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trade union advisory committee to the
organisation for economic cooperation and development
commission syndicale consultative auprès de
l'organisation de coopération et de développement économiques

JE/BP 1117

Paris, 17 November 2003

Honourable Roh Moo Hyun
President
Republic of Korea
Blue House
Seoul - South Korea
Fax: 00 82 2 – 21 98 31 51

Dear President Roh,

TUAC is deeply concerned at the deteriorating situation of workers' rights in Korea. The recent suicides by Korean metalworker trade unionists are the direct result of the claims for damage over strike action filed by employers.

We have been informed 46 unions and their leadership have to-date been served with court orders for provisional seizure of wages or are facing lawsuits seeking compensation for damages amounting to over 140 billion won.

Not only is scope for legal industrial action restricted excessively in Korea but civil damages can be directed at individuals involved in the actions not just the organisations. The legal system is therefore being misused by employers to repress workers' rights to undertake collective action that would be lawful in other OECD countries.

These actions in the view of the international trade union movement contravene ILO Conventions 87 on Freedom of Association and Protection of the Rights to Organise, and 98 on the Right to Organise and Collectively Bargain. We, along with the ICFTU support the freedom of Association complaint that is being filed with the ILO by the International Metalworkers' Federation.

We would urge you to make the changes in Korean labour legislation required to bring it into line with Freedom of Association that would remove the root cause of this situation.

I am attaching further copies of a letter that the General Secretary of the ICFTU, Guy Ryder, and myself addressed to the OECD and the ILO proposing that a timetable be put in place for making the changes required and I would urge you to work with the two organisations to resolve this issue once and for all.

Yours sincerely,

John Evans
General Secretary