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South Korea: Migrant workers exploited and abused

"Migrant workers are also human beings. Why don't they pay me for my work? I cannot go home because I don't have money. I have chosen to kill myself as there is no other way."

From the suicide note of Jeong, a 34-year-old Chinese woman who had been working 12-hour night shifts in an embroidery factory -- April 2004

Tens of thousands of migrant workers in South Korea face discrimination, exploitation and appalling working conditions, according to a new report by Amnesty International. Many face a spiral of debt and are forced to work illegally because their employers withhold their salaries and existing laws make it hard to change jobs legally.

South Korea is the first country in Asia to protect the rights of migrant workers in law. But two years after the Act Concerning Employment Permit for Migrant Workers (EPS Act) came into force on 17 August 2004, foreign workers still face multiple abuses, industrial hazards and few possibilities for obtaining redress, according to Amnesty International's findings.

"South Korea led the region in legislating for the protection of migrant workers. Now the government must address the problems that continue, such as unpaid wages, difficulty in changing jobs, and hazardous conditions -- ultimately it must ensure that migrant workers are treated as human beings and that their rights are respected," said Rajiv Narayan, East Asia researcher at Amnesty International.

Around 360,000 migrant workers -- or 1.5 percent of the workforce -- were believed to be working in South Korea as of June 2006, based on government and NGO figures. Workers come from China, Vietnam, Bangladesh, Nepal, the Philippines and Indonesia among other countries.

Migrant workers work excessively long hours for lower wages than Korean workers. They experience high levels of physical and verbal abuse in the workplace and often work in dangerous conditions.

"BS", a 33-year-old Nepali man, worked for Misung Industry, a plastic manufacturing company in the southern city of Daegu.

"On 7 October 2005, my left hand glove got stuck and rolled into the plastic making machine; I could not remove my hand. It was not until my left shoulder was about to roll into the machine that the machine was stopped. I heard later that people could hear the sound of the bones being ground by the machine... When taken out the machine, my arm was without flesh or bones... There was no first

aid... "

Misung Industry initially kept the accident secret and refused to tell BS' friends where he was, until they threatened to tell the police. After five months the company stopped paying for BS' medical treatment. BS still suffers great pain in his arm and cannot work. He is having to pay for treatment out of his savings and does not want to go back to Nepal before getting compensation.

"Most migrant workers are unaware of their rights and those suffering abuse face numerous obstacles trying to access justice. Yet they face intimidation by officials when they try to organise trade unions to try to protect themselves from such abuse and discrimination," said Rajiv Narayan.

Many foreign workers have paid large fees to recruitment agencies in their home countries which they then need to repay -- but find that salaries are lower than promised or employers fail to pay them on time. The resulting debt forces many to seek a new employer who might pay a regular salary.

But the EPS Act has failed to make it easier to change employer, meaning that those trying to escape crippling debt or harsh working conditions have little choice but to work for a new employer without the correct documentation. Undocumented workers face regular police crackdowns and can be arrested at any time. Prior to deportation they are often held in overcrowded, stinking cells where they are at risk of being verbally abused and beaten. They are monitored around the clock; in some detention facilities male guards were monitoring cells where women were detained.

"The South Korean economy benefits so much from foreign workers -- but in many cases they are exploited, abused, and treated appallingly," said Rajiv Narayan.

To see the report, *Republic of Korea: 'Migrant workers are also human beings'*, please go to: <http://web.amnesty.org/library/index/engasa250072006>.

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