



외국인이주·노동운동협의회
Joint Committee with Migrants in Korea



Position Paper on Sri Lankan Migrant Workers in the Republic of Korea

By The Joint Committee with Migrants in Korea

The Joint Committee with Migrants in Korea (JCMK) is a civil society organization that organizes political campaigns for migrant workers' rights and human rights. It also has a nation-wide network of 34 migrant worker centres providing services such as labour-counselling and education. It aims to create institutional change that better the situation of the migrants and that contributes to a more just and egalitarian society. The Committee reflects ideas from different perspectives since it is an associated group that includes personnel from legal, religious, labour and academic circles, including those from the Association of Lawyers for Democratic Society, Associated Medical Center, Council for Damaged Industrial Workers and several human rights groups.

The Joint Committee with Migrants in Korea is pleased to submit its remarks on the list of issues raised by the Committee on Migrant Workers regarding the situation of Sri Lankan migrant workers employed within the Republic of Korea.

General Information:

According to information obtained from the Korean Immigration Service (30 JUNE 2009) the total number of documented migrant workers currently living and working in Korea is **559,965**. The number of documented Sri Lankan migrant workers is **13,892** representing **2.48%** of the total documented migrant worker population.

The number of undocumented workers in Korea totals **50,291**. Out of that population, the amount of undocumented Sri Lankan migrant workers totals **1,040**, representing **2.06%** of the total undocumented worker population.

On Consular/Diplomatic Services:

There are three Sri Lankan labour welfare officers in consulates located in the Republic of Korea. However, the JCMK considers that the officers do not receive enough training

or are equipped to handle the problems that Sri Lankan migrant workers face. None of the officers can speak the Korean language. Therefore, the officers are not in a position to assist communication between the Sri Lankan migrant worker and any Korean employer or entity.

There have been no measures we are aware of, taken by the Sri Lankan government or by the consulate office, in order to ensure appropriate training programmes including Korean Labour Law education courses for Sri Lankan workers.

Some Sri Lankan workers are aware of the services that the consulate office can provide. However, the vast majority of workers do not and usually think that the consular conducts work related to their passport only.

On Social Security:

Prior to coming to the Republic of Korea, Sri Lankan migrant workers are required to obtain compulsory insurance covering death and injury.

The JCMK is unaware of any pension scheme or welfare fund provided to migrant workers.

On Pre-departure Orientation:

Prior to departure, Sri Lankan workers receive training about working abroad and cultural differences and attitudes. However, no information about their rights under national and international labour law (unfair employment practices, rights under the Convention on Migrant Workers), necessary procedures while staying in the Republic of Korea, social insurances and remedy was provided. In particular, Sri Lanka is one of the counter countries under the Employment Permit System (EPS) which is a labor migration policy of the Republic of Korea; there are 14 counter countries. Pre-departure orientation must be undertaken in accordance with the Memorandum of Understanding(MOU) between the two countries.

In addition, in accordance with the MoU, Sri Lankan government is obliged to assist in covering the return cost of Sri Lankan workers in case a worker returns to Sri Lanka prior to the termination of his/her labour contract period for reasons such as problems in the medical checkup, or failure to adjust to the workplace but is unable to afford the general expenses including the airfare. However, no cases of assistance for such expenses for Sri Lankan workers have been reported in the field; no Sri Lankan even knows that provision.

Under the EPS, there are four compulsory insurances only for EPS workers. The MOU has a provision that the Sri Lankan government will make efforts to have the payments

reimbursed to beneficiaries of those who leave Korea without filing some insurances (Departure Insurance and Return Cost Insurance). The efforts taken by Sri Lankan government, if any, have not been reported.

On the Right to Vote:

Sri Lankan workers in the Republic of Korea cannot exercise their right to vote.

On Family Unity:

The JCMK is unaware of any effort (legislative or otherwise) by the Sri Lankan government to preserve family unity.

General Comments:

It is the opinion of the JCMK that the officers of the Sri Lankan Embassy in Korea work hard, however their work is not always effective or responsive to the needs of migrant workers. The Embassy operated a mobile desk related to passport or visa issues; however, the officers were not eligible to work on labour issues or other matters that Sri Lankan migrant workers face in their daily lives.

When conflicts or problems occur, most Sri Lankan workers end up turning to Non-Governmental Organizations or Migrant Workers' Support Centers under the Ministry of Labour in the Republic of Korea rather than seek help from the Sri Lankan Embassy.