



High-Level Mission Statement

20 January 2014

A high-level international delegation, including TUAC, ITUC, PSI and ITF, are completing today a four-day mission to look into the current situation of human and trade union rights in Korea. Our mission has only confirmed what we had feared, that under the current administration the government is engaging in a wave of intense repression against labour and civil society of the kind not seen in recent years and which threatens to hollow-out the country's democracy. We are deeply troubled by the government's blatant disregard for international labour standards in law and practice. We are also deeply troubled that our requests to meet with appropriate ministers to discuss these concerns were denied.

Of particular concern, we understand that [dozens of] labour leaders and workers are in jail or prison today, under the obstruction of business law, for engaging in industrial action that would be legal elsewhere in the world. Korea does so despite clear direction from the International Labour Organization that the imprisonment of trade unionists for engaging in peaceful strikes is strictly prohibited. Further, it does not even appear that their imprisonment is legal under the developing jurisprudence in this country, as the strike came as a surprise to no one. These efforts to destroy unions by removing their leaders are often compounded by outrageous damages lawsuits against unions that have no purpose but to bankrupt them. Suits against individuals in an amount that no one could pay have led in some cases to suicide. These are not the kinds of acts that a mature democracy would ever take. We therefore call on the government to release immediately all workers jailed or in prison today for their strike activity, including the 5 leaders of the Korean Railway Workers Union who we met in custody during our mission.

We strongly condemn the illegal raid of the KCTU offices on 22 December. On that day, police pushed into the building to execute improper warrants, destroying union property in the process. Police indiscriminately arrested protestors outside, using pepper spray. In total, 138 were arrested including the Secretary General of the KCTU and other 2 central leaders, and the President of the Korean Teachers and Education Workers Union (KTU) and other 2 presidents of KCTU affiliates.

We remain concerned by the government's clear plan to eliminate unions in the public sector. The de-registration of the Korean Teachers Union continues to shock workers and governments around the world - all on the pretext that the union allowed illegally-dismissed workers to remain leaders or members of the union. We are equally shocked that the government has again rejected the registration of the Korean Government Employees Union (KGEU), which has prevented the union from fully representing its members and ensuring that all citizens have access to quality public services. Again, the international community, including the ILO, has vigorously condemned these decisions but has been met only by silence from the Park Administration. If that were not bad enough, the government illegally seized the union's computer servers based on an alleged claim of lack of political neutrality – a requirement that itself plainly violates international law.

Finally, we are alarmed by the extreme levels of irregular work, employment practices that are meant to maximise short-term profitability and flexibility at the expense of the worker by destabilising the employment relationship. It also strikes at the core of trade union rights, as precarious workers find it difficult, if not impossible, to organise with fellow workers to form or join a union. Government

statistics reveal that over one-third of the workforce is now labouring under some form of ‘non-regular’ work arrangement, though we believe that the number is closer to half. And, even when workers win their rights before the court, such as at Hyundai Motors, employers simply ignore the rulings with impunity. Indeed, the union chair of the precarious workers branch at Hyundai Motors is now in prison for standing up for the rights of precarious workers when apparently no one else would.

It is now two decades since the Republic of Korea joined the ILO and 17 years since it joined the OECD. It gave then commitments to bring its laws and practices into line with international standards on fundamental workers’ rights including on collective bargaining and freedom of association. The progress that was made in this direction is now being dramatically reversed.

The international trade union movement will stand by the Korean Trade Union movement. Together, we have no other choice but to use all political and legal mechanisms available to us to ensure that human and trade union rights are fully respected in Korea.