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ANNOUNCEMENT

KOREA: GOVERNMENT EXPRESSES REGRET OVER AIRPORT INCIDENT

Following earlier informal expressions of regret from Korean Government officials and National Assemblymen, the Korean Government today officially responded to our Embassy's diplomatic note of February 8 concerning the incident at Seoul Airport February 8, in which Korean police used force against two U.S. Congressmen and other U.S. citizens.

The Korean Foreign Minister has formally expressed regret over this unfortunate incident and said that it should never happen again. The Foreign Minister also expressed regret that the original plan for the Embassy personnel's access to the exit ramp was changed.

We have accepted these expressions of regret and consider the matter closed.

Q: Was the Foreign Minister's statement written or oral?

A: The Foreign Minister provided Ambassador Walker with a diplomatic note containing the expression of regret.

Q: What aspects of the incident were included in the Foreign Minister's expression of regret?

A: The Foreign Minister expressed regret about the incident as it involved American Congressmen and citizens. To characterize it further would get too far into our diplomatic exchange.

Q: Can we get a copy of the note?

A: We do not intend to release the actual text of the diplomatic note.

Q: Does this mean you do not expect the Korean Government to formally report on its investigation?

A: The Korean Government's expression of regret is, we believe, the essential matter.

PRESS GUIDANCE

KOREA: GOVERNMENT EXPRESSES REGRET OVER AIRPORT INCIDENT

Drafted:EAP/K:WDStraub
2/21/85 x7717 (Wang 7019K)

Cleared: EAP/K:Hisom
HA/HR:TMurphy
H:RBock
EAP/P:WRLenderking
EAP:DAnderson, Acting
EAP:WABrown
P:Witoh
PA:EDjerejian

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for

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EAP/K:WDSTRAUB
02/19/85 EXT- 27717
EAP/K:HISOM

HA/HR:TMURPHY {INFO}
EAP/P:MPRIVITERA

H:RBOCK {INFO}

IMMEDIATE SEOUL

E.O. 12356: N/A

TAGS: PINS, PREL, PROP, SHUM, KS, US

SUBJECT: WASHINGTON POST INTERVIEW CONCERNING KIM DAE JUNG

FOLLOWING IS TEXT OF INTERVIEW RE KIM DAE JUNG THAT
APPEARED IN THE WASHINGTON POST, FEBRUARY 17.

BEGIN TEXT

LITTLE BY LITTLE, IT'S GAINING

WILLIAM J. BUTLER, AN AMERICAN LAWYER WHO HAS WORKED WITH
SOUTH KOREAN OPPOSITION FIGURE KIM DAE JUNG FOR 10 YEARS,
ACCOMPANIED HIM BACK TO SEOUL 10 DAYS AGO. WE
INTERVIEWED HIM ON THE PROGRESS OF DEMOCRACY IN KOREA AND
ON THE APPLICATION OF AMERICAN HUMAN RIGHTS POLICY.

Q: WHY DID YOU GO BACK TO SEOUL WITH KIM DAE JUNG?

A: REMEMBER, I VISITED HIM UNDER HOUSE ARREST IN KOREA IN
1974. I WROTE THE FIRST INTERNATIONAL REPORT ON HUMAN
RIGHTS IN KOREA, ALSO IN 1974. IN 1980 WHEN HE WAS
SENTENCED TO DEATH, I WAS INSTRUMENTAL IN ASKING THE
STATE DEPARTMENT TO INTERVENE IN ASKING TO GET HIS

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SENTENCE COMMUTED TO 20 YEAR'S IMPRISONMENT. ALL MY PROFESSIONAL LIFE, I HAVE BEEN FIGHTING FOR THE RIGHT OF PEOPLE TO RETURN TO THEIR OWN COUNTRY AND TO PARTICIPATE IN THE POLITICAL PROCESS.

Q: DID YOU THINK KIM WAS GOING TO GET KILLED?

A: NO, I DID NOT. THERE WERE SUFFICIENT GUARANTEES NEGOTIATED BY THE UNITED STATES GOVERNMENT AND BY KIM TO ASSURE EVERYONE HE WOULD BE PROTECTED. HE WAS ASSURED HE COULD COME BACK TO HIS COUNTRY.

Q: BUT YOU OBVIOUSLY THOUGHT AN ESCORT WAS ALSO USEFUL.

A: I WAS CO-CHAIRMAN WITH {FORMER AMBASSADOR TO JAPAN} EDWIN REISCHAUER AND {FORMER ASSISTANT SECRETARY OF STATE} PATT DERIAN AND PEGGY BILLINGS OF THE NATIONAL COUNCIL OF CHURCHES OF A COMMITTEE TO ENSURE HIS SAFE RETURN. HAVING SOLICITED A LOT OF POLITICAL SUPPORT FOR GUARANTEES FOR HIM, IT WAS A LOGICAL THING THAT I, BEING A LAWYER AND THE ONLY LAWYER IN THE GROUP, WENT ALONG.

Q: WE'RE AT THE AIRPORT. WHAT DID YOU SEE OF THAT SCENE?

A: WE WERE ASKED TO STAY ON THE PLANE UNTIL THE REGULAR PASSENGERS LEFT. AS WE LEFT, THERE'S AN L-SHAPED RAMP, WITH THE BOTTOM OF THE L ABOUT 10 OR 15 FEET LONG, AND THEN YOU MAKE A 90 DEGREE RIGHT TURN UP THE REST OF THE RAMP INTO THE TERMINAL. I WAS AT THE BEGINNING OF THE LINE, AND I LET KIM, TWO KOREAN-AMERICAN FRIENDS AND TWO CONGRESSMEN {EDWARD FEIGHAN {D-OHIO} AND THOMAS M. FOGLIETTA {D-PA.}} AND PATT DERIAN AND {FORMER AMBASSADOR} BOB WHITE PASS ME, AND ONE OR TWO OTHERS, AND THEN I FELL IN LINE.

AS I GOT TO THE 90-DEGREE TURN, OPPOSITE ME WAS A CURTAIN THAT OPENED UP, AND ABOUT 20 TO 25 KOREANS CAME OUT IN A FLYING WEDGE AND SEVERED THE LINE AND PINNED US UP AGAINST THE BULKHEAD. SO WE WERE EFFECTIVELY RESTRAINED FROM CONTINUING DOWN THE RAMP ANY FURTHER, WHEREAS THE REST WERE CONTINUING TO WALK DOWN THE RAMP. WHEN THEY GOT TO THE END, THAT GROUP WAS SEVERED BY REMOVING KIM FROM THAT GROUP AND PUTTING HIM IN AN ELEVATOR AND TAKING HIM TO A SEPARATE ROOM. THEY PROCESSED HIS IMMIGRATION PAPERS AND THEN IMMEDIATELY TOOK HIM IN A PRIVATE CAR WITH HIS WIFE AND THE TWO KOREAN-AMERICAN FRIENDS TO HIS HOME.

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Q: WAS WHAT THE KOREANS DID ACCORDING TO YOUR UNDERSTANDING OF THE ARRIVAL PLAN?

A: NO, IT WAS CONTRARY TO AN ARRANGEMENT MADE BY OUR ADVANCE PARTY WITH THE U.S. EMBASSY IN SEOUL AND THE KOREAN GOVERNMENT: KIM WAS TO PROCEED NORMALLY. WITH A FEW OTHERS HE WOULD GO INTO ONE CAR AND BE TAKEN HOME, AND WE WOULD FOLLOW IN A SORT OF MINIBUS. THAT PLAN WAS ABORTED BY THE KOREAN GOVERNMENT: THEY MADE THIS DECISION TO SEVER US FROM KIM AND TAKE DIRECTLY HOME WITHOUT LETTING US ACCOMPANY HIM.

Q: SO IN ADDITION TO THE ROUGH STUFF THERE WAS THIS BREAKING OF A PRIOR AGREEMENT?

A: THAT'S RIGHT.

Q: THE PARTY WENT TO KIM'S HOME.

A: THE REST OF US, EXCEPT FOR PATT DERIAN, WHITE AND THE TWO CONGRESSMEN, WENT THROUGH NORMAL IMMIGRATION CHANNELS. THEY WENT THROUGH FASTER BECAUSE THEY WERE MET AT THE BOTTOM OF AN ESCALATOR BY REPRESENTATIVES OF THE U.S. EMBASSY, AND WERE TAKEN IN A CAR, WHICH I UNDERSTAND WAS PROVIDED BY THE KOREAN FOREIGN MINISTRY, TO KIM'S HOUSE. I WAS THE FIRST ONE THROUGH IMMIGRATION IN MY GROUP SO I HOPPED ON A PRESS BUS, WHICH TOOK ME DIRECTLY TO KIM'S HOUSE.

WHEN I ARRIVED THERE, I MET WHITE, DERIAN, FOGLIETTA AND FEIGHAN, WHO SAID THAT THE KOREAN SECRET POLICE WOULD NOT ALLOW THEM TO ENTER. THEY WERE CALLING THE U.S. AMBASSADOR TO GET SOME HELP TO SEE KIM. I SAID TO BOB WHITE OR BOB WHITE SAID TO ME, "LET'S GO DOWN TO KIM'S HOUSE AND SEE WHAT WE CAN DO." I SENT MY CARD IN THROUGH A KOREAN SECRET SERVICE AGENT. I SAID KIM WAS A CLIENT OF MINE AND I WANTED TO SEE HIM. A FEW MINUTES LATER THE AGENT CAME OUT AND SAID, "ALL RIGHT, YOU CAN COME IN AND TAKE YOUR FRIEND IN"--BOB WHITE. THERE WAS KIM AND HIS WIFE AND THE TWO KOREAN-AMERICAN FRIENDS TOGETHER WITH SOME RELATIVES.

Q: WAS HE UPSET? HAD HE BEEN HURT?

A: NOT A BIT. THE FIRST THING THAT I ASKED HIM WAS, "HOW ARE YOU, KIM? WHAT HAPPENED? HE SAID, "WELL, THEY PUSHED ME INTO AN ELEVATOR." I SAID, "THERE'S A LOT OF ALLEGATIONS THAT YOU WERE PUNCHED, KICKED, BEATEN UP."

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"OH," HE SAID, "NO, THAT DIDN'T HAPPEN." HE SAID HE WAS PUSHED, AND THEY WERE A LITTLE ROUGH, AND HE WAS FORCED INTO THIS ELEVATOR AND THEY PUT HIM THROUGH AN IMMIGRATION PROCESS WHERE HE REFUSED TO COOPERATE BECAUSE THEY WEREN'T TREATING HIM AS AN ORDINARY KOREAN. AFTER 45 MINUTES, THEY GAVE UP.

I ASKED HIS WIFE, MRS. KIM, WHOM I'VE KNOWN FOR YEARS--A FRAIL LITTLE PERSON, A LOVELY PERSON--IF SHE WAS PUNCHED OR HIT OR BEATEN UP IN ANY WAY, AND SHE SAID NO. AND THEN I ASKED THE TWO KOREAN AMERICANS--THIS IS ALL IN THE PRESENCE OF BOB WHITE--IF THEY WERE HURT, AND THEY SAID ABSOLUTELY NO, THAT THERE WAS A LOT OF JOSTLING AND PUSHING AND SHOVING, BUT THEY WEREN'T HURT.

Q. WHAT IS KIM'S POLITICAL STATUS NOW? BECAUSE SURELY YOU DIDN'T GO TO ALL THIS TROUBLE JUST TO STOW HIM AWAY IN HOUSE ARREST OR TO LEAVE HIM EXPOSED TO FURTHER DANGER.

A. HOUSE ARREST IN KOREA IS A FUNNY INSTITUTION. THERE'S NO SUCH THING AS HOUSE ARREST UNDER KOREAN LAW. KIM CERTAINLY IS DETAINED, PREVENTED FROM LEAVING HIS HOUSE. BUT HE'S ALLOWED TO RECEIVE VISITORS. HE HAS TWO TELEPHONES AND CAN CONTACT HIS VARIOUS POLITICAL ASSOCIATES. ONE OF THE FIRST THINGS HE DID WHILE I WAS THERE WAS TO CALL KIM YOUNG SAM, WHO'S ONE OF THE CHIEF OPPOSITION FIGURES AND WHO'S ALSO UNDER HOUSE ARREST, IF YOU WANT TO CALL IT THAT, AND EXCHANGE POLITICAL STRATEGIES AND INFORMATION.

SO IT'S A KIND OF KOREAN THING. HE'S BEEN IN THIS CONDITION, OFF AND ON, FOR MANY YEARS. HE IS PHYSICALLY CONTAINED, BUT HE'S ALLOWED TO SEE REPORTERS, GIVE INTERVIEWS, MAKE POLITICAL COMMENTS, CALL HIS COMPATRIOTS IN THE FIGHT FOR DEMOCRACY IN KOREA, AND HE DOES ALL THAT.

Q. WHAT IS KOREA'S, THE COUNTRY'S POLITICAL STATUS NOW? A POLICE STATE? SOMETHING BECOMING BETTER? WHAT ABOUT THOSE ASSEMBLY ELECTIONS LAST TUESDAY IN WHICH THE PARTY THAT KIM IS HOOKED UP WITH WON 50 SEATS? DOES THAT SHOW AN IMPROVING TREND OR IS THAT A MIRAGE?

Q. WHEN YOU DIG THROUGH ALL THE CHARADES OF THE CONSTITUTION AND THE LAWS AND ASSEMBLY, KOREA IS BEING GOVERNED BY A MILITARY DICTATORSHIP. IT HIDES BEHIND A CONSTITUTION RIGGED IN SUCH A WAY THAT THE RULING PARTY CANNOT LOSE POWER. IF YOU LOOK AT THE RECENT ELECTIONS,

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YOU'LL SEE THAT THEY'VE ONLY LOST ONE SEAT FROM THE LAST ELECTION.

BUT I DON'T THINK THERE'S EVER BEEN A FREER POLITICAL DEBATE IN CONTEMPORARY KOREAN HISTORY. MORE CANDIDATES RAN, THE DEBATE WAS WIDE OPEN, THEY CRITICIZED THEIR GOVERNMENT, A LOT OF PEOPLE WHO WERE BANNED WERE ALLOWED TO GET BACK INTO POLITICS. A NEW POLITICAL PARTY WAS FORMED, AND IT RECEIVED AN UNBELIEVABLE NUMBER OF SEATS.

NOW WHERE IS THAT GOING TO LEAD? DOES THAT MEAN DEMOCRACY'S GOING TO COME BACK TO KOREA TOMORROW? I DON'T THINK SO.

Q. WHAT LIMITS THE POSSIBILITY THAT DEBATE WILL BECOME A DEMOCRACY?

A. THE CONSTITUTION PREVENTS IT. IT IS RIGGED IN SUCH A WAY THAT IT'S IMPOSSIBLE TO HAVE A DEMOCRATIC STATE.

Q. EVEN THOUGH YOU CAN HAVE A LOT OF FANCY DEBATE.

A. ALL THE DEBATE YOU WANT BUT THE RULING PARTY CANNOT FALL BELOW 57 PERCENT OF THE DEPUTIES.

Q. HOW DOES THAT LINE GET CROSSED?

A. I DON'T KNOW. THERE ARE TWO WAYS. THE PEACEFUL PROCESS AND A VIOLENT PROCESS. ONE OF THE MOST IMPORTANT THINGS IN THIS PEACEFUL PROCESS THAT ADDRESSES ITSELF TO CHANGE IS THE PROVISION OF THE CONSTITUTION THAT SAYS THE PRESIDENT CAN ONLY SERVE ONE TERM. THAT TERM EXPIRES IN 1988. AND IF PRESIDENT CHUN DOO HWAN STEPS DOWN AND IF KIM DAE JUNG AND KIM YOUNG SAM AND THE OPPOSITION GET A FAIR SHOT--THAT'S WHAT THEY'RE ALL AIMING FOR--THE CHANCES FOR THE DEMOCRATIC PROCESS WILL BE IMPROVED IMMEASURABLY.

Q. KIM IS IN FOR THE LONG GAME.

A. EITHER HE'S IN FOR THE LONG GAME OR HE WANTS TO BE THE ELDER STATESMAN WHO UNIFIES THE OPPOSITION AND THE FORCES OF DEMOCRACY.

Q. SHOULD WE AMERICANS JUST OBSERVE AND WATCH THESE INTERNAL PROCESSES CHURNING IN KOREA AND IN OTHER HARD PLACES? WHERE DOES THE UNITED STATES FIT IN?

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A. THE UNITED STATES IS EXTREMELY IMPORTANT: IT MAINTAINS 45,000 TROOPS IN THE PENINSULA OF KOREA, AND IT'S A STRATEGIC PART OF THE WORLD FOR OUR ANTI-COMMUNIST OR ANTI-RUSSIAN CONTAINMENT POLICY. SEOUL IS 700 MILES FROM PEKING, 700 FROM TOKYO, 700 FROM VLADIVOSTOCK, AND IT'S CONSIDERED BY MILITARY EXPERTS TO BE EXTREMELY STRATEGIC FOR THE DEFENSE OF THE UNITED STATES. THAT'S WHERE OUR DEFENSE PERIMETER STARTS. KOREA IS AN ANCHOR OF OUR DEFENSE LINE, AND IT HAS A LOT TO DO WITH WHETHER OR NOT THE JAPANESE SHOULD BE ARMED OR NOT ARMED. SO THE STRATEGIC INTERESTS OF THE UNITED STATES DOMINATE.

HOPEFULLY, IF THE DEMOCRATIC PROCESS SURVIVES, THAT WOULD STRENGTHEN THE STABILITY OF THE COUNTRY AND ADD TO THE STRENGTH AND STABILITY OF OUR DEFENSES THERE.

Q. IT'S ARGUED THAT THE STRATEGIC IMPORTANCE OF KOREA TO THE UNITED STATES PREVENTS US FROM USING TOO MUCH INFLUENCE THERE FOR LIBERALIZATION.

A. SOME LOOK AT THE INSERTION OF THE DEMOCRATIC PROCESS AS A STABILIZING FACTOR--BY REMOVING CONFRONTATION AND CERTAIN ELEMENTS OF INSTABILITY FROM THE SOCIETY. IN THAT WAY IT WOULD STRENGTHEN THE STRATEGIC INTERESTS OF THE UNITED STATES. THAT'S THE WAY I PREFER TO LOOK AT IT.

Q. HOW DO THE PEOPLE WHO RUN KOREA LOOK AT IT?

A. THE PRESENT RULING PARTY WOULD BE 100 PERCENT AGAINST THIS THESIS BECAUSE THEY FEEL THAT TRADITIONALLY IN KOREA THE PEOPLE HAVE TO BE GOVERNED BY AUTHORITARIAN METHODS.

Q. WE'RE TALKING HERE ABOUT SOME FORM OF AMERICAN POLITICAL INTERVENTION TO DEAL WITH HUMAN RIGHTS.

A. TO THE EXTENT THAT IT'S GONE AHEAD SO FAR, YOU CAN GIVE CREDIT TO UNITED STATES INTERVENTION. THE EMBASSY THERE AND THE STATE DEPARTMENT HAVE BEEN WORKING HARD FOR A LONG TIME TO HELP BRING ABOUT DEMOCRATIZATION. I THINK THEY FEEL THE WAY I DO; THAT LITTLE BY LITTLE THEY'RE GAINING. HOW FAR THE GOVERNING KOREANS WILL ALLOW THIS TO PROCEED BEFORE THEY REACT, FOR INSTANCE, WITH A MILITARY COUP IS SOMETHING WE CAN'T TELL. TWICE BEFORE THEY'VE HAD COUPS.

Q. YOU'RE SUGGESTING THAT THE REAGAN ADMINISTRATION IS NOT, AS ITS CRITICS SAY, A PART OF THE PROBLEM, BUT AN ACTIVE PART OF THE SOLUTION.

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A. I WOULD THINK SO, YES. I KNOW FOR A FACT THAT A GREAT DEAL HAS BEEN DONE ON BEHALF OF DEMOCRACY IN KOREA EVEN BY THE REAGAN ADMINISTRATION. I CRITICIZE THEM ON OCCASION. FOR INSTANCE, IN THE KIM DAE JUNG RETURN, THEY MADE A MISTAKE TRYING TO TALK KIM OUT OF GOING BACK AT THIS TIME. I DON'T THINK THAT WAS STRATEGICALLY A GOOD MOVE. I DON'T KNOW WHY THEY TRIED TO CONVINCE HIM TO STAY HERE UNTIL AT LEAST AFTER THE ELECTIONS AND AFTER THE SCHEDULED VISIT TO WASHINGTON IN APRIL OF CHUN. IT PROBABLY RESULTS FROM SOME KIND OF NEGOTIATIONS WITH THE KOREAN GOVERNMENT. BUT KIM REFUSED TO GO ALONG WITH THAT OFFER, AND HE WAS BACK ON THE DAY HE WANTED, TWO DAYS BEFORE THE ELECTIONS.

Q. THE REAGAN POLICY IS SOMETIMES CALLED QUIET DIPLOMACY. IS THAT A FAIR DESCRIPTION?

A. SOMEBODY SAID QUIET DIPLOMACY IS NO DIPLOMACY AT ALL.

Q. WHAT DO YOU THINK?

A. I THINK THERE'S PLENTY OF ROOM FOR QUIET DIPLOMACY. I'VE USED IT MYSELF ON MANY OCCASIONS AND SOMETIMES IT WORKS, BUT WHEN IT DOESN'T YOU HAVE TO GO PUBLIC.

Q. ARE YOU SUGGESTING THAT IF THE REAGAN ADMINISTRATION KEEPS ON ITS PRESENT COURSE THAT IT'S GOING TO TURN KOREA EVEN MORE TOWARD DEMOCRACY AND TO MOVE IT ALONG WITHOUT PROVOKING A COUP?

A. I DON'T KNOW. WE HAVE FOUND OUT AFTER YEARS OF HEARTACHE THAT THERE'S VERY LITTLE IN THE FINAL ANALYSIS THAT THE UNITED STATES CAN DO TO BRING ABOUT INSTITUTIONAL CHANGE IN A FOREIGN COUNTRY. THAT CHANGE, IF IT IS TO COME, HAS TO COME FROM WITHIN FROM PEOPLE WHO ARE COMMITTED AND WHO BUILD THEIR OWN INSTITUTIONS IN LINE WITH THEIR OWN CULTURE AND VALUE SYSTEM. THE IMPOSITION OF U. S. WILL ABROAD HAS SEVERE LIMITATIONS, AND ALTHOUGH WE GET SYMBOLIC CONCESSIONS BY GETTING PEOPLE OUT OF JAIL OR BETTER PRISON CONDITIONS OR SAVING LIVES SOMETIMES, WE HAVE NEVER BEEN ABLE TO BRING ABOUT INSTITUTIONAL CHANGE ANYWHERE IN THE WORLD. THAT HAS TO COME FROM PEOPLE WHO LIVE AND DIE THERE.

Q. SO IF WE'RE SERIOUS ABOUT DEMOCRACY IN KOREA, WE'VE GOT TO BE VERY PATIENT.

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A. WE HAVE TO BE PATIENT, AND WE HAVE TO SUPPORT LOCAL INSTITUTIONS THAT ARE FIGHTING FOR THAT RESULT. THAT'S TRUE EVERYWHERE IN THE WORLD.

Q. DO SOME ADMINISTRATIONS DO THIS BETTER? WHAT ABOUT JIMMY CARTER AS AGAINST RONALD REAGAN.

A. CARTER DIDN'T INVENT HUMAN RIGHTS. HUMAN RIGHTS HAVE BEEN PART OF THE AMERICAN FABRIC FOR AN AWFUL LONG TIME. IN THE EARLY '70S, WHEN DON FRASER {THEN A REPRESENTATIVE} OF MINNESOTA HELD HEARINGS ON MAKING HUMAN RIGHTS PART OF U. S. FOREIGN POLICY, THAT WAS A LEGISLATIVE INITIATIVE. WE'VE HAD TO PUSH OUR HUMAN RIGHTS POLICY THROUGH LAW AND NOT TO RELY ON CHIEF EXECUTIVES.

WHEN CARTER BECAME PRESIDENT, AN AWFUL LOT HAD BEEN DONE IN THE LEGISLATIVE FIELD MAKING HUMAN RIGHTS PART OF FOREIGN POLICY. THE ASSISTANT SECRETARY OF STATE FOR HUMAN RIGHTS WAS CREATED BY LEGISLATION. THE WHOLE PROHIBITION AGAINST GIVING AID TO EGREGIOUS VIOLATORS OF HUMAN RIGHTS WAS LEGISLATION LONG BEFORE CARTER. TO GIVE HIM CREDIT, HE PUT HUMAN RIGHTS ON THE INTERNATIONAL AGENDA. I OFTEN SAY, THOUGH, THAT WHAT STARTED WITH A HISTORICAL BANG ENDED WITH AN EMBARRASSED WHIMPER. THINGS CHANGED DURING THE LAST YEARS OF THE CARTER ADMINISTRATION.

Q. IS HUMAN RIGHTS STILL ON THE INTERNATIONAL AGENDA IN THE REAGAN ADMINISTRATION?

A. YES, YES, THANK GOODNESS. SOME OF THE PLUSES COMING OUT OF REAGAN ARE THAT IN THE BEGINNING THEY WANTED TO REPEAL THE LEGISLATION AND TAKE OUT THE ASSISTANT SECRETARY OF STATE FOR HUMAN RIGHTS. BUT AFTER THE LEFEVER DEFEAT {ERNEST LEFEVER'S NOMINATION AS ASSISTANT SECRETARY WAS REJECTED BY THE SENATE FOREIGN RELATIONS COMMITTEE} AND BEFORE ELLIOTT ABRAMS BECAME ASSISTANT SECRETARY, THEY MADE A DECISION TO STICK WITH IT, TO INTERPRET IT IN ACCORDANCE WITH THEIR OWN VIEWS. I DON'T THINK THAT'S AS STRONG AS DURING THE CARTER ADMINISTRATION, BUT HUMAN RIGHTS IS STILL INSTITUTIONALLY PART OF OUR FABRIC, AND IT WILL BE THERE FOREVER, I THINK. IT'S A QUESTION OF HOW IT'S TO BE APPLIED AND IMPLEMENTED.

Q. COULD WE HELP APPLY HUMAN RIGHTS BETTER IN KOREA BY, FOR INSTANCE, HOLDING UP THE CHUN VISIT OR SUSPENDING OUR

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SUPPORT FOR THE OLYMPICS IN SOUTH KOREA IN 1988?

A. EXPERIENCE IN PRIOR SITUATIONS HAS REVEALED THAT BOYCOTTS AND SANCTIONS OF THAT KIND DON'T WORK. IF PUSH COMES TO SHOVE IN THE KOREAN PENINSULA, THE KOREANS WILL HAVE TO TELL THE UNITED STATES THEY CANNOT COOPERATE WITH US ANY FURTHER. I DON'T THINK THAT ANY COUNTRY, ESPECIALLY STRONG COUNTRIES--KOREA TODAY IS VERY STRONG, A 700,000-MAN ARMY, A GOOD ECONOMY; IF YOU PUSHED THEM TOO FAR, THEY WOULD REACT BY NOT DEALING WITH US. YOU'D HAVE TO WEIGH THAT AGAINST THE SECURITY AND TRADE INTERESTS OF THE UNITED STATES, WHICH ARE ALWAYS PART OF THE HUMAN RIGHTS EQUATION.

HUMAN RIGHTS IS NOT SOMETHING YOU LOOK AT IN A VACUUM. IT HAS TO BE BALANCED OUT. TRADEOFFS HAPPEN ALL THE TIME. THE FABRIC OF HUMAN RIGHTS IS VERY DELICATE.

Q. BUT WORTH TRYING TO STRENGTHEN.

A. IN MY MIND, YES.YYYY

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February 15, 1985

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(not used)

KOREA: KOREAN GOVERNMENT'S RESPONSE TO AIRPORT INCIDENT

- Q: Is "The Washington Post" today correct in reporting that the Korean Government has not apologized for the incident at the airport on Kim Dae Jung's arrival in Seoul and that it is unlikely to do so?
- A: There have been expressions of regret from some Korean Government officials to us over various aspects of the incident. We are still awaiting an official statement of the Korean Government's position.
- Q: Has the Korean Government given the US its version of what happened at the airport?
- A: We have had numerous discussions with the Korean Government about the incident, but we are still awaiting the results of the Korean Government's official investigation into the airport incident, which we hope will be concluded as expeditiously as possible.
- Q: Do you have any comments on press reports that the political ban on Kim Dae Jung and 14 other Koreans may be lifted soon?
- A: We cannot confirm the reports, but we have consistently expressed our hope that the ban will be completely lifted as soon as possible.

Drafted: EAP/K:WDStraub
2/15/85 x7717 Wang 6975K

Cleared: EAP/K:HIson
HA/HR:TMurphy
EAP/P:WRLenderking
EAP:DAnderson, Acting
PA:EDjerejian

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OUTGOING
TELEGRAM

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DRAFTED BY: EAP/K: WDSTRAUB
APPROVED BY: EAP/K: HISOM
EAP/P: KBAILES
H: RBOCK (INFO)

HA/HR: TMURPHY
PA/PRS: KLANG

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E.O. 12356: N/A
TAGS: PINS, PREL, PROP, SHUM, KS, US
SUBJECT: PRESS GUIDANCE ON KIM DAE JUNG

FOLLOWING GUIDANCE WAS PREPARED FOR NOON PRESS BRIEFING,
FEBRUARY 15, BUT NO QUESTIONS WERE ASKED.

BEGIN TEXT

Q: IS "THE WASHINGTON POST" TODAY CORRECT IN REPORTING
THAT THE KOREAN GOVERNMENT HAS NOT APOLOGIZED FOR THE
INCIDENT AT THE AIRPORT ON KIM DAE JUNG'S ARRIVAL IN
SEOUL AND THAT IT IS UNLIKELY TO DO SO?

A: THERE HAVE BEEN EXPRESSIONS OF REGRET FROM SOME KOREAN
GOVERNMENT OFFICIALS TO US OVER VARIOUS ASPECTS OF THE
INCIDENT. WE ARE STILL AWAITING AN OFFICIAL STATEMENT OF
THE KOREAN GOVERNMENT'S POSITION.

Q: HAS THE KOREAN GOVERNMENT GIVEN THE US ITS VERSION OF
WHAT HAPPENED AT THE AIRPORT?

A: WE HAVE HAD NUMEROUS DISCUSSIONS WITH THE KOREAN
GOVERNMENT ABOUT THE INCIDENT, BUT WE ARE STILL AWAITING

THE RESULTS OF THE KOREAN GOVERNMENT'S OFFICIAL
INVESTIGATION INTO THE AIRPORT INCIDENT, WHICH WE HOPE
WILL BE CONCLUDED AS EXPEDITIOUSLY AS POSSIBLE.

Q: DO YOU HAVE ANY COMMENTS ON PRESS REPORTS THAT THE
POLITICAL BAN ON KIM DAE JUNG AND 14 OTHER KOREANS MAY BE
LIFTED SOON?

A: WE CANNOT CONFIRM THE REPORTS, BUT WE HAVE
CONSISTENTLY EXPRESSED OUR HOPE THAT THE BAN WILL BE
COMPLETELY LIFTED AS SOON AS POSSIBLE. DAM

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EAP/K:HISOM

HA/HR:TMURPHY {INFO}
EAP/P:WMAGRUDER

H:RBOCK {INFO}
PA/PRS:ASTOCKMAN

IMMEDIATE SEOUL

E.O. 12356: N/A

TAGS: PINS, PREL, PROP, KS, US

SUBJECT: PRESS GUIDANCE ON KIM DAE JUNG

FOLLOWING PRESS GUIDANCE WAS PREPARED FOR THE NOON
BRIEFING, FEBRUARY 12, BUT NO QUESTIONS WERE ASKED.

BEGIN TEXT

Q: WOULD YOU ELABORATE ON PRESIDENT REAGAN'S REMARK THAT
BAD JUDGMENT ON THE PART OF BOTH KOREAN OFFICIALS AND THE
AMERICANS WITH KIM DAE JUNG LED TO THE FRACAS AT SEOUL
AIRPORT?

A: WE DO NOT WISH TO GO BEYOND WHAT THE PRESIDENT HAS
SAID. AS WE HAVE SAID, WE ARE AWAITING THE RESULTS OF
THE KOREAN GOVERNMENT'S INVESTIGATION.

Q: WHEN DO YOU EXPECT TO LEARN THE RESULTS OF THE
INVESTIGATION?

A: WE HOPE THE INVESTIGATION IS COMPLETED AS
EXPEDITIOUSLY AS POSSIBLE.

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Q: WHY DID PRESIDENT REAGAN SAY THAT KOREA HAS MADE GREAT STRIDES IN DEMOCRACY?

A: WE ANSWERED THAT QUESTION IN SOME DETAIL YESTERDAY.

Q: DID UNDER SECRETARY ARMACOST PROTEST THE INCIDENT AT THE AIRPORT IN SEOUL WHEN HE MET WITH KOREAN AMBASSADOR LEW YESTERDAY?

A: THEY HAD A BROAD DISCUSSION. WE DO NOT WISH TO REVEAL THE SUBSTANCE OF OUR DIPLOMATIC DISCUSSIONS.

Q: WHAT IS KIM DAE JUNG'S STATUS?

A: WE UNDERSTAND THAT HE REMAINS CONFINED TO HIS HOME. HE IS ALLOWED TO RECEIVE VISITS FROM FAMILY MEMBERS AND FOREIGN GUESTS. AS STATED YESTERDAY, WE HOPE THAT THE PRESENT RESTRICTIONS ON KIM WILL BE RELAXED AS SOON AS POSSIBLE.

Q: DO YOU HAVE ANY COMMENT ON THE FEBRUARY 12 ELECTION IN KOREA?

A: VOTING WAS JUST COMPLETED A FEW HOURS AGO, SO WE DO NOT HAVE ANYTHING FOR YOU ON THAT.

Q: WHY IS KIM BARRED FROM ENGAGING IN POLITICAL ACTIVITY?

A: YOU SHOULD DIRECT THAT QUESTION TO THE KOREAN GOVERNMENT.YYYY

UNCLASSIFIED

REPUBLIC OF KOREA

1984
Human
Rights
Report

In the Republic of Korea, President Chun Doo Hwan, with the support of the country's military establishment, dominates the political scene. The elected legislature has some influence but continues to be controlled by the executive branch. The Government, which assumed power with primarily military support in 1980, is organized under a Constitution adopted by referendum in October 1980. Because of the threat from an aggressive Communist regime in North Korea, all Korean governments since the Republic's founding in 1948 have felt it necessary to give top priority to maintaining external and internal security; their policies in this respect, as implemented in part by the large and well-organized security services, have brought charges that dissent and peaceful opposition political activity are suppressed, and to many Koreans the degree of legitimacy of the Chun Government is open to question. At the time of the next presidential election, scheduled for 1988, President Chun has promised to step down to provide for a peaceful and constitutional change of power.

The Republic of Korea has a mixed economy with extensive public sector intervention to stimulate and influence the direction of private sector activity. Since adopting an outward-looking development strategy in the mid-1960's, the Republic of Korea has had one of the highest real growth rates in the world and has achieved middle-income, "middle power" status. Since 1981, the economic leadership has moved toward a more open, freer market system.

Korea is an ethnically homogeneous nation. Surrounded by great powers--China, Japan, and in modern times the USSR--Korea historically focused its foreign policy on the objective of avoiding subjugation by these neighbors. In 1910, Korea was annexed by the Japanese Empire. Liberated in 1945, it was then divided into temporary Soviet and American zones of military administration, organized in 1948 as, respectively, the Democratic People's Republic of Korea, or North Korea, and the Republic of Korea, or South Korea.

Since the division of the peninsula in 1945, reunification has been a major goal of Koreans on both sides of the dividing line. North Korea, however, has insisted on reunifying the nation on its own terms and through any means, including use of military force or terrorist activities. Despite North Korea's delivery of flood relief goods to the South in 1984 and its positive response to South Korean proposals to hold North-South talks on economic cooperation and family reunification, military activities against the South continued, including continuing forward deployment of its armed forces. The memory of the 1983 Rangoon bombing against South Korean leaders, which the Burmese government determined was carried out by North Korea, is still fresh in the minds of South Koreans. The area on either side of the Demilitarized Zone remains one of the most heavily armed regions in the world. During the defection of a Soviet language student across the DMZ on November 23, 30-40 North Koreans soldiers crossed the DMZ and exchanged fire with South Korean and American UN Command guards in an effort to retrieve the Soviet student.

Furthermore, North Korea continues to strengthen its offensive force structure. Over the years, unremitting North Korean propaganda, overt and covert, has been directed at South

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Korea, calling for the destruction of American and South Korean installations, violence against South Korean leaders, and the overthrow of the South Korean Government.

Thus, fear of another invasion from the North is a fundamental factor in South Korean thinking, and successive governments have held that for security reasons the Republic cannot afford the unfettered dissent and discord which would be permitted in an open political system. Nonetheless, many Koreans question the rationale for this position.

Korea's traditional sociopolitical ideology, Confucianism, with its emphasis on order, conformity, consensus and filial piety, retains great strength, coexisting uneasily with the Western democratic ideals and industrial-age values to which Koreans have been exposed in this century.

Koreans of both sexes participate in politics. Constitutional safeguards against ex post facto laws and double jeopardy are generally observed. Although the Constitution guarantees freedom of speech and the press, in practice both are abridged. Politicians and others who publicly criticize the Government are aware that there are limits beyond which they may be subject to some form of government action. Newspapers are expected to practice self-censorship, and failure to comply with this requirement has led to interrogation and, on occasion, dismissals of reporters and editors. The law limits the freedom to assemble and demonstrate, although in 1984, in a break with past practice, the Government did not apply the law to university campuses and arrests have accordingly been sharply reduced. Religious freedom, though otherwise complete, does not extend to churches' involvement in political and some forms of social action. There is freedom of movement within the country and freedom to travel abroad, except that passport applications from persons with a history of political opposition are considered on a case-by-case basis and some are not allowed to leave the country.

During 1984 the Government took several significant positive steps in the human rights field. More than 220 students jailed for campus demonstrations were released from prison during the year in three separate amnesties, and about 1,400 students previously expelled for political activism were allowed to reenroll at their old campuses. About half this number had actually returned by the fall term. Some 86 dissident professors, banned from teaching since 1980, were also permitted to teach again at their original campuses. In early 1984 the Government initiated a policy of "campus autonomy" under which it withdrew security forces from university campuses, a major student demand; allowed peaceful demonstrations on campuses; and stated that henceforth universities would bear the primary responsibility for enforcing campus discipline. In the face of increased student resistance measures, the Government in November warned that it was prepared to have police enter campuses even without intervention requests by school officials. In practice, however, security forces only entered campuses on a few occasions. However, students have accused the Government of maintaining campus networks of police informers. Student attempts to move demonstrations off campus were met by large government security forces, which led to violent confrontations at university gates and, on occasion, elsewhere in downtown Seoul.

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In another amnesty move, the Government restored civil rights to more than 700 former political prisoners, including some prominent intellectuals and human rights activists, and many convicted under emergency decrees of the Park Chung Hee government. The Government also announced that journalists who had been banned from employment since 1980 could be reemployed at the discretion of their former employers, and some have gone back to work. As a result of the large-scale amnesties carried out early in the year, the number of prisoners in politically-related cases was reduced to about 110, the lowest since the Fifth Republic came into being in 1980. About one-third that number are Korean residents of Japan convicted of espionage on behalf of North Korea, and most of the rest are convicted of National Security Law violations or activities involving the use or planned use of violence. However, the Government's current tactic of holding off-campus demonstration leaders in jail for brief periods, after summary convictions on minor charges, means that the total number of prisoners at any one time may be greater than the number of arrested and convicted persons on the "prisoner of conscience" list.

In 1980, the Government imposed an eight-year ban on political activities of 551 former politicians. Following Government action in 1983 to lift the ban on 250 of them, in 1984 the Government lifted the ban on 286 more, leaving a total of 15 still affected. The 15, however, included several of Korea's major former opposition party leaders. One of the most prominent of these, Kim Dae Jung, has been in the United States for two years for medical treatment. Although he faces possible arrest and an unexpired prison sentence in Korea, he has announced plans to return early in 1985.

Torture or severe physical mistreatment by the police occurred in 1984, but there were no reports of this abuse occurring in politically sensitive cases. Some female student demonstrators, however, charged that they were subjected to abusive strip searches by the police. The Government has said that it is trying to eliminate the deeply-rooted problem of abusive treatment by police, especially beatings of suspects during interrogation. This effort apparently has high-level support within the Government, as indicated by the passage in December 1983 of a law providing penalties up to life imprisonment for officials committing acts of torture. However, the problem, though diminished, has not disappeared. In addition to the police, there are two other security services whose agents are alleged to have beaten or otherwise mistreated suspects as well as dissidents, including students and activist workers, who were not in custody.

Prison conditions remain spartan, and there are reports of hunger strikes and other protests, especially by students. There were no allegations of murder against the Government in 1984.

Strong forces within Korea seek improvements in human rights and liberalization of the Governing structure, notably some Christian churches' leadership and the rising middle class. Formidable obstacles to these forces exist, primarily Korea's Confucianist hierarchical traditions and the lack of enthusiasm on the part of the powerful military officer corps for direct participation by all Koreans in the democratic process and for freedom of expression. Furthermore, the

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perceived need for unity in the face of the North Korean threat inhibits efforts for political change which might affect stability.

RESPECT FOR HUMAN RIGHTS**Section 1 Respect for the Integrity of the Person, Including Freedom from:****a. Political Killing**

There were no reports in 1984 of politically motivated killings by the Government.

b. Disappearance

There were no cases of permanent disappearance in 1984, although the police sometimes waited for more than the legal maximum of 40 days before notifying the families of arrested persons.

c. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture. Confessions determined to have been induced by duress are inadmissible in the courts, and a confession alone is not legally sufficient to secure a conviction. The Government insists that it has issued injunctions against torture and that these are strictly enforced and violations sternly punished. Nevertheless, while there were no allegations of torture in politically sensitive cases in 1984, there were continuing reports of beatings by police during interrogations of prisoners. Two female students who had been detained for participating in an off-campus demonstration filed suit against police whom they accused of conducting abusive strip searches. The use of excessive force by the police, despite high-level efforts to reduce or eliminate it, has proven to be a pervasive and ingrained problem. In violent confrontations with student rioters, police units have generally remained well-disciplined but rioters have also been beaten on apprehension. Accusations of police beatings in non-political cases occur fairly frequently and are sometimes reported in the press. No case has yet been brought under the law adopted by the National Assembly in 1983 toughening sentences for those convicted of killing or injuring through torture.

Human rights groups allege, in addition, that the police and other government security agencies have been responsible for, or have not intervened to prevent, the beating of some students, workers and other dissidents not in custody. A human rights activist leader was beaten at his church by men that some Christian activists linked to the security services. The Government denied the connection.

In early 1984 the Government arrested a prominent clergyman and two professors who had been conducting a study of reunification policies and charged them with violating the National Security Law. These dissidents were subsequently released without trial, but Christian activists state that the Government used threats to coerce the defendants into making public expressions of regret as a condition of their release. Activists also accuse police of forcing students under investigation for connection with workers issues into signing

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confessions of subversive activities. There is no evidence on the record to support these charges.

Conditions in Korean correctional institutions are spartan, and discipline is strict. While prisoners who break rules or protest conditions are sometimes beaten, under normal circumstances convicts are not subjected to physical punishment. Prisoners may receive visits only from their lawyers and immediate families. There does not seem to be a difference between the treatment of political and non-political prisoners, although the authorities have occasionally allowed special provisions for political prisoners, such as heaters during the winter or examination by outside physicians. There is no apparent difference in the treatment of prisoners on the basis of wealth, social class, race, or sex.

d. Arbitrary Arrest, Detention, or Exile

From time to time, the security services have not only detained persons accused of violating laws on political dissent but have also increased surveillance of, or put under house arrest, those they think intend to violate the laws. Dissidents who openly criticize the Government are sometimes picked up for short periods and then released. Arrest warrants are required by law but are sometimes not produced at the time of arrest in politically-related cases.

Korean law requires that, within 40 days after making an arrest, the police notify an arrested person's family of his detention and whereabouts. The police normally wait at least several days, and occasionally more than 40 days, before making notification. The Constitution guarantees the right of prompt legal assistance and the right to request court review in case of arrest. For persons deemed "socially dangerous" the law allows preventive detention under provisions of the Social Protection and Social Stability Laws. Preventive detention is for a fixed term, which, however, a judicial panel may extend for periods of up to 10 years. Human rights activists and foreign observers are aware of two persons now in preventive detention for politically-related offenses, their detention having been renewed in 1984 for two more years.

Habeas corpus, not traditional in Korean law, was introduced after World War II, abolished in the 1970's, and reintroduced in 1980. It does not apply to those charged with violations of the National Security Act or laws punishable by at least 5 years imprisonment, which include most political offenses.

The Government released 229 students from jail in four amnesties between February and May. All the students had been arrested for anti-government campus demonstrations, though some had also been convicted of National Security Law violations. With these releases, the total of student demonstrators released since December 1983 grew to 360, and the jails were empty of student demonstrators for the first time in years. A small number of students convicted under the National Security Law for carrying out subversive activities is still imprisoned. In a Liberation Day amnesty the Government restored civil rights to 714 former political offenders, including a number of human rights leaders, intellectuals and former politicians. The Government also announced that it will erase the criminal records of about 5,000 Koreans for wartime collaboration with North Korean

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occupation forces, thus easing employment and other social difficulties for those affected.

Following the last student release in May, a list of "prisoners of conscience" maintained by the Human Rights Committee (HRC) of the Korea National Council of Churches contained 52 names, a low since the beginning of the present Government. (The HRC definition of "prisoner of conscience" does not exclude those convicted of crimes involving the advocacy or use of violence, contrary to Amnesty International's definition.) This figure compares to 325 at the end of 1983, 417 in November 1982, and 272 in November 1981. Subsequent arrests and the addition of newly discovered cases, mainly Korean residents of Japan convicted, in prior years, of espionage for North Korea, brought the number on the list to about 110. However, student-police confrontations off-campus and student violence on-and off-campus in the fall of 1984 resulted in a large number of persons being arrested and sentenced to brief periods of detention on minor charges after summary convictions. These do not figure in the political prisoner list.

e. Denial of Fair Public Trial

The Constitution guarantees many rights of defendants: the right to presumption of innocence; the right against self-incrimination, ex post facto laws, and double jeopardy; the right to a speedy trial; and the right to legal counsel. These rights are generally observed, although there have been cases in the past in which defendants in politically-sensitive trials have not been able to obtain lawyers, reportedly because of lawyers' reluctance to accept such cases in the face of actual or potential government pressure.

The President appoints the members of the Supreme Court, whose Chief Justice in turn appoints lower-level judges. The judiciary is considered independent in ordinary criminal and civil cases but much less so in politically-sensitive cases. It is generally assumed, for example, that the original and appeal verdicts in the case of six Chinese airplane hijackers tried before Seoul courts were guided by foreign relations considerations.

Trials are usually open to the public, but trial documents are not part of the public record. Charges against defendants in the courts are clearly stated, with the exception that, in lengthy and complex indictments, the relationship between specific acts alleged and violations of specific sections of the penal code may not always be clearly drawn. In cases involving a mixture of political and criminal charges this can bring into question the fairness of proceedings.

The same courts try political and ordinary criminal cases. The military courts do not try civilians. Defendants have the right of appeal in felony cases, a right which is often exercised and frequently results in substantial reductions in sentences. Death sentences are automatically appealed.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The security apparatus is large and highly developed. Many opposition figures and political and religious dissidents are subjected to surveillance. During politically sensitive

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periods, this surveillance by one or more security agencies may increase or a form of house arrest may be imposed. There have also been charges of telephone tapping and opening or interception of correspondence. Koreans who meet with foreigners, particularly with journalists and embassy officials, are often questioned afterwards. While the Constitution requires a warrant, issued by a judge upon request of a prosecutor, for search and seizure in a residence, the police have at times forced their way into private homes without warrants.

Korean police practice requires police commanders to know a good deal about the personal and business affairs of all residents in their jurisdictions. This system is effective in crime control, and urban residents generally credit it with keeping their streets safe. By contrast, the presence of police informer networks on college campuses with the primary purpose of keeping track of political activities there has been a key issue among students, including those who are not politically active. Students have accused the Government of maintaining police informers on-campus even after uniformed forces were withdrawn in accordance with the "campus autonomy" policy.

In most other respects the Government honors the right of personal privacy and the integrity of the home and family. Parental rights to educate children are broad, and restrictions on study in foreign-administered schools (whether in Korea or overseas), originally imposed to force wealthy Koreans to involve themselves in the nation's social and educational development, have been relaxed in recent years. The state rarely seeks to intervene in such inherently personal decisions as marriage, choice of vocation, and formation of social and familial ties. However, the state, by setting graduation levels at higher education institutions, does seek to guide the mixture of graduates according to predicted future manpower needs.

Section 2 Respect for Civil Rights, Including:

a. Freedom of Speech and Press

Although freedom of speech and press are guaranteed by the Constitution, in practice the expression of opposition viewpoints is severely limited. Dissidents are sometimes restricted in their meetings and movements in periods judged volatile by the Government. Members of the National Assembly frequently criticize particular government actions or policies but are careful to stop short of fundamental criticism of the Government itself, such as attacks on its legitimacy or personal attacks on the President. However, formal proposals for votes of "no confidence" at the Assembly and the stated rationale therefore are given full publicity. Likewise, criticism of government policies (for example, the campus autonomy policy) is reported by the media. While no direct actions against Assemblymen were taken in direct response to opinions expressed in the legislature, two Assemblymen who attempted to switch allegiance to a new opposition party were detained for three days in December. Discussion of security, formulas for political settlement with North Korea, the legitimacy of the Chun administration, and other sensitive topics is sharply curtailed. Academic freedom is subject to some political limitations, although 86 professors who lost their jobs in the political upheavals of 1980 were allowed

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during 1984 to return to teaching at the schools at which they had last taught.

The domestic media engage in self-censorship, according to verbal or written guidelines the Government regularly gives to editors. Journalists who object to or ignore these guidelines or criticize the guidance system have, in the past, been picked up for questioning, and on occasion dismissed or sent out of the country on assignment. There was a reliable report in 1984 of a journalist whose columns were critical of the Government being sent abroad for study.

The extent of journalistic free expression varies. For example, when the National Assembly is in session, opposition viewpoints have been rather fully reported in the press. Increased reporting in 1984 was permitted by government authorities on the activities of dissident politicians and groups, including student movements. Reporting on dissidents was factual without editorial comment; reporting on student demonstrations was marked by editorial comment highlighting the socially disruptive nature of their activities. Also, increased press exposure was given to certain topics considered politically sensitive by the Government. For example, a public seminar on the nature of the political transition in 1988 was fully reported. However, a subsequent magazine article carrying complete texts, though planned, never appeared. Articles by opposition and dissident politicians increased, both in number and directness of criticism against the Government. A scandal allegedly involving a leading member of the ruling party received full coverage in the press and the publicity led to his resignation.

More books by dissident religious and political figures appeared in bookstores than in recent years. Some books, however, continue to be confiscated or banned from sale. Approved books on Communist and socialist theory are studied in universities and can be found in bookstores, but many books and artistic works with "socialist" themes are banned.

b. Freedom of Peaceful Assembly and Association

There are thousands of private organizations in Korea. Most peaceful non-political assemblies take place entirely without official supervision or restriction.

The Law on Assembly and Demonstrations prohibits specified categories of assembly, including those considered likely to undermine public order or cause social unrest. The law also requires that demonstrations of all types and outdoor political assemblies be reported in advance to the police. Violation of the law carries a maximum sentence of seven years or a fine of about \$3,750. Under this law, police have at times intervened and broken up meetings.

Before the release this year and last of all students imprisoned for taking part in demonstrations, far more than half of all Korea's "prisoners of conscience" were imprisoned for violation of this law. In 1984 students have not been arrested for taking part in on-campus demonstrations; almost all students arrested in connection with demonstrations off-campus have been charged with minor offenses against public order and released after short periods of time, rather than convicted under this law. Only a small number of people

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were convicted and sentenced under this law in 1984, in particular ten taxi drivers who were convicted in connection with demonstrations in Taegu and Pusan. They were sentenced and released.

The single national labor federation, the Federation of Korean Trade Unions (FKTU), and its 16 national affiliate unions are not controlled by the government. Their freedom of action, however, is severely circumscribed by law. Labor organizations are forbidden to support politicians or political parties, though the FKTU does lobby national assemblymen, particularly of the ruling Democratic Justice Party, and assemblymen often attend labor-organized gatherings. All local unions must be organized within individual enterprises, creating a structure of thousands of individual unions, most of them small and weak. Direct participation in local unions' bargaining activities by outside agencies such as the Asian-American Free Labor Institute, which maintains an office in Korea, is forbidden. The Asian-American Free Labor Institute maintains an office in Korea. The FKTU and its constituent national unions can and sometimes do bargain on behalf of the locals and conduct education programs, but only with government and employer approval. Collective actions and strikes, though technically legal, are to all intents and purposes forbidden. Religious labor ministries such as the Catholic Young Christian Workers and the Protestant Urban Industrial Mission are also severely limited in the assistance which they can provide the unions. Under these circumstances, government and employer influence has greatly exceeded that of unions in setting wages and resolving other major labor issues.

According to FKTU figures, dues-paying union membership in 1984 increased by four percent, after four years of decline. International contacts by the unions increased, with the FKTU and its member unions hosting three regional conferences, including the Asian meeting of the International Confederation of Free Trade Unions (ICFTU). The Republic of Korea sent an observer delegation to the annual conference of the International Labor Organization in 1984. The FKTU is affiliated with the ICFTU, and FKTU member unions are affiliated with recognized international trade union federations.

c. Freedom of Religion

There is no state-favored religion in Korea. There is complete freedom of proselytizing, doctrinal teaching, and conversion. Minority sects are not discriminated against, and adherence to a faith confers neither advantages nor disadvantages in civil, military, or official life. Churches and religious groups are subject to the same restrictions on political activity and criticism of the Government as are all other institutions in Korea. Conscientious objectors are subject to arrest.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is essentially complete freedom of movement and freedom to change employment in Korea. Because Korea is one of the most densely populated areas of the world, the Government encourages a modest level of emigration. It does not discriminate against prospective emigrants. Most people can obtain passports, except for criminals or, in some cases, persons considered politically suspect. A number of

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dissidents, former political prisoners, and persons banned from political activity have been allowed to travel abroad. Foreign exchange considerations have caused the Government to limit to some extent the number of tourist passports issued. Passports, when issued, are typically limited to one year, although there are exceptions in which passports are issued up to the legally maximum 5-year validity.

A small continuing influx of Vietnamese boat refugees is admitted to first asylum in Korea. They are cared for at a camp in Pusan by the Korean Red Cross until they can be resettled abroad. Over 600 such refugees have passed through Korea in the last several years.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Korea's Constitution and statutes, as well as its traditions, concentrate their political power in the President, a concentration further intensified by the support the President enjoys from the military establishment. The President and the members of the National Assembly are the only elected officials in Korea. Under the 1980 Presidential Election Law, the President is chosen by an electoral college of about 5,000 members. By law, presidential campaigns are brief, and candidates are severely restricted in campaigning, including both the amount they may spend and the methods they may use to appeal to voters. In the 1981 Presidential election these restrictions, together with the authorities' careful screening of electoral college candidates and the reluctance of several strong potential presidential candidates to run, resulted in the virtual absence of effective opposition to incumbent President Chun Doo Hwan, who won by a nearly unanimous electoral vote. The Constitution limits the President to a single seven-year term and cannot be amended to allow the incumbent President to continue in office.

The next presidential election is scheduled for 1988. President Chun has reaffirmed that he intends to step down at that time to provide for a peaceful and constitutional transfer of power.

The National Assembly, although politically weak, is important as a forum for the expression of divergent views of the Government's programs. Recent changes in the Assembly Law have given the Assembly a somewhat increased role in examining government actions. Interpellations of Ministers have been increasingly pointed and debate among the parties increasingly vigorous. Legislation normally originates with the executive branch, although the Assembly has at times passed or blocked laws contrary to the President's wishes. Members of the Assembly, who serve a four-year term, are Korea's only directly-elected public officials. The election laws passed in 1981 provide for a proportional representation system that reserves 92 of the Assembly's 276 seats for members appointed by the parties, with two-thirds of those seats awarded to the party which gains a plurality of the popular vote. In the Assembly elections of March 1981, the authorities brought various forms of pressure to bear to discourage some potential candidates but did not interfere in the voting. Of the 184 Assembly seats to be filled by elections, the government party ran candidates for 92, of which it won 90, along with a 36 percent plurality of the popular vote. The government party was accordingly awarded 61 proportional representation seats,

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giving it a comfortable majority in the National Assembly. Opposition parties divided the remaining seats. During 1984 preparations were being made for the next Assembly elections, expected early in 1985. Korean observers expect these elections to provide a benchmark of the extent of progress in increasing freedom of political choice.

While the Constitution provides for local autonomy, the Government has resisted implementation on the grounds that the financial preconditions established by law have not been met.

The laws governing participation in the political process were enacted in 1981 just prior to the lifting of martial law. All existing parties were disbanded and new ones were formed. At that time, a law was enacted barring 551 persons from taking part in any political activity for eight years. The Government in February and November 1984 reduced the number of banned politicians to 15. The most prominent persons affected by this ban remain covered by it, although during 1984 many of the banned politicians were being allowed to carry out limited political activity.

One of the most prominent of those still banned, Kim Dae Jung, has said he will return to Korea early in 1985 from his two-year stay in the United States. In the 1971 presidential election, he garnered nearly half the vote. Subsequently, his political activity in Korea and abroad cost him time in jail and a death sentence (later commuted to 20 years' imprisonment). He was released from prison in 1982 to come to the United States for medical treatment. The Government's official position is that it will "take necessary measures in accordance with the law if he returns home."

Koreans, other than those under this political ban, are free to belong to and participate in the activities of political parties. However, these parties have had difficulty attracting a popular following for a number of reasons. The Government may dissolve any party it deems contrary to "basic democratic order;" the electoral laws put time and fiscal constraints on campaigning which cause all parties, and particularly the opposition, significant difficulties in publicizing their programs; and the Government can and does veto their choices of leaders, candidates, and policy positions.

In December 1984, two members of the opposition Democratic Korea Party who had defected to a new opposition party were detained for three days by a security service. The new party is being formed with significant participation by politicians from whom the ban on political activity had been lifted this year. Many observers believe that the detention was a government effort to discourage greater participation in the new opposition party.

Limitations on freedom of the press also cause opposition parties particular difficulties. Opposition parties have not succeeded in modifying the election laws significantly in time for the 1985 elections.

Women are free to vote, become government officials and run for the National Assembly; they hold seven Assembly seats, all but one appointed by their parties. In practice, the power structure remains male-dominated.

REPUBLIC OF KOREA**Section 4 Governmental Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights**

The Republic of Korea does not belong to any international human rights bodies and usually does not welcome outside involvement in the human rights area. The Government tolerates the existence of domestic human rights groups but closely monitors their operations.

There are no government agencies charged with the protection of human rights, although political parties and the National Assembly have committees which are concerned with oversight of some aspects of the issue. A number of private organizations are also active in this area, chiefly the Human Rights Committee of the Korean National Council of Churches, the Catholic Justice and Peace Committee, and the Korea Legal Aid Center in Seoul. The Human Rights Committee has ties with the World Council of Churches. The Committee and other human rights organizations submit petitions to the Government and make their views known both inside and outside Korea. Most observers believe that these organizations have been relatively effective in furthering their aims, depending on the issue. People working with these groups are sometimes questioned and, on occasion, visited or detained by the security services, though apparently none have been arrested in the past several years.

The Amnesty International 1984 Report expressed its concern about the detention of prisoners of conscience, reports of torture and unfair trials, widespread arrest of students, the use of short-term detention without charge, and house arrest against students and other critics of the Government. Freedom House lists Korea as "partly free."

ECONOMIC, SOCIAL, AND CULTURAL SITUATION

The Republic of Korea is one of the most densely populated countries in the world, with 7.4 persons per acre of arable land. Only 22 percent of its 24.4 million acres are arable. The nation's physical wealth is sparse; most of the natural resources of the Korean peninsula are found in North Korea. The Republic's major economic asset is its well-educated and productive work force. The population reached 42 million in 1984, but the growth rate has dropped to 1.5 percent, due in part to concerted efforts by the Government to popularize voluntary family planning.

Skillful management by Korean economic technocrats, many of them graduates of leading Western universities, has given Korea one of the world's most dynamic economies. Since 1965, economic growth in real terms has averaged about 9 percent per year; in 1984 it was about 8 percent. Per capita gross national product has grown from \$100 in 1965 to about \$1,900 in 1982. The widespread distribution of income gains and the approximate parity between rural and urban household incomes have increased dramatically the nutrition, health, living conditions, and economic choices of the entire population.

The economy is a blend of private sector firms and individuals and public sector enterprises. As the gross national product has grown to almost \$75 billion in 1982, the Government has begun to rely increasingly on market forces to allocate

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resources and is gradually liberalizing its control over imports, foreign investment, and the domestic financial sector.

Participation in the economy and a share of its benefits are effectively open to all. The right to own property, alone and in association with others, is recognized in law and practice. There is no economic discrimination based on race or religion. Discrimination against women is declining, although as in most traditional Asian societies men still tend to be the primary income earners and property owners.

A series of major revisions to the legal code in recent years has given women rights in inheritance, child custody, family headship, and other areas which law and Confucian tradition had long denied them. Women enjoy full access to educational opportunities at all levels. They are increasingly represented, though still largely at entry levels, in the military, the police, the civil service, the professions, and private industry. They are not legally protected against discrimination in hiring, pay, or advancement, and these remain problem areas. For example, according to the Korea Employers' Federation, the average wage of female workers is 46.8 percent of that of male workers. Korea has not developed a politically powerful feminist movement, but consciousness of women's issues has been increasing. During 1984 women's groups organized a federation to campaign for revision of the Family Law, including provisions concerning the head of family system, and in favor of equal property rights in case of divorce and equal rights in child custody. Traditional Confucian influence remains strong, however. The Government announced that it would ask the National Assembly to ratify the U.N. Convention on the Prevention of Discrimination Against Women with a reservation on Articles 9 and 16, which conflict with present domestic Korean law.

Improved health care and nutrition were responsible for increasing Korean life expectancy at birth to 68 years in 1984. By 1984 infant mortality declined to 30.4 deaths per 1,000 live births. Access to safe drinking water increased to 71 percent of the population in 1979. Caloric intake in 1981 was 126 percent of minimum nutritional requirements.

Education receives high priority in government policy. The adult literacy rate increased to 93 percent in 1978. Primary school education is universal for both sexes, and over 90 percent of elementary students enter secondary school. Entrance to institutions of higher education is highly competitive. Only about 50 percent of those who wish to attend are able to do so. There is a substantial amount of social mobility based on the merit system in education and employment.

U.S. OVERSEAS - LOANS AND GRANTS - OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S. FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: KOREA, REPUBLIC OF

	1982	1983	1984
I. ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.....	0.0	0.0	0.0
GRANTS.....	0.0	0.0	0.0
A. AID.....	0.0	0.0	0.0
LOANS.....	0.0	0.0	0.0
GRANTS.....	0.0	0.0	0.0
(SEC. SUPP. ASSIST.)...	0.0	0.0	0.0
B. FOOD FOR PEACE.....	0.0	0.0	0.0
LOANS.....	0.0	0.0	0.0
GRANTS.....	0.0	0.0	0.0
TITLE I-TOTAL.....	0.0	0.0	0.0
REPAY. IN \$-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.....	0.0	0.0	0.0
E. RELIEF. EC. DEV & WFP.	0.0	0.0	0.0
VOL. RELIEF AGENCY.....	0.0	0.0	0.0
C. OTHER ECON. ASSIST....	0.0	0.0	0.0
LOANS.....	0.0	0.0	0.0
GRANTS.....	0.0	0.0	0.0
PEACE CORPS.....	0.0	0.0	0.0
NARCOTICS.....	0.0	0.0	0.0
OTHER.....	0.0	0.0	0.0
II. MIL. ASSIST.-TOTAL...	167.4	186.7	231.8
LOANS.....	166.0	185.0	230.0
GRANTS.....	1.4	1.7	1.8
A. MAP GRANTS.....	0.0	0.0	0.0
B. CREDIT FINANCING....	166.0	185.0	230.0
C. INTL MIL. ED. TRNG....	1.4	1.7	1.8
D. TRAN-EXCESS STOCK....	0.0	0.0	0.0
E. OTHER GRANTS.....	0.0	0.0	0.0
III. TOTAL ECON. & MIL...	167.4	186.7	231.8
LOANS.....	166.0	185.0	230.0
GRANTS.....	1.4	1.7	1.8
OTHER US LOANS.....	58.7	9.0	0.0
EX-IM BANK LOANS.....	58.7	9.0	0.0
ALL OTHER.....	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1982	1983	1984	1946-84
TOTAL.....	607.1	942.4	975.9	7394.5
IBRD.....	470.0	672.0	768.5	5269.3
IFC.....	1.7	2.2	34.6	164.1
IDA.....	0.0	0.0	0.0	106.9
IDB.....	0.0	0.0	0.0	0.0
ADB.....	132.2	265.5	172.8	1804.3
AFDB.....	0.0	0.0	0.0	0.0
UNDP.....	0.5	2.7	0.0	34.5
OTHER-UN.....	2.7	0.0	0.0	15.4
EEC.....	0.0	0.0	0.0	0.0