

# URGENT ACTION

## TRADE UNIONIST STILL AT RISK OF DEPORTATION

**On 2 March the Seoul 12<sup>th</sup> Administrative Court issued a temporary injunction against the forcible deportation of Michel Catuira, President of the Seoul-Gyeonggi-Incheon Migrants' Trade Union (MTU) in South Korea. However, the injunction will apply only until MTU's appeal case against the cancellation of his visa status has been decided. Therefore, he remains at risk of deportation.**

On 2 March the Seoul 12<sup>th</sup> Administrative Court ruled in favour of MTU President and Filipino national, **Michel Catuira**, issuing an injunction against the cancellation of his permission to change workplace, the cancellation of his visa and the order to leave the country by 7 March. Michel Catuira was notified of this cancellation by the Korea Immigration Service on 14 February. The temporary Court injunction applies until his appeal against the Korea Immigration Service's measures is decided.

The Administrative Court is expected to begin hearing the case in late March, during which both Michel Catuira and the Immigration authorities will testify. This process is likely to take about a month.

Even though the injunction postpones the order to leave the country while his case is being heard, Catuira remains at risk of deportation if the appeal is denied by the Administrative Court. There are also fears that the injunction may not effectively prevent the Immigration Services from going ahead with the deportation. In 2008 the then President of the MTU Torna Limbu and Vice President Abdus Sabur, were forcibly deported despite a call by the National Human Rights Commission of Korea for a stay of deportation until it could investigate allegations of abuse during the arrest.

### **PLEASE WRITE IMMEDIATELY in English, Korean or your own language, urging the authorities of South Korea to:**

- Respect the injunction to halt all immigration measures while Michel Catuira's appeal is being heard. This includes restoring Michel Catuira's permission to change workplace and visa status and refraining from executing his deportation order;
- Immediately stop all practices which result in obstacles or deterrents for migrant workers to actively participate in trade unions;
- Immediately remove obstacles preventing migrant workers from participating in the Seoul-Gyeonggi-Incheon Migrants' Trade Union (MTU), in particular by recognizing its status as a legal union in South Korea in line with domestic and international law and standards.

### **PLEASE SEND APPEALS BEFORE 19 APRIL 2011 TO:**

Chief Commissioner of the Korea

Immigration Service

SEOK Dong-hyun

Korea Immigration Service

1-19 Gwacheon, NC Building 8<sup>th</sup> Floor

Byeolyang-dong, Gwacheon

Gyeonggi Province 427-705

Republic of Korea

Fax: +82-2-500-9097/9059

**Salutation: Dear Commissioner**

Minister of Justice

LEE Kwi-nam

Ministry of Justice

Gwacheon Government Complex

88 Gwanmoon-ro, Gwacheon

Gyeonggi Province 427-720

Republic of Korea

Fax: +82-2-503-3532/7023

Email: [webmaster@moj.go.kr](mailto:webmaster@moj.go.kr)

**Salutation: Dear Minister**

### **And copies to:**

Minister of Employment and Labour

BAHK Jae-wan

Ministry of Employment and Labour

Gwacheon Government Complex

88 Gwanmoon-ro, Gwacheon

Gyeonggi Province 427-718

Fax: +82-2-503-6623

Email: [molab506@moel.go.kr](mailto:molab506@moel.go.kr)

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 34/11. Further information: <http://www.amnesty.org/en/library/info/ASA25/001/2011/en>