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Mr Guy Ryder,
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HTUR/JSV

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Republic of Korea – Request for Urgent Intervention

Dear Mr Ryder,

On behalf of the International Trade Union Confederation (ITUC), as well as Education International (EI), I am writing to request that your office urgently intervene with the government of the Republic of Korea. We have recently learned that the Ministry of Employment and Labour, on a January 2013 request from the Ministry of Education, Science and Technology (MEST), has threatened to cancel immediately the registration of the Korean Teachers and Education Workers Union (KTU) if it does not amend its constitution.

Currently, the KTU Constitution allows dismissed workers to remain members of the union. However, Article 2(4)(d) of the Trade Union and Labour Relations Adjustment Act (TULRAA) provides that an organization shall not be regarded as a trade union...where those who are not workers are allowed to join the organization.” Article 23(1) of the Act also provides that non-union (dismissed) members are ineligible to hold trade union office. The ILO Committee on Freedom of Association (CFA) has repeatedly criticized these exclusions, reiterating that, "[I]t urged the Government to repeal the provisions prohibiting dismissed and unemployed workers from keeping their union membership and making non-union members ineligible to stand for trade union office... Noting with regret that the Government has not repealed these provisions, the Committee once again urges the Government to do so [.]”¹.

Around 40 members of KTU were dismissed during the previous administration for their activities including expressing their opinion on the governments’ education policy and/or for donations to progressive political parties. These workers, whose dismissals are also suspect under international law, are considered members of the KTU.

We therefore request that you urge newly elected government to refrain from cancelling the registration of the KTU and to the contrary amend its legislation on this point, as well as to initiate a process to amend its legislation in line with other

¹ ILO CFA Case No. 1865 (Korea), Report No 363, March 2012 at paragraph 126.

recommendations of the CFA and the observations of the Committee of Experts.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. B. R.' with a stylized flourish at the end.

General Secretary