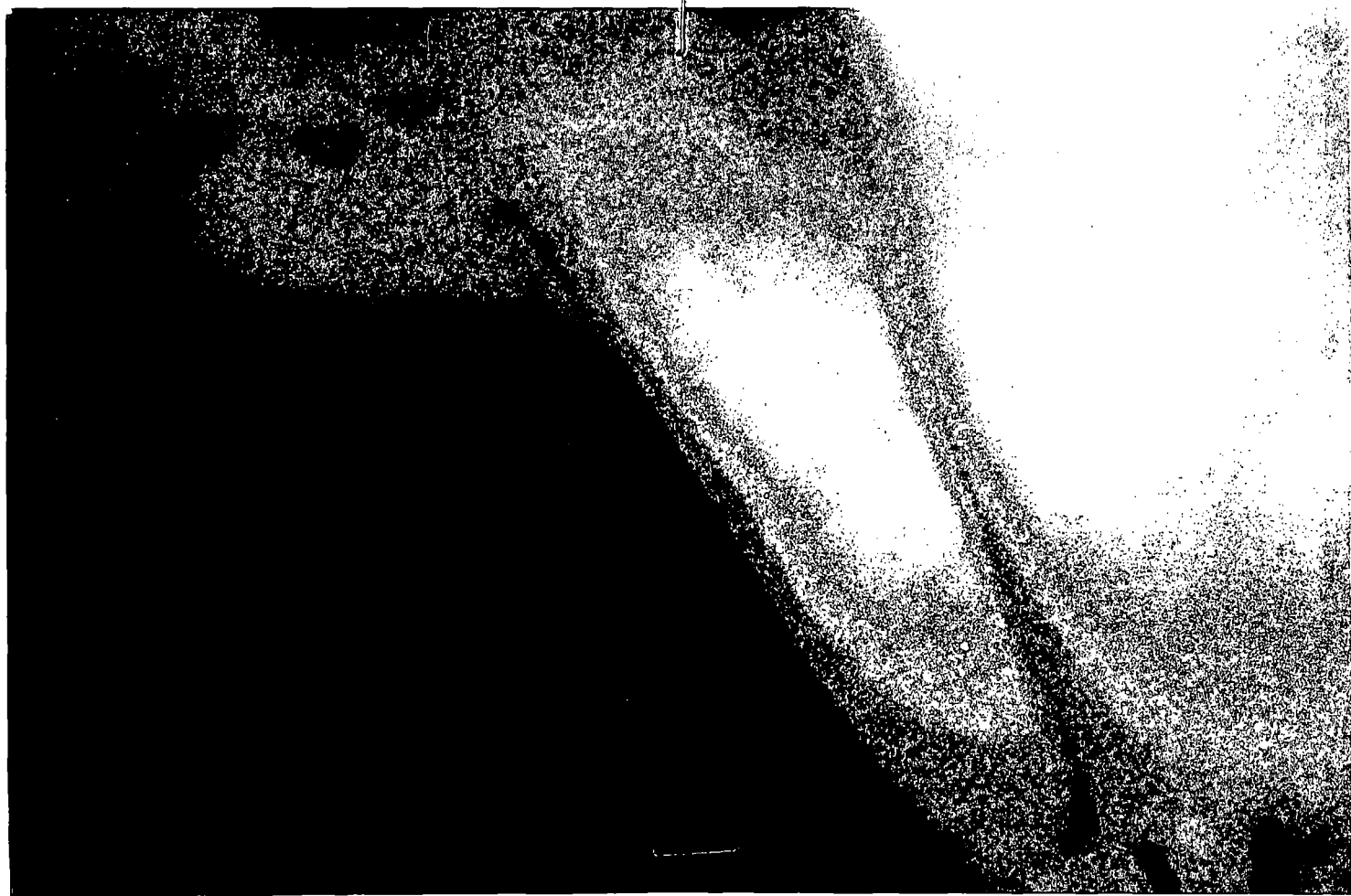
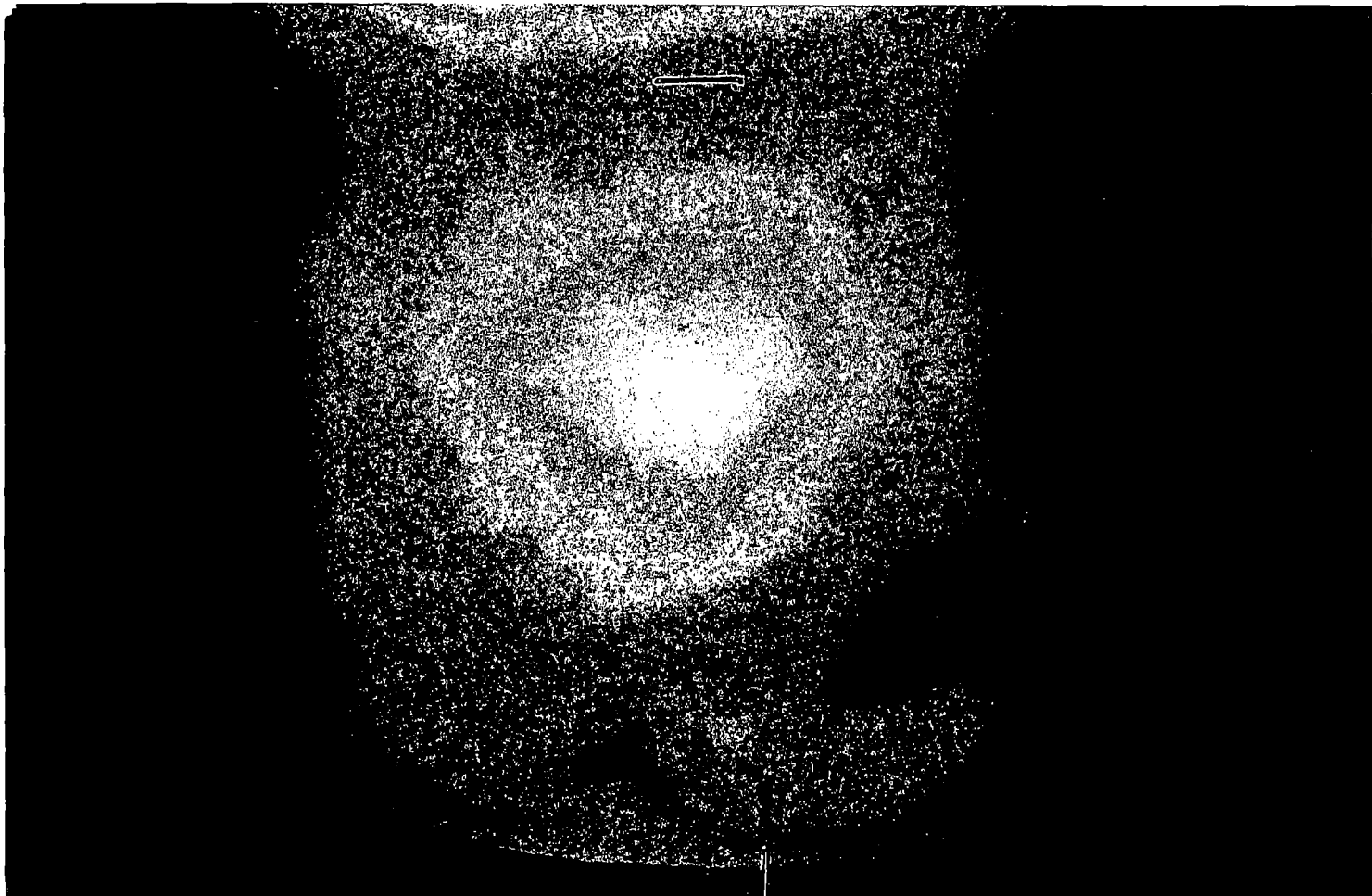
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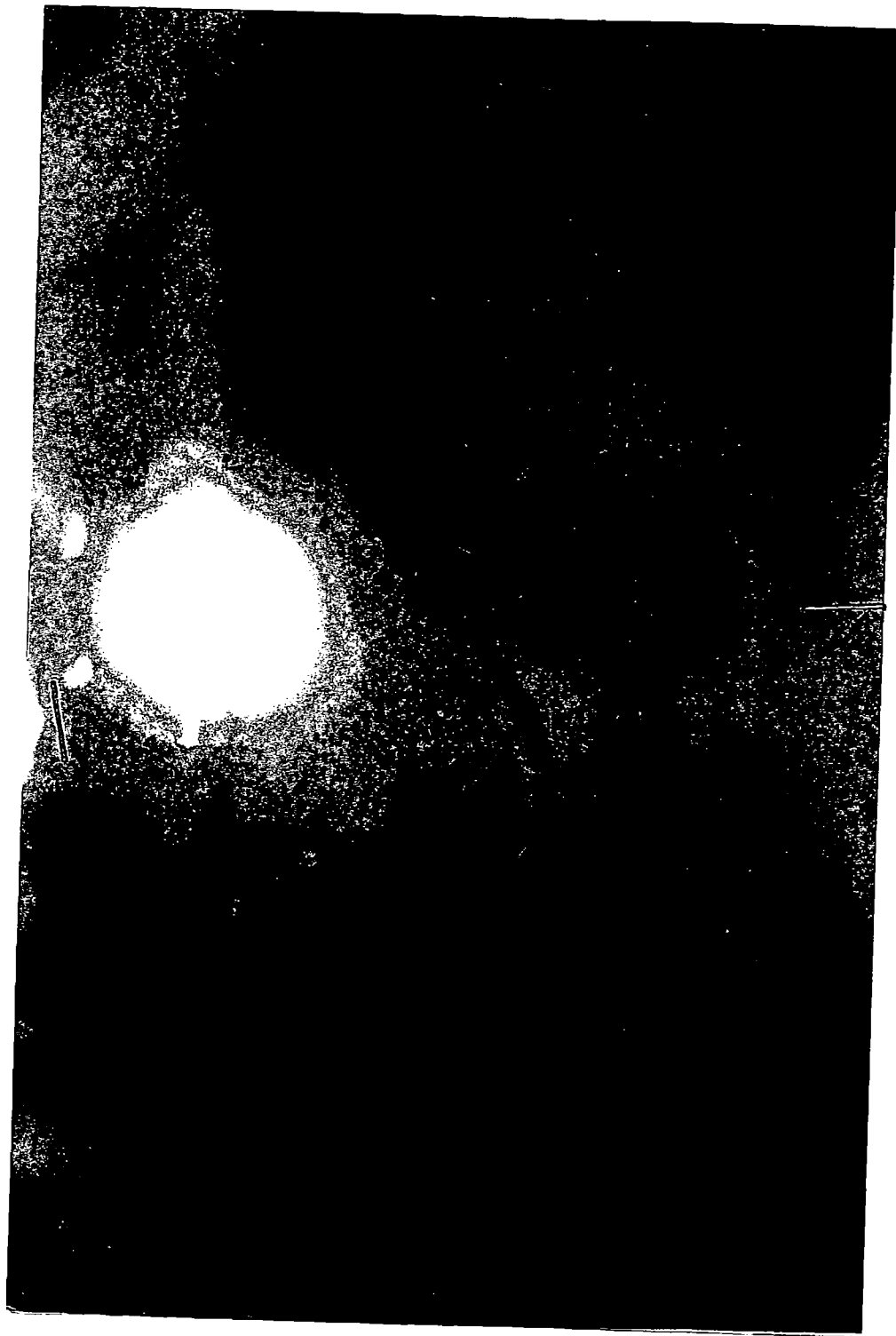


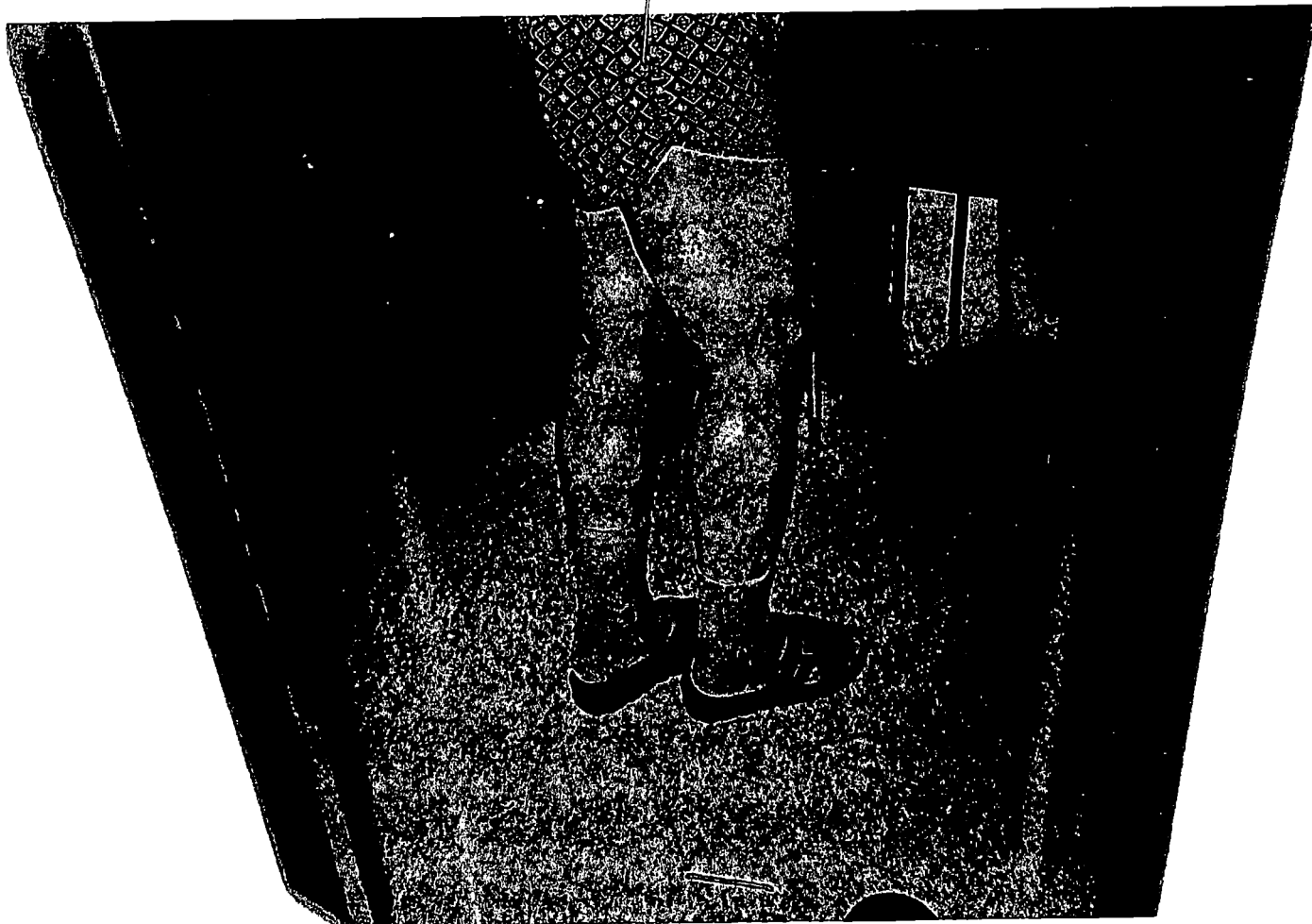
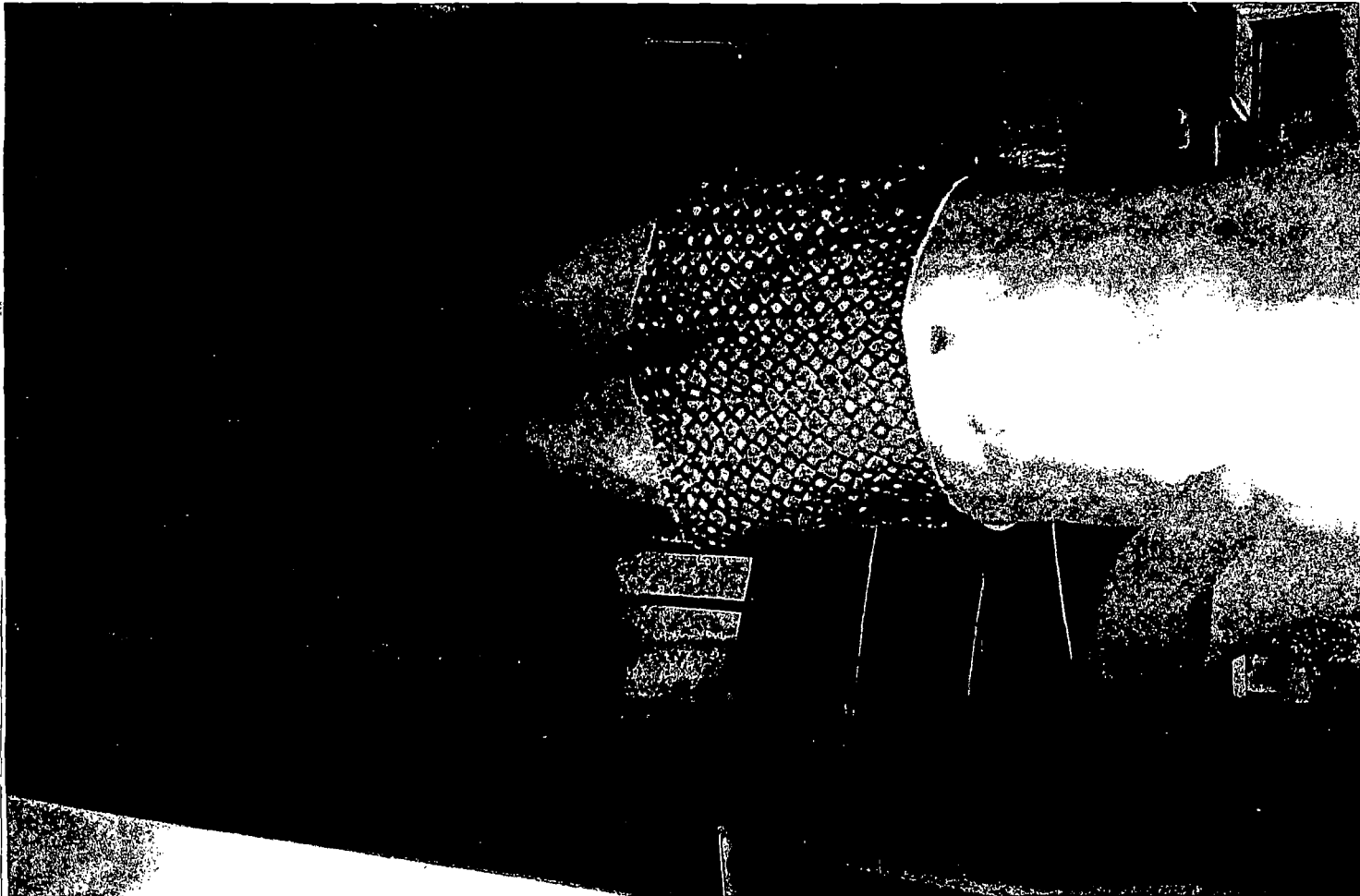
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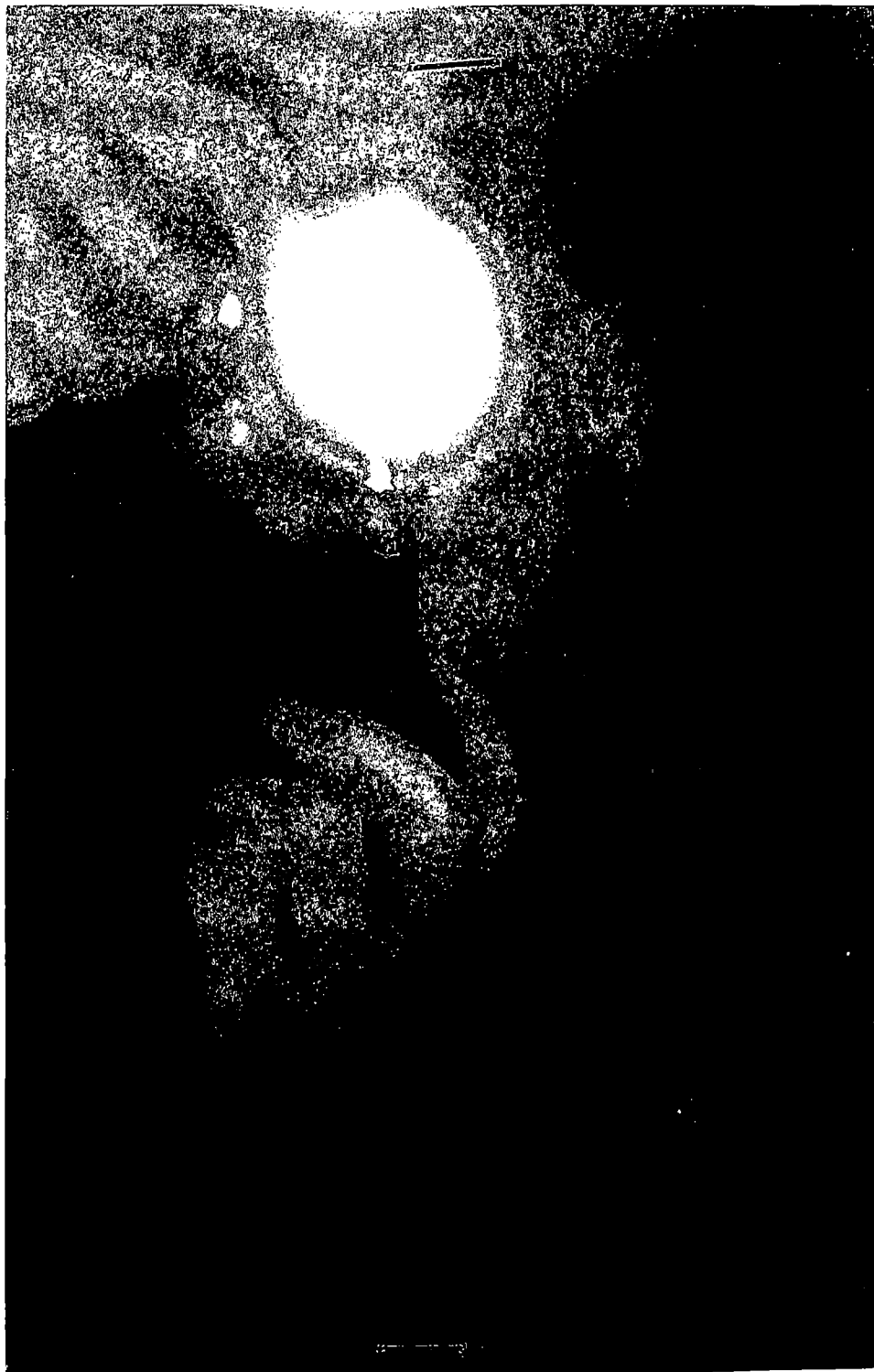
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members of
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Re: Description of ~~delegation~~
of the Korean National Assembly

their
concern
about

Three members ~~delegates from~~ the Grand National Party (GNP),
Korea's main opposition party, are visiting the U.S. to discuss
issues ~~on~~ human rights, freedom of speech and South-North Korea
relations, as well as other related issues. They will stay in
Washington, D.C. from October 13-14 and in Los Angeles from October
15-16, 1998.

interested

multi

The three members are:

Honorable Lee, Shin-Bom, member of the National Assembly, from
Seoul, Korea. He is currently serving as Vice Chairman, Committee
on National Unification, Foreign Affairs and Trade; member of the
Special Committee on Budget and Audits. Executive Director of the
Human Rights Committee and Legal Aid Commission of the GNP.

Mr. Lee was exiled to Washington, D.C. in the 1980s after
serving approximately 5 years and 8 months in prison for human
rights activities against military dictatorship. ~~Cong: Lee was a~~
~~co-defendant with now President Kim Dae Jung~~

Honorable Cho, Woong-Kyu, member of the National Assembly, PhD
in Political Science; Executive Director of the Korea-U.S.
Interparliamentary Group; currently a member of Committee on
Education, National Assembly; served as a Foreign Affairs Committee
member for the past two years. He was a Political Science
professor in the United States in the 1960s-1980s. He supported
the activities for Korea Democratization movement in the United
States. ~~In 1980s, he~~ He returned to Korea to teach at Kyemyung University.

Honorable Kim, Young-Sun, Esq. member of the National
Assembly's Committee on Prime Minister's Office, Fair Trade and
Financial Supervisory Commissions. She is also a member of the
Human Rights Committee of the Grand National Party. Ms. Kim, 38
year old attorney, has recently defended detainees who have been
tortured by the government. The government has tried to subpoena
Ms. Kim due to her speech during June 1998 local election campaign,
in which she criticized the government's policy decisions
and backgrounds of the ruling party candidates.
the

The Incident of Torturing Men Who are Suspected to have Requested a Shoot-Out at the Panmoonjom

-The Truth and Actual Condition

of Unlawful Violation of Human Right-

by Kim, Young-Sun, attorney for the detainees

1. Abstract

Under the power what is called the government of the people, the prosecutory authority has been reduced to an examining organization of the NSP(The Agency for National Security Planning), and the NSP viciously violated the law like that the NSP is doubtful for examining at the Supreme Public Prosecutors Office, even though the NSP must be neutral to the politics.

It is an obviously illegal action that the severe examination, conciliation, investigation, and the process of arrest of the suspects disregarded the investigation with a warrant and the right of the lawyer. The Supreme Public Prosecutors Office is the organization that protects and fortifies the human rights, but the illegal action of the Supreme Public Prosecutors Office is the action that denies and gives up itself.

2. The Harshness

On the investigation of this case, the 3 suspects related to the PUK-POONG case ~~must be examined~~ ^{was interrogated treated} severely, and ~~violated~~ ^{assaulted} physically. There are obvious evidences.

The suspect, Seok Joong Chang, was severely examined and conciliated for three days. Mr. Chang revealed the fact of the

physical violation with the photos of the injury. Mr. Chang was assaulted by 20 professional examiners. They are 1.5 times bigger(195cm) than common people. Mr. Chang remembered that they have a Seoul accent in speech and about 45 years old. Mr. Chang still evacuates the bloody feces with the rupture of the bowels that was caused by the assaulting by the examiners.

Also, when the suspect, Jung Eun Oh, was examined, he was taken to the basement in an black eyepatch and examined in pent-up and conciliating mood by the prosecutor. The breast and chin of the suspect, Jung Eun Oh, was assaulted several times, and so the dried scab formed over the lip and the both side of the lip tore and bled.

The suspect, Seong Ki Han, is ordered to restrain interviewing and tele-communicating with anybody by the prosecutor, and at the room #1144 of the Seoul District Prosecutors Office, he was severely examined by the four officers of the NSP. The very serious injury remains on the knees and still bleeds with purulent matters. The suspect almost does not move for the assaulting of the breast, the waist, and the head.

In October 5, 1998, the suspects revealed the fact of the harsh examination with their injury and the statement in the trial. It was ~~proved~~ *seen* at the court.

3. Interference of the Administration of Justice

1) The negligence of the designation of counsels and the procedure of law

The suspects were not informed the designation of attorney-at-law when they were arrested. It is the violation of

the Miranda principle. Furthermore, the families of the suspects were not informed the lawyer's order to interview, and the suspects were not informed the lawyers' order to protect the evidences, re-examine, and examine the bodies of the suspects and then appeared in court. Therefore, the suspects could not be prepared for the trial. In other words, as humans, the suspects were interfered from the information of the procedure of law and the human rights.

the detainees'

2) The Denial of the Lawyer's Right to Interview

The Seoul District Public Prosecutors Office ordered to forbid meeting with the family and the lawyer. That is out of the question in a democratic nation. Although the right of interview is one of the rights of the lawyer ~~and detainees~~ it was impossible for the lawyer to interview with the suspect.

*10/6. 7. 9. 10. 11. 12.
continued denial of
meeting.*

3) The Violation of Due Process

First of all, Jung Eun Oh was taken to the NSP without a warrant(9.8), and he was examined without a warrant before fifty hour of the official arrest. According to the Criminal Procedure Code, it is impossible to re-arrest in forty eight hours without the warrant by a judge. Thus, it is obviously illegal. The suspects are examined from 6 a.m. to over than 12 p.m. without a warrant.

4) The Cooperation of examination of the organization to protect the human right

The suspect, Seong Ki Han, was arrested by the NSP because of his fraud, but the officers of the NSP assaulted and severely examined him. The NSP that follows the procedure of the law to

protect the human rights must give up its duty.

Under any severe military dictatorship, there was no a similar example that the officers of the NSP examined the suspects in the Supreme Public Prosecutors Office. Therefore, the new forged PUK-POONG case of the government must the heinous atrocity to destruct an opposition party.

5) The Concealment and Conciliation of the National Investigating Organization

To conceal the destructing of the human rights, on September, 7, the officers of the NSP bought scotch whiskey to the suspect, Seok Joong Chang, at No-Rae-Bang(KaRaOKe) by 3 a.m. after the dinner. The officers tried to conceal to cover their severe action. That must recognize their illegal and harshness by themselves.

4. The Promulgation of The Fact of The Suspects

On October, 6, the NSP made public the forty paged materials to be summarized the statement that the suspects, Seong Ki Han, Jung Eun Oh, and Seok Joong Chang, revealed. Even though the investigation had not been completed yet, the NSP unusually made public the wrong statement that the candidate of Hwoi Chang Lee lead the suspects to ask North Korea to shoot at the Panmoonjom for winning the election of the President.

The NSP and the Supreme Public Prosecutors Office made public the uncertain evidence ingeniously.

It means to reveal that an organization participated in the election of the President by propagation of the NSP's suspected

matter. It is a violation of basic of the law of criminal procedure to make public a suspected matter before the first trial. Also, the political freedom has been infringed through the forged mass-communication.

5. The Unusual Investigation

The suspect, Seok Joong Chang, had gotten the permission to meet the North Korean, so the fact of meeting with North Korean in Beijing is not illegal. Despite of the fact, the Supreme Public Prosecutors Office ordered the warrant because he held counsel the shoot-out at the Panmoonjom.

Because the suspect, Seong Ki Han, informed before five days of the departure to Beijing and should report after the visiting, it is obviously legal. However, the prosecutors agency insisted that it was illegal.

However, according to the warrant by the Prosecutors Agency, there is no content that the suspect, Seok Joong Chang, intended to cause the case of shooting at the Panmoonjom. Therefore, it is not the violation of the law.

Despite of that, the NSP, the Supreme Public Prosecutors Office, the National Congress for New Politics(The Ruling Party) politically attack and investigate through the severe invented examination because the suspects and people related to the case deliberate on shooting at the Panmoonjom. It is the illegal investigaton other than the cause of warrant.

또한 오정은 안기부로부터 고문을 당한 때 겪은 안대로 연문릉
가리고 지하철로 문여가 얻었나게 위촉된 상태에서 검사의 회유
와 억압적인 분위기에서 조사를 받았다. 피의자 오정은 다음과

피의자 장석웅의 경우, 2박3일간 안기부에서 고문·회유 등을 당
하였으며, 장씨는 문인이 직접 고문 상처를 촬영하여 구타사실을
폭로한 바 있다. 장씨는 고문진문가의 덩치가 보통사람의 1.5배
(195cm)나 되는 20여명으로부터 구타를 당했으며, 그 사람들은 서
로랑씨를 쫓는 45세 가량의 남자였던 것으로 기억했다. 장씨는 북
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피의자 3인은 문사건의 수사과정에서 고문, 구타 등 위법적 수사
를 받았다.

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오정은 등 3인의 피의자들이 당한 고문, 회유, 법제조사 그리고
불법 연행과정 등은 영장실질심사의 박탈, 변호사 선임권 불고지
음으로 사법권자를 방해한 명백한 범법행위이다. 검찰의 이러한
행태는 인권옹호기관이자 보부가 되어야 할 최고의 사법기관으로
서의 검찰권 자체를 스스로 부정하고 포기하는 행위이다.

국민의 정부'라 자칭하는 헌정권하에서 정의수호를 위해 안장
정치에 관여치 않겠다던 안기부가 검찰청에까지 직접가서 고문을
한 의혹이 있는 등 인권침해행위가 이루어졌다.

1. 개요

뺨을 여러차례 구타 당했으며 입술 전체가 시커멓게 타서 딱딱한 딱정이가 붙어 있고, 입술 양쪽 부위 피부는 찢어지고 그 사이로 피가 났다.

한성기의 경우, 검사에 의해 면회금지 및 통신금지 조치를 당했으며, 서울지검 1144호실에서 안기부 직원 4명에 의해 집단 고문 수사를 받았다. 양무릎의 엄청난 상처와 아직도 계속 피가 흐르는 피고름과 진물, 가슴과 허리 머리에 가해진 타격으로 반불구자 상태를 만들었다.

98년 10월 5일 법원에서 실시된 「증거보존 신청 검증재판」에서 피의자들의 고문흔적과 진술을 통해 피의자들에 대한 엄청난 고문사실이 입증된 바 있다.

3. 사법행위 방해

1) 변호인 선임권 불고지 및 법적 진행절차의 불고지

피의자 3인은 체포구금시에 변호인의 선임권을 고지받지 않았다. 이는 「미란다」법칙을 위배한 것이다. 또한 피의자 3인은 가족 및 변호인의 접견요청 사실도 고지받지 못했으며, 피의자들은 변호인들이 신청한 증거보존 신청, 검증신청, 신체감증신청의 사실도 전혀 고지받지 못한 채 법정에서 출두하여 전혀 준비없이 수사의 객체로서만 대우를 받았을 뿐이다. 즉 인간으로서 피의자의 권리를 행사할 수 있는 권리뿐 아니라 절차의 진행상황 정보로부터도 철저히 차단되었다.

2) 변호인 접견권의 부인

검찰(서울지검)이 피의자 가족은 물론 변호인 접견 금지조치로 면회 자체도 거절되는 등 민주법치국가에서는 상상도 할 수 없는 인권유린행위가 자행되었다. 접견권은 변호인의 권리임에도 피의

자의 변호사가 선임된 이후에도 제대로 접견이 이루어지지 못했다.

3)Due Process의 위배

피의자 오정은은 영장없이 안기부에 9월8일 연행되었다. 또한 장씨는 정식구속이 되기 전 50시간 이상을 구속영장없이 체포된 상태에서 고문과 조사를 받았다. 형사소송법상 48시간이내 판사의 사후영장을 받지 않으면 다시 구속할 수 없게 되어 있음에도 처음부터 장씨를 구속한 것은 위법이다. 피의자들은 새벽6시에 일어나 24시이후까지 밤샘조사를 매일 받았으며, 영장실질심사권이 박탈되었다.

4)인권수호기관의 고문 협력

피의자 한성기의 경우 안기부 요원이 사기죄로 검찰에 송치되어 있는 상태에서 안기부 요원이 검찰에 와서 고문,구타를 했다. 이는 인권수호의 적법절차를 지켜야 하는 검찰이 그 직무를 포기하고 가혹행위에 공조한 것이다.

과거 그토록 혹독했던 군사독재 정권하에서도 검찰청사에 안기부 요원들이 직접 파견되어 집단으로 가혹한 고문행위를 자행한 유례가 없었다.

5)국가수사기관의 회유 및 은폐기도

이런 인권유린행위를 은폐하기 위해 9월7일 잠시 안기부에서 석방될 무렵 피의자 장석중에게 저녁식사 후 어느 노래방에 들어가서 새벽 3시경 나올 때까지 술(양주)을 사주며 어혈이 없어지게 하고 고문사실 은폐를 회유하는 안기부의 행위는 자신들의 고문사실을 자인하는 것으로 밖에 볼 수 없다.

3. 피의사실 공표

안기부는 10.6일 한성기, 오정은, 장석중씨 등 총격요청설 3인방의 진술내용 등을 요약한 40쪽짜리 자료를 공개했다. 아직 수사가 완결되지도 않은 사항에 대하여 마치 피의자 3인이 이회창 후보의 당선을 위해 판문점 총격을 유도했다는 내용의 피의사실을 사전에 이례적으로 공개한 것이다.

이외에도 검찰과 안기부는 확인되지 아니한 피의사실을 언론기관에 흘리는 등의 교묘한 방법으로 피의사실을 공표했다.

이는 안기부 명의의 피의사실 및 물건을 유포함으로 대선에 조직적으로 개입했음을 밝히려는 의도로써 제1회 재판기일 이전에는 피의사실을 공표하지 못하게 하는 형사소송법의 기본원칙을 침해했을 뿐 아니라 모호하고 막연한 언론조작을 통해 정치적 자유를 말살하고 역매카시 선풍적 탄압을 자행하고 있는 것이다.

5. 별건 수사

피의자 중 장석중씨는 포괄적 대북접촉승인을 받은 상황이었으므로 남북교류협력법상 아무런 하자가 없었으며, 따라서 그가 북경에서 북한사람을 접촉한 것은 적법한 행위이다.

한성기씨의 경우는 북경 출발 5일전 통일부에 신고했으므로 사후 보고하면 아무런 법적 하자가 없음에도 사전승인절차 없이 접촉하여 위법이었다는 주장은 사실과 다르다.

검찰이 발부한 구속영장에 의하면 장석중 피의자가 북한과 총격 사건을 유발했다는 내용은 전혀 없으므로 범죄가 되지 않는다.

그럼에도 불구하고 검찰, 안기부, 국민회의는 서로 공조하여 경제

교류 목적이 아닌 총격사건을 모의했다는 이유로 정치적 공세를
퍼는 한편 고문을 통한 조작수사를 하고 있다. 이는 구속영장 이
외의 사유를 수사하는 명백한 탈법이다.

호 소 문

수신: 유엔인권 위원회 인권고등판무관

메리 로빈슨 사무총장 귀하

우리들은 지난 한국 대동령선거 기간중 북한의 무력도발을 유도하려했다는 혐의로 한국정부에 구속되어 있는 오정은, 한성기, 장석웅의 가족들입니다.

우리가 당사자들을 면회한 바에 따르면 이들은 한국의 안기부로 부터 심한 고문을 받아 그 상처가 법정에서도 확인이 되었습니다. 한국정부는 이 사건을 조작하고 파장하여 정치적으로 악용하여 이들의 인권은 지금 무참히 짓밟히고 있습니다.

한국 내에서 여러 곳에 호소하였으나 사제가 더욱 악화되고 있기 때문에 간곡히 호소하오니 귀단체에서 관심을 가지고 이들에 대한 고문과 사건 조작을 밝혀 주시기를 바랍니다.

우리 가족들이 파악한 고문 내용을 별도로 붙여서 보냅니다.

1998. 10. 5

오정은의 처 김은옥, 한성기의 처 이기호, 장석웅의 동생 장석두

(3)

October 6, 1998
Mrs. Kim Eun-Ok
454 Hongun-2-dong
Kukdong Apt. 106-1107
Sodaemun-ku, Seoul, Korea
Phone (02)395-8573
Hand Phone 017-254-8573

H.E. Mary Robinson
Secretary General
The Office of the U.N. High Commissioner
for Human Rights
Palais des Nations
8-14 avenue de la Paix
ch 1211 Geneva 10, Switzerland

Dear Ms Robinson:

We are writing to you regarding serious torture case in South Korea. We are family members of Mr. Oh Jeung-Eun, Han Sung-Ki, and Jang Suk-Jung who have been detained by the South Korean government on charges of "plotting to have North Korea provoke armed attack at the truce village of Panmunjom during the December 1997 Presidential election campaign period in Korea for the benefit of then-majority Party candidate Lee Hoi-Chang."

In their shortly allowed meeting with us, and in their testimony before the Seoul District Court Judge on October 3, the three detainees made it clear that they were seriously tortured by the Agency for National Security Planning(ANSP) agents in September. Particularly Mr. Han and Jang showed the remaining scars on their bodies even at the court.

Mr. Han said that he was physically tortured at the

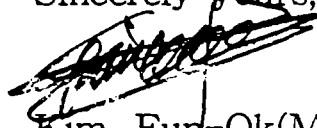
Interrogation Room Number 1144 of the Seoul District Prosecution Office by four agents from the ANSP from August 31 to September 14 to sign a fabricated confession that he plotted to ask North Korea to make a shooting incident in December. Mr. Jang complained that he still feels paralysed symptom at the right side leg. Mr. Oh said that he was beaten by the ANSP agents.

The detainees' human rights are seriously abused as the Kim Dae-Jung government fabricated and exaggerated the charges for domestic political purpose. Therefore, we are appealing to you to help us find the truth and protect their human rights.

We attach the detainees' complaints about torture in Korean today but will do our best to send you English translation as soon as possible.

We thank you for your assistance.

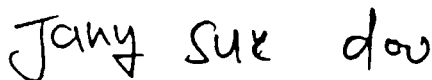
Sincerely yours,



Kim, Eun-Ok(Mrs. Oh Jeung-Eun)



Lee, Ki-Ho(Mrs. Han Sung-Ki)



Jang Suk-Doo(Brother of Jang Suk-jung)

호 소 문

수신: 국제 사면 위원회 런던본부 사무총장

페레 싸네 사무총장 귀하

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우리 가족들이 파악한 고문 내용을 별도로 붙여서 보냅니다.

1998. 10. 5

오정은의 처 권은봉, 한성기의 처 이기호, 장석중의 동생 장석두

②

Long

Long

October 6, 1998
Mrs. Kim Eun-Ok
454 Hongun-2-dong
Kukdong Apt. 106-1107
Sodaemun-ku, Seoul, Korea
Phone (02)395-8573
Hand Phone 017-254-8573

Mr. Perre Sane
Secretary General
Amnesty International
1 Easton Street
London, WC1X 8DJ United Kingdom

Dear Mr. Sane:

We are writing to you regarding serious torture case in South Korea. We are family members of Mr. Oh Jeung-Eun, Han Sung-Ki, and Jang Suk-Jung who have been detained by the South Korean government on charges of "plotting to have North Korea provoke armed attack at the truce village of Panmunjom during the December 1997 Presidential election campaign period in Korea for the benefit of then-majority Party candidate Lee Hoi-Chang."

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Mr. Han said that he was physically tortured at the Interrogation Room Number 1144 of the Seoul District Prosecution

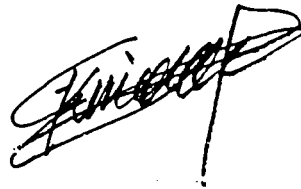
Office by four agents from the ANSP from August 31 to September 14 to sign a fabricated confession that he plotted to ask North Korea to make a shooting incident in December. Mr. Jang complained that he still feels paralysed symptom at the right side leg. Mr. Oh said that he was beaten by the ANSP agents.

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We thank you for your assistance.

Sincerely yours,



Kim, Eun-Ok(Mrs. Oh Jeung-Eun)



Lee, Ki-Ho(Mrs. Han Sung-Ki)



Jang Suk-Doo(Brother of Jang Suk-jung)

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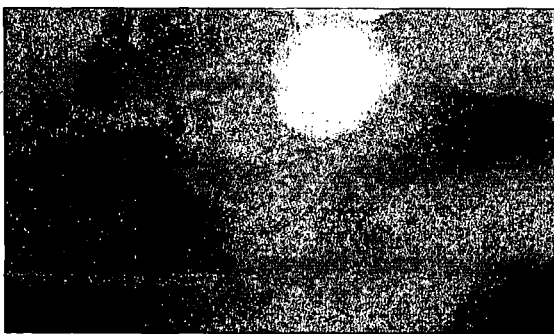
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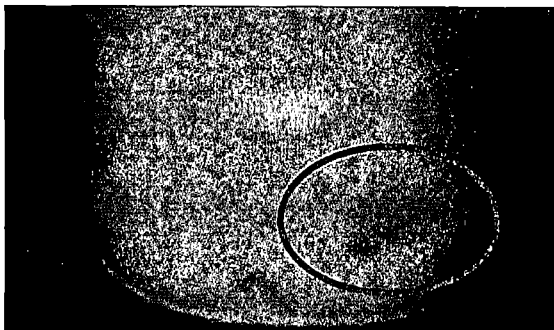
고문조작 · 인권유린 안기부장 구속하라



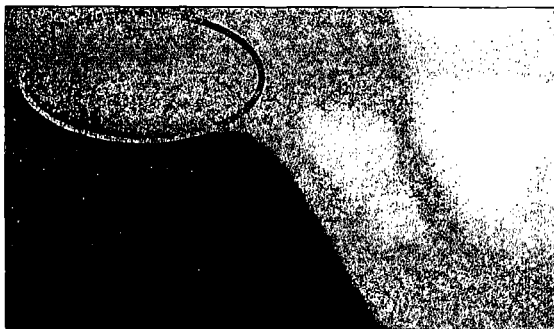
10월4일 새벽 서울지법에서 열린 「고문부위증거보전검증」 재판에서 뒷옷을 벗어 고문상처를 보여주었고 한성기씨.



장석중씨는 9월 5~7일 고문당한후 본인 스스로 거울속에 비친 자신의 고문상처를 사진촬영했다. 「얼굴없는 조각된 증거」라는 안기부 주장에 썩기를 박았다.



장석중씨 복부 아래부분에 가려졌던 흔적이 생생하다.



장석중씨 팔 안쪽에 손바닥 크기의 상처가 보인다.



장석중씨 오른쪽 다리장딴지 뒷부분의 멍든 모습을 볼 수 있다. 양쪽 발은 짓이겨졌다.

고문의 진상은 이렇다

고문사실(1) 1998년 9월 16일 오후 4시경, 안기부 면회시

『오정은씨의 입술 전체가 시커멓게 타서 딱딱한 딱정이가 붙어있고, 입술 양쪽 부위 피부는 찢어지고 그 사이로 피가 보였습니다.』

고문사실(2) 1998년 9월 30일, 검찰청 면회시

『오정은씨의 다리가 휘청하면서 겨우 걸음을 건넌 모습으로 보아 몸이 상당히 부자연스러웠고 엉치 부분이 아주 불편해 보였습니다.』

고문사실(3) 1998년 10월 2일, 한나라당 변호인들의 검찰청 면회시

『당시 참여한 김영선 의원에 의하면, 오정은씨가 목을 수차 조임당하고, 가슴과 뺨 등을 무차별 구타당했다고 진술했습니다.』

고문사실(4) 한성기씨 진술

『한성기씨가 지난 97년 12월 중국에서 돌아온 즉시 공항에서 안기부로 연행 당하여 조사받고 나와서 오정은씨에게 말하기를 「무고한 사람들이 억울하게 피해보지 않도록 최대한 노력하겠지만 최악의 경우 고문의 강도가 견디어 낼 수 없을 지경이 되면 나도 무슨 소리를 할 지 모르니 허위자백을 하더라도 주변 사람들에게 오해가 없도록 이해 좀 시켜달라」고 했습니다.』

『98년 10월 5일 오후 4시50분 법원에서 실시된 「신체보존 신청 검증」에서 양무류에 엄청난 상처와 아직도 계속 흐르는 피고름과 진물, 가슴과 허리 머리에 가해진 타격으로 반불구자 상태를 만들어 놓은 것을 보고는 신문기자들과 저회 가족들은 눈물을 참을 수 없었습니다.』

고문사실(5) 장석중씨 진술

『장석중씨를 만나서 고문당한 사실을 확인한 것을 말씀드리겠습니다. 9월 4, 5일 양일간에 걸쳐 안기부 철야 조사를 받은 직후인 9월 9일 직접 확인한 사항입니다.』

- ① 얼굴(오른쪽 광대뼈 부분) : 푸른 색 멍
- ② 다리(오른쪽 장딴지 뒷부분) : 손바닥 2배 정도 크기의 진보라색 멍
- ③ 팔 : 손바닥 크기의 옅은 보라색
- ④ 발 : 양쪽 발을 짓이겨 놓았음.
- ⑤ 복부 : 복부가 격당함.
- ⑥ 여러 차례 엎드려 뺨치 시켰음.
- ⑦ 잠을 재우지 않았음.

98년 10월 5일 오후 4시 50분 법원에서 실시된 「신체 보존 신청 검증」에서 복부 구타에 의한 장파열로 아직까지도 피멍을 보고, 머리 뒤통수를 검정고무신으로 수차례 맞아 왼쪽 시력이 급강하고 눈꺼풀이 자꾸 내려오고, 물을 채운 페트병으로 오른쪽 얼굴을 세게 구타하는 등 엄청난 고문사실이 입증되었습니다.』

“정신적·신체적 가혹행위로 이 사건을 조작한 사람들은 깊이 반성하고, 가혹행위에 참여한 모든 관련자를 철저히 조사하여 엄벌해 주십시오.”

〈오정은의 처 김은옥 탄원서 중에서〉

『국정파탄 국민고발센터』운영

우리당은 야당파괴 및 국정파탄에 대한 국민들의 의견을 수렴하기 위해 「국정파탄 국민고발센터」를 운영하오니 당원 및 국민 여러분의 적극적인 관심과 제보를 부탁드립니다.

국정파탄
국민고발센터

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