



Ms Park Geun-hye
President of the Republic of Korea
Blue House
Seoul, Korea

president@president.go.kr

File Reference: RP/SV/CHM
Contact Name: rights@world-psi.org

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Disregard for Freedom of Association in Korea

Dear President Park,

On behalf of the 20 million members of Public Services International, including those in Korea, I urge you to cease the serious and ongoing attacks on trade unions. Throughout your administration, we have witnessed multiple attempts to weaken the rights of workers and their unions, and to press those seeking to oppose your policies – at times with the use of excessive force. The supervisory system of the International Labour Organisation has condemned many of your efforts as serious violations of the right to freedom of association and to bargain collectively¹. Even the ILO Director General himself has urged restraint by your government. However, all of these entreaties have been wholly ignored.

Today, I write concerning the police raids on the offices of the Korean Confederation of Trade Unions (KCTU) and its affiliates on 21st November. Police seized documents, equipment, computers and external hard drives. This raid follows the unions' participation in a rally on 14th November to protest, among other things, a proposed package of labour law reforms meant to seriously undermine the rights of workers and their trade unions. These labour market reforms target public institutions in particular. These are the workers in utilities, public transport, public hospitals and research institutes, which KPTU organises.

I am also deeply concerned with the labour reforms pushed by your government, based on the claim that labour protections are too high and are a barrier to job creation. This appears nothing more than an effort to weaken trade unions and ensure that labour protections for all are weakened. Indeed, the OECD has ranked Korea to be less protective of workers than the majority of OECD member countries.

The government claims that the reforms are based on a tripartite accord, but this is untrue as the proposed reforms go well beyond what was agreed. For example, the proposed legislation would reverse legal precedents concerning the Labour Standards Act by prohibiting payment of certain bonuses when workers work overtime on days off. This will directly decrease workers' compensation while at the same time incentivizing employers to employ workers on overtime, increasing the already incredibly high worktime in Korea. The legislation would also permit temporary agency work in so called 'root industries' (enterprises performing basic manufacturing tasks including casting, molding, welding, surface treatment, plastic work and heat treatment) and weaken legal precedents for

¹ See, e.g., ILO CFA Case 2829, Report 365, Nov 2012; ILO CFA Case 2707, Report 357, June 2010; ILO CFA Case 2620, Report 374, March 2015, CFA Case 2601, Report 374, March 2015, CFA Case 1865, Report 371, March 2014.

determining the status of parent companies in subcontracting situations. This will have the effect of allowing large, unionized companies to employ workers through temp agencies where this has to date been found to be illegal by the judiciary. Third, the legislation would lower the level of unemployment compensation for workers in low-wage short-term jobs.

PSI is deeply concerned about the belligerent behaviour of your government and urges you to respect the right to freedom of association, including the right to peaceful assembly and to strike. In particular, we call on you to drop all charges against KCTU President Han, Sang-Gyun and to release all workers detained in relation to the recent strike and protest action. Finally, we urge you to withdraw the regressive labour reforms.

Most sincerely,

A handwritten signature in blue ink, reading "Rosa Pavanelli". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Rosa PAVANELLI
General Secretary