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PREFACE

“We realized that the common problems confronting the migrant workers are: exploitative economic system operating in the sending and receiving countries, contract violation, harassment and discrimination. Our response, thus far, is the on-going pastoral care for migrants affirmed by the Generalate mandate. Both of these have challenged and emboldened us to continue committing ourselves to work hand in hand with migrant workers for the realization of their struggle and that of their home countries for food and freedom, jobs and justice, land and liberation.”

From the Unity Statement of the SVD-Justice & Peace and Integrity of Creation (JPIC) conference on migrant workers, September 15 - 19 2000, Hong Kong, SAR

This research is an offshoot of the SVD-JPIC conference on migrants. Through this collaborative project of the Asia Pacific Mission for Migrants (APMM) and the SVD-JPIC, we aim to gather relevant information among grassroots migrant organizations, migrant institutions and advocates on the situation and concerns of migrant workers in Korea.

The first section of the research is a basic exposition on the current situation of Korea and the place of migrant workers in its economy. We also included a more detailed description of the trainee system that, for a long time, has been a major bane for foreign workers. Additionally, we tried to give perspective on the cooperation of migrants and local workers in order to advance their common interest.

The second major section of this pamphlet consists of the outcome of the interviews conducted by APMM volunteers. The interviews were done in order to give concrete faces to the different travails of foreign workers.

We hope that through this research, a better understanding of the condition of foreign workers in Korea can be achieved. More than this, we hope that further actions and cooperation can be taken in order to steadily advance the movement of migrant workers in general, and of foreign workers in Korea in particular.

Research and Documentation Program
Asia Pacific Mission for Migrants (APMM)

SEGYEHWA

(“Globalization”) and Korea: Worsening Crisis in Society, Worsening Conditions for Migrant Workers

The global economy was already slowing before September 11, but since then there has been an even sharper decline. Korea is no exception. One of the most concerning consequences of this is the number of jobs lost among local workers. Another is the worsening plight of Korea’s migrant labor.¹

The purpose of this study is to gather current and past studies, data and information regarding the impacts of globalization policies into the foreign labor market in Korea. As one of the major destinations of migrant labor and one of the “hot spots” for undocumented workers, Korea has been steadily restricting entry and has been intensifying its crackdown towards undocumented workers.

This paper is divided into five parts: (1) the general situation of migrant workers; (2) background on Korea’s economic development and crisis; (3) the current crisis and its impact to the local working peoples; (4) the trainee system; and (5) solidarity and resistance of local and migrant workers.

Korea, once considered as one of Asia’s dragons, is losing its fire. The newly-industrialized country (NIC) phenomenon has lost its luster. As Korea faces a most insecure future and graver crisis, both local and migrant labor face a debilitating crunch to their rights, welfare, and livelihood. Neoliberal globalization increasingly deteriorates the conditions in Korean society.

But then in such dire circumstances, the workers – local and migrant – are developing solidarity and resistance equally challenging to the forces of neoliberal globalization in Korea.

¹ *ASIAN WORKERS NEWS No. 119 Date ; December 16, 2001*



A. Worsening Situation of Migrant Workers

Among the working peoples in Korea, foreign workers are the most exploited, abused and repressed. The intensification of labor restructuring under the neoliberal agenda as described above has negatively impacted and drastically deteriorated the already bad conditions of migrant workers in Korea.

There are two categories of migrant workers in Korea: the legally employed and the undocumented. Among the “legal” foreign workers are professionals and highly-skilled laborers (which account for only 7.3% of all foreign workers)² and the industrial and technical “trainees”. Those who have run away from the repressive and exploitative “trainee system” account for the majority of the undocumented workers,.

As of July 2001, there are more than 310,000 migrant workers in Korea, from which 70% are listed as illegal residents, according to the Ministry of Justice.³ The number of illegal foreign workers in Korea reached 260,000 in January 2002. And it is estimated that the number will rise as a result of big international events like the 2002 Korea-Japan World Cup and the Pusan Asian Games.

² *Trainee System, Undocumented Workers and the Situation of Migrants in Korea*, Pastor Jones Galang, KASAMMAKO, contribution to the International Migrant Conference, Nov. 4, 2001

³ *Ibid.*

Table 1
Table of number of migrant workers by their Nationality (as of May 2000)

Countries	Unskilled	Ind'l/Tech'l Trainees	Undocumented
China	119,964	43,592	76,372
(Ethnic Korean)	68, 583	21,392	47,191
Bangladesh	21,014	7,921	13,093
Philippines	20,324	9,807	10,517
Vietnam	19,943	13,728	6,215
Indonesia	19,595	17,621	1,974
Thailand	12,285	2,543	9,742
Mongolia	11,361	na	11,361
Pakistan	7,300	2,121	5,179
Uzbekistan	6,987	3,054	3,933
Sri Lanka	2,411	2,411	na
Nepal	1,529	1,529	na
Myanmar	759	759	na
Others	17,371	1,878	15,943

Source: Korean Ministry Of Justice, May 2000

Visa status and ethnicity of migrant workers affect the differences in wages in Korea. Undocumented workers can earn more than the industrial and technical trainees and overseas Koreans (Korean returnees) can earn more than non-Korean overseas workers.

Table 2
Comparison of wages of Korean and migrant workers

Wage Composition	Korean workers	Migrant Workers
Average wage	901,913	621,000
Basic wage	585,580	361,500
Other allowances, Bonus, other benefits	316,333	259,400

Source: Small and Medium Business Administration (1999)

Aside from depressed wages, foreign workers are experiencing problems that include long working hours, physical and verbal abuse, poor working conditions, discrimination and non-permission to unionize.

Migrant workers are more troubled with delayed wage payments and worsening health. The Association for Foreign Workers Human Rights in Pusan publicly announced on January 29 the analyses of counselling cases of migrant workers from 1999 through 2001.⁴

According to the result, cases have increased by 82.8% from 163 cases in 1999, to 211 cases in 2000 and then to 298 cases in 2001.

By type, problems related to money, such as delayed payment, extra benefits, allowance, retirement allowance, numbered 55 cases (32.4%) in 1999, 137 cases (62.3%) in 2000, and 163 cases (54.7%) in 2001.

Delayed payment issues have especially increased annually from 44 cases (25.7%) in 1999, to 77 cases (35.0%) in 2000, to 124 cases (41.6%) last year.

Medical counselling cases, resulting from worsened health, increased four-fold from 14 cases (8.6%) in 1999, to 19 cases (8.6%) in 2000, to 56 cases (18.8%) in 2002. This ranked as the second most common problem after money problems for migrant workers.

Women make up about 34.5% of the migrant workers who stay in Korea. In the case of Asian women, they occupy 38.9% of the number of women migrant workers. They come to Korea mainly from China (45.6% of all Chinese migrant workers), Mongolia (43.3%), Thailand (36.4%), the Philippines (34.0%), Vietnam (33.0%), and Indonesia (18.8%).

The type of work they do is divided into four sectors according to their industry, which are: the 'manufacturing industry', 'sex industry', 'service industry' and 'English teacher'. Most of the migrant women working in the manufacturing industry come from South-east Asia. In the case of sex industry workers, most of these women come from the Philippines and Russia. Korean-Chinese women occupy the service industry.⁵

According to Daegu Women Association (DWA) in its research on foreign female workers:⁶

- Over 90% of women migrant workers do not benefit from industrial accident insurance
- 65% do not have even the medical insurance.

⁴ *Migrant Worker's Agony*, *Asian Workers News*, No.123, Feb. 10, 2002

⁵ *Present situation on migrant women workers in Korea*, *ASLAN WORKERS NEWS* No. 118, December 2, 2001

⁶ *Poor Welfare for Women MWs*, *ASLAN WORKERS NEWS* No. 117, November 18, 2001

- One out of three foreign female workers has experienced abusive languages and violence and 85% of assailants are Korean. 7.7 % were abused sexually, most of them young and unmarried
- Daily average labor time is 10.75 hours. 41% of industrial trainees and 67% of undocumented migrants work over 12 hours.
- Monthly average pay of migrant female workers is 703,000 won and they are suffering from pending payment. The total number of industrial trainees and undocumented migrants in Daegu are over 30,000. They work in manufacturing companies, etc. 30 percents of them are estimated to be female.

According to the statistics of industrial accidents of migrant workers by the Ministry of Labor (MOL), issued on December 11, 2001 a total of 3,585 migrant workers were injured, and 130 of them died from industrial accidents from 1998 to August 2001.⁷

Classified by years, 755 in 1998, 715 in 1999, and 1,199 in 2000 — an increase by 67.4 percent than the previous year. The number of deaths among migrant workers are: 35 in 1998, 20 in 1999, 39 in 2000, and 36 by August 2001.

Such is the worsening situation of migrant workers in Korea. Usually, as the economic crisis worsens, the migrant workers are asked to “share the burden” even though they were not the reasons for the economic problems of Korean society.

⁷ *MW's Industrial Accident Increasing, ASIAN WORKERS NEWS No. 120, December 30, 2001*



B. Two Decades of Neoliberal Globalization Has Brought a Worsening Crisis in Korean Society

South Korea, acclaimed as an economic miracle, became one of the world's leading newly industrializing country from a subsistence agrarian economy in the 1960s. Since Korea launched its first Five-Year Economic Development Plan in 1962, the country's real GNP has grown by an average of more than 8% per year.⁸ But the miracle was short lived.

During the late 1980s and early 1990s, the Korean economy began experiencing slower growth, higher inflation and a deterioration in the balance of payments.

In 1993, the Korea government declared the revitalization of the economy as one of its foremost tasks, and set about to develop a new economic paradigm called the "New Economy" as part of its master plan of creating a "New Korea".

The economic policy of the civilian government of President Kim Young-sam since its emergence in 1993, concentrated on efforts to increase the international standing of the Republic of Korea, and the "globalization" (seggyehwa) of the economy became the centerpiece of presidency. While the policy of "globalization" remains unclear, the government has pursued a rapid course in production and privatization based on the subordination of labour interests to economic interests.⁹

⁸ *Byoung Il Yoo, In-Depth Country Study in the Republic of Korea: Status, Trends and Prospects to 2001, Asia-Pacific Forestry Sector Outlook Study, Working Paper No. 6*

⁹ *Korean Confederation of Trade Unions, General Situation, www.kctu.org, April 30, 1996.*

The Korean Confederation of Trade Unions lists down some of the anti-labor policies associated with the “New Economy” on the pretext of maintaining economic growth:

- suppression of independent unions
- greater production quotas for workers
- increased industrial accidents
- broader implementation of “flex time” reducing overtime payments
- longer work days
- employment methods in the form of leasing labour, freer dismissal, and part-time
- labour receive no protection under the special law on small and medium companies
- introduction of the trainee program for foreign workers
- inappropriate labour education programs
- limited unemployment insurance policy

The resulting tense labour relations generated by the incompetency of the government and the management to respond adequately to demands of the workers have resulted in export losses of 95 million dollars in the first months of 1995, an increase of 115-fold compared to the same period in 1994.¹⁰

By 1996, South Korea ranks as one of the top fifteen economies in the world, with the twelfth largest trading capacity and with a GNP of US\$10,000.¹¹ Unfortunately, such “stunning” performance did not result to proper observance or implementation of international labour rights and norms in the Korea despite frequent warnings and recommendations by international bodies.¹²

According to the 1996 General Situation report of the Korean Confederation of Trade Unions:

- a. South Korea ranks 122th in the international community in terms of its social welfare provisions and still remains as one of the nations with the longest working hours and the highest rate of industrial accidents.
- b. It has the lowest trade union membership among OECD countries due to the constant and consistent suppression of trade union activity and a faulty system of industrial relations carried over from the decades of dictatorship and authoritarian regime.

¹⁰ *Human Rights Watch/Asia 1995*

¹¹ KCTU, *General Situation*, www.kctu.org

¹² *Ibid.*

- c. The state-led economic growth model (the “development dictatorship model”), the basis of the Korean economic miracle, has alienated workers from the economic decision-making process and has led to an unequal distribution of wealth in the society.
- d. Unjust legal provisions still exist to curb the basic rights of the workers.

By 1997, Korea was swept away by its own internal economic weakness brought by neoliberal policies. At the onset of the Asian Financial Crisis, Korea immediately felt the crunch and by December, sought an IMF bail-out scheme to prevent a wholesale collapse of its economy. Unemployment soared. The Korean people felt general hardship.

Under the auspices of the IMF, the Korean government adopted a **Policy on Economic Restructuring**:¹³

- a. To promote labor market flexibility: legislation of lay-off and workers dispatch system
- b. To implement structural adjustment programs in financial sector and public sector
- c. To compel companies to structural adjustment programs

The Korean government hinged on these policies to attempt full-scale and immediate recovery. However, the reality of the Korean people’s misery far exceeds the hallucination of government authorities years after.

¹³ *Economic Situation in South Korea, International Macroeconomic Analysis Section, International Economic Policy Division*



C. Illusion of Recovery, Reality of More Misery

The Korean government attempts to paint a rosy picture of recovery and even sustainable growth after the disastrous 1997 crisis.

Look at how the Korean Vice-Minister for Finance and Economy describes the situation:¹⁴

“As you would agree, Korea’s comeback from the crisis has been truly remarkable, and this trend has solidified through this year. The nation’s foreign reserves have steadily climbed to reach a record 89 billion US dollars this month from the near depletion two and a half years ago, thanks to large current account surpluses and active capital flows. Real GDP grew 10.7 percent in 1999, while inflation was kept in check at a record low of 0.8 percent. Meanwhile, the unemployment rate has dropped from its peak of 8.6 percent in February of last year to 3.7 percent this May, its lowest level since the beginning of the crisis.”

¹⁴ Korea’s Economic Reform, Sustained Growth, and Strategies for Meeting the Challenges of the 21st Century, Keynote Speech at the Korea Society, Uhm Rak-Yong, Vice Minister of Finance and Economy, The Republic of Korea, June 28, 2000, New York

However, behind the glamorous statistics can be unraveled the deceit within their claims. In the same speech of the Vice Minister of Finance and Economy can be found the undoing of his claims.

On Foreign Reserves, Capital Flow and Account Surpluses

Portfolio and Short Term Investments have been the dominant character of Foreign Direct Investments into Korea.

“Since the onset of the recent financial crisis, Korea’s financial sector has been dramatically opened to allow foreign participation and competition. Both portfolio and direct investments have been greatly liberalized, with virtually all of the previous restrictions applicable to foreign investors lifted.

...It is not an exaggeration to say that Korea’s progress in market opening achieved in the past two years is more than comparable to that accomplished in the decade prior to the crisis. In fact, Korea attracted a record level of FDI in the last two years, amounting to 24.4 billion dollars. This figure is even higher than the total FDI inflows for the previous two decades.“

But Portfolio and Short-term investments as the cornerstone of market liberalization puts great instability to the foreign reserves of the economy. It has been known as the cause of the collapse of many economies during and after the Asian Financial Crisis.

Again in his own speech:

“Just as the benefits of market liberalization are clear, so are the potential negative effects. As we are well aware from the recent experience of the Asian financial crisis, the volatile nature of short-term portfolio investment poses a threat to the stability of emerging markets and complicates macroeconomic management in host countries. A surge of capital inflows, often followed by a sudden reversal, can cause undesirably large swings in market prices, while undermining the effectiveness of the government’s exchange rate and monetary policies.”

Also, trade and current account surpluses are shrinking compared to the past years and will not be a positive factor to sustain or even increase foreign reserves.

“But, of course, not all economic indicators are favorable, a notable example being the trend in the trade balance. Despite a rapid expansion in exports, the strong economic recovery and high international oil (and other commodity) prices meant an

even faster pace of import growth. The shrinking trade and current account surpluses, however, should not be surprising, as they are seen as a normal state of affairs in emerging market economies, which tend to be net capital importers. Nevertheless, we do expect that the improving terms of trade will bring in about 10 billion dollars of current account surplus for the year, down considerably from the unusually high level of surpluses recorded in the past two years."

On the GDP

The growth rate is actually decreasing. The Korean government holds the illusion that it can sustain stable production. In fact, in the same speech, the Finance Minister qualified the pattern of “growth” of production as “slowing down”.

“Although real GDP grew 12.8 percent in the first quarter of this year, compared to the same period last year, the quarter-to-quarter growth rate continues to slow down, showing no signs of overheating. The growth rate reached 1.8 percent during the first quarter, a continued drop since the second quarter of last year when it posted an increase of 4.1 percent.”

On the True State of Korean Corporations

Even the IMF assesses the sorry state of companies and production in Korea:

“But many Korean companies are in poor health. The corporate sector remains one of the most heavily indebted in the world, and its profitability is too low. According to some studies, one-quarter of Korean firms are not generating enough cash flow to cover interest payments on their loans, let alone repayment of principal. Nonetheless, these companies continue to have access to financing.”¹⁵

Ever since the Korean government acceded to restructuring policies by the IMF, no sustainable economic development can be foreseen. In fact, five years after, Korea is still reeling from a deteriorating economic situation.

But probably the best indicator of the continuing and deepening crisis in Korea is the worsening condition of its workers.

¹⁵ **Koreans Need to Put Up With More Economic Reform:** *A Commentary By Ajai Chopra, Assistant Director of the Asia and Pacific Department and David Coe, IMF Senior Resident Representative in Seoul International Monetary Fund, International Herald Tribune February 20, 2001*

1) The unemployment rate continues to soar.

Unemployment rate rose to 3.7% in January 2002 and the number of unemployed persons increased by 57 thousands to 819 thousand persons. The number of persons out-of-the labor force rose by 299 thousands (2.1%) compared to the previous month.¹⁶

Table 3
Trends of Employment Index (unit: thousand, %)

	1997	1998	Jan. 1999
Population over 15 age	34,736(1.6)	35,243(1.5)	35,450(1.2)
Labor force(L/F)	21,604(2.0)	21,390(-1.0)	20,671(0.1)
L/F participation rate	62.2	60.7	58.4
Employed	21,048(1.4)	19,926(-5.3)	18,909(-4.1)
Unemployed	556	1,463	1,762
Non-labor force	13,132(1.1)	13,853(5.5)	14,779(2.7)
Unemployment rate	2.6	6.8	8.5

Source: Korea Labor

2) Wages are continuously being depressed.¹⁷

In 1998, the nominal wage was reduced by - 2.5% and real wage by -9.3%. According to the government, the main reasons of wage decrease were the economic crisis, reduction of labor demand, wage freeze or wage cut at the expense of employment. Although fixed sum of wage wasn't reduced, extra pay and beneficiaries decreased. The average wage reduction in the manufacturing sector was -3.1% and in the construction industry, -7.5%.

In 2001 compared to 2000, wage growth decreased by 2.9 percentage points to 5.6%. This is compared to a 8.0% wage growth in 2000.

3) Labor disputes are increasing¹⁸

A total of 12 strikes occurred in January 2002, compared to a figure of 7 in January 2001. The number of persons involved in strikes totaled 1,272 persons in January 2002. The comparable figure for January 2001 was 280.

¹⁶ *Korean Labour Institute*

¹⁷ *Labor Situation and Union Education in Korea, ISC-Asia Project Library*

¹⁸ *Korea Labor Institute*

Table 4
Recent Employment Trends

	2000		2001		2002	
	Nov	Dec	Jan	Nov	Dec	Jan
Labor Force	22,163 (0.3)	21,750 (0.4)	21,267 (0.0)	22,524 (1.6)	22,109 (1.7)	21,825 (2.7)
Labor Force Participation Rate	61.1	59.9	58.5	61.5	60.3	59.6
Employed	21,366 (1.2)	20,857 (1.2)	20,286 (0.8)	21,810 (2.1)	21,347 (2.3)	21,025 (3.6)
Unemployed	797	893	982	714	762	819
Unemployment Rate	3.6	4.1	4.6	3.2	3.4	3.7
Out-of-the Labor Force (OLF)	14,127 (2.2)	14,576 (2.0)	15,066 (2.5)	14,092 (-0.2)	14,533 (-0.3)	14,832 (-1.6)

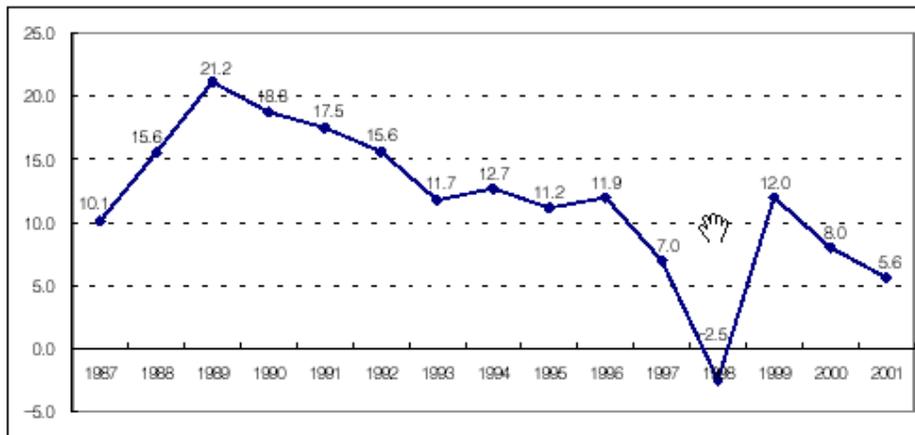
Note: The number in parentheses are growth rate compared to the same period of the previous year
Source: National Statistics Office, Employment Trends in January 2002, February 2002

Table 5
Wage Trends

	1996	1997	1998
Total amount of wage (thousand Won/month)	1,368	1,463	1,427
Nominal wage fluctuation rate (%)	11.9	7	-2.5
Consumer price fluctuation rate (%)	4.9	4.5	7.5
Real wage fluctuation change rate (%)	6.7	2.4	-9.3

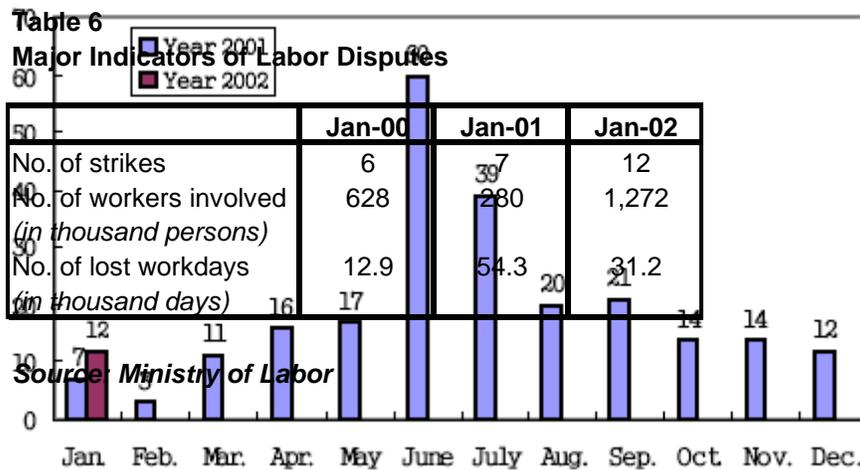
Source: Ministry of Labor

Figure 1
Trends in nominal wage growth in establishments with ten employees or more (%)



Among the major reasons for strikes is the long working hours of workers under reduced pay. An average Korean worker presently uses only 78.8 days of their holidays in a year and worked 2,474 terribly long hours in 2000. This ranks Korea 7th in the longest hours worked, among 75 countries in the ILO (International Labor Organization).¹⁹

Figure 2
Number of strikes by month, 2000 and 2001



¹⁹ *The Five-Day Working Week System and Migrant Workers*, ASIAN WORKERS NEWS No. 111 Date, August 26, 2001

The crisis brought about by the continued “restructuring” under neoliberal policies sponsored by the IMF and the WTO has continued and intensified after the Asian Financial Crisis. Under trade and finance liberalization, Korea’s economy is tethering in a balance. This situation has been proven to be detrimental to the job security, wages and working conditions of the Korean working peoples.

Migrant workers are no exception. The economic problems in Korean society has engendered greater hardships for them. The trainee system, the longstanding labor importation scheme in Korea, has created numerous restrictions and constraints for migrants’ rights and welfare. With the worsening economic situation in Korea, the Korean government has implemented policy upon policy without consideration to the labor rights of foreign workers.

More so, systematic and collective crackdowns are continuously undertaken to supposedly curb the rise of undocumented workers. But then, a conflict of interests is seen as Korean companies demand greater numbers of foreign workers – cheaper and more vulnerable than local workers – to boost their diminishing profits. In the end, the migrants are blamed for the rise of unemployment of the local labor force.

D. “Improvements” in the Trainee System Means More Hardships and Greater Repression for Migrant Workers

With ongoing labor restructuring, sectors of Korean government are talking about “improvements” in the trainee system. However, the basic flaws of the system are not addressed and are actually worsened. In the end, the restructuring is exposed as a means to tighten control over migrant workers and as a basis for greater exploitation and repression.



Brief Historical Background of the Trainee System

In the mid-80s, Korea opened its labor market to foreign workers. In 1991, government regulations and administrative institutions were introduced to systematically recruit workers from foreign countries. Thus the Industrial and Technical Training program for Foreigners was launched following the Japanese model. According to the program, the imported foreign worker will enter Korea as trainees and not as workers. However, they actually work in factories without training and are regarded as “disguised workers”.²⁰

²⁰ *Trainee System, Undocumented Workers and the Situation of Migrants in Korea*, Pastor Jones Galang, KASAMMAKO, contribution to the International Migrant Conference, Nov. 4, 2001

Korean firms with foreign affiliates have been allowed to bring trainees into Korea since 1991, however, the number of foreign workers can neither exceed 50 nor surpass 10% of the total Korean workforce in the company.²¹ The “training period” is set for six months with a possible extension of an additional six months with consent from the Ministry of Justice.

From 1992 to 1993, about 8-9,000 foreign workers entered Korea. On June 1993, up to 10,000 “trainees” were authorized to work for one year in selected companies. The length of traineeship was extended from less than one year to a maximum of two years.²²

At that same time, the number of undocumented workers entering Korea through short-term visas (tourist, business, etc) increased. They were employed in a variety of Small and Medium Businesses (SMBs) – which are actually sweatshops.

In 1993, the Korean government executed crackdown on undocumented workers but was met with resistance from employers of SMBs. Because of the big demand for “trainees” and a shortage of cheap labor, the SMBs wanted migrant workers for manpower. The government was forced to adopt “temporary legalization” to undocumented workers to alleviate the labor shortages in SMBs.

Since 1993, the Korean government expanded the scale for importing foreign trainees to be employed in garment and footwear industries. A total of 30,000 trainees were imported from November 1993 to September 1994. Later in 1996, again because of cheap labor shortages, around 1,000 trainees in the fishing sector and 30,000 in the manufacturing sector were allowed.



In 1996, the period of employment as trainee was then again extended to a maximum of three years,

Currently, there are two kinds of trainees in Korea.²³ The first group enters Korea through the Korea International Training Cooperation Corps (KITCO), patterned after the Japanese trainee system. The Korean Federation of Small Businesses (KFSB) directly guides the KITCO in its importation and distribution of “trainees”. The other group of trainees are sent to Korea from a Korean affiliate company overseas. Called the Trainees Under Joint Venture (TUJVs), they remain as employees of the overseas company.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

The Trainee System: Rotten to the Core

Inherent to the Trainee System is systematic exploitation and abuse. On top of general violation of workers' rights, the basic flaws of the system also exacerbate the phenomenon of undocumented workers in Korea.

An official from KFSB said, "Among the 80,000 trainees, 40,000 walked away from their allocated workplace and are now undocumented. Therefore, the real number of industrial trainees is only half the official number. Over 60% of companies, which employ trainees, are small companies in 3D (Dangerous, Dirty and Difficult) jobs."²⁴

Why are migrant workers running away?

Trainees work 12 hours a day, plus overtime, receive no extra payment for working on holidays, yet they only earn 210,000 Won per a month. Also, because they are on trainee contract, they are not covered by labour standards, even though they work in the same positions as fully paid Korean workers.²⁵

In the final analysis, the following intolerable and glaring flaws of the trainee system constitute the root causes of trainee dissatisfaction, which, in turn, compel them to run away from their workplaces and become undocumented workers:²⁶

- Very low compensation KRW 421,490 a month (to be raised to KRW 474,600 a month starting September 2001).
- Inhumanly long working hours, 12 hours or more a day, 7 days a week, including Sundays and holidays.
- Hazardous, unclean and sometimes even chemically toxic working conditions.
- Poor accommodation and unhealthy living conditions, without sufficient heating in winter or air conditioning/ventilation in summer.
- Insufficient, less nutritious and repetitious food.
- Although the two-year work-training contracts are supposedly renewable for another year, if trainees pass the required exams, some on-site management offices send their trainees home, even before the completion of their contract and without the benefit of post "training examinations".

²⁴ *Shortage of Foreign Industrial Trainees, ASLAN WORKERS NEWS No. 106, June 17, 2001*

²⁵ *Grant Labor Rights to TUJV! Various kinds of unequal treatment to TUJVs, Lee Taek-bong Staff reporter, ASLAN WORKERS NEWS No. 107, July 1, 2001*

²⁶ *Letter from Philippine Embassy to KFSB, ASLAN WORKERS NEWS No. 114, Sept 7, 2001*

Though it is clear that the industrial and technical trainees are valuable labor power in much needed industries in Korea, yet the Korean government treats them as merely “trainees” deprived of the rights and privileges as workers – just wages, unionizing and collective action.²⁷ They are merely given an allowance instead of a wage. They are also forced to work during holidays, or if not, during their days-off. Most of them are also compelled to work overtime. They also experience frequent incidence of industrial accidents and are not entitled to compensation. They are always under threat of being fired if they complain about their difficult situation.

The trainees are forced to accept these conditions in order to stay in their jobs because of the excessive brokerage fees they paid just to go to Korea. In most cases, they are heavily indebted. The agencies recruiting “trainees” charge huge brokerage fees amounting to US\$2,000 to US\$3,000 and even up to US\$8,000. In many cases, the agencies deduct trainees’ payments from their monthly allowances. Thus, a significant number of trainees run away from their designated companies and look for other employment opportunities where the wage is relatively closer to labor market prices, although still lower compared to Korean workers.²⁸

These basic flaws are not addressed by the current proposals of the Korean government and its agencies – the Ministry of Justice and the Ministry of Labor. Currently, the Korean government is planning to implement this year a new training system where trainees can change for two years after a one-year training period. However, the KFSB does not want major changes in the Trainee System as this would increase their labor costs.

“Improvements” to the Training System

The seeming dilemma between the Korean government and the Korean businesses is brought about by certain factors:

- 1) The pressure coming from various trade unions and migrant support groups and institutions on the glaring problems of human rights violations within the trainee system also is pushing the Korean government to institute some reforms.
- 2) The Korean government wants to “improve” conditions for foreign workers because it wants Japan to also do the same for Koreans there.²⁹

²⁷ *Trainee System, Undocumented Workers and the Situation of Migrants in Korea, Pastor Jones Galang, KASAMMAKO, contribution to the International Migrant Conference, Nov. 4, 2001*

²⁸ *Trainee System, Undocumented Workers and the Situation of Migrants in Korea, Pastor Jones Galang, KASAMMAKO, contribution to the International Migrant Conference, Nov. 4, 2001*

²⁹ *Korea: Migrants, MIGRATION NEWS, February 2001, Volume 8 Number 2*

3) In a survey sponsored by the Korea Federation of Small and Medium Business (KFSB), they found that 90 percent had “above-average” satisfaction with trainees. When asked why they hired foreign trainees, 59 percent said they had trouble finding Korean workers and 30 percent cited the lower wages of trainees. The KFSB concluded that, “despite the rising unemployment rate, domestic workers still appear reluctant to jump into the Three-D (dirty, dangerous and difficult) jobs. In other words, the foreign industrial trainees are really helping small businesses reduce labor costs.”³⁰

4) The KFSB, representing capitalist interests, while objecting to government-proposed reforms because it would radically increase wages and labor costs, doesn’t want to restrict the flow of foreign workers.

According to KFSB, the number of companies that applied for foreign trainees was 856 asking for 2,182 trainees in January 2001; 1,113 requesting 2,912 trainees in February; 1,150 requesting 2,937 trainees in March; and 1,057 requesting 2,690 trainees in April. This shows that the demand for trainee is steadily increasing. Despite continuous demand, the reason that supply did not meet the demand is that the government places restrictions on the number of foreign industrial trainees, to 80,000, since 1999. Business circles have demanded the government to increase the number by 25%.³¹

For almost two years, the Korean government is trying to find a win-win solution to its problem of rising undocumented workers, the rising demand for cheap labor provided by migrant workers and the rising unemployment among Korean workers but is miserably failing.

However, the real agenda of the Korean government and the business sector is revealed: they do not wish to completely abolish the unjust Trainee System but would want to introduce some other control mechanisms to regulate the incidence of undocumented workers.

Stricter Control, Not Legalization of Undocumented Workers

As part of the proposed new migrant policy of the Korean government, the current 1+2 system would be changed to a “2+1 system”. Trainees will be able to extend their stay in Korea for two more years after one year of working if they pass the qualification exam. And, the government plans to have the Korean language test for the trainee appliers so that the more overseas Koreans will get the chance to be the trainees. A computerized selection and

³⁰ *Korea: Migrants, Unions, MIGRATION NEWS, July 2001, Volume 8 Number 7*

³¹ *Shortage of Foreign Industrial Trainees, ASIAN WORKERS NEWS, No. 106, June 17, 2001*



distribution of trainees will be initiated. Also, a “retirement insurance device” (forced savings) might be implemented. Under this scheme, the trainees will put part of their salaries in this fund and supposedly get them when they go home back.³²

All these proposals are meant to further trap the trainees under the basically unjust exploitative conditions of the Trainee System.

Migrant workers’ policy in Korea is facing an extensive turnover in 2002. The Korean government is using **restructuring**³³ against migrant workers to rationalize the influx of migrant worker labour and increase economic efficiency.

According to the Equality Trade Union – Migrant’s Branch in Seoul, “restructuring is focusing on control reinforcement by the Korean government regarding the import process of migrant manpower and employment.”³⁴ In their position paper regarding the proposed changes, they have exposed the detrimental features of the scheme:

- Control reinforcement means that the Korean government will limit the numbers of migrant workers for executive convenience and to increase the benefits of employers.
- The government will also interfere in employment, dismissal, and labour processes and conditions.
- For workers, control enforcement means their dignity will be diminished and working conditions and the rights stated in the labour law will go against the trend of the times. And the situation of undocumented workers’ will be worse than before.
- The 2002 restructuring plan is firstly, ‘reinforcement of undocumented workers’ deportation and secondly, ‘implementation of an employment

³² 2002: Year of Big Changes, Han Ei-no, *ASLAN WORKERS NEWS*, No.121, Jan. 13, 2002

³³ *Secure the Right to Work Through a Strong Fight Against Control and Deportation*, Yi Yoon-Joo, Chief of Equality Trade Union Migrants’ Branch in Gyeongin, Seoul, *ASLAN WORKERS NEWS*, No.123, Feb. 10, 2002

³⁴ *Ibid.*

permission system'. Thirdly, 'maintaining the trainee employment system' In this regard, some follow-up measures indicate that this year will be a tough time. For this reason, they are trying to replace undocumented workers with new documented workers, who are employed under the 'Employment Permit System' through the gradual deportation of undocumented workers.

- However, migrant workers who will be employed under the Employment Permit System are not likely to receive better rights than trainees. In this regard, we can see the truth that the broad changes to Korea's migrant worker policy is not for migrant workers.
- The Korean government estimates that the necessary manpower of migrant workers is about 1-1.5 percent (200,000 -300,000) of Korea's economically active population. The problem is that this figure leaves undocumented workers out of consideration. It's just preparing the law about would-be new workers, not undocumented workers who have worked in Korean industry and contributed to the economic development of the country.
- Moreover, it has considered them as criminals and carried continuous deportation policies against them. One of the deportation policies is intensive control of undocumented workers, as it was before. Another is fine exemption to promote departure from Korea.
- One new policy is a 'conditional pardon', or 'extension of departure delay period', which is being used by the Prime Minister's Office that is responsible for decisions regarding migrant workers. With this pardon, if undocumented workers report themselves to the government, they will be able to work legally for 6 to 12 months while they are preparing for their departure and be given fine exemption.

As proof of the intensifying "control reinforcement" towards migrant workers, the Korean government has been instituting restrictive policies and undertaking collective crackdowns on



a regular basis. With Korea hosting the FIFA World Cup Games in June 2002, we will witness stricter immigration controls and deportation cases.

Restrictions and Crackdowns

While these proposals continue to be deliberated, there has been no let-up in the tightening control and crackdowns towards migrant workers, especially those undocumented. In recent years, the incidence of government repression has been alarming.

On April 25, 2001, the Regulatory Reform Committee (RRC) voted for a revision on Immigration Control Law, which will punish illegal acts, such as inviting a foreigner by providing a false invitation card or reference and meditating this act. If this law is broken, the accused will be sentenced to imprisonment for up to three years or penalized up to 10,000,000 Won.³⁵

An estimated 25,000 undocumented workers are detained at immigration offices nationwide as of June 25. Immigration offices plan to expel 100,000 to 120,000 illegal staying foreigners by hard checking. Collective crackdown by relative authorities continued till June 28, however, MOJ plans to enforce the checking till the last day of voluntarily departure term.³⁶

The Ministry of Justice revealed on September 16, 2001 that because of the suicide terrorists attacks on America, it has kept a close watch over foreigners staying in Korea, especially 159 people, who are from one of six countries which support terrorists.³⁷

A daily average of 61 foreigners are reportedly being denied entry at the Incheon International Airport.³⁸

According to the Immigration office, the authorities sent back a total of 11,083 foreigners between April and September 2001. This figure is similar to that of Kimpo Airport (11,057 foreigners) during the same period of 2000 but the figure has increased from last month due to the terrorist attack in the United States.

³⁵ *Vote for Revision of Immigration Control Law*, ASLAN WORKERS NEWS No. 103, May 6, 2001

³⁶ *Bloody Checking by Government: MOJ Plans Deport Illegals Over 100,000*, Han Ei-no, ASLAN WORKERS NEWS No. 107, July 1, 2001

³⁷ *Close Watch Kept on Foreigners*, ASLAN WORKERS NEWS No. 114, September 7, 2001

³⁸ *Daily Average of 61 Foreigners are denied entry at the Incheon International Airport*, ASLAN WORKERS NEWS No. 116, November 4, 2001



Thais topped the list with 4,748, followed by 1,538 Pakistanis, 1,313 Bangladeshis, 363 Chinese and 294 Mongolians. A daily average of 22,361 travelers have visited Korea through the Incheon Airport for six months after opening the airport and there are 9,917 foreigners out of them. Immigration officials said, “With three steps of screening test, we are trying to search out foreigners who have intentions to stay illegally in Korea.”

Recently, the Korean Justice Ministry implemented the Voluntary Reporting Program for Unauthorized Foreigners in which they are given an opportunity to report their illegal status and are permitted an additional grace period before voluntary departure. However, this is nothing more than a prelude to a massive crackdown.

Under the scheme, unauthorized foreigners will have (a) exemption from punishment for violation of immigration rules; (b) exemption of entry denial sanction and (c) granting of stay for voluntary departure; permission for postponement of voluntary departure date till the reservation date on the travel ticket not exceeding March 31, 2003.

The Ministry of Justice has planned to launch a severe crackdown starting May 26, 2002 for unauthorized foreigners who refuse to join the program. Intercepted aliens will face severe civil monetary penalties, prosecution, and a five-year entry ban. Also, the employer whose violation is exposed will face the upper limit of civil monetary penalty and prosecution.



E. Solidarity and Resistance Among Local and Foreign Workers

In the face of all these constraints, migrant workers and local workers are seeing through the divisive tactics of the Korean government and business sector.

Solidarity and collective resistance of the working peoples in Korea (both local and migrant) has been gaining ground for the past few years. This positive development has increased the exposure of the attacks on worker's rights and livelihood, has increased collective consciousness and action, and contributed to the pressures to Korean government agencies for reforms.

In most cases, migrant workers themselves form self-help associations to respond to work-related, health and financial problems of their compatriots. They address their grievances and campaign for their rights and welfare principally targeting their respective states.³⁹

³⁹ *Trainee System, Undocumented Workers and the Situation of Migrants in Korea*, Pastor Jones Galang, KASAMMAKO, contribution to the International Migrant Conference, Nov. 4, 2001

⁴⁰ *KASAMMAKO Asserts to Protect Nations toward Philippine Embassy*, ASLAN WORKERS NEWS, No. 114, September 7, 2001

As an example, some 28 Filipino members of the KASAMMAKO, an alliance of Filipino migrant organizations including the undocumented, held a silent walk-in protest at the Philippine Embassy last August 3, 2001 to protest the unjust cancellation of valid passports of migrants turned-over to the embassy by the Korean Immigration.⁴⁰

But these associations cannot go out in the open and assert to the Korean government because the majority of the members are undocumented. Solidarity efforts of the local Korean workers and their trade unions have proven to be very important in this regard.

Fortunately, the Equality Trade Union established its 'Migrant Branch' on May 10, 2001 whose affiliates include migrant workers who work at small & medium companies in the capital.⁴¹ As Korea's first labor union for migrant workers was launched, about 500 labor activists, including 150 foreign workers, attended the union's inauguration ceremony at Yonsei University in Seoul.⁴²

This was a new and bold step for the labor movement. Even the Korean government was forced to acknowledge this. The Labor Ministry said on May 28, 2001 that foreigners are entitled to organize themselves and that it does not intend to interfere with the new migrant workers' union. According to current immigration and labor union laws, only foreigners who have been issued a working visa can join a labor union. A Justice official said, "The primary principle is that they should be subject to deportation according to the current immigration law and we may have to send them home if their activities make them visible."

On December 16, 2001, the Korean Confederation of Trade Unions and the Equality Trade Union urged the Korean government to stop the exploitation of migrant workers by cracking down on the trainee program. The unions are demanding that the government sign the 1990 UN International Convention on the rights of Migrant Workers and Member of their Families.⁴³

Not long after, the first large-scale migrant workers' strike in Korea was staged at Amour Furniture company and was settled, for the time being, when employers agreed to pay the strikers' delayed wages on January 26. Many people worried that the government might deport them when they walked out for the first time, but fortunately it did not happen.⁴⁴

⁴¹ *Top 10 News of AWN -Migrant Workers' Trade Union launched, ASIAN WORKERS NEWS, No. 120, December 30, 2001*

⁴² *Korea: Migrants, Unions, MIGRATION NEWS, July 2001, Volume 8 Number 7*

⁴³ *MIGRATION NEWS, January 2002 Volume 9 Number 1*

⁴⁴ *The Migrant Workers' Strike -A Review By Cho Soong-ho, ASIAN WORKERS NEWS, No.123, Feb. 10, 2002*

Faces of the Migrant Workers

Interviews with foreign workers in Korea

As part of the research on the condition of migrant workers in Korea, the Asia Pacific Mission for Migrants (APMM) conducted interviews with 100 migrant workers. APMM interviewed 100 migrant workers coming from the Philippines, Nepal and Bangladesh.

Majority of migrant workers in Korea are Chinese Koreans, Bangladeshis, Mongolians and Filipinos.

The interviews were done in order to get a base data on the general situation of the migrant workers from the workers themselves.

The questionnaire used to gather data is divided into three parts. The first part deals with the migrant worker's personal, including ethno-linguistic, background. The second part asks questions on the worker's family background and the main impact of migration in their economic situation. The last part of the questionnaire tackles concerns of the migrant workers in terms of their jobs and their job sites. It also includes questions on their attitude to the various support institutions that are available to migrant workers.

From the total number of interviewees, 76 are from the Philippines, 14 are from



Nepal and 10 are from Bangladesh. Of the 100 respondents, 38 were women and are mainly from the Philippines. This represents the gender distribution of the migrants in Korea which is 75% male and 25% female.

Sixty percent of those interviewed are undocumented migrant workers. Of the undocumented, 74% ran away from their employers due to various labour issues including wage, working hours and general worksite condition. Initially, the respondents were afraid to talk due to their vulnerable situation especially since the Korean government has recently intensified its crackdown of undocumented migrants.

The workers interviewed were “young” – 70% of which were below 30 years old. Many of them have been in Korea for a minimum of five years with only 19 who have recently arrived (less than one year).

An overwhelming 90% came from rural areas of their home countries. They used to work mainly as peasants with some venturing in small businesses (e.g. retail store) or in the service sector such as transportation.

Of those who hailed from urban areas, many of them were internal migrants. Due to different reasons but generally around economic needs, they went to the more industrialized zones of their countries and worked in factories.

Many of the Filipinos interviewed were from Northern Luzon and Southern Tagalog. Of the Nepali, only a few came from the Nepal capital of Kathmandu and while only 2 of the Bangladeshis came from Dhaka.

On the educational front, 40 of the interviewees went to universities and colleges. Thirteen of them finished baccalaureate courses ranging from education to accounting. Fifteen of them went to technical schools.

All of the respondents were able to complete secondary school.

All of the respondents consider themselves as the breadwinner of their families. Sixty-three per cent of them are married while the rest support their sibling's education, medication of their parents, or the general financial needs of their immediate families.

Of those who are married, only 50% have spouses who also work in their home country. The work is also usually in the service sector with only eight working in local factories. According to them, their spouses usually earn US\$50 – US\$150 per month.

As the breadwinners, the respondents take care of the basic necessities of their families including food, clothing, house rent and education. Some of them even give occasional financial support to some of their relatives.

A few of the respondents were able to buy properties from their earnings abroad. This is usually a house and lot for the family. Only three of the interviewees have fully paid properties (those who have been working in Korea for not less than 10 years) while the rest still give monthly payments.

Working Condition

All of the interviewees are factory workers. Many of them are in the garment industry with a significant number do embroidery.

Those who have been in Korea for several years have experienced changing of jobs a couple of times. Especially with the undocumented migrants, they have been to two or more workplaces before and have become undocumented due to problems that they encountered with their previous employers.

Among their previous employment included different factories with a few in the construction sector. Still some others were also employed in restaurants as cooks or as waiters.

Generally, the problems they encounter include matters regarding their wages and working condition. Majority of the respondents said, however, that though they wanted to get other jobs, they are forced to endure the condition of their work due to fear of being unemployed. The respondents who are undocumented migrants also said that at the very least, their present employment is, though still not good, better than their previous one.

They earn a minimum of US\$700 per month. Some are able to get overtime pay. However, many of the regular workers were not able to get bonuses from their employers for the end of the year.



Eighty-seven percent of them work for a minimum of 10 hours a day. Of the respondents who are undocumented, they usually work for a longer period while some often work for seven days a week depending on the availability of jobs.

One of the respondents, who works in a company that makes big cement blocks (around 45 kg. each), said that they had to work even longer than 10 hours in order

to reach a production quota that the company set forth. Additionally, they had to work in whatever type of weather which in winter is most difficult.

The condition of the worksite is one of the most common complaints of the respondents. According to them, the living condition provided by their employers to them is far from being even livable.

Usually, six to 10 persons share a “dormitory”. However, this is a misleading term. The “dormitory” that employers refer to is actually a 20-foot long container where everything from bedroom to the kitchen is already inside.

This situation, said the respondents, also shows the grave discrimination that migrant workers experience in Korea. They reported that whereas the migrants had to contend with a cramped, unsanitary and practically unlivable “dormitories”, Korean workers who are not from the place where the factory is located are provided with apartments. Usually, only up to four Korean workers share in this apartment that is complete with all the necessities of a middle class life in the country.

The respondents also relayed that some of the discrimination that they experience came from the treatment also of Korean employers to Korean employees especially the young ones. According to them, Koreans who have reached 21 years of age under the law have to undergo military training. However, a significant number of these Koreans opt to work for three years instead of entering the military.

These local young workers receive basic salary. Their overtime pay meanwhile has a ceiling of 100 hours. After which, any overtime work is already unpaid. This situation has resulted to a level of anti-migrant sentiments among these workers especially towards migrants who earn salary higher than what they receive.

Another problem that they mentioned, though not in the worksite, pertains to the fees that they have to pay as migrant workers. For migrants from Bangladesh, for example, they have to pay almost the equivalence of US\$5,000 in order to work in Korea. Nepali migrants, meanwhile, pay almost US\$8,000. This is mainly the fee they give to recruitment agencies.

This problem is also prevalent for Filipino migrant workers. Officially, would-be migrant have to pay the equivalent of 10% of their monthly salary as the placement fee for recruiters. Filipino migrants, however, are made to pay US\$1,000 – US\$2,000. This is further compounded by the fact that the Philippine government has been steadily deregulating labor export that in turn has opened up various cases of abuse by private recruiters.

The respondents not only complained against the high fees that private recruitment agencies charge. They also said that they find the fees that their respective governments charge to them as burdensome. They said that every service that their government provides to them exacts a fee that they find unnecessary.



Coping mechanism of migrant workers

Many of the respondents said that they cope with the problems they experience by mainly thinking of their families. As migrants forced by economic needs to work abroad, the need of their families always come to their minds whenever problems arise in their workplaces. Many of them do dream and plan of being reunited with their families in their home countries.

Their homesickness is somewhat alleviated as well by the existing technology in Korea. Electronic mail and mobile communication has become their main tool of maintaining contacts with their families. However, especially for those whose families live in rural areas where such facilities do not exist, the traditional mode of postal service is still the dominant form.

On the issue of wage, meanwhile, many of the respondents who are undocumented migrants look for several other jobs to add on to their income. The need for more financial gain becomes imperative for undocumented migrants for they are not covered by any labor statutes on the benefits of regular workers.

Still some others, especially in dire financial circumstances, approach friends and workmates for personal loans that they pay up on a regular basis.

Almost 35% of those interviewed are members of different grassroots organization. These organizations were formed by people who came from the same city/province in their home country or similar special interests like sports.

These organizations have also served as a coping device of the migrant worker for the various problems that they encounter. Especially for the newly-arrived respondents, their memberships to different organizations have provided them assistance that they think they cannot get if they continue on alone.

One of the major assistance that the organizations give is the provision of information on the life and culture in Korea. The “veterans” of these groups give the newly-arrived migrants basic information on the system of transportation, communication and other service sectors of Korea. They also provide information on other services that cater mainly to migrant workers and even more specifically, to migrant workers of each different nationalities.

The organizations also provide the network of peer support that the migrants need in the different aspects of their lives. The commonalities of experiences of the migrant workers provide them with the basis of sharing each other's situation and problems and also the practical solutions that can be used to resolve these.

Migrant issues that relate to the existing policies of Korea and that of their home countries are also addressed more effectively by the membership of migrant workers to the different organizations that take these issues as their campaigns.

According to the respondents, some of the migrant organizations are very vocal and active in lobbying for reforms on the migrant policies of both the receiving and sending countries. These campaigns are primarily based on the principle of protecting the rights of migrant workers as enshrined in international labor standards and the provision of welfare assistance mainly by the sending country.

In particular for Filipino migrants, the formation of organizations that address policy issues since the latter half of the 90's, has instituted important reforms in the system and attitude of the Philippine Embassy and its officials in Korea in responding to the welfare needs of Filipino migrant workers.

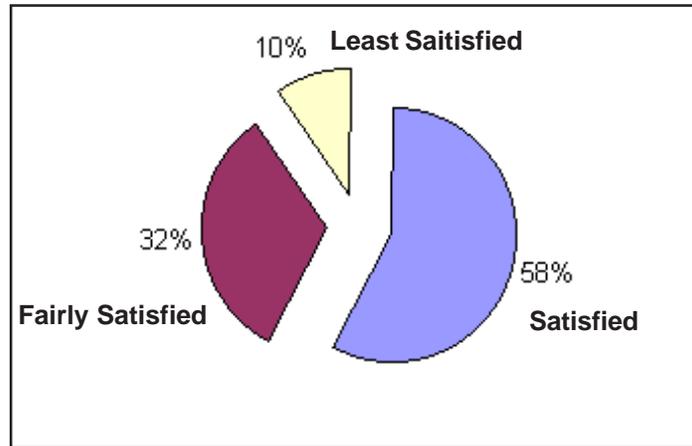
According to the respondents who belong to this type of groups, the successes that the organizations achieved in their different campaigns have brought among the migrants community a certain level of recognition on the importance of collective actions of the migrant workers. It has also shown them that, even though the campaigns may have targeted existing laws and policies, the collective action of the migrant sector can still exert considerable pressure for these policies to be reformed and even totally scrapped.

The interviewees also said that because of these, their organizations have gained the respect of the migrant community. Migrant workers have come to recognize the sincerity and determination of these groups to protect the rights and welfare of the migrant workers through the different activities and actions that they conduct.

All of the interviewees who belong to migrant groups said that they have found the personal, emotional and, even in some cases, financial support that they have received from the organizations valuable for their survival as migrant workers in Korea.

On service providers for migrant workers in Korea

Of the 100 respondents, only 40% knew of the existence of non-government organizations that provide services for migrants in distress. However, not even half of the said percentage knew of the actual services that these NGOs provide.



Those who have had experiences with NGOs said that they heard of these NGOs through their friends.

Migrant workers have a mixed reaction on their encounters with different NGOs. Though majority have been fairly satisfied with these NGOs, there are others who felt that changes and improvements in the different aspects of the work of these NGOs can also be pursued.

Of the 40, 23 said that they were satisfied with the services that the NGOs they met provided them. Thirteen said that they were fairly satisfied except for some circumstance were there was a breakdown of communications between them. Only four were least satisfied with the NGOs who handled either their inquiries or their actual cases.

One of the problems that they mentioned is the prevailing practice of some NGOs to encourage migrant workers with complaints against their employers to enter into a settlement. The interviewees who mentioned this said that this attitude towards labor, and even civil and criminal cases, does not encourage empowerment of migrant workers. Instead, they said that it somehow reinforces the idea that as migrant workers, it is nearly impossible for one to assert his or her right.

The settlement or conciliation also does not answer the causes of why abuse and exploitation of migrants happened. The interviewees said that it only resolves abuses on a case to case basis. However, due to the lack of addressing the root causes of these cases be it in the social or policy level, the same type of cases still goes unabated.

One of the interviewee also said that there are NGOs who also institute migrant workers programs merely as a “showcase” He said because the government allot funds for programs that will provide assistance to migrant workers, NGOs grab this opportunity for finance generation without intensive investigation on the needs of migrant workers. Thus, he said,

the programs that are being implemented to address the concerns of the migrants only tend to address the peripheral issues but not the primary concern of migrants. In some cases, he said, the assistance that they gave to migrants proved to be detrimental to the workers.

For the Filipino respondents, only a few knew of other services that the Philippine government provides for their citizens outside of the standard consular and labor assistance.

One of the respondent said that she only knew of the existence of the Filipino Workers Resource Center from a friend when she encountered a problem with her employer and had to seek shelter elsewhere. The FWRC serves as a temporary shelter for runaway migrant workers while their cases are being processed.

She relayed that the condition in the FWRC is far from comfortable. She described the center as only having three rooms. One room is for the staff of the center, one room serves as the bedroom and one is supposed to be a common room. The capacity of the center is only for eight persons. The influx of the migrants in distress, however has forced the small center to accommodate as many as 28. Even the common room she said has been converted as a bedroom just so the distressed OFW can have a place to sleep. Even the FWRC is not free of charge, she said.

Recommendations for services that should be provided to migrant workers

The respondents gave the following recommendations on the services that they need from non-government organizations :

1. Free shelter for runaway migrant workers;
2. Assistance to pursue cases that they want to file against their employers;
3. Personnel that can speak the language of the migrant workers ;
4. Resources, written in the languages of the migrants, that includes information on the Korean policies that pertain to migrant workers. These resources should also provide practical tips and guidance to the migrant workers in case they encounter the most common of problems in their worksite and the Korean society in general;
5. Regular publication of resources on pressing issues of migrant workers that relate to policies that the Korean government and the sending governments formulate;
6. Counseling services for non-labor and legal issues (ex. For migrants who have problems with their spouse or with their children);
7. Regular consultation with the migrant community on the issues that they advocate in behalf of the migrant workers;
8. Resources, also written in the language of migrant workers, on the services that they provide to migrant workers. The respondents said that they are even willing to distribute these materials among their respective community to inform the widest number of migrant workers of the existence of such types of NGOs.



Conclusion

This research project has shown that migration to Korea is brought about primarily by the existing socio-economic condition of the home countries of the migrant workers or more popularly known as the “sending countries”.

However it may have developed, sending countries of most of the migrants in Korea have economies that do not provide jobs that can sustain the local workers. Unemployment, underemployment and the continuous depression of wages due to regular price hikes of basic commodities have forced millions of people to migrate to other countries where the grass is supposedly greener like Korea.

In some countries like the Philippines, migration has become a very lucrative industry that made its own national government to become the primary promoter of overseas work. Aside from deflecting the social unrest that a hungry population will result to, migration even provided the national economy the needed resources for the country itself to survive. Add to this are the earnings that the government gets from the fees it imposes to its citizens bound overseas.

Migration for employment has also led to the boom of the private recruitment sector. Many migrants, however, have become victims of excessive charging by the recruiters. Though laws are in place to regulate recruitment and the recruitment processes, these are now being eroded by the steady deregulation policies that different governments are implementing. This will surely lead to to more incidences of overcharging of recruitment (or placement) fees.

The secondary factor that leads to migration to Korea is the demand for cheap labor for Korean industries. As the experiences of migrants have shown, migrant workers are one of the main sources of profits for Korean companies. Depressed wages, lack of benefits and

small overhead capital for the needs of migrant workers – these are some of the most common forms of exploitation that employers do on their foreign workers.

This condition is further worsened by the national crisis that Korea has been experiencing. The rampant implementation of neoliberal schemes has resulted to massive economic, social and even political dislocation of the Korean people. As part of the nation's population, migrant workers are also affected by this crisis. As one of the sectors in the bottom rung of Korean society, the effects to migrants are grave and widespread. The recent crackdowns that even led to the death of some undocumented migrants in Korea has shown the gravity of the impact of the Korean crisis to its foreign workers.

No substantial recovery has happened to Korea after the Asian Financial Crisis of 1997 and the IMF bail-out scheme. With the introduction of speculative capital, the Korean economy is facing a most insecure future. In fact, many companies are becoming crisis-ridden and driven to indebtedness and bankruptcy. This spells disaster for the working peoples in Korea – soaring unemployment rates, worsening work conditions and violations of their rights. This indicates the continued failure of the neoliberal model to solve the crisis of overproduction in Korea.

The continuing crisis of the economy of Korea will push for further labor restructuring to cut costs in production. This means keeping the wages low and maintaining contractual and non-permanent workers. Also, the influx of migrant workers continues to increase through the Trainee System. The migrant workers comprise the biggest industrial reserve army of the cheapest and most exploited labor in Korea. Worse, they are not even considered as workers.

The Trainee system very much serves the thrust of neoliberal policies of globalization. Profits are greatly increased by maintaining a cheap migrant labor force. The presence of undocumented workers further propels their profits at a very minimal production cost. The proposed migrant policies for “improvement” aim not to end workers' rights violations or even the phenomenon of undocumented workers but would only serve to increase “control reinforcement” – that is, repression, to migrant labor while ensuring that maximum advantage is achieved.

Neoliberal globalization in Korea creates the same disastrous situation for Korean and migrant workers alike. In this situation, the basis for heightened solidarity and cooperation to resist the impacts of the crisis is strengthened. We are witnessing now the development of increased solidarity among trade unions, migrant associations and the increased advocacy of migrant support groups and institutions. This will ultimately intensify the class struggle between the foreign and domestic capitalists in Korea and the general working class.

In this situation, it is very timely and needed to build a strong movement of migrant workers. They should be organized in order to collectively assert their rights and defend their interests. They must be armed with information and sharp analysis of issues that they are

facing and its root causes in the situation of Korea and their respective home countries. This information and analysis should be disseminated to the greatest number of migrant workers.

Non-government organizations shall also have a big part to play in this process. NGOs can provide the for the immediate service needs of migrants in distress. As part of the Korean society, NGOs are in a strong position to become an active lobbyist for policies that will be beneficial to foreign workers. Additionally, they can serve as the progressive voice for migrant workers within the local community in order for the Koreans, especially the working sector, to also understand the phenomena of forced migration, the condition of migrant workers and the commonality of issues that local and foreign workers face. This, in turn, will lead to building the solidarity of local and migrant workers.

As NGOs, they are also well-placed to put forth the concerns of migrant workers in Korea even to the regional and international levels. Now that the International Convention on the Rights of Migrant Workers and Their Families is in place, this can be used to set the minimum criteria to judge whether the Korean government is respecting and upholding the rights of foreign workers.

NGOs, with their vast experiences, can also provide the needed trainings, workshops, and forums that can serve to support the efforts of the migrants themselves to build and strengthen their grassroots organizations.

Migration is both a tactical and strategic issue. It is a phenomena that has economic, social, political and even cultural aspect. The concern for migrants and their issues, be it in the local, regional or international level, is still young. A lot still needs to be learnt. Many still needs to be experienced.

With this research project, we hope that the SVD and the Asia Pacific Mission for Migrants (APMM) has made a contribution towards the empowerment of foreign workers in Korea.