

INTERNATIONAL TRADE UNION CONFEDERATION
ITUC OnLine

Korea: Imprisonment of KCTU President a Travesty of Justice

Brussels, 4 July 2016 (ITUC OnLine): The ITUC has described the sentencing of KCTU President Han Sang-gyun to five years' in prison on charges of "obstruction" as a travesty of justice. The sentence was handed down by Seoul Central District Court following allegations by government prosecutors stemming from a series of legitimate protest assemblies in 2015, including a November 14 2015 rally in Seoul in which 100,000 demonstrators were met with tear gas and water cannon used by some 20,000 police. Dozens were injured, some seriously, and criminal procedures were launched against 585 KCTU leaders and members, 20 of whom are in custody and seven facing indictment. KCTU Secretary General Lee Young-joo remains under self-imposed house arrest at the KCTU headquarters after receiving an arrest warrant in December.

Sharan Burrow, ITUC General Secretary, said: "This criminalisation of legitimate protest is totally unacceptable, and reinforces the power of Korea's Chaebol industrial conglomerates which already dominate the economy. President Park Geun-hye's governing party already lost its parliamentary majority in the elections in April, but she seems determined to continue to allow business to call the shots regardless of the harm caused to working people. The sentencing of Han Sang-gyun shows that the courts are subjugated to the political agenda of a government that has no majority, rather than standing up for the rule of law. The international trade union movement will continue to press for his release and the withdrawal of all the charges against those facing court proceedings for simply standing up for workers' rights and other fundamental freedoms."

In a letter to Park on 15 June, the ITUC wrote: "Criminal charges against union leaders and members are a clear violation of fundamental rights and in particular the right to freedom of association. Regrettably, these repressive measures seem to have become a common response by the Korean government against dissenting voices. We therefore urge your government to drop all charges against trade unionists for actions undertaken as part of their peaceful and legitimate trade union activities, including Han Sang-gyun and Lee Young-joo; and stop criminalisation of trade union leaders and activists. Moreover, we call on you to review the national legal framework in consultation with trade union and civil society organisations in order to prevent such abuses in the future."

Korean Public Service and Transport Workers' Union (KPTU) Vice President Cho Sung-deok is also facing charges arising from the 14 November demonstration. Prosecutors are seeking a five-year prison sentence.

Maina Kiai, United Nations Special Rapporteur on Freedom of Peaceful Assembly and of Association, submitted a report to the UN Human Rights Council in June concerning the cases of Han Sang-gyun and human rights defender Park Lae-goon stating that "charging assembly participants with certain criminal offenses, such as the general obstruction of traffic, de facto criminalises the right to peaceful assembly."

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