

Background Information for Emergency Intervention Request

20 July 2009

2009.7.20 Synopsis :

- Ssangyong Motor, currently under court receivership, unilaterally informed workers of mass dismissals and has brought in the riot police to stamp out the striking workers' sit-in protest. Over 3000 riot police forces entered the plant on 20 July 2009 and are occupying the plant, surrounding the paint shop building where the 800 sit-in protestors now are located.
- The sit-in strikers are in a mentally and physically sensitive state after ▲60 days of tension and sleep deprivation in the plant, ▲receiving the news of the suicide death this morning of the union branch policy director's wife upon hearing that the riot police entered the plant, and ▲because the management and riot police have cut off water supply, gas supply and have been blockading food and medical supplies from reaching the strikers.
- This tense situation brings to mind the Yongsan conflagration 6 months ago today when Korean national riot police initiated a raid to suppress a demonstration of people protesting their eviction. A fire was sparked and 5 of the protestors were killed as a result. In particular, like paintshops of other auto plants, the paintshop at Ssangyong Motor is full of paint thinner and flammable chemicals. In this potentially dangerous situation, the riot police are poised to suppress this sit-in.
- KMWU believes a riot police raid of the sit-in area will escalate the situation and **put at risk the physical integrity and lives of our union members** in the Ssangyong Motor dispute.

Overview

Unilateral Dismissals

Out of about 5,200 production workers at Pyeongtaek and Changwon plants, Ssangyong Motor (currently under court receivership) is forcing out 1,670 workers through forced voluntary retirement (including 243 managerial workers) and 976 production workers through mass redundancy dismissal. **Korean Metal Workers' Union (hereafter, KMWU)** Ssangyong Motor Branch began a strike on 21 May 2009 that continues to today. There are about 800 union members holding a sit-in protest inside the Pyeongtaek plant. The workers have been eating and sleeping inside the factory and are under psychological and material hardship from the dismissals and previous wage arrears.

Attempts at negotiations and demands

Initially the union had requested labor-management bargaining to discuss alternatives to dismissal such as worksharing. The union initiated concrete proposals on work-sharing (proposing 3 teams: 2 shifts of 5 hours each), setting up funds for the precarious workers (union branch would contribute union funds as well) and other good faith measures. However, management has refused to consider alternatives that do not involve mass dismissals.

After facing limitations bargaining with court receivers who do not have full authority, the union has proposed negotiations with the government, which has the real authority.

The union calls for withdrawing the indiscriminate dismissals and for provision of government aid for Ssangyong Motor. In addition to the calling for trade union-government negotiations, the union is calling for a withdrawal of riot police from the industrial dispute. However, the government is not taking any measures regarding the Ssangyong Motor crisis, neither emergency government aid nor social dialogue with the union partner representing the affected workers.

Social and civic organizations as well as ruling and opposition parties all want a peaceful settlement through dialogue, not violent suppression. There were two sessions of negotiations on 18th and 19th June; however, the talks ruptured with management unwavering from the precondition that workers accept mass dismissals and the union rejecting mass dismissal of workers.

Attacks on Sit-in Protestors

Under these circumstances, the court receivers (hereafter, “management”) hired thugs and security guards on 16th June and once again on 23rd June, to block people and supplies such as food from entering the factory, and to threaten breakup of the sit-in protest. On 26th and 27th June, the management once again hired thugs and organized goons to attack the sit-in protest and provoke the sit-in strikers, who were already psychologically and physically sensitive after living under tension inside the factory for 35 days. The management cut off internet connections into the plant to isolate the protest and cut off the water supply to the sit-in strikers.

In July, riot police continued the management’s attempt to create a blockade with riot police using excessive force and rampant arrest to obstruct KMWU unionists and family members from conveying medical supplies and food to the people inside the plant¹. As a result of the riot police blockade around the plant, the 800 sit-in protestors have been short of food, drinking water, and medical supplies for several days. Inside, the sit-in strikers are rationing food and water.

20 July 2009 Riot Police Occupation of Pyeongtaek Plant

In this situation, on the 60th day of the sit-in, over 3000 riot police forces (34 platoons, water cannons, ladder trucks, police helicopter) raided the Ssangyong Motor Pyeongtaek plant complex at 10 am on 20 July 2009. The sit-in strikers are now sequestered at the paint shop and surrounded by police forces which are occupying the plant. News that the KMWU Ssangyong Motor branch policy director’s wife Ms. Park (age 28, two children) hung herself that morning upon receiving news that the riot police had begun the operation has left the sit-in protestors—already suffering from isolation and lack of food and sleep—shocked and grieved².

The riot police forces inside the plant are currently poised to raid the Ssangyong workers’ actual sit-in area at the paintshop building.

Conclusion

Mass dismissals and coerced early retirements have been a shock to the social fabric. Including former-Ssangyong Motor workers who have committed suicide after being coerced into taking “voluntary retirement,” today’s suicide death brings the death toll related to this traumatic restructuring up to 8 news-reported deaths.

In a society where the social safety net is weak and dismissed workers have difficulty re-entering the formal labor market, there must be a better method than unilaterally informing workers of mass dismissals and then bringing in the riot police to crush the workers’ resistance.

¹ Video footage of riot police attacking and fanning out to arrest KMWU unionists on 16 July can be seen at: [http://tvpot.daum.net/clip/ClipViewByVid.do?vid=W_ydbsmar6Y\\$](http://tvpot.daum.net/clip/ClipViewByVid.do?vid=W_ydbsmar6Y$) and [http://tvpot.daum.net/clip/ClipViewByVid.do?vid=hEgQgMTPvGg\\$](http://tvpot.daum.net/clip/ClipViewByVid.do?vid=hEgQgMTPvGg$)

² Recently Ssangyong Motor managers had visited the KMWU Ssangyong Branch Policy Director’s home. They threatened his family with seizure of their home and assets for damages claims relating to the strike, criminal suits against her husband, imprisonment of her husband, and then urged her to convince her husband to abandon the strike, leaving Ms. Park in an anxious state at the time the riot police entered the plant. She leaves behind two children, aged four and two in Korean age.

KMWU believes the government should withdraw the riot police forces and step up to union-government negotiations to try dialogue toward a solution for Ssangyong Motor to come out of court receivership with a future where we can all live together.

Demands

- Remove riot police forces stationed at the Ssangyong Motor plant for a resolution through dialogue
- Begin negotiations between trade union and Korean government on withdrawal of mass dismissals and provision of government aid

Timeline:

Abbreviations

KMWU: Korean Metal Workers' Union

SYMC : Ssangyong Motor Corporation

SAIC : Shanghai Automotive Industry Coporation

1986.11	Ssangyong Group takes over Donga Motor
1998.1	Ssangyong Group collapses in Asian Financial Crisis; Daewoo Group takes over Ssangyong Motor
1999.12	Daewoo Group collapses in financial crisis; Ssangyong Motor put into "Debt Reduction Workout" program
2004.10.15	SAIC Vice Chairman Jiang Zhiwei meets with trade union and agreed to ▲employment guarantees and ▲continued investment for the Korea facilities
2004.10.28	SAIC signs Definitive Agreement to take over SYMC for 590.9 billion won
2005.1	SAIC takes over SYMC
2008.8	Public Prosecutors begin investigation into improper leakage of technology
2008.12.17	SYMC unilaterally stops all employee welfare provisions, stops payment of wages, and unilaterally carries out temporary closure (from 17 December to 4th January)
2009.1.08	SYMC board of directors meeting at SAIC headquarters (to discusses how to handle liquidity squeeze and economic slump)
2009.1.09	SYMC applies for court receivership (similar to Chapter 11 bankruptcy)
2009.2.06	Seoul Central District Court initiates court receivership and appoints two receivers : Mr. LEE, Yoo-il and Mr. PARK, Yeong-tae (hereafter, "Management")
2009.2.16	- At 3 pm, Management sends letter to ask for consultation on temporary closure - Union branch proposes consultation meeting for next morning on premise that the factory is running the next morning - At 5 pm, Management unilaterally announces temporary closure to begin on 2/17 And cancels production schedules to implement unilaterally-decided closure
2009.2.27	KMWU Ssangyong Motor Branch proposes (5+5) work-sharing alternatives to suspending one shift Management refuses to consider work-sharing alternatives on the pretext that current wage calculation program is not set up to calculate wages on a work-sharing arrangement (sticks to original plan of 8+0)

2009.3.01	Negotiations rupture with union requesting that the system be re-programmed to be able to calculate wages on work-sharing arrangements and management arguing it would be impossible ; management unilaterally implements suspension of one shift		
2009.4.08	Management announces—initially through the media—its plan to dismiss 2,646 workers At 1 pm, management sends union branch a letter notifying of its plan to dismiss 2,646 workers and cut wages		
2009.4.13 – 4.14	Strike Ballot: 97.56% of union members participate in strike ballot; 86.13% vote in favor of taking industrial action		
2009.4.14	First time management comes to bargaining after non-participation in bargaining		
2009.4.16	Management announces “Voluntary Retirement” and begins collecting applications		
2009.4.24	Wage bargaining. Management has no counteroffers. Rupture of bargaining		
	Despite warning strikes, management does not come up with a counteroffer		
2009.5.08	Management files report to the Ministry of Labor Pyeongtaek Office for collective dismissal of 2,405 workers		
2009.5.13	3 union officers begin aerial sit-in atop 70 m tower inside Pyeongtaek plant calling for withdrawal of the dismissals		
2009.5.21	Union branch initiates strike		
2009.5.22	Workers start sit-in protest at Pyeongtaek factory		
2009.5.31	Company declares lockout		
2009.6.02	Management sends notification of redundancy dismissal (1,056 workers) and announces extension of application period for voluntary retirement to 5th June		
2009.6.16	Management attempts to enter the factory but fails, at which the management proposes unconditional dialogue. Union decides to accept negotiation on 18th on the condition that the management stops pro-management rallies.		
2009.6.18 – 6.19	Union-management talks are held but management will not consider seeking alternatives to dismissals. Union tells the management to inform it of any change in position.		
2009.6.23	Management re-starts mobilizing pro-management rallies with hired thugs and guards, and blockades factory entrance (from solidarity visits etc)		
2009.6.24	Confrontation arises between pro-management rally participants and police and union KMWU receives Ministry of Knowledge Economy letter refusing union proposal of union-government talks on Ssangyong Motor		
2009.6.26	Management announces—through 11:00 press conference—their “Final Proposal” while simultaneously management-hired thugs begin breaking through the fence to enter the factory		
	Management ‘Final’ Proposal	Number of workers	Comment
	Spin off	270	Dismissal is prerequisite in all cases
	Change employer	50	
	Voluntary retirement	450	
	Priority Re-hire	100	
	Unpaid leave until end of 2012	100	A 3-year unpaid leave creates the same difficulties as dismissal.
	Riot police illegally arrest KMWU unionists trying to film the management press conference		
	Riot police arrest lawyer KWON, Young-kuk who was participating in a press conference of legal scholars voicing opposition to use of riot police in Ssangyong Motor dispute		
	By 15:00 the management-hired thugs attack the sit-in, clashes ensue By 17:30 the management-hired thugs and managers occupy the main building ; Over 300 management-hired thugs and company-organized goons continue attacking the sit-in protestors until dawn		
	The family members participating in the sit-in, especially the children, are completely terrorized		
2009.6.27	From 10 am, company-hired thugs begin pushing toward the sit-in protestors again,		

	<p>the thugs and a few members of the goon squad begin to deliberately trash parts of the facilities (including even the team 3 and team 4 lines)</p> <p>3 pm. Company-hired thugs armed with steel pipes, shields, water hoses and fire extinguishers continue attacking the sit-in with steel-pipe armed management-organized goons while 3 platoons of riot police stand watching them attack the sit-in</p> <p>Thugs and goons aggravate union members by beating sit-in strikers with steel pipes, throwing fire extinguishers at sit-in strikers etc Many unionists are injured</p> <p>Management has positioned several hundred cameras and camcorders in, around and above and has photos taken of workers involved in the clashes ; this preparation and mobilization of so much photography equipment leads the union to suspect that aggravation of the sit-in strikers and instigating the clashes were deliberately planned by management</p>
2009.6.30	Management cuts off water supply to the male, female and children sit-in protestors by physically breaking the water pumps supplying water into the plant;
2009.7.01	Union branch finds problem, pays technician 3 million won to fix water pump and welds shut the manhole cover to prevent management from damaging the motor Five Ssangyong Motor managers come in the afternoon, break the manhole cover, and destroy the water pump motor and controller KWMU members deliver drinking water to sit-in strikers who have not had water for two days
2009.7.03	Court issues a Court Injunction prohibiting entry to the factory ignoring the fact there is an ongoing industrial dispute with sit-in strikers already inside the plant ; union refuses to accept the order on basis that it is an unfair obstruction of a legal strike that has followed all the procedures prior to taking collective action
2009.7.05	Riot police station themselves in a blockade around the plant to isolate the sit-in strikers; riot police block even medical personnel from seeing the sit-in protestors
2009.7.12	Gyeonggi Province Police conduct "Emergency Arrest" of KMWU Gyeonggi Branch Chair YANG, Dong-gyu at his home on Sunday morning and conduct a search and seizure of his home. This arrest is reported as "the first arrest of outside forces" influencing the Ssangyong Motor strike even though the union officer is not a third party
2009.7.16	Riot police use excessive force and arrest to block KMWU members from conveying food and medical supplies to sit-in strikers after a KMWU rally in front of Pyeongtaek City Hall 82 are arrested and later released. However no food or medical supplies make it through the blockade beginning 16 July
2009.7.20	<p>10 am: 34 platoons of riot police enter Ssangyong Motor Pyeongtaek Plant and surround the building in which the workers are sitting in. Riot police occupy the plant.</p> <p>13:30 Wife of KMWU Ssangyong Motor Branch Policy Director dies in the hospital. She had hung herself in her bathroom that morning when she received news that the riot police had begun entering the factory, was discovered and rushed to the hospital. She leaves behind two children (aged four, age 8 months). Recent visits by company managers threatening that the family's home and assets would be seized to pay damages claims for the strike and her husband would be imprisoned as well as an arrest warrant for her husband delivered to their home appear to have unnerved her</p>

Unionists Detained and Imprisoned relating to Ssangyong Motor Case:

1) Mr. YANG, Dong-Gyu

- Position: Chair of Korean Metal Workers' Union (KMWU) Gyeonggi Regional Branch
- Personal: Has a wife and two children
- Eight officers of the Gyeonggi Province Police Public Security Team came to Mr. Yang's house at 8:40 a.m. on Sunday morning of 12 July 2009. The police began search and seizure of his house and home computer and arrested Branch Chair YANG on "emergency arrest"
- Mr. YANG is the first arrest of the government's so-called "list of 62 Outside Forces" allegedly subversively influencing the Ssangyong Motor industrial dispute
- Korean Metal Workers' Union is a national, industry-based union. KMWU Gyeonggi Regional Branch Chair YANG should not be viewed as "outside third-party" to the dispute at Ssangyong Motor simply because he is not a direct employee of Ssangyong

2) Mr. PARK, Se-jun

- Position: General Secretary of KMWU Incheon Regional Branch
- Personal: Has a wife and no children

3) Mr. KIM, Jeong-wook

- Position: Planning director of KMWU Ssangyong Motor Branch
- Personal: Has a wife and two children
- Arrested on 26 June 2009 and currently inmate #213 at Pyeongtaek Detention Facility

All are being held under suspicion of criminal obstruction of business relating to the strike at Ssangyong Motor

Arrest Warrants for KMWU Ssangyong Motor Branch union leaders:

Position	Name	Comment
KMWU Ssangyong Motor Branch Chair	HAN, Sang-gyun	
KMWU Ssangyong Motor Branch First Vice Chair	KIM, Seon-yeong	
KMWU Ssangyong Motor Branch Vice-Chair	KIM, Eul-rae	
KMWU Ssangyong Motor Branch General Secretary	HAN, Il-dong	
KMWU Ssangyong Motor Branch Planning Director	LEE, Chang-guen	
KMWU Ssangyong Motor Branch Planning Director	KIM, Jeong-wook	Arrested on 26 June 2009. Inmate #213 at Pyeongtaek Detention Facility
KMWU Ssangyong Motor Branch Culture and Recreation Director	KO, Dong-min	
KMWU Ssangyong Motor Branch Organizing Director	SEO, Min-shik	
KMWU Ssangyong Motor Branch Shopsteward	JI, Seong-yeol	Also charged with property damage
KMWU Ssangyong Motor Branch Organizing Director	KIM, Deuk-jung	
KMWU Ssangyong Motor Branch Organizing Director	EOM, Chang-ho	
KMWU Ssangyong Motor Branch Organizing Director	CHOI, Yeong-ho	
KMWU Ssangyong Motor Branch Organizing Director	JEONG, Byeong-ghi	
KMWU Ssangyong Motor Branch Workers Health and Safety Committee	SEO, Jin-cheol	
KMWU Ssangyong Motor Branch Afterservice Mechanics Local Chair	KIM, Bong-min	

26 June 2009 – 27 June 2009 Company-hired goons' attack on sit-in

Company-hired thugs (in white helmets, shields and padded vests) charge at the Ssangyong Motor workers' sit-in (right)



Company-hired thugs (in white helmets) hurl objects and taunt sit-in strikers (right, below)



26 June 2009
Police (four men wearing dark blue in center) stand together with company-hired thugs (in white helmets) and company-mobilized goons (holding steel pipe with blue towels) and company managers





Union member injured in attack on sit-in.
A company-hired thug threw a fire extinguisher at his face, destroying 13 out of a total of 28 teeth

Union member with steel-pipe shaped welts from the company hired thugs and goons attack on the sit-in (right)

Union member head injury (below)



Riot police illegally arresting lawyer (Mr. KWON) who was participating in a press conference on 26 June 2009



Unable to shake all the sit-in strikers out of the plant, the hired goons continue their attack deep into the night



Materials taken from a company manager in the course of 26 – 27 June :
 Sheets distributed by the company outlining assignment of goons to different pro-company rallies and pro-company activities



22 May 2009
 KMWU Ssangyong Motor Branch Chair HAN, Sang-gyun gives speech on first day of sit-in at Pyeongtaek factory

Blue sign reads: Our jobs are our lives!



**1 June 2009
Rally inside Ssangyong Motor Pyeongtaek Plant Calling for Management to Withdraw the Lockout**

Orange signs read *"Dismissal is Murder!"*

Aerial sit-in is taking place atop the tower inside the plant in the background



19 June 2009
Shopfloor level KMWU officers from across the country come to Pyeongtaek to participate in rally and candlelight vigil at Ssangyong Motor Pyeongtaek plant



19 June 2009
Plainclothes and armored Korean National Riot Police (KNRP) arrest workers who participated in a rally calling for government negotiations to resolve the issue at Ssangyong Motor





20 June 2009 KMWU Rally inside Pyeongtaek plant

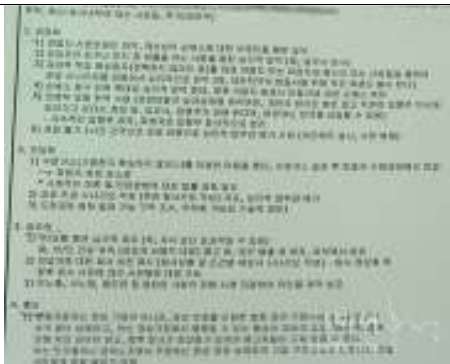


Riot police blockading the sit-in protestors inside the plant (standing on the roof holding orange signs reading "Dismissal is Murder" and waving union flags)



16 July 2009
-Riot police use excessive force and indiscriminate arrests (of 82 persons) to block KMWU members from conveying food and medical supplies to sit-in strikers inside the plant
-No food or medical supplies reaches the sit-in protestors

Photo courtesy of Media Chungchong



18 July 2009
Journalists obtain internal Ssangyong Motor Company e-mail discussing "2. [Potential] Plans for suppression." First option listed is the outrageous chemical method of using sleeping gas on the sit-in protestors. Internal memo notes "need to review social opinion and legality [implications] of this method of suppression"

Photo courtesy of Media Chungchong



Photo courtesy of Media Chungcheong

-Union members isolated inside the plant by riot police blockade hold up a sign asking that medical caregivers be allowed through the blockade and that food be allowed through the police blockade

-Inside sit-in site, strikers are rationing food and water because of the blockade

(19 July 2009, photo courtesy of Media Chungcheong)