

Joint Oral Statement delivered by Mr. Chan-geun Lee on behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA) and
People's Solidarity for Participatory Democracy (PSPD)

8th Session of the UN Human Rights Council
Item 6: Universal Periodic Review - Republic of Korea

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Mr. President,

Firstly, we would like to voice our appreciation to all States who during the UPR Working Group review addressed critical human rights issues in the Republic of Korea, and those who highlighted in particular the issues of freedom of assembly, migrant workers, and irregular workers. We welcome the engagement of the Korean delegation in the review process, but regrettably must express our extreme disappointment with the inadequate and evasive responses of the delegation to these three issues. Simply citing legislation cannot address human rights shortcomings in a sufficient manner, and issues such as implementation must be addressed in concrete terms.

Mr. President,

Concerns about threats to freedom of assembly were voiced by a number of delegations during the Working Group review. These concerns are more relevant than ever in light of mass demonstrations currently taking place throughout the country in protest of the pending Free Trade Agreement (FTA) between the U.S. and the Republic of Korea. Numerous documented cases and evidence show police and security personnel using excessive force and arbitrarily detaining demonstrators at will. To date, more than 550 civilians have been detained, and more than 150 injured. Authorities have also taken active measures to impede citizens from assembling, including intimidation and denial of permits to organizers.

We urge the government of the Republic of Korea to exercise the utmost restraint when dealing with demonstrators, and to investigate and prosecute cases of excessive force and abuse. We also take this opportunity to remind the Korean government of its responsibility to guarantee all its citizens their right to peaceful assembly. We echo the recommendation that the right to freedom of assembly in domestic law be harmonized with international human rights standards, and that human rights training and education become mandatory for all security and law enforcement personnel. We strongly urge the government to review and amend the Act on Assemblies and Demonstrations.

Mr. President,

A number of delegations have also raised concerns about the human rights situation of migrant workers in the Republic of Korea. Recent attempts by migrant workers to organize have been met with arrests and deportation of Union leaders without due process. The government has reportedly set monthly quotas for arrests of undocumented migrant workers. Despite the existence of legislation such as the Act on Foreign Workers Employment Permit and the Basic Act on Treatment of Foreigners, there remains a serious gap in implementation which the Korean government has been reluctant to address.

We therefore call upon the government of the Republic of Korea to take concrete and time-bound measures to improve the implementation of relevant legislation, and to cease all acts of discrimination against migrant workers in the Republic of Korea. Furthermore, we echo the call of an array of member

and observer States for the Korean government to ratify the International Convention on the Protection of the Rights of Migrant Workers and Members of their Families (ICMW) in a timely manner.

Finally, Mr. President, we are deeply troubled by the inadequate measures taken by the Korean government in protecting the rights of irregular workers. Despite the Act on Protection for Non-Regular Workers, the average wage of irregular workers remains less than half the average for regular workers, and irregular workers are often ineligible for public health coverage or government pensions. Irregular workers suffer from discrimination, poor working conditions, and insufficient mechanisms for redress. We urge the government of the Republic of Korea to take further substantive measures in order to reduce the disparity in wages between irregular and regular workers, and, as the vast majority of irregular workers are women, to maintain a gender perspective in addressing the specific needs of women irregular workers.

I thank you, Mr. President.

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