

Anti-Trade Unions' repression and resistances in South Korea

For the right to organise and the fight against neo-liberal policies

Tuesday 13 September 2005, by [ROUSSET Pierre](#) (Date first published: 8 August 2005).

Government employees, migrants... Whole sections of South Korean society do not enjoy basic rights at work, such as the right to organise, to strike and to collective bargaining. At the moment when the government is implementing neo-liberal policies, militant trade unions are being hit by repression. Coalition forms against WTO and neoliberal policies.

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In spite of the end of the military regime a decade ago and the country's entry into the Organisation for Economic Cooperation and Development (OECD) in 1996, the right to trade union organisation has never been fully recognised in South Korea. Trade unionists are regularly sued for "obstruction of business". Filing for damage compensation and provisional seizure of wages and property because of union activities continue: as of January 2004, they amounted to 110 million US dollars across 41 workplaces! Trade union leaders are thrown in prison and the police harass the Korean Confederation of Trade Unions (KCTU), the confederation that emerged from the anti-dictatorial struggles of the 1980s. 121 workers were indicted in 2004.

In several sectors, free trade union organisation by workers remains forbidden or impeded. This is the case with government employees and migrants, among whom struggles have been developing for months, in the face of severe repression.

Repression of the KGEU

In November 2004, the KCTU confederation and the KGEU (Korean Government Employees' Union) organised a general strike in opposition to the Bill on the Public Officials' Trade Union Act, a law concerning government employees and containing anti-trade union clauses. Starting on November 9th, arrest warrants were issued for Ahn Byeong-Soon, the general secretary of the KGEU, and Kim Young-Gil, its president. Police were permanently stationed around the KCTU's headquarters in Seoul, to arrest the leaders of the Government Employees' Union and block its activities.

The general secretary of the KGEU was arrested on March 17th, 2005 and released on April 28th, after being detained for 44 days. He was sentenced to eight years' imprisonment, the sentence being suspended for a probationary period of two years. As for the president of the KGEU, Kim Young-Gil, he was finally arrested on April 8th, 2005, after being hunted for 150 days. He was released on June

24th, after 75 days' detention, and condemned to one year's imprisonment, also suspended for two probationary years.

The repression of the KGEU did not only involve the arrest of its leaders and did not stop when they were freed. On June 21st and 22nd, the union organised several rallies, demanding that the government put a stop to the repression and engage in negotiations with its branch in Wonju City in the province of Gangwon. On the second day of the mobilisation, 126 members of the KGEU were jailed, and released on June 24th. Although the rally had been legally announced, anti-riot police attacked the demonstrators, ejecting them violently, one by one, from the demonstration. Two women fainted and one of them was left for 40 minutes without medical attention, in spite of repeated requests by her colleagues. A man who had had a back operation was manhandled, although he had informed the police of his condition. As a result he had to have six weeks of medical treatment.

The KCTU denounces the government's "reforming" claims, which are contained in the "guidelines" on the status of government employees. It points out that the KGEU was never consulted on proposed new laws concerning them and that 1,400 employees of government departments were dismissed or penalised after the adoption of new legislation in December 2004, because they were fighting for their rights (1).

Repression of the MTU

The fight for the right of migrants to organise is particularly hard, because it is more difficult to popularise than the government employees' struggle. The Migrant Workers' Trade Union (MTU), which also belongs to the KCTU, was formed on April 24th, 2005. It is fighting for the legalisation of non-documented workers and for the labour rights on the shopfloor, focusing on legalization of non-registered migrant workers. It is calling for international solidarity and proposes to exchange experiences and information about how the defence of immigrants is conducted in different countries.

The MTU came from the regroupment of several trade union branches and immigrants' associations in Seoul, Incheon and Kyongidoñ and from these workers' readiness to fight for their rights. Already in 2001, the "migrant" branch of the Equality Trade Union Migrant Branch (ETUMB) had been set up to combat the discrimination and the abuses that foreigners were victims of at work, as well as the immigration policy of the South Korean government.

The ETUMB organised in 2001 a 77-day long sit-in demonstration in front of the Myongdeung Cathedral in Seoul. Two leaders of the union went on hunger strike in the Hwa Sung immigration detention centre, after they had been arrested for their activities. In 2002, more than a thousand immigrant workers took part in a rally against the government's policy. On July 21st, 2003, the South Korean government adopted a new law known as the Employment Permit System (EPS). This law, which came into force in August 2004, puts migrant workers at the mercy of the bosses; it has been denounced as a new system of slavery. The ETUMB organised a new sit-in, which this time lasted for more than a year: from November 15th 2003 to November 28th, 2004!

"Through these actions, notes the KCTU, migrant workers who were 'invisible and voiceless' were finally able to have their issues to the forefront of South Korean society. More importantly, it led to the formation of the Migrant Trade Union, an independent union organized and lead by migrant workers". (2)

The South Korean government has always refused to recognise immigrant organisations. In 2003,

Sam Thapa, one of the main organisers of the ETUMB and of the Myongdeung sit-in, was kidnapped in broad daylight by the Immigration Department and subsequently deported. The government likewise refuses to accord any kind of recognition to the MTU. It has publicly affirmed that this union could not benefit from three fundamental rights at work: the right to organise, the right to strike and the right to collective bargaining. The police have filmed trade union militants in order to put them on file and harass them. On May 14th, 2005, Anwar Hossein, the president of the MTU, was brutally arrested by more than thirty police officers as he was going home. With head and hand injuries, he was incarcerated in the Chungjoo detention centre (south of Seoul). The KCTU has launched an international campaign in defence of the MTU, of Anwar Hossein and of the around 400,000 migrant workers in South Korea.

Neo-liberal reforms

The South Korean presidency of Roh Moo-hyun is reputed to be “reformist”. It has engaged in a dialogue with North Korea (a very important question for the Korean Left). It is under attack from the conservative parties, heirs of the period of military dictatorship. It has drawn in many former militants, students and trade unionists, as well as representatives of moderate NGOs. But the period is nevertheless one of the radical implementation of neo-liberal policies. To impose these counter-reforms, fighting trade unionism has to be muzzled and investors guaranteed social peace. It is in this framework that labour legislation is being “reformed” and that the Korean government promotes its so-called “Roadmap”, its “Improvement of Industrial Relations” and other bills. According to the KCTU, *“The most serious problem of all is the abrupt flexibilization of the labour market and the problems resulting from it. During the last few years, 56% of the workforce has been turned into irregular workers, such as fixed-term, short-term, dispatched, contract or specially employed workers”*. (3)

What attitude should be taken towards such a government? The Federation of Korean Trade Unions (FKTU), the only confederation that was recognised at the time of the military dictatorship, has consistently participated in the “tripartite” dialogue with the government and the employers. In the KCTU itself there are important differences on this question and its national leadership has more than once been modified. As an indication of the tensions that exist, the KCTU thus held three congress sessions in two months, at the end of 2004 and the beginning of 2005. However on July 14th this year, during a meeting of its Central Executive Committee, it decided to withdraw from various committees affiliated to the Ministry of Labour in which it had participated and to demand the resignation of the minister, Kim Dae-Hwan. This decision was taken in order to exert pressure on the government so that it would abandon its neo-liberal policies (4). Joint protest actions have also been led by the presidents of the KCTU and the FKTU, and the two labour centres have issued common press statements.

In South Korea, as in many other countries, the government of Roh Moo-hyun has launched a frontal attack around the question “irregular” workers, of casual, temporary and part-time work. It announced in September 2004 a series of measures, in particular extending the length of temporary work from two to three years and leaving employers almost total liberty concerning casual work. The workers concerned have engaged very hard battles, often lasting several months, against these projected laws. Three trade union leaders from this sector “occupied” the top of a giant crane opposite the Parliament. They were arrested after a week.

The KCTU points out that the discrimination exercised against “irregulars” weighs particularly heavily on the shoulders of women. In this sector, a man earns on average only 57 per cent of the salary of a “regular” worker, but this percentage drops to 43 per cent for women. Which, as the

KCTU stresses, reinforces the need to organise these “irregular” women workers much more than is the case today.

The strong reaction provoked by these draft laws on irregular work has been such that the government has had to abandon the idea of having them adopted. But it is obviously only being put off till later. Today the KCTU has to face a real political and media campaign of denigration. The aim is to weaken fighting trade unionism in order to clear the way for the pursuit of neo-liberal measures.

Against the WTO

A confrontation is also building up in relation to the World Trade Organisation (WTO). On July 27th, on the occasion of the meeting of its General Council, various Korean organisations announced the setting up of “People’s Action Against Neo-liberal Globalisation”. The aim is to widen the front of resistance to the WTO, to free trade agreements and other measures of liberalisation, and to give more unity to all the initiatives that are taken in an uncoordinated way on these questions.

Along with the KCTU, the coalition involves in particular the Korean People’s Action against FTA and WTO (KoPA), the Korean Peasants’ League (KPL), Korean People’s Solidarity (KPS), the KGEU federation and many other mass and activist organizations, sectoral coalitions. The central slogan is “No to the WTO! Stop the Doha Development Agenda Negotiation”. And the coming main international rendezvous is the conference of the World Trade Organisation next November in Hong Kong: Korean militants will be there in strength to unite their forces with those of very many Asian and international movements.

Notes

- (1) “Presentation Paper at ELSAC”, May 9th, 2005, *KCTU Newsletter* May 2005.
- (2) KCTU, “Action Alert: Stop the Crackdown Against Migrant Workers”, 19th May, 2005.
- (3) “Presentation Paper at ELSAC”.
- (4) The KCTU gives as recent examples of these neo-liberal policies “the government’s promotion of bills on irregular workers, arbitrary decision on minimum wage and ex-officio arbitration into disputes in hospitals” (*KCTU Monthly Newsletter*, June-July 2005).

ANNEXES

1) Some background on the KCTU

The KCTU was officially formed on November 11th 1995, with 862 unions and 418,000 members. But its historic and symbolic roots go back 25 years earlier, to the beginning of a very hard struggle to organise the working class in South Korea under a regime of military dictatorship. On November 13th, 1970 Chun Tae-il, a textile worker, committed suicide by setting fire to himself, in protest against the banning of independent trade unionism. Then, through their stubborn struggle, the women workers of the light export industry established the first foundations of the modern trade union movement. In the 1980s heavy industry developed. In 1987 it was the scene of a vast workers’ mobilisation whose impact was very profound. Faced with repression, the militant trade unions began to coordinate, overcoming divisions between different industries and provinces.

The struggles of the working class and the students contributed largely to bringing an end to the military dictatorship in the 1990s. In 1996, South Korea was admitted to the OECD (a). On December 26th that year, the KCTU began a month-long general strike, which “catapulted it into the

centre stage of Korean society and politics”, and “paved the way for the powerful entry of workers into national life after more than thirty years of exclusion” (b).

a) OECD: Organisation for Economic Cooperation and Development, which regroups the industrialised countries.

b) “The KCTU”, <<http://kctu.org>>

2) For further information

The Korean Confederation of Trade Unions (KCTU) publishes an electronic bulletin in English, KCTU Monthly News. Its Internet site also provides information in English. To find out more, visit the site or contact:

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3) Acronyms used in the article :

EPS : Employment Permit System.
ETUMB : Equality Trade Union Migrant Branch.
FKTU : Federation of Korean Trade Unions.
KCTU : Korean Confederation of Trade Unions.
KGEU : Korean Government Employee’s Union.
KoPA : Korean People’s Action against FTA & WTO.
KPL : Korean Peasants’ League.
KPS : Korean People’s Solidarity.
MTU : Migrant Workers Trade Union.