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Korea: Violations of Labour Rights Increasing

Brussels, 26 February 2009 (ITUC OnLine): An international trade union mission* to Korea this week has concluded that the trade union rights situation is deteriorating, and that Korea is not living up to commitments it made to respect international labour standards when it joined the OECD in 1996. The government has also failed to implement recommendations made by the International Labour Organisation to bring its laws into conformity with core ILO standards.

The mission took place at the request of the ITUC-affiliated Korean Confederation of Trade Unions (KCTU), whose former President Lee Suk-haeng remains in prison following KCTU strike action in 2008. Requests by the international union delegation to meet the Korean Labour Minister to discuss the situation were denied by the government, and the Justice Ministry also refused, at the last minute, to allow the delegation to visit Lee in prison.

High on the list of union concerns is the government's use of Korea's unique "obstruction of business" clause (section 314 of the penal code) to severely limit legitimate trade union activity. The visiting delegation, which met with labour, employer and administration officials, also examined the increasing use of temporary and precarious employment, with the minimum time an "irregular" worker can be denied a permanent employment contract now being raised from 2 to 4 years. Concerns were expressed that the government, which is also seeking to reduce the minimum wage, is placing the burden of the economic crisis mainly on the shoulders of workers.

No progress on labour rights has been made since the OECD ended its special monitoring of the Korean situation in 2007, nor since the ILO made further findings in mid-2008.

The final report of the mission is expected to include recommendations for the OECD to resume monitoring the situation and the possibility of a further, high-level, international trade union mission to try to kick-start much needed dialogue with the Korean authorities aimed at putting in place proper protections for Korea's workforce, in line with international law.

*The mission included representatives of the ITUC and its regional organization ITUC-AP, the International Metalworkers' Federation (IMF), the Public Services International (PSI) and the OECD Trade Union Advisory Committee (TUAC).

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