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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 1118

Paris, 18 November 2004

H.E. Mr. Roh Moo-Hyun  
President of the Republic  
Blue House  
Seoul  
Republic of Korea

Dear President Roh,

### **Arrest of Korean Government Employee Officials**

Following reports we have received on Korea I am obliged to write to you to protest strongly against recent arrests of trade unionists in Gokseong-gun County, Seoul, Gangwon-do, Ulsan, Gyeongnam-do, Jeonnam and many other locations during the periods of 6 to 8 November and 14 to 15 November of 2004.

The Trade Union Advisory Committee to the OECD (TUAC) has been informed by the Korean Government Employees' Union (KGEU) that the Government of Korea has attempted to prevent nation-wide rallies in protest at the Bill on the Public Officials' Trade Union Act organised by the TUAC-affiliated Korean Confederation of Trade Unions (KCTU) and the KGEU affiliated to our partner the Public Services International. The Government has also attempted to prevent KGEU members from voting on industrial action, and has confiscated KGEU ballot boxes. In doing so, public security forces have raided not only union offices but also private homes and cars of union officials. Union rallies have been dispersed throughout the country, sometime violently, leaving dozens of union members injured. Scores of union leaders and activists have been arrested. Furthermore, members of the KCTU were arrested and questioned while they were trying to join the rallies. Moreover, while the rally was in process, riot police went into action and dispersed the participants violently. Members of our Korean affiliate, KCTU, as well as workers exercising a fundamental human right, were arrested and injured.

The TUAC has been informed that those arrested on 6 November were all released on 8 November. However, numerous KGEU Sections have been raided by the police with search and arrest warrants and union members were summoned and arrested for having encouraged and been involved in industrial ballots. The police confiscated ballot papers and boxes and any other material believed to be related to the ballots.

We are also seriously concerned about the fact that the Government has confirmed that arrest warrants against KGEU President KIM Young-Gil and General Secretary AHN Byeong-Soon have been issued. It is obvious that the Government tried to prevent KGEU to hold a union ballot on industrial action or, indeed, to destroy the union altogether.

It appears that according to our information, all KGEU sections where the ballots have started have been raided by the police and the vote has been stopped. Numerous KGEU members involved in the ballots have been arrested. However, neither police action nor the threat, as posed by the Ministry of Government Affairs and Home Administration (MOGAHA), that all those who were participating in the protests would be subject to dismissal and arrest, has prevented many public service employees to conduct industrial action to protest the government's policy toward their labour rights. The Ministry also threatened heads of local government agencies by announcing that it would seek legal action against them if they fail to punish protesters.

I would call your attention to the fact that the events described above constitute serious breaches of Korea's obligations under international law, including and especially, those deriving from its membership in the International Labour Organisation. The police raids on union offices, your government's interference in union ballots, the denial of the right to strike, the arrests of trade union members and violence exerted against them by security forces all constitute blatant violations of internationally-recognised and guaranteed trade union rights. They also fly in the face of Korea's solemn commitments made to the OECD to respect internationally recognised workers' rights when it joined the Organisation.

I urge you to instruct all relevant agencies of your Government to refrain from interfering in the KGEU's internal union affairs, to release any union members still detained further to these police operations, and to cease forthwith any intimidation, threats and pressure against trade unions and their members.

Our partner the International Confederation of Free Trade Unions (ICFTU) has stated that it will not hesitate, if this pattern of repression continues, to take all measures available to it under the ILO Constitution in order to ensure that your Government is compelled to answer for this action before the relevant ILO bodies. TUAC is raising this issue with the OECD which is currently due to begin its monitoring process on Korean labour law.

Thank you for your urgent attention to these important matters.

Yours sincerely,



John Evans  
General Secretary

cc. Prime Minister LEE Hae-Chan  
Minister HUH Sung-Kwan  
Ambassador KWON O-Kyu, Korean Delegation to the OECD  
Donald Johnston, OECD Secretary-General