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SPECIFIC GROUPS AND INDIVIDUALS: MIGRANT WORKERS

**Written statement* submitted by the Asian Legal Resource Center (ALRC),
a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

CRACKDOWN ON MIGRANT WORKERS IN THE REPUBLIC OF KOREA

1. Since November 2003 the Government of the Republic of Korea has persisted in unfairly targeting migrant workers through its new Employment Permit System, which took effect in August 2004. The Employment Permit System, along with the Industrial Trainees System, denies migrant workers the right to join labour unions, change employers freely and renew visas. Migrant workers in Korea are now limited to one-year visas without any rights to complain regarding working conditions, wages and other concerns.

2. While implementing the Employment Permit System, the government began to deport migrant workers who had been in the country for more than four years. Many stayed illegally, and it is now estimated that there are more than 110,000 undocumented workers in Korea, who lack all basic legal protections. Many have fled their jobs and homes and experience routine harassment and arbitrary arrest.

3. On 14 May 2005, immigration officers arrested Bangladeshi national Anwar Hossain, the leader of the Migrant-worker Trade Union when he was returning home after a union meeting. The MTU, which was founded in April 2005, is wholly organized and led by migrants. To date, eight of its leaders have been deported even though they may face arrest and prosecution upon returning to their countries of origin.

4. Also in May 2005 the National Human Rights Commission of Korea recommended that the Ministry of Justice revise the Immigration Administration Act to clearly define legal provisions and conditions regarding the arrest of undocumented migrant workers, in order to prevent arbitrary and illegal actions by state officials. The ministry has ignored these recommendations and continues its crackdown on migrant workers relentlessly.

5. The Asian Legal Resource Centre (ALRC) therefore urges the Commission to call on the Government of Korea to change its practices and to follow the recommendations of the National Human Rights Commission in protecting migrant workers. The Commission should also point to the patent illegality of the present policy of the Government of Korea on migrant workers under standards of international law, particularly with reference to the denial of the right to form trade unions, which is a serious breach of the International Covenant on Civil and Political Rights, to which the Republic of Korea is a party.
