

# Abuse of immigrant workers in South Korea

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An Amnesty International report, entitled “Disposable labour: Rights of migrant workers in South Korea,” documents the abhorrent working conditions that immigrants face. The study, released last October, clearly establishes that while South Korea was one of the first Asian countries to formally recognise the rights of foreign migrant workers, its Employment Permit System (EPS) does nothing more than legitimise the brutal exploitation of cheap labour from poorer countries.

Under the EPS, introduced in 2004, small and medium enterprises (SMEs) that employ less than 300 workers can hire migrants from 15 approved countries, mainly from China (especially Korean-Chinese), Vietnam, Philippines and Thailand. As of October 2009, there were about 680,000 migrant workers in South Korea, mainly working in factories producing textiles and electronics, but also involved in prostitution.

South Korea’s export-led economy has been increasingly squeezed, as it cannot compete with China’s vast cheap labour, nor is it technologically advanced enough to rival Japan. Introducing foreign low-cost labour became a key policy, not only to boost profitability for the corporations directly hiring them, but to use them to undermine the wages and conditions of the working class as whole. More than five million workers, or one-third of the South Korean workforce, have already been made contract workers, receiving just 60 percent of the average wages of permanent workers.

The report noted: “Although low-skilled South Korean workers also suffer from some of the abusive work conditions documented in this report, migrant workers are at greater risk because of their status. Both regular and irregular migrant workers face discrimination, and verbal and physical abuse in the workplace. They are required to work long hours and night shifts, many without overtime pay, and often have their wages withheld. On average, they are paid less than South Korean workers in similar

jobs and are at greater risk of industrial accidents with inadequate medical treatment or compensation. EPS workers are tied to their employer and face restrictions in changing jobs, making them particularly vulnerable to abuse and exploitation such as unfair dismissal.”

The introduction of cheap immigrant labour is bound up with the contradictions of South Korea’s industrialisation. Large Korean corporations are able to move parts of production overseas, where wages are much lower than in South Korea. But Small and Medium Enterprises (SMEs), with no capital to do so, can remain competitive only by relying on migrant workers who are attracted to South Korea by the illusion that they will be offered good jobs and earn money to support their families. From the 1980s, illegal migrant workers appeared in South Korea, forcing the government to introduce various schemes in the 1990s to regulate this market.

Before 2004, the system allowed the Korea Federation of Small and Medium Businesses to extract exorbitant recruitment fees from foreign workers, forcing many to incur large debts, thus leading them to stay as “irregular” workers beyond the legally allowed three-year period. Proposed legislation for limited reform of the migrant work scheme was put on hold at the outbreak of Asian financial crisis in 1997–98.

By 2002, a staggering 85 percent of the low-skilled migrant workers were “irregular”—a situation that led to the introduction of the EPS, under the pretext of providing basic protections lacking in the former programs.

The EPS, however, traps workers even before they leave their home countries. Workers seeking to immigrate often must pay outrageous broker fees in order to obtain work permits. Amnesty International reports that these broker fees, on average, cost \$US2,000, but can go as high as \$9,500. In other words, workers are often in debt even before they arrive.

Workers under the EPS are bound to their employers for a three-year period, during which they are forbidden to change jobs without their employers' permission. Even then, workers may shift employment only four times, making it less likely that they will complain about poor working conditions. On top of that, workers are allotted two months to find a new job after leaving an employer, or they become irregular, a status most workers want to avoid.

What makes the situation worse is that employers must renew workers' contracts each year. This is to ensure that workers remain submissive, no matter how bad the conditions, placing migrant workers at the risk of verbal and physical abuse, sexual harassment and the withholding of wages.

According to a 2008 survey cited by Amnesty International, more than 50 percent of migrant workers indicated that their wages, working hours, provision of food and accommodation, and breaks and rest days were different from what their employer had originally promised. Wages were often withheld from migrant workers, especially in the months leading up to the conclusion of a contract, because employers knew that workers would not have the time or ability to file a complaint and stay in South Korea long enough to recover lost wages.

Many migrant workers find that the accommodation promised to them is nothing more than shipping containers on land owned by the company. Migrants are also forced to work long hours with few rest days. A Filipino worker employed at an electronics factory told Amnesty: "We were given only one day off per month and sometimes when it was busy, the management would even make you work on your free day. Korean workers were able to take days off regularly and didn't have to work such crazy hours like we did. On top of all this, our severance pay did not include overtime, which is significant considering the amount of overtime we did."

For many female migrant workers, sexual harassment—which can take place in the workplace or in their living quarters—becomes the norm. Out of fear of losing their jobs, many choose not to report sexual abuse. Even if a woman does so, she often has little choice but to stay at the company with which she is employed, until the

case is resolved. In some cases, that can take two months, but the process can drag on for much longer because investigations are conducted at the convenience of the employer.

The ugliest exploitation of female workers occurs in the "entertainment sector". Women are unknowingly recruited to be prostitutes, which is illegal but essentially sanctioned by the government, which issues special E-6 visas for them. Amnesty noted: "Upon arrival in South Korea, they discover that their job in reality is to serve and solicit drinks from US soldiers and at some establishments they are forced to have sex with their clients. With little recourse available to them, trafficked E-6 workers either remain in their jobs or run away. Those who run away are doubly victimised, first as trafficked women and then as 'illegal' migrants under South Korean law."

Just as the global financial crisis erupted in September 2008, the government announced it would "harshly deal with illegal foreigners" and halve the estimated 220,000 illegal migrant workers by 2012. The result is dramatically increased, and sometimes violent, raids in workplaces, streets, markets and even homes, resulting in deportations. At the same time, thousands of foreign workers are being recruited into the country each month "legally".

This fact alone should make it abundantly clear the government's true purpose. By last year, one third of migrant workers had become "irregular". The threat of illegal status is used to provide the capitalist elite with cheap labour that is more compliant and easily manipulated, in order to lower the wages and conditions of the entire working class.



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