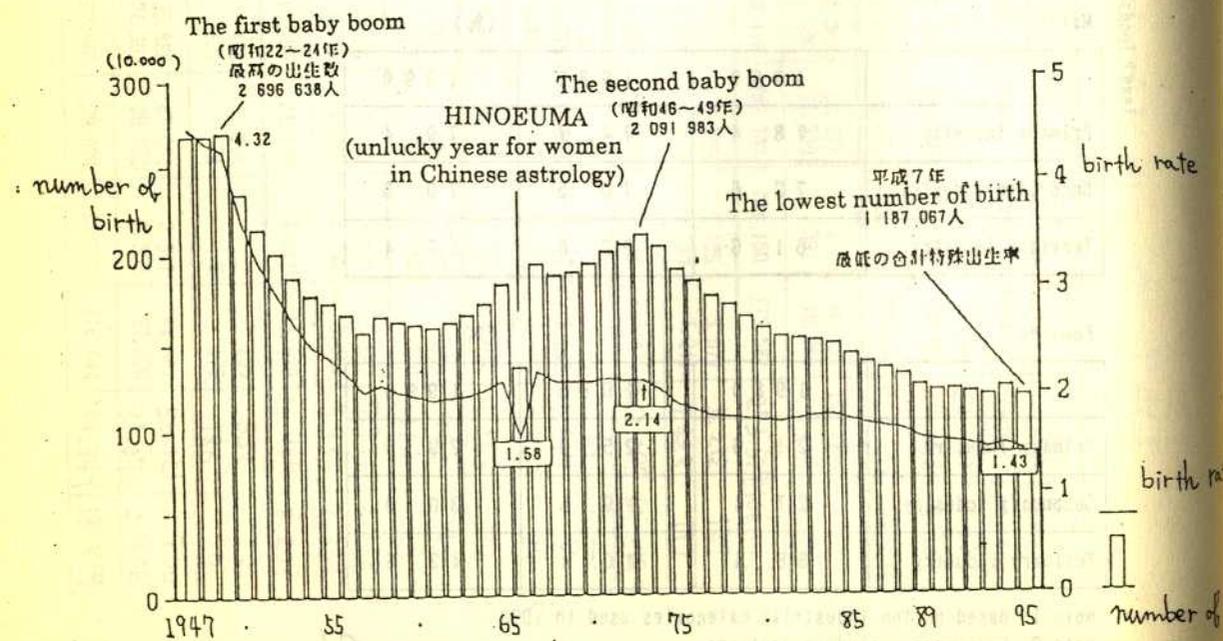


表1 The trend of aging

① Population

	1980	1995	2010
Total population (10,000)	11,706 (100.0%)	12,557 (100.0%)	13,040 (100.0%)
above 65 years old (#)	1,065 (9.1%)	1,860 (14.8%)	2,775 (21.3%)
65~74 years old	699 (6.0%)	1,122 (8.9%)	1,473 (11.3%)
female	393 [56.2%]	624 [55.6%]	785 [53.3%]
male	306 [43.8%]	499 [44.4%]	688 [46.7%]
above 75 years old	366 (3.1%)	737 (5.9%)	1,302 (10.0%)
female	222 [60.7%]	474 [64.3%]	804 [61.7%]
male	144 [39.3%]	263 [35.7%]	499 [38.3%]
15 ~ 64 years old (#)	7,884 (67.4%)	8,693 (69.2%)	8,130 (62.4%)
0 ~ 14 years old (#)	2,751 (23.5%)	1,996 (15.9%)	2,135 (16.4%)

図3 The trend of number of birth



Source: Ministry of Health and Welfare

Table 32 Number of Part-time Employees and Proportion of Females (Non-agricultural Industries)

Year	Number of part-time workers		Proportion of females among the total
	Females	Males	
1980	2,560,000	1,340,000	65.6%
1985	3,330,000	1,380,000	70.7%
1993	6,230,000	3,060,000	67.1%
1994	6,470,000	3,200,000	66.9%

Note: Part-time workers represent those working under 35 hours on the week in which the survey was conducted.

Source: Labor Force Survey, Management and Coordination Agency

第1-18图 The trend of Number of Part-time Employees and Proportion of Females (Non-agricultural Industries)

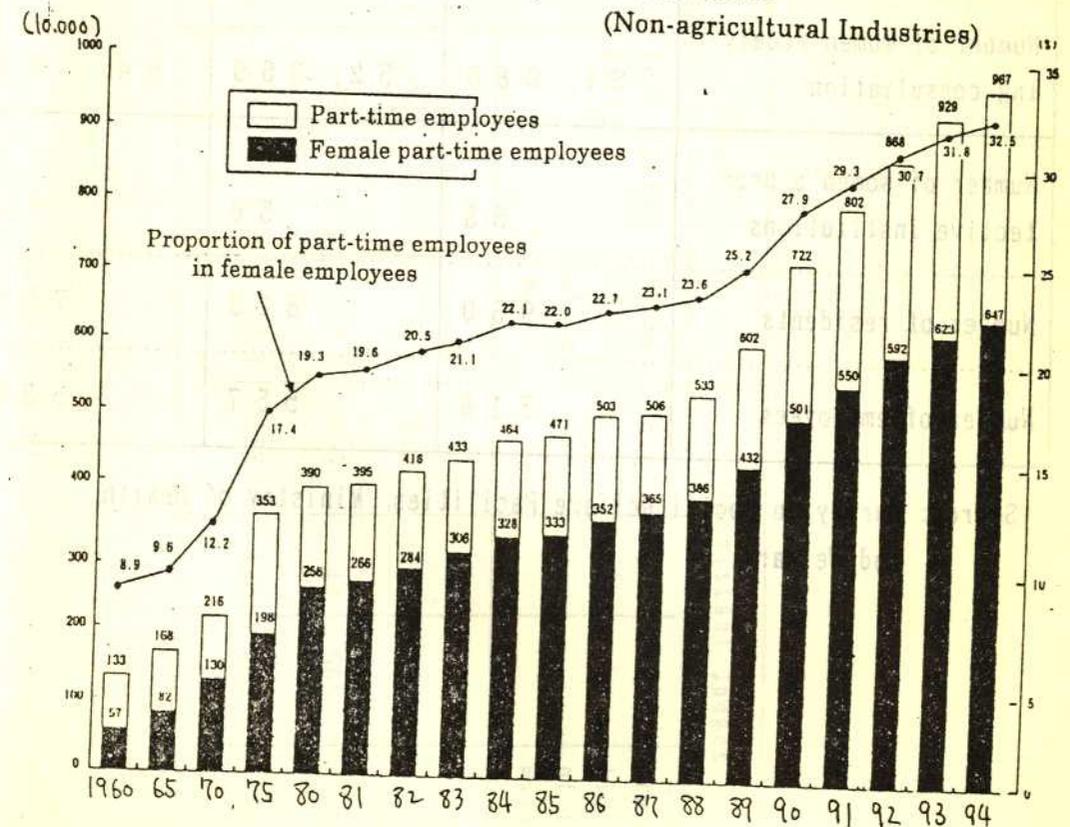


Table 33 Number of Women's Consultative Offices and Women's Guidance Homes

	1980	1985	1992
Number of women's con- sultative offices	47	47	47
Number of women receiv- ing consultation	15,123	23,372	22,774
Number of women's consultants	475	475	475
Number of women receiv- ing consultation	51,083	52,369	64,338
Number of women's pro- tective institutions	58	56	53
Number of residents	930	823	755
Number of employees	519	557	535

Source: Survey on Social Welfare Facilities, Ministry of Health and Welfare

Table 34 Number of Judges

	Total			Judges			Assistant judges		
	Total	Fe- males	Propor- tion of fe- males	Total	Fe- males	Propor- tion of fe- males	Total	Fe- males	Propor- tion of fe- males
1980	2,747	76	2.8%	2,134	43	2.0%	613	33	5.4%
1985	2,792	93	3.3%	2,183	49	2.2%	609	44	7.2%
1994	2,852	204	7.2%	2,191	80	3.7%	638	123	19.3%

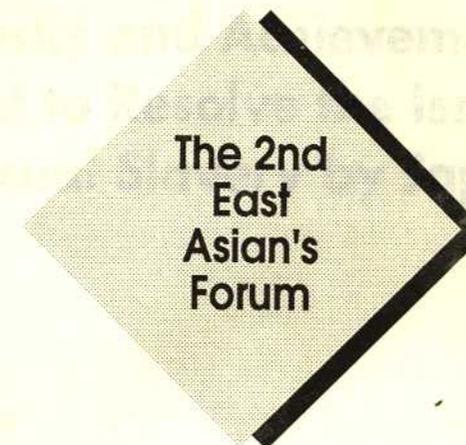
Source: Supreme Court

Table 38 Number of Suspects Newly Received and Number of Persons Prosecuted for Penal Code Crimes (Indecent Assault and Rape)

Year	Category Crime	Suspects newly received	Prosecution		Non-prosecution		Prosecution rate (%)
			Formal trial	Suspended prosecution	Others	Total	
1985	Indecent assault	1,604	484	83	483	566	46.1
	Rape	2,120	929	157	388	545	63.0
1986	Indecent assault	1,377	452	64	388	452	50.0
	Rape	1,841	777	125	343	468	62.4
1987	Indecent assault	1,305	437	76	399	475	36.1
	Rape	1,881	803	161	360	521	60.6
1988	Indecent assault	1,398	454	68	400	468	49.2
	Rape	1,786	805	155	302	457	63.8
1989	Indecent assault	1,491	528	94	402	496	51.6
	Rape	1,627	745	134	268	307	65.2
1990	Indecent assault	1,417	490	94	394	488	50.1
	Rape	1,540	739	132	607	739	50.0
1991	Indecent assault	1,479	576	92	406	498	53.6
	Rape	1,555	818	109	268	377	63.5
1992	Indecent assault	1,566	554	106	460	566	49.9
	Rape	1,431	699	140	241	381	64.7

Note: Prosecution rate is calculated as the total number of prosecutions divided by (the total number of prosecutions + the number of non-prosecutions) × 100.

Source: Annual Prosecution Statistics Report, Ministry of Justice



Hot Issue

Comfort Women

Equal Employment

Human Right

The Tasks and Achievements of the Movement to Resolve the Issue of Military Sexual Slavery by Japan

by Chi, Eun Hee

The Korean Council for Women

Drafted for Military Sexual Slavery by Japan

I. The Characteristics of Military Sexual Slavery by Japan & the Goals of the Korean Council for Women Drafted for Sexual Slavery by Japan

A) The Characteristics of the Japanese Military Sexual Slavery System

1. It was a systematic institution planned, implemented and controlled by the Supreme Commander of the Japanese government.
2. It was an involuntary draft system which ten to twenty thousand Asian girls between the ages of 13 and 18 were forced to serve as sexual slaves.
3. It was an inhumanistic system of physical and mental torture.
4. It was a system that had been forgotten by the Japanese government who abandoned and killed the women. The government also destroyed records after the war.

In short, military sexual slavery by Japan constituted the most cruel and systematically brutal crime against humanity. According to international law, it is defined as a crime against humanity, therefore, no arraignment

period applies. It is also a crime in violation of the International Treaty of Banning the Forced Labor and Flesh Traffic.

B) The Goals of the Korean Council for Women Drafted for Military Sexual Slavery by Japan.

1. The Japanese government has to admit that the military sexual slavery system was a war crime. They must take legal responsibility and should be judged in the International Court of Justice.
2. Such brutal crimes against women cannot be excused no matter which country perpetrates them. The perpetrators of the Japanese Military Sexual Slavery must be justly punished in order to prevent the possible recurrence of such war crimes.
3. Despite the hardships and difficulties of the victims, they will not give up on obtaining their right to just compensation and a measure of dignity.
4. The Korean Council demands an official apology and repentance from the Japanese government for its war crimes for the sake of peace in Asia. Otherwise, Japan's economic affluence and presence can translate into the threat of remilitarization.

C) The Seven Demands of the Korean Council and the Progress of Resolving the Issue of Military Sexual Slavery by Japan.

SEVEN DEMAND	PROGRESS	ADDITIONAL DEMANDS
1. Publicly reveal the whole contents of the crime of military sexual slavery by Japan	* Changes in the Japanese government's attitude: - June 1990 The Japanese government and the military continue to deny their responsibility. - Japanese government presents its 1st Fact-Finding Report (July 6, 1992) - Japanese government and military recognize their responsibility, but deny coercion - Japanese government presents its 2nd Fact-Finding Report (August 4, 1993) - While saying that those who led the coercion of women were civilian brokers and not military or	- An accurate accounting of the number of victims from each nation. - The line of command for planning, implementation, and execution of the system. - Current conditions for repatriation.

	government officers, the Japanese government gives vague recognition to the coercion involved.	
2. Acknowledge the crime of military sexual slavery by Japan	- Japanese government acknowledged the system of military sexual slavery, but they have not admitted that the system of military sexual slavery is a crime against humanity, against the International Convention for the Suppression of the White Slave Traffic and the Forced Labor Convention.	- Acknowledge the crime of military sexual slavery by Japan.
3. Apologize formally for the crime of military sexual slavery	- May 1990, on the occasion of Korean President Roh's visit to Japan, the Japanese Emperor said "it is a lamentable thing." - January 8, 1992, when Japanese Prime Minister Miyajawa visited Korea, he expressed "the wish to apologize and reflect." - November 5, 1993, when Japanese Prime Minister Hosokawa visited Korea, he expressed regret. - February 1995, an anti-war resolution presented by the Japanese United party was opposed - At the July 23 summit meeting between Japan and Korea, Prime Minister Hashimoto said that he would like to "apologize" first from his heart. - Such expressions are merely examples of diplomatic rhetoric, not a sincere recognition of their crimes.	- Write an apology letter to each victim based upon an apology made by members of the National Assembly.
4. Payment of reparations	* The Japanese government's position: - No compensation. It was taken care of by the Korea-Japan Treaty in 1965. They will offer "sympathy money" to former "comfort women" (less than 2 million yen) to create an "Asian Peace Friendship Fund for Women." - Plan to pay out 7 billion yen over 10 years in for medical care and welfare costs through a citizen's fund.	- Pay compensation as the UN Special Rapporteur for Human Rights demands

5. Erect a memorial tablet		Build a historical museum.
6. Record and teach younger generations	- Seven textbooks have been partially revised since 1994, but there is no mention of the system of military sexual slavery as a crime. - In 1996, some steps were taken to revise current textbooks.	More details of the system should be included as well as mention of the system as a war crime
7. Punish the perpetrators	- On February 7, 1994, rejection of a lawsuit filed by the Korean Council and victims by the Japanese Prosecutor's Office.	Search for and punish the perpetrators.

II. The Accomplishments of the Korean Council for the Women Drafted for Sexual Slavery by Japan After the Beijing Women's Conference.

The 4th UN World Conference on Women in Beijing, China in September 1996 provided an opportunity to discuss the current status of women's rights. At the conference, military sexual slavery by Japan was declared a war crime and problems with the 'private fund' proposed by Japan was acknowledged by participants. In the Platform for Action, it was stated that "rape in the conduct of armed conflict constitutes a war crime" (Section E Paragraph 147(e)). Also, it was included to "undertake a full investigation of all acts of violence against women committed during war, including rape, in particular systematic rape, forced prostitution and other forms of indecent assault and sexual slavery. Prosecute all criminals responsible for war crimes against women and provide full redress to women victims" (Section E, Paragraph 147(f)).

A) The Special Rapporteur Against Violence on Women at the UN Human Rights Commission

The 52nd UN Human Rights Commission, held in Geneva April 1996, adopted the report of the Special Rapporteur Against Violence on Women, Ms. Radhika Coomaraswamy. Ms. Coomaraswamy focused her primarily on domestic violence and attached an additional report on Japanese military sexual slavery. She asserted that the Japanese government should acknowledge the crime of military sexual slavery as a violation of international law, reveal the full details of their crime, issue an official apology, pay full legal compensation, make the appropriate corrections in history textbooks, and punish those responsible.

At the UN Human Rights Subcommittee meeting held in Geneva June 1996, the issue of the 'private fund' proposed by the Japanese government was initially accepted by the UN as a means of solving the problem, but was later withdrawn despite heavy lobbying by the Japanese government. Currently at the Subcommittee meeting, the report of the Special Rapporteur on Sexual Slavery Linda Chavez is being discussed. Shin, Hae Soo, the Korean Council's International Affairs Committee chairperson, is attending this meeting along with the committee members from America.

B) Japanese Military Sexual Slavery System is in Violation of the ILO Forced Labor Convention

In February 1996, the ILO Committee of Experts on the Application of Conventions and Recommendations submitted a general report which stated that "military sexual slavery by Japan is characterized as a crime which violates the Forced Labor Convention. The Japanese Government should pay wages and compensation to the victims." The Committee also decided to deliberate further upon this matter at the next year's ILO general meeting, unless there is a measure of progress. The Federation of Korean Trade Union and the Democratic Korean Trade Union are both working through the ILO to resolve this issue.

C) Progress in the Behavior of the Korean Government toward the Japanese Government.

Ms. Kim Jang-sook, Secondary Minister of Political Affairs, gave a speech in support of the Special Rapporteur Against Violence on Women's report at the 40th UN Commission on the Status of Women. A Korean representative to the 4th UN Human Rights Commission officially stated that Japanese government should adopt the report presented by Radhika Coomaraswamy. Moreover the Korean government has actively lobbied for the adoption of her report by other Korean civilian organizations.

The Korean government refused the Japanese government's request for the list of survivors of sexual slavery and stated that the compensation by Japan has to be paid in a way that can be accepted by both the victims and related organizations.

Again, Korean governmental representatives participating at UN Human Rights Small Commission stressed the responsibility of Japanese government and demanded compensation from the governmental level.

D) "Asian Private Fund for Women" for Taiwanese and Korean victims and Deferral of the Private Fund.

After the Beijing Women's Conference, the movement against the 'private fund' proposal became stronger.

The World Conference Against 'Private Fund' held in Tokyo in December 1995 is one example. At the 4th Asian Solidarity Conference, the victims of sexual slavery clearly stated their opposition to the 'private fund.' They also visited the organization advocating for the 'private fund' and held a demonstration.

Mayors of Taipei, Taiwan, Manila, the Philippines, and Seoul wrote letters demanding the revelation of the whole contents of Japan's crime and the payment of full legal compensation. They also declared their support and agreement with the Special Rapporteur on Violence Against Women's demand for compensation of the victims.

The 4th Asia Solidarity Conference on Japanese Military Sexual Slavery entitled, "Why the Private Fund Cannot Be the Solution to 'the Comfort Women' Issue" was held in Manila, Philippines. One-hundred fifty victims and members of women's organizations from Taiwan, Indonesia, Korea and the Philippines participated in the Conference. Participants adopted a statement against Japan's 'private fund' proposal and demanded that the Japanese government adopt the Special Rapporteur's proposal.

The "World Solidarity Conference to Support the Special Rapporteur Against Violence on Women of UN Human Rights Commission" was simultaneously held in Korea, the Philippines, New York, New Jersey, Washington D.C., Taiwan, and the Netherlands in June 1996. Participants held a rally to boycott Toyota Corps. in front of Toyota dealers. The World Solidarity Conference was organized by 58 NGOs to support the Special Rapporteur and demand that the Japanese government pay legal compensation to the victims. After the conference, leaders held an emergency meeting and decided to boycott Toyota Corps. which supports the 'private fund.'

The Korean Council has held a rally every Wednesday since January 1992 in front of the Japanese Embassy. August 21st will mark the 229th rally. Many college students and sisters of the Catholic church have participated. There have also been rallies against the 'private fund' in 63 different places in Japan from July 11th to August 18th. These rallies, organized by Japanese civilian organizations, hosted victims from Korea, Philippines, China, and Indonesia as guest speakers. These rallies have helped to educate the Japanese public about the 'private fund' issue.

270 members of the Korean National Assembly participated in a letter drive against the Japanese government raising the issue of the 'private fund' and submitted it to Japanese government and the National Assembly. This letter drive further pressured the Japanese government and influenced the public in Korea.

The above activities made it possible for the Japanese government to postpone the operation of its 'private fund.'

III. The Attitude of the Japanese Government and the Tasks for Future Movement

There has not been much change in the attitude of the Japanese government since the Korean Council started its movement in November 1990. They continue to deny that the military sexual slavery system was a crime despite the evidence that exists from eyewitness testimony, research conducted, and documents uncovered by Japanese scholars.

Their attitude toward a solution, however, seems to have changed somewhat. First, it seems that they will spend a small part of their budget for "the Asian Women's Fund." This money will be used for advertising, medical, and welfare expenses. They have not decided whether they will use this money to compensate the victims. 'Private fund' officials say they would pay about 300,000 yen to each victim, but the Japanese Minister of Foreign Affairs puts out different figures. Overall, even though the Japanese government has started to show signs of giving into pressure from the public, they still hold a very uncompromising position regarding official compensation.

In order to achieve our goals;

First, it is necessary to strengthen the solidarity activities of the different councils working on behalf of the women victimized by Japan. We also need to prepare our presentation on military sexual slavery for the 5th Asian Solidarity Conference for Women Drafted for Military Sexual Slavery by Japan, which will take place next year.

Second, we need to do more public education work in Japan. We need to especially strengthen solidarity with Japanese civilian organizations that have participated in rallies against the 'private fund.'

Third, we need to strengthen women's international solidarity activities. We should utilize the Internet for building support for the Special Rapporteur against the Violence on Women, UN Human Rights Commission.

Fourth, we have to wage a successful lawsuit through the International Labor Office(ILO).

Fifth, we need to conduct more research regarding information about the victims and details of the crime. We need to demand that the Japanese government prepare a 3rd report on sexual slavery.

Sixth, we need to demand that the Japanese government establish a special law.

Seventh, we have to find a way to guarantee victims' living expenses until full legal compensation by Japanese government is paid.

At its 13th Executive Committee Meeting, the Korean Council for Women Drafted for Military Sexual Slavery by Japan decided to start a "Citizen's Solidarity Fund For the Realization of Compensation to Military Sexual Slaves of Japan." By organizing a meeting of fundraisers this month with the participation of citizens and social

justice organizations, we plan to begin a campaign to "Support Our Grandmothers With Our Own Hands," which will continue generation after generation. By focusing on political, economic, and citizens' circles, our objective is to raise 30 billion won by the end of this year.

We will, through the strength and united efforts of women, obtain without fail, an apology and legal justice for Japan's inhuman crime.

Military Sex Slavery by Japan

Akiko YAMAGUCHI

The issue of the Military Sex Slavery by Japan before and during World War II has entered into a new dimension since the report by Ms. Radhika Coomaraswamy, a special reporter of the Commission on Human Rights of the United Nation was accepted in April, 1996. The position of our movement demanding the appropriate compensation for each individual victim by the Japanese government has been strengthened by her report and its acceptance in the international society, while the counter-movement by the Japanese government has also been accelerated for the same reason.

The Japanese government is not willing to recognize its war crime and pay the reparation to victims as recommended by the Coomaraswamy report. Instead of taking legal responsibility, the government is making desperate efforts to resolve the issue by the "Asian Women's Fund for Peace" (AWF) which is to raise funds from citizens for the government fund. Although the fund raising has not worked out well, the government is making requests for assistance from big corporations. The AWF is trying to pay 20,000 US dollars "atonement money" to each victim and also promises to offer complete medical care and welfare aid for the victims through official funds not connected with the atonement money. The total budget is 700 million yen within the next 10 years. But the details of the plan has not been yet announced. It should be made clear that this is not the reparation for the crime by the government. The government also declares that the official money should not be paid to individual person directly. Therefore, it means that the victims can use the services which will be provided by the AWF.

A Japanese government official said, "we have to resolve the matter for the national interests of Japan." For the national interests, they do not care enough for the feelings of the victims or those of the supporting groups.

The advocators of the Fund say that this is the only solution for Japan because it is impossible for the government to compensate. They claim that all of the three conditions for the compensation will not be possible. They are as follows:

- 1) to get a recommendation from the International Court for Justice,
- 2) to win in court,
- 3) to establish a law

However, we still hope to realize the justice for the victims and those concerned. At least there are a few signs of hope at present to show the beginnings of these possibilities.

A) Change of the International Opinions

In spite of the strong opposition by the Japanese government, the Human Rights Commission, the Working Group on the Modern Slavery System, the Human Rights Committee of the UN, the Committee of Experts on the Application of Conventions and Recommendations of the International Labor Organization, all recognize the war crime by Japan and support the claim of the victims demanding the Japanese government take legal responsibility. It is not a fantastic dream any more to get a useful recommendation from the International Court for Justice.

B) The Court Proceedings

In the Japanese legal system, few cases have been dealt with from an international law perspective, but now the lawyers are trying to use in their

argument in the cases of sex slave victims the theories of international law which are recognized in the international society. We can expect that a new development will be brought in.

C) Establishment of the New Laws

1) In the end of this session of the Diet, a bill to set up a body in the government for the investigation of the details on the sex slavery system was submitted to the House of counselors by 26 members of the House. Although the bill has not been passed at this time, it was the first step for the fact finding effort toward the compensation.

2) Taiwan is not bound by the bilateral treaty, therefore, it is not impossible to make a special law for the Taiwanese victims and thus establish a model for the other countries.

Because of this hope, we demand that the Japanese government accept the recommendations in the Coomaraswamy Report as soon as possible, and pay legal compensation to the victims.

Even though, the victims are old, frail in health and poor, many of them are looking forward to seeing the Justice while they are alive. The reason for them to publicly speak out about their painful experiences is not for money, but their wish is that no one would have to suffer military sexual slavery ever again. The distribution of the "atonement money" by the AWF would be a betrayal of their wishes. We, women must continue the struggle for Justice. This struggle is not only for the victims, but also for ourselves, that the nation where we live should become righteous.

Fighting back against the deceptive policy of Japanese government

"The comfort women" problem has come to be the present target of international attention as an extreme example of state-caused violence against women. This "comfort women" problem is one that has brought post-war Japan's irresponsible system out into the light of day, making the various war crimes committed by the Japanese state, crimes once left alone to be forgotten, stand out clearly.

Violent acts against women which have always been excused as part of wars and strife have come to be recognized as "crime against humanity" through the world-wide activities and solidarity of women; this "comfort women" system fits this description perfectly, and has come to understand thus by worldwide consensus. Truly, the proper resolution of this problem will have a strong influence upon how the fearsome violence against women in other countries, such as the former Yugoslavia and certain African countries, will be judged.

With this kind of international public opinion as a background, United Nations special rapporteur Coomaraswamy's report at the April, 1996 meeting of the UN's special commission on human rights was unanimously adopted. First of all, in this report, the "comfort women" system was clearly defined as one of military sexual slavery conducted by the Japanese army.

Enumerated as reasons for this judgement were the following facts: under the system, the young women of the colonized and occupied lands were taken from their homes and forcibly brought to the war front; as sexual slaves they were exploited to the point of physical destruction; though not having participated in combat, after the war many of these women were slaughtered and thrown away on the battlefield in an attempt to cover up the crime.

The advice given by the committee was that the Japanese government should concur with the following six articles: it must take legal responsibility for this inhuman war crime, make public apology to the victims and give individual compensation, make public all of their information relating to this matter, make a clear record of the crime in textbooks and teach about it to Japanese students and punish the individuals who established the "comfort women" system,

In spite of the release of the internationally recognized above advice, the Japanese government evaded approaching the problem head-on and continued its policy of trying to solve the matter through its "Citizen's Asian Peace Fund for Women", a vulgar method of solution which has been criticized in the UN report.

Because this method makes vague the matter of who was responsible for committing the violence, covers up historical facts, and diminishes the weight of the issue by converting it to a money matter, it again tramples underfoot the demand that the human dignity of the victims be restored, and is thus none other than a new abuse of human rights. It is an impermissible profanation that

AKO Ogohi

Korean Woman Workers' State of Employment and Policies

Chung, Kang-Ja

(Co-Representative of the Korea Women's Association for Democracy and Sisterhood)

I. Industrialization of Korea and Woman workers

Korea experienced rapid development in the last thirty years. The Korea Economic Reform Plan, started in 1962, has achieved substantial economic growth, increasing average household income greatly. Korean women, as unmarried, unskilled, and low paying work force, were the main thrust in the process of the export oriented economic development.

The structure of the woman labor market changed when the industries underwent the restructuring process between late 70s and early 80s. The transformation of Korean industries, from consumer products into heavy industrial products and chemical products and further into high technology products, imposed various burdens such as unemployment, gross dismiss, big wage difference between larger companies and small companies, difficulties in finding job, and increase in temporary employment for woman workers.

Since late 80s, the number of woman workers in manufacturing is on the decline while the supply of workers for manufacturing does not satisfy the demand and while new graduates of high schools and colleges face difficulties in being employed in the labor market. Concerning the forms of employment, part time employment and temporary employment increase rapidly especially for woman workers and new forms of employment such as dispatch, daily employment, and a contract for only a year, work against the employment stability of woman workers.

Meanwhile, with the advent of gender equality since 90s, laws and rules against the discrimination of women have been legislated to some degree. However indirect discriminations on women such as segregation based on sex in jobs, employment policies favoring male workers for example internship, and frequent sexual harassments in the work place have appeared as new forms of the employment discrimination against women. The government

policy that supports such women labor market structure is toward softening the restrictions on enterprises and toward the labor market flexibility. Thus the governmental policy bears the duality of emphasizing employment equity and maternity protection while utilizing woman workers as cheap, menial, and temporary work force with segregation in jobs based on gender.

Table 1 Participation in Economic Activities (in %)

Year	Total	Male	Female
1963	55.2	76.4	36.3
1973	56.8	73.9	40.8
1983	57.8	73.7	42.8
1993	61.0	75.8	47.2
1994	61.7	76.4	47.9

Department of Economic Planning, [Annual Report on Economic Activities]

2. State of Korean Woman Workers

Women's Participation in Economic Activities

The percentage of women who participate in economic activities has continued to increase from 36.3% in 1963 to 47.9% in 1994 (See Table 1). The employment stability of woman workers is not proportional to the percentage of woman workers' participation in economic activities.

Table 2 Employment Statistics of female Graduates

	High School			Advanced				
	Total	Generic	Vocational	Total	Vocational	Educational	Four year College	Graduate School
90	40.7	13.6	81.2	50.2	63.5	97.0	37.3	56.8
92	41.7	12.7	81.9	51.7	66.4	93.1	39.9	61.8
94	37.3	6.9	75.4	57.3	66.9	65.5	46.3	63.3

Ministry of Labor, [Statistics of Education], Annual

Table 3 Wages and Employment of new Graduates from various schools

	High School (in %)	College (in %)	Wage of a female graduate (male=100)
Legislation, Management	0.1	0.8	88
Specialist	0.3	31.4	77.4
High Skilled Labor	1.6	16.1	64.2
Office Work	65.7	33.5	61.5
Sales and Service	16.2	13.8	71.0
Skilled Labor	8.9	2.8	56.4
Operation of Equipment, Assembly	3.4	0.4	57.3
Unskilled Labor	3.9	0.8	70.4
Agriculture and Fishery	0.4	0.3	
Military	0.1		

Ministry of Education, [Annual Education Statistics Report], 1995

Ministry of Labor, [Base Research Report on Wage], 1994

State of Women's Employment

In this section, we will examine the job stability with emphasis on the status of a woman in the job, the difference in the participation of woman workers between larger enterprises and smaller enterprises, wage gap between male and woman workers, and the structure of woman workers' participation.

The percentage of woman workers occupying permanent posts in the enterprises with more than ten employees decreased 9%, from 38% in 1981 to 29% in 1994. In particular, woman workers of manufacturing posts in the larger enterprises decreased prominently. The restructuring of industries is mainly responsible for such prominent decrease. Relatively little decrease in small to medium sized enterprises is due to the fact that married woman workers compensated partially (Kim, Yeong-Ok, 1995). One thing worth to note is that 5.8% of woman workers work for the enterprises with more than three hundred employees while 62.7% of woman workers work for the enterprises with less than four employees. This is very significant because workers in the work place with less than four employees are not protected by the labor standards act as well as the other social security systems such as the minimal wage act, social pension, health care system, employment insurance system, etc.. Of the distribution of woman workers among jobs, women's participation in professional/technical or administration/management is very small with mere 9.6% while the majority of woman workers are concentrated in labor intensive and low end jobs for example 33.4% in manufacturing, 17.5% in sales, 14.4% in clerical job

(ILO, 1993). This trend is clearly shown in Table 2 that shows the distribution of graduates from various schools in their first employment.

Meanwhile woman workers' participation in economic activities increases after the age of fifteen, reaches a first peak at the age between 20 to 24, then starts to disappear from the labor market around the age of 25 to 29, reaches the minimum at the age of 30 to 34 (see Table 3.), and reaches a second peak after the age of 45, thus the distribution showing the shape of the letter M. This distribution prevailed in the industrialized countries in 60s and 70s but has not appeared since then. However, the distribution still prevails in Korea and Japan.

Table 4. 25 to 34 year old women's participation in economic activities (in %)

Nation & year	Korea	US	UK	France	Sweden	Singapore	Japan	Taiwan
	1994	1993	1993	1993	1993	1993	1993	1993
25-29	45.6	74.7	71.7	82.4	81.3	77.6	64.3	62.7
30-34	48.6	73.5	69.7	78.1	85.2	64.3	52.7	56.4

Center for Statistics, [World and Korea by Statistics], 1995

Such variation in woman workers' participation among age groups stems from the burdens on a woman: house works and maternal activities, discrimination based on gender, and unfair customs in the work place.

Wage

The wage of a woman worker compared to a male worker weighted for entire industries is currently 59.5% in 1995. This contrasts sharply with the 70% - 80% of other major countries.

Table 5. Average Wage for Man and Woman (in Won)

Year	1990	1991	1992	1993	1994	1995
Male	752,731 (100.0%)	881,908 (100.0%)	1,005,298 (100.0%)	1,116,682 (100.0%)	1,248,744 (100.0%)	(100.0%)
Female	402,953 (53.5)	480,903 (54.5)	561,887 (55.9)	632,665 (56.7%)	728,695 (58.4%)	(59.5%)

Ministry of Labor, [Monthly Statistics], Published each year

Employment other than Regular Employment

The labor market flexibility, which has gained popularity since early 90s, is adapted by the government as a labor policy and by enterprises as a business policy. The labor market flexibility policy has played a significant role for removing women systematically out of the labor market of regular workers. Consequently, part time and dispatch workers consist mainly of women.

The number of woman workers employed for part time positions has increased continuously since 1980s. The woman workers in part time positions were one hundred and six thousand in 1980, but in 1994 became five hundred and eighty thousand. The percentage of woman workers who are employed for part-time positions out of the whole woman workers increased from 5.2% in 1980 to 8.4% in 1993. Two thirds of workers employed for part time positions are women, thus showing the trend of using women as part time work force. Most workers employed for a part time position have the same credentials and perform the same task and also work about the same hours as the workers hired for a permanent post do, but the workers of a part time post are paid about 60% of the wage paid for a regular worker and stripped off of their labor right such as the opportunity to develop their work skills, the consideration for promotion, social welfare benefits of the company, and they are subject to unfair dismisses. In addition, most part time workers are employed temporarily in contrast to the fact that the majority of part time workers in the western industrialized countries are in fact regular employees included into internal labor markets. Currently, the number of workers used for illegal dispatch works continues to increase - the number was tripled during the period of 1981 to 1991. It is estimated that there are four hundred and fifty thousand to five hundred and fifty thousand dispatched workers at about four thousand work places (Committee for Renovating Relation between Employers and Employees, 1996). Their fields of work as dispatch workers include legal fields such as guarding, cleaning, and loading/unloading, as well as illegal fields for dispatch workers such as manufacturing, clerk, interpretation, translation, typing, housekeeping, and nursing. The occupation for dispatch workers has been on the great increase, now including manufacturing, office work, and sales. Of the office work fields that have more than 40% of dispatch workers, women comprise more than 75% of the whole dispatch workers. The dispatch woman workers are not only utilized for low end tasks such as general office works, office work aiding, document receiving and delivery, and information desk work, but recently also utilized for the same task as regular workers do.

Leave for Parenting

Employment and sufficient income should be insured to popularize the leave for parenting. "Women should not be subject to the disadvantage in promotion, severance, wage evaluation system, and professional record, should not be dismissed during their leave for parenting, are entitled the right to return to their post afterwards." (The

Equal Employment Law Chapter 11) Also considering the social aspects of parenting, sufficient income during the leave for parenting should be insured, and the cost should be covered by the state. Effort of enterprises and the state is much needed in providing proper training and education for the new task after their return from parenting and in the expansion of the leave for parenting for a spouse.

Expanding Day Care Center

Presently in 1995 there are one million and twenty thousand children eligible for day care centers and 26% of them are using day care centers. Of these day care centers, 86% of them are private - including corporate bodies - and these private centers house 76% of total children (Nam, Mi-Yeong, 1996).

Table 6 Day Care Center for Childeren

Owners	Total	State or Public	Private				Work	Home
			Total	personal	Organization	Corporation		
Centers	8,129	1,004	3,629	2,725	23	891	63	3,423
Children	269,538	78,618	152,226	76,520	863	74,843	1,580	37,114

If the main reason for women's discontinuity in their profession and avoidance of employment lies in the burden of parenting and house work, providing various day care systems in the work place should be considered. When day care system is examined, consideration should be given to how to meet the demand of families that both parents have a day-time job as well as the potential demand of families that could participate in economic activities once the day cares are provided. The social responsibility of enterprises for raising children should be recognized and relevant laws should be legislated. Besides, child care after school hours also should be recognized as a social responsibility as a support for parenting and house work. The school meal system also needs to be expanded to cover middle and high schools and the cost for the school meal system should be provided by the state.

3. Labor Policy for Employment Equity for Women

The labor policy of Korea on women has its origin at the labor standards act legislated in 1953 that protects women by limiting the extension of labor hours, the work at night, off-day works, tunnel work for women and

provides the maternity protections such as the menstrual leave, the leave before and after a birth, and the break for nursing an infant.

Since the labor standards act, the infant nursery law, the employment insurance law, the women's development law were established and the state plans such as the base plan for women's welfare and the committee for internalization's ten tasks for promotion of women's participation in social activities, have been established. These laws and the state policies have been expanded from the protection of women or giving women favors to the increase of women's employment and the equality at home and in the work place by imposing duties to provide these on autonomous local governments and owners of businesses.

Such a trend in law-making and the state plans has some positive effect for women since it promotes the maternity protection and the gender equality, but at the same time it is criticized for its another effect of utilizing the woman work force as cheap, menial, and part time work force.

Women's movement activists have advocated to revise discriminatory laws, systems and social structure, the expansion of the maternity protection and the cost coverage by the state, and increased state involvement for the equality between men and women, so that women could achieve the right to work equally for the span of their lives. More specifically, they have demanded the policy for woman workers offering less work hours a week, ban on using women as temporal workers. true enactment of the equal employment act, affirmative action for women, expansion of maternity protection, support for parenting and other house work, providing safe work environment free of occupational disease and sexual assault.

Part-time or Temporary Labor

The biggest problems of part-time labor in Korea are harsher labor condition, lack of employment stability, and exclusion from welfare benefits, social security system, and union. Therefore, any posts which are in fact regular posts should be changed into regular positions; new rules protecting part-time workers should be added in the labor standards act; commensurate protection from laws of labors and social securities according to the length of the labor and the amount of the wage.

However, part-time labor is limited in choice of jobs and in enhancing work skill even though employment stability and work condition equivalent to that of a regular worker are provided for part-time workers. The part-labor brings back the division of jobs based on sex, and obstructs the development of women (Cho, Soon-Kyeong, 1996). In other words, if women's participation in economic activities is promoted through part time labor, women would become unskilled and peripheral work force with little wages and the discrimination based on sex would become more prominent. Therefore, a near sighted policy such as increasing women's participation in economic activities and thereby relieving immediate shortage for workers does not help women as well as the society eventually. Instead, a long term plan of upgrading woman workers into skilled quality labor force would

help every fabric of the society eventually.

On average, a dispatch worker spent in the work place about 21% more time than a regular worker while the dispatch worker gets only about 60.3% of money that a regular worker gets. To the worse, an average woman dispatch worker gets only 70% of money compared to that of an average male worker even though she spends about 16% more in the work place. (Cho, Soon-Kyeong, 1996) Dispatch work replaces existing jobs instead of creating new opportunities for employment. Dispatch work was not a new pattern of work that stemmed from a consensus amongst the employers and the employees, but a pattern of work needed only by the employers. This is supported by the fact that the dispatch work is more often found in larger companies instead of smaller companies that actually are experiencing the shortage of work force. If a legislation governing dispatch labor is created, then the legislation would create following problems: legalizing exploitation of workers by brokers; employment instability; forced labor and violation of human right; weakening of unions; degradation of the balanced relation between the employers and the employees. (KWAU, 1996)

Our Opinions are summarized as following:

- To oppose legislating the law of dispatch work;
- To prohibit companies from employing dispatch labor and to transform dispatch workers into regular workers;
- To improve job match function of the state by the job insurance law, constructing a electronic data bank.

Affirmative Action for Women

Currently the equal employment law has a chapter clearly stating that temporal action to remove discrimination based on sex does not constitute a discrimination. Furthermore, according to the base law for women's development, affirmative action for persons can be taken in areas where women's advancement is very low. However, currently there is no clear effort to increase women's occupation in the public offices of the state and women's participation in private companies has yet to be increased by a quota system. In addition, even if the affirmative action for women is taken in the employment process with a primary aim of increasing women's participation, effectiveness of the action would be very poor unless the discriminations in the internal labor market such as disadvantages in placement, promotion, and education and training are removed. Considering the state of woman workers in Korea, what is most needed is not a quota system, but aggressive equality action in the internal labor market.

Banning Indirect Discrimination

Currently laws prohibit discriminating women for sex, marital status, or pregnancy in the employment process and in the working condition (direct discrimination). Recently, with the propagation of consciousness for gender

equality and the establishment of the equal employment law, indirect discrimination on women such as giving disadvantages to women by policies of promotion and forms of employment is on the increase. Representative examples are seen in the new employment policy and in the trend of substituting temporary workers with women. The UN agreement on elimination of all forms of discrimination against women prohibits indirect discrimination against women. The amendment to the equal employment law proposed by women's movement organizations and also by labor movement organizations in 1995, was not approved in the national assembly even though its essence lies on prevention and control of indirect discrimination and sexual harassment to women. In 1996, there are another attempt to revise the law in progress.

Prevention and Control of Sexual harassment in the Work Place

According to a survey on sexual harassment for woman workers in sales, service, office work, and high skilled field in Seoul (Korea Women's Association for Democracy and Sisterhood, 1993), 87% of women surveyed experienced various sexual harassment in the work place. Sexual harassment in the work place refers to: sexual conducts before and after employment including speech done against a person by a colleague or the superior, causing unpleasant and humiliating work condition and creating worse work environment, and thereby giving the person unfairly poor chances in employment or in advancement directly or indirectly. (Lee, Soo-Yeon, 1994)

Since sexual harassment in the work place is a discrimination based on sex, violating victim's human right and right to work, it should be treated as discrimination in the work place and be subject to the equal employment law and the state measures to punish and to correct the offender as well as the employer should be implemented.

Currently there are 23 nations, including US and Germany, that protect women from sexual harassment in the work place by equal employment laws and/or labor laws. In case of Korea, the base law for women's development established in 1995 imposes the central government, local governments, and employers the duty to prevent sexual harassment and to provide equal work environment. Even though women's organizations and labor organizations have advocated the inclusion of a sexual harassment chapter into the equal employment law so far, it has yet to pass the national assembly.

Support for Women maintaining Maternal responsibility and Professional Career at the same time

Primary condition for expanding women's chances in employment and for preventing the discontinuity of women's professional careers is to relieve women of their dual burdens of maternal responsibility and professional career. Under the tradition of segregated occupation based on sex, women excluded from the labor market due to child births, parenting, and house works, either experience the discontinuity of their career or become disengaged

from economic activities. Paid leave for parenting with a reemployment guarantee and nursery systems are important prerequisites for encouraging women's participation in economic activities, to prevent the discontinuity of women's professional career due to pregnancy, giving birth, and parenting, and to enhance the quality of the women labor force.

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The situation of women workers in Japan

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For the last ten years, since the enactment of the Equal Employment Opportunity Law (EEO), the condition of working women has been severe. Women currently account for 40 percent of all employed workers, and their role in the Japanese economy is too important to be overlooked. Women are engaged in diverse forms of labor including part-time and temporary jobs. Nevertheless, women's access to stable jobs is considerably limited. The corporate-centered labor system, epitomized in disparities between the sexes, long-working hours and *tanshin-funinn* (living alone in a city far from one's family due to transfers) has widely spread. Under these circumstances, the revision of the EEO is about to be undertaken. To put an end to sexism fostered by the employment system of the unique Japanese management system, present laws must be drastically changed. The agenda for the revision of the Law should address the following:

- 1) whether the current EEO, limited to employers' "obligation to endeavor," which carries no legal penalties, will be developed into an anti-sex discrimination law to ensure women's access through equality in recruitment and hiring, and to eliminate job segregation through equality in job assignment and promotion, and 2) whether the newly revised law could legally prohibit indirect sex discrimination.

The debate over "protection versus equality" has been revived, in which it is claimed that women must work as hard as men in order to be treated equally. Yet, it is also important to impose a more humane regulatory framework for both men and women to be able to enjoy good

health and family lives.

II MOVEMENTS OVER THE LAST TEN YEARS -since the enactment of the Equal Employment Opportunity Law

1. Severe discrimination in recruitment
 Described as the "Super Ice Age", discrimination against female university graduates in recruitment has been increasingly severe. No brochures sent, no access to guidance sessions, no opportunities to sit for entrance exams, sexist prerequisites such as "those who live with their parents, only", "singles, only"--these discriminatory conditions and requirements are applied only to women. Also, sexual harassment has received much attention from the press. Recently, some companies held interview sessions with women applicants only in order to "comply" with the EEO, though they had no intention to hire. Discrimination against female graduates at the stage of recruitment clearly demonstrates sexism exercised by the company. During interviews, female applicants are asked whether they will continue their jobs after marriage, while male counterparts are asked whether they will be able to persuade their wives to quit their jobs after marriage. These examples clearly show the seriousness of sexism in employment.

2. Worsening sex discrimination in employment

- 3) the dual-track employment system and various forms of employment adopted since the EEOL have exacerbated differentiation among workers.

It is completely unacceptable that the wage disparity, a blatant form of sex discrimination, has been widening since the enactment of the EEOL.

4. "SELFLESS DEVOTION TO WORK" HAS BECOME A SOCIAL PROBLEM

The Equal Employment Opportunity Law aims at securing equal treatment between the sexes according to an individual's respective ability and willingness to work. As a result, the principle of "pay according to ability" has been spreading rapidly, and has brought about a working style in which workers, both men and women, dedicate themselves to intensive long-hours of labor. The subordination of workers to their companies has been reinforced more than ever. The long working hours and husbands' *tanshin-funin* lack consideration towards the family lives of workers, and is threatening women's right to work. This right is also considerably affected by moderation and abolition of regulations which imposed controls on over-time, holiday and late-night work for women. In January, 1995, the economic research center at the Economic Planning bureau, published a report on workers' overwork and health problems. It revealed that the working hours of male workers including unpaid over-time work amounts 2,508 hours a year and that one out of six male workers exceeds 3100 hours, which is said to reach the point of causing *Karoshi* (death-from-overwork). The average working hours of female workers amounts 2,002 hours, which is far more than the average female working hours in west European countries such as 1600 hours in Germany. Furthermore, women bear all domestic responsibility. Thus, if the working hours at companies are added to

domestic labor, Japanese women work longer than men, which makes them the hardest workers in the world.

III DISCRIMINATORY EMPLOYMENT STRUCTURE

-institutionalized discrimination in employment

The sexism of the Japanese employment system has been reinforced through:

- 1) the seniority system, in which women are excluded from key positions and their wages are kept low because women's years of service to a company are generally shorter than that of men;
- 2) the corporate social system built on the sexual division of labor in which women are excluded because "their bonds with the company are weak" and "they cannot meet company's demands as well as their male counterparts" due to domestic responsibilities. The structure of the sexual division of labor and the corporate social system also force male employees to endure inhumane working conditions;
- 3) the stratification of human resources built on the dual-track employment system and employment patterns; and
- 4) the discriminatory assessment and job evaluation standards incorporated into the dual-track employment system.

This system supporting sexism can be addressed only through the effective enforcement of legal regulations. However, as mentioned previously, the EEOL is insufficient. The EEOL calls for companies to make an effort to treat both sexes equally in recruitment and hiring, yet it fails to include penalties for violators because the company's freedom in recruitment and contract making is highly regarded. It is not possible to eradicate sexual inequality in employment without getting rid of sexism exercised at the point

For the past ten years since the enactment of the EEOL, the expansion of women's participation in the labor market has been remarkable. A labor force survey reveals that the number of female employees has been increasing steadily since 1985 and reached 20,430,000 in 1995. Compared with 15,480,000 in 1985 when the EEOL was enacted, nearly five million more women are now in the labor force. Particularly, the increase in part-time workers is remarkable. The number of so-called "pseudo-part time workers" who work more than 35 hours a week, are said to have reached 9 million. If the number of *Haken*- employees who are dispatched by personnel agencies to companies on a contract basis as well as temporary workers are included, the figure exceeds ten million. In other words, one out of two women is engaged in these forms of employment. What is noteworthy is that these diverse forms of employment have been spreading among university graduates. 10.8 percent of female university graduates who found work in 1993 were employed as part-time workers. As exemplified by "part-time flight attendants", companies have stopped employing full-time workers for positions which are dominated by women. Instead, these positions are now occupied by part-time workers. The early retirement system, in which women are employed through a one year contract renewable only a few times, has been widespread.

Since the enactment of the EEOL, "the utilization of women" has become a key phrase. Women in various forms of employment, have begun to assume key positions which used to be dominated by men. The quality of works assigned to women has become complicated and requires skills and experience. Women have begun to bear more responsibility and are required to meet high standards. Nevertheless, women's position in society has not improved. The dual-track

employment system, which was introduced as a result of the EEOL for the purpose of fully realizing the potential of female workers, has allowed some women to remain in the management track. Yet, the number of such women remains very small. Most women are left behind in the general-duties track while companies benefit from the utilization of their labor. The requirement of geographical mobility for the managerial track has led to the exclusion of women who bear the responsibility of housework. Thus, job segregation between the sexes has reinforced discrimination in the treatment of women and men. While women's work differs little from that of men in quality and quantity, the dual-track employment system gives the company an excuse to set women's starting salary lower than that of men. Such wage disparities between the sexes tend to widen over time, and the situation of women in promotion has seen little progress.

3. WIDENING WAGE DISPARITY BETWEEN THE SEXES

In 1985 the average monthly salary of female workers, including part-time workers was 51.8 percent that of male workers. In 1990, four years after the Equal Employment Opportunity Law was implemented, the figure dropped to 49.6 percent. Although in 1992 it recovered to 51.1 percent, the figure was still lower than 52.1 percent of the year when the law was enforced. In 1993, it was again down to 50.7 percent. These wage disparities stem from:

- 1) the sexual division of labor that deems women's labor "supplemental" to the household income, is widely accepted, and justifies their low wages under the seniority system,
- 2) unequal treatment in job assignment, promotion and training is still widely practiced; and particularly,

of entry to a company. The "oblige to endeavor" provision which applies to job assignment and promotion is based on the acceptance of the excuse that companies treat women differently from men because of their shorter years of service.. This is precisely equivalent to accepting the gender-biased structure of employment. Although the EEOL expects companies to voluntarily eradicate sexism, the government has not taken effective measures to raise public awareness on this issue. The system of arbitration, advice and guidance to resolve gender inequality has hardly brought about major achievements. In addition to the gender inequality embedded in the existing employment system, the unsatisfactory legal framework for elimination of sexism makes this problem even more serious.

4. REVISION OF THE EQUAL EMPLOYMENT OPPORTUNITY LAW

To end the system of sexism, there must be change in the structure of corporate society, which is built on the sexual division of labor and male dominance. Otherwise, women bearing all domestic responsibilities will never be paid at an equal rate. As typically seen in the case of part-time workers, women's salaries will remain low, and will never be high enough to make women financially self-sufficient.

Men fully devote their whole lives to the company and owe much to women who bear the entire burden of domestic work. In order to correct Japan's wage disparity between the sexes and long working which have long been subject to international criticism, decisive action must be taken. To tackle the structure of the sexual division of labor and the corporate-centered society, a humane society must be created in which women and men share responsibility both in the workplace and in the household, so that they can respect each

other as partners. The most important tasks in the revision of the EEOL are to take the above-mentioned perspectives into consideration, to rectify women's concentration in low-wage jobs by effectively eliminating either direct or indirect discrimination, and to secure an environment where both female and male employees equally share responsibilities at home and at work

To achieve such objectives, the EEOL must be revised into an anti-sex discrimination law which prohibits all forms of discrimination, both direct and indirect, in the workplace. The successful elimination of indirect discrimination would open up the way to the elimination of discrimination in the conventional employment system and domestic responsibility. The principle of "equal wage for equal work" should be clearly stated in the law. Furthermore, it is crucial to institutionalize positive action, to legally prohibit sexual harassment, and to organize support for victims of sexism.

Gender equality means that men as well as women participate in family life and exercise the right to care for children, the sick and the elderly. The question of "protection versus equality" has been brought forward again at this time of revisiting the law, companies claim that abolishing regulations aimed at the protection of female workers so will help to achieve gender equality. However, considering the fact that the working condition of the Japanese male is far worse than international standards such as those set by the International Labor Office (ILO), and that regulations regarding women which were in force before the revision of the Labor Standards Act, barely met such standards, the working condition of men should not be considered as a standard to be achieved. If men set the model to be followed, it would only lead to the persistence of existing gender stereotypes. To eliminate sexism and aim at creating

more humane working conditions and lives for workers, gender inequality should be resolved through raising the working condition of male workers. According to the ILO treaty 156 ratified by the Japanese government, it is imperative that working conditions be improved to make work in the workplace and in the household compatible with each other. In other words, it is necessary to shorten working hours based on regulations for the daily working hours and to formulate the regulation targeting both women and men concerning late-night work which is harmful to workers' health and lives.

5. TOWARDS THE 21ST CENTURY

"Japan is ranked second in the world in natural resource development. However, when women's social and economic position is taken into consideration, the ranking goes down to fourteen. This drop attests to the government's indifference to the full integration of women into the process of economic development." The United Nations Committee for the Elimination of All Forms of Discrimination Against Women made the above statement in response to a report submitted by the Japanese government. It pointed out that in Japan gender inequality remains unchanged despite the enforcement of the EEOL. It also states that the Japanese government has not sufficiently dealt with the issue of sexual exploitation of Asian women during World War II. Economic "development" did not bring about the improvement of women's status and women's human rights. This unequal society should be changed towards the year 2000. Despite rapid economic growth, the position of women is kept low due to the sexual division of labor that is still deeply rooted in society. Corporate-centered society, which is the cause of "overwork", "karoshi" and "tanshin-fumin", remains

unchanged. Without restructuring such a society, gender equality cannot be achieved. It is necessary to change the employment system in which the model is based on those male workers who devote themselves to their companies 24 hours a day until retirement, and to establish a system in which the model is based on female workers who believe both men and women should share responsibility in the workplace as well as in the household.

The Reality and Problem of human rights of disabled women in Korean society

== Contents ==

- I. Entrance
- II. The reality of disabled women in Korean society
 - 1. The real condition of disabled women's human rights
 - 2. The reality of disabled women seen in case studies
- A. Employment
- B. Education
- C. Family
- D. Domestic violence
- E. Sexual violence abusing their physical handicap.
- F. Upbringing and Economical independence
- III. The attempt of international organizations for disabled women and 1995's Beijing women conference
- IV. Korean society's attitude and policy on disabled women
 - 1. Policies on disabled Women in Korea
 - 2. Discrimination against disabled women in Korean Society
- V. Activities of disabled women in Korea
 - 1. A group of disabled women(called BitJang) in Research Institute of the differently abled rights in Korea
 - 2. A group of blind women in Korea
- VI. Epilogue

I. Entrance

Since taking part in NGO Beijing women conference last year, we have been wrestling with both the problem of disabled women(so-called differently abled women) living in Korea and its solution. However, they have not been quite much progressed yet. There has been little of recovering rights of disabled women as presented in No. 296 of Nairobi's strategies for women. Almost nothing concrete for disabled women has been made and advanced since Beijing conference. Thanks to the strong flow of democratic movement in 1987, Korean government started to regulate and to announce new policies to minimize the discrimination of disabled people. They are now being in operation, though they are not fast enough. However, the reality of disabled women and the discrimination against them are still hidden and hardly discussed. It is what we would like to talk and let known through this forum. This is also what we are here for.

Firstly, we, disabled women, tell all of you, Korean government, women groups, groups of disabled people and people from East Asia, that Korean disabled women are doubly suffering from being being both women and disabilities.

Secondly, we tell you that to solve the problem of disabled women is equal to do that of women as a whole. Therefore specific needs of disabled women should be precisely expressed in the regulations or policies regarding women's problems. It should be secured that we take part in various meetings for solving women's problems wholly.

Thirdly, specific needs of disabled women living in Korea are to be studied and revealed so that we should be able to be empowered and aware of our rights.

Fourthly, it is to be focused that the problem of Korean disabled women is not that of their own or their families but that of Korea as a whole or Korean society, further more, what the global society has to solve together.

II The reality of disabled women in Korean society

1. The real condition of disabled women's human rights

Korean Disabled women's suffering is doubled because of being female and disabled. The traditional value and

religio-social ideology of Korean society have been a fatal blow in maximizing discrimination against them. That is to say, Korean patriarchal structure based on Confucianism is the very cause of women discrimination, on the one hand. The transmigrationism of Buddhism, teaching that their disability (or disabilities) is derived from the sins committed in their previous existence, is the ideological background to deepen the bias about disabled people, on the other hand. Accordingly living as disabled women in Korean society means living with two disabilities such as being both woman and disabled. It indicates that in Korean society their suffering is not just added but easily multiplied.

The long termed military government for the last few decades had been putting its primary priority on economical growth alone rather than its appropriate distribution. It is no wonder that its results came to the indifference of the weak and poor. Of them disabled women are most victimized. New economical principals of the present government, emphasizing national growth through free competition, are also not much considerate in their interest and policies recovering disabled women's human rights in this respect. In their families and local communities are easily and variously shown such types of discrimination against disabled women as ignoring their elementary rights given to an individual in Korean society.

Research Institute of the differently abled rights in Korea researched a study to know the reality of disabled women, though its participating numbers(121 people) are very limited. This questionnaire revealed that over 20 % among 121 disabled women did not take even their primary and secondary education. It is because of their inconvenience from physical handicap(s)(over 50 %), of being unaware of their educational rights(over 30 %) and of being teased by colleagues or of being ashamed, etc.

Unfortunately, uneducated disabled women are underprivileged in their opportunities getting jobs, too. Because even 20 % women employed are unskilled, they suffer from unfavored working conditions, long working hours and low incomes, etc. In particular most of them think that they are not in a position of getting married because of their disabilities. It is believed that their marriage hurt them badlier than staying single and that it would be better off that they live alone, working. What is worse, no survey about disabled women and their human rights has been performed yet except the small sized one mentioned above(121 people). The National Health Research Center sponsored by Korean government performs a census for disabled people every five year. We just guess the approximate number of disabled women through the study of this center. According the Center about 950,000 people are disabled in Korea. It is said that of them about 400,000 people (40%) are women. However, groups of disabled people have a different idea from the Center's data. On the basis of WHO's standard they count that about 4,5 million, 10 % of Korean whole population, can be disabled. In this point the number of disabled women leads to 2,5 million.

The National Health Research Center has reported that over 90 % of disabled Korean people are postnatal. This means it is not exaggerating to say that all of Korean people live in an environment in which Koreans are exposed to be potentially disabled people. Therefore it should be clearly recognized that the problem of disabled people and its solution are not only their own and their families' but those of Korean government and society. At present Korean government realizes and tries to solve them to some extent. Nevertheless, Korean government does not take the problem of disabled women seriously enough, overlooking its specific needs. It has to put more emphasis in eliminating social bias against them and in making national policies for them, ultimately in recovering their human rights.

2. The reality of disabled women seen in case studies

The following is some cases showing how badly disabled women are discriminated in employment, education, upbringing, economical independence, family life, marriage and sexual violence, etc. The following case studies do not describe their reality to full extent, but part of them.

A. Employment

Though J(aged 35) comes from a very poor family, she finished commercial night high school and was majoring in elementary education of the Uni. of the air. However, she had an unfortunate accident while mountaineering, which resulted in damaging her spine. Though she was at first diagnosed to use a wheel chair for walking, she managed to use crutch after a long term-practice. Despite her physical disability she continued to study and got the teaching certificate for elementary schools. In order to be a good teacher, she took an exam, passed it and got a good result from interviewing. However, the final result was unsatisfactory because it is judged that she is not physically well and suitable to be an elementary school teacher. She sent in a petition to the government and appeared on TV to fight against it for 5 months. Despite her suffering trial the social wall was for her too thick and high to break. She had to withdraw. She could not help returning to her former work.

B. Education

H(aged 29) with serious disability had to finish only two years out of an 6 year course of the elementary school because her grandfather carrying her on his back to school passed away. Her parents were interested in only her recovering her physical well-being, and had to bring up 6 children with low income. It was quite natural in their circumstance that her education was not their primary concern. She remained home over 20 years after giving up her short schooling, whereas her other brothers and sisters got jobs after finishing their high schools and married.

One day she asked her mother of one question, about which she wondered for a long time, "why am I left alone without being given education?" She answered sadly, "your father and I were desperated to give you only your physical wholeness. You did not seem to live long enough, either. Your doctors always told us you could get well after some time treatment. We did believe them. We now realize that it is too late to regret..." She could not get angry at her, listening to her unfinished words. She is now preparing for qualification exam for a secondary school, with some hope.

C. Family

Y(aged 32) celebrates this year for her 10 year marriage life. On her father's sixtith birthday she was welcomed to his place with her husband on his wheel chair. However it took a long time to be like this. When she decided to marry him, her parents strongly refused his husband as their son-in law, saying that she should have died with them. Now they have changed to extent that her husband is regarded as their best son-in law.

She became half-paralized at the age of 19 because of side-effect by brain operation. With it she had a long conflict with their family. When she was first half-paralized, she could not bear that she had to be helped to go to the toilet. She continued to practice just for going there independently. She is now independent with the help of crutch in that sense, even though her arm is still not perfect. She started to attend to an institution for disabled people. After the passage of one year, her parents openly refused to give pocket money to her. They picked on her because she spent some money without earning money. They disliked her outgoing to meet her friends who were disabled. She, however, did not give up her will and hope. Instead of going out she corresponded to her friends in Korea. They again objected her writing to them, as the letters increased. At last she decided to stay away from their parents. Their only way to do so was, she thought, to marry. When she was 22 years old, she met a man on wheel chair 12 years senior to her. Her parents having known this matter treated her as insane. Knowing this, she ran away to live with him, after learning house work with her mouth instead of her hand. Though he was very poor, they led a happy life, depending on each other. Her parents now accepts him as their son-in law, seeing their happy couple. It took years.

D. Domestic violence

G(aged 34), a deaf, cannot sleep peacefully because the terrible memory of her marriage life lasted until last year is still threatening her. Her 4 year marriage life was full of only assault by her husband. She became a deaf at the age of 15 due to her illness. Her family was so considerate that she learned drawing and arts until she was 30 years old. Then She met a man with a slight disability from polio. He urged her to marry him. However, her

family objected to their marriage because they heard that he was a divorced man with a daughter. However, she accepted his proposal, believing that he was sincere and that she could get over his unfavoured condition. Her marriage did not last long, as expected. It was his constant assault that made her leave home.

While she was in hospital to give their second child's birth, it was abandoned in an orphanage without telling her a word and adopted to a foreign home by her husband. Being furious at this, she decided to leave home with her first child for ever, though she needed to stay home for the benefit of her health. She could not tell even her own parents because she feared that her husband asked them of her place. She lived in streets. She asked several shelters for staying. However, no one accepted her because of her disability. A public institute provided her with a place to stay in with the condition of only a year's term. Now she has to move out somewhere else. She is looking for where she and her 4 year old child live together.

E. Sexual violence abusing their physical handicap.

A spastic K on wheel chair had to live in an institute to attend a school, away from her parents. There she met a volunteer, saying that he loves her. It was the first experience for her. K trusted him. After she was forced to have sexual relationship with him while she was asleep, she continued to have it regardless of her intention for a year. However, he began to keep away from her gradually. She could not bear it and left the institute. She could not help returning there soon, because she had nowhere to live in. However, she had to leave there again due to the rumor. Now she lives with her mother unhappily.

F. Upbringing and Economical independence

Y led a happy life though she suffered from infant polio when young. She had enough affection and understanding from her family and married a non-disabled man. Her problem was started soon after her marriage. After their marrying, her husband changed his mind and left her. From then on she realized that her disability should be her main disadvantage in her marriage and life. The first change in her life came from her economical difficulty. She has to support her young daughter as well as herself. At first she left her daughter at her mother's and managed to get a teaching job at a private art institute owned by a friend of hers. As soon as she became a teacher there, the students started to decrease. Their parents told her friend that they could not let their children learn from a disabled teacher. Though she was so disappointed, there was no other way except the choice that she had to give up the job. Nowhere is she able to work. She is still living a hard life, doing such works as sawing and selling small goods or food on streets or resorts.

III The attempt of international organizations for disabled women and 1995's Beijing women conference

Some international organizations including UN have been trying to solve the problem of disabled women and to make policies and strategies for them. They made a noticeable progress to meet the specific needs of disabled women as well as those of women and disabled people. We can see some examples : 1) UN's one decade world conference in 1980 adapted a resolution, requiring that every disabled women should be able to be employed and to develop their individual abilities and potential in order to enjoy their dignified and equal rights ; 2) In 1981, the year of disabled people, UN presented and asked to consider the specific needs of disabled women to each country; 3) The world women conference held in Nairobi, Kenya, called the world's attention to the problem of disabled women by clarifying the rights of disabled women as seen in its no. 296 article ; 4) In 1990 DPI's world conference held in Vienna opened a seminar to deal with the problem of disabled women. Here 20 items for disabled women are chosen and asked to be accepted by each country's government; 5) NGO forum in Beijing, under the themes of "Look at the world in women's eyes !" and "Women's rights are human beings'", paid a great attention to disabled women and opened a discussion meeting about their problem.

In particular in Beijing about 200 disabled women on crutches or wheel chairs demonstrated against the lack of facilities for disabled women and required their necessities in NGO meeting places. They emphasized the establishment of the system to secure the rights of disabled women and required it to each country of the world. They opened regular meetings during NGO's meeting period in order to have convenient facilities for NGO's disabled participants and equipments proper for enough information installed. By doing a signature-seeking campaign to have the expenses of loaning wheel chairs refunded, the world's presses came to pay attention to them. This became a fruitful event in arousing the problem of disabled women during the period of NGO's meetings.

IV. Korean society's attitude and policy on disabled Women

1. Policies on disabled women in Korea

There are a variety of legislations for the rights of disabled people in general in Korea such as the laws on Welfare of the disabled, Employment Promotion Act for the disabled, and special education promotion law. However, the term, "women with disabilities" and specific section about them have never been mentioned in those laws. Besides, even the laws on women's right have not reflected special needs of disabled women except

the line "people who sexually abuse women with disability institutionalized will be charged". In addition, any government office does not take full charge of policy-making for disabled women so that it is hard to know who enforces the law and who manages the whole procedure.

There are about 2.5 million disabled women, who are born with rights to live and to be happy. They, however, cannot enjoy such natural rights because the laws on disabled women or people can not protect them and even overlook them in exercising those rights. In this regard, it is necessary for everyone in this country to make great effort to resolve this problem.

2. Discrimination against disabled women in Korean society

As mentioned above, Korean traditional sense of value and Confucian ideas are the leading cause of increasing discrimination against disabled women in Korean society. Another reason of this discrimination is found in the history of rapid economic growth under the military government. Though it sounds strange, it is true that each group of disabled people is in some sense so self-centered that they have not paid enough attention to the specific and difficult situation of disabled women. The groups of disabled people say, "our problems are much bigger ones than those of disabled women"; women's groups say, "such a discrimination cannot be a unique problem in Korean society"; and disabled women themselves give up their rights so that they do not play an active role for removing the invisible big wall of prejudice and inequality.

In addition, the present government's policies based on new economic principle' is not positive and fast enough to improve the problems of disabled women because it is excessively emphasizing on individual abilities to get international competition regardless of his/her particularity. After Beijing NGO women conference, the Segyehwa advisory committee under the supervision of our president suggested 10 tasks for promoting women's social roles and status in the times of globalization and information(1995). Any consideration for disabled women do not seem to be included in them and many problems are still left as it used to be.

V. Activities of disabled women in Korea

1. A group of disabled women(called BitJang) in Research Institute of the differently abled rights in Korea

Activities for the rights of disabled women in Korea have a very short history. Research Institute of the

diffrenetly abled rights in Kora first established a group called BitJang in it in 1994. At present 40 members hold weekly and monthly meetings on regular base.

Bitjang participated in Korean NGO women Committee as a group of diabled women and it in Beijing Women Conference presented a review article on Korean government's Nairobi strategies about disabled women and requested the government's more active role in making future policy for 2000s. They plan to publish memoirs of disabled women to let people realize their special needs in a realistic point of view and to open a conference of disabled women under the title of 'family and disabled women' in October.

2. A group of blind women in Korea

The group of blind women in Korea was established by 12 blind women in January 12, 1976 and did home-visit sales of cosmetics and some daily goods for membership expansion and fund raising. They also hold two concerts for scholarship of their children in 1978 and 1981, respectively.

Although they purchased their own building in June 1982, their activities were once almost stopped for some years due to the financial difficulty. In 1992, they resumed their activities with both change of administrative members and publication of periodicals (audio tapes = called "Voice of Women"). This book helps the 150 members share their experiences and receive answers to all kinds of questions. The programs in this group consist of etiquette class, make-up class, cooking class, volunteering for people in poverty, sales, charity fair, and so on.

VI. Epilogue

It is not recognized yet in Korean society that the problem of disabled women is serious and urgent enough to be resolved. While some make every effort for the rights of disabled women, others hardly listen to it or might consider "it is not mine". This is due to the government's low concern, women groups' indifference, disabled people's negative attitude, and inactive roles of disabled women on this problem.

Now with this concern, we, women with disabilities, present ten suggestions here for a better society, which reflect their special needs.

Firstly, a national survey on the problem of disabled women should be carried out on a national level.

Secondly, a provision reflecting special needs of disabled women should be specifically included in the laws relating disabled people with disabilities such as the welfare Law of the disabled by specifying the rights of participating in the policy-making process.

Thirdly, a special committee or subdivision under policy-making organization on women should be established to promote the status of disabled women.

Fourthly, in order to promote good images of disabled women, it is needed to examine domestic and foreign countries' laws on disabled women, making public information for enactment, and screening unfair and distorted expression in mass media about disabled women.

Fifthly, it is needed to include sections for promoting employment of disabled women within the Law for men and women's equal employment(Affirmative Action) and to increase the opportunities of vocational education and training based on fully evaluated vocational interests and attitudes.

Sixthly, all of disabled women should have the right for equal education and disabled women over 18 uneducated should be given an education such as life-long one.

Seventhly, the provision of an offense subject to prosecution only upon complaint should be removed from the "Special Law for sexual violence to protect disabled women from physical and sexual abuses, and the beneficiaries should be expanded from institutionalized disabled women to all women with disabilities. It is also strongly recommended to establish a national special organization for preventing sexual abuse of institutionalized disabled women who are apt to be abused.

Eighthly, the social welfare system should be improved to large extent(e.g. governmental support toward single-parent families, social security income system, disability income system).

Ninthly, the houses for disabled women should be designed to meet their special needs, and the government should try to improve societal barriers.

Tenthly, the problem of disabled women is serious not only for disabled people as a whole but for the women in general. These three groups keep this in mind so that they can cooperate each other. They should exchange their know-hows and information and work closely to set up an international network in this respect.

For a short, ten suggestions presented above will bring about the active movement both for obtaining rights to live and for happiness. These will contribute to realize their full participation in the society and to give equal opportunity of disabled women as wholly citizens in Korea.

2. A group of blind women in Korea

It is needed to include women in promoting employment of disabled women within the law for their and women's social empowerment. It is needed to increase the opportunities of vocational education and training based on fully evaluated individual aptitudes and interests.

It is needed to provide women with equal educational and vocational training opportunities. It is needed to provide women with equal opportunities to participate in social and public life.

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HUMAN RIGHTS OF THE FOREIGN LABORERS AND FOREIGN LABORER POLICY "Concentrated in the Instances in Korea"

by Yang, Hye-Woo

Secretariat

Sungnam Foreign Laorers House

Korean Government Aids the Illegal Stayers - When the government authorities tracked and picked out any illegal employment of tourist visa holder, it renders assistance to the illegal foreign laborers by extending their visa for further 6 months in order to introduce the foreign the foreign manpower into korea -

Post '86 Asian Game and '88 Olympic Game, at the time when Korea was beginning to be clearly impressed internationally, the local manufacturing firms were suffered a serious shortage of manpower. In addition to the above, the manpower which once concentrated in the Middle East territory had to withdraw from that place due to the outbreak of the Gulf War, and thus, Korea was appeared to be their secondary place for manpower demand.

However, the Korean government, without any specific plicy or reasonable measure for these incoming foreign laborers, coped with the developing manpower situation with such a step as the occasion demands; that is to say, it has a consistent policy of not to borne the liability or responsibility while overlooking the employment of foreign laborers with the private enterprises.

In the intial period of their employment, the foreign laborers stayed in Korea for two or three years with tourist visas illegally. For those illegal foreign laborers, the Korean goverment arranged a special action to extend their visas four times, 6 months per each time, since June 1994 by the Ministerial Decree of Ministry of Justice.

The illegal foreign stayers were generously redeemed when they were employed. Consequently, the Korean government is introducing the foreign manpower into Korea, and overlook their illegal stay over the expiration of their visa, and the assisted their employment in Korea eventually.

The Foreign Laborers Increased to a Double Number within One Year - The Number of Foreign Laborer of Illegal Stayer also Increased to Double :According to the statistical data of Ministry of Justice of Korea in July 1996, the number of foreign laborer in Korea was increased to some 170,000, and among them, approximately 110,000 were in the status of illegal stayer. This number is double as many as 190,000 in the statistical report of 1995; while the number of illegal stayer has increased to 110,000 from 60,000 in last year. Therefore, the increasing tendency of foreign illegal stayers in Korea outshines the will of the government's control.

Most of the illegal stayers stay in Korea for two or three years with tourist visas with employments engaging in labor work; and by the additional number of the labor consisted of the dropped out from the foreign technical trainees due to the imperfectness of the training system (60% of the total number of trainee have been dropped out from the program), the number of foreign laborer has shown a constant increasing curve.

These foreign laborers are employed at minor enterprises where they have to undergo a considerable hardship with assignments of work, the 3D (Dirty, Difficult, and Dangerous); however, their illegal status as unlawful stayers they are restricted in claiming their justified rights, and are not benefited by any advantageous provisions of Labor Act of Korea. Furthermore, their earnings are prohibited to remit to their country by their status of illegal stayer, and even their gave a birth to their children in the marriage with Korean woman, they cannot exercise their fatherly rights (right of legal guardian to their children), and most of all, their life in Korea are always threatened by the foreseeable deportation at all time.

Due to the difference in language, culture and ethnic, they have been frequently suffered by the violence of Korean employers, and in the case of women, they at times even suffer sexual violence. For they are illegal stayers in Korea, they suffer reasonably and violently by the Koreans who are the Tartars teasing ruthlessly the legally unprotected people.

The Hardest problem in Korea - To receive wage is more difficult than to work. There is no legal control against the employer who has the outstanding amount of unpaid wage. Most of the foreign laborers are working at the minor enterprises where the nature of work is so poor that most of Korean workers intentionally avoid, and they are paid comparatively lower wage, equivalent to 70 or 80% of that of ordinary Korean national laborers.

However, although lower as their wages are, there is few who receives their wage in time. Most of the operator of the enterprise are apt to be convinced of an irresponsible concept of wage for the foreign laborers that

'if the business becomes prosperous the wage may be paid to them, and if not, they would not be paid,' thus the payment of wage is entirely depend on the sole mercy of the enterprise operators. What is worse, some of the operators intentionally delay in payment of their wage for about two or three months in order to retain them from leaving for other employer. Part of the business operators play their weakness of illegal stay that when the laborers ask for payment the operators threat them to report to the Exit and Entry Control Bureau for their status of illegal stayer, so that their business operators trample upon the human rights of the foreign workers. According to the guideline indicated by the Minister of Labor Administration in respect to the unpaid wage of the illegal stayers, "Even though the authorities are reserved to book the business operators who has outstanding payment for their wage, and in case the business operator in difficult situation to satisfactorily solve the delinquency of payment, they should file their self-statement with this authorities and thus they should reflect their sincere intention for the payment of the wage of the foreign workers." Thus, the guideline indicates the operators to show as if they were sincere in solving the outstanding payment, and on the other hand, the labor supervisors (officials), in sophisticated manner, not to punish the operators for that issue. There is to say, there is no relations for punishing the business operators who committed delinquency of payment.

The Foreign Workers are Employed at the Minor Business Organization with Less than Four employees which is not Applicable to the Insurance Benefit of Industry Disaster Insurance. Most of the Business Operators Provide Medical Treatment with their Injured finger, and They are sent back to their country by force :

There occurs very frequently industry disasters related to the foreign laborers. As the operation of press and intrusion machines are seriously exposed to dangers, the positions are filled by the foreign laborers, because the local workers are avoiding from these kinds of dangerous jobs. Even though Korean workers are strictly provided with safety education, there frequently occurs the disasters, in the case of foreign workers, who are not communicable due to the difference of language, and their safety training program is usually provided with them not enough that they only understand the safety guideline by the facial gestures of the Korean instructor. Therefore, the industry disaster involved with the foreign laborers has been increasing explosively. Therefore, most of the foreign laborers would often suffer the industry disaster within only one week or so after their work begun. And recently, the heat sensors which accompanies safety device are often taken off the safety device by the employer in order to bring up the worker's productivity, and thus eventually, it causes occurrence of disaster. Most of the foreign workers are not liable to claim their industry disaster compensation, because their employers are mostly having less than 5 employees, and this number of employee is not applicable to be benefited from the insurance, and is eliminated from the objects of compensation by the Labor Ministry, and as the employer's financial standing is too feeble to compensate the worker's disaster privately, therefore, they are treated a nominal medical care, and are very frequently deported

to their homes in the overseas by force eventually.

And, what is worse, some of the injured foreign laborers deported without a slight medical care, to say nothing of compensation. Furthermore, some of the employer which is applicable to the compensation of insured are apt to evade intentionally from filing application for compensation on behalf of the laborers, by delaying indefinitely.

In addition to the above, the Labor Ministry added a proviso saying that every injured foreign laborers would be deported when their medical treatment is completed, and thus some of the laborers who lost finger would not claim their disaster compensation in fear of being deported. In the case of industry trainees, they are in much more difficult situation than those illegal stayers. Before 1995, they received very little amount of compensation, and at times, the employer transfer the compensation amount into the medical charge.

(Example)

Mr. Ryu, Jung-Ki, a China-born Korea resident in China, came to his fatherland, Korea, with full of dream and fantasy. He attended to his ancestor's tombs to make a compliment, and in order to earn some money to buy some of the gifts for the young children left behind his home in China, he was employed at a plastic extrusion factory producing clothes hangers; and the working with the night shifts one night, he was happened to have his wrist clipped by the machine, and his lower arm bone was crashed to pieces, losing four fingers at once.

He underwent medical operation for suturing, paying the medical charge of some W6.5 million. Shortly after the operation, his injured arm was increased pains, swollen and disused bad smell. Naturally, he asked for supplemented medical treatment. However, the employer coldly rejected his appeal, saying, "For your sake, we have already spent a lot of money for the first medical treatment, and now you ask me more money for your medical treatment. I don't do anything for that any more. Do by yourself anything you like." When he visited the Foreign Laborers House in Sungnam City, we found his injured portion became rotten, diffusing serious bad smell when he unbanded his arm. He was evacuated to a hospital immediately, and cut off the sutured fingers away, and kept on treatment at the subsequent six months; the medical charge increased then to W13,000,000. When we met his employer for contemplating something to solve this problem. He said, "I do not have any money. If you need money, please take away our deposited key money for rent of residence, or you may take away the two extruders." The labor ministry replied to our inquiry for finding a way to receive compensation for his injury that his not applicable for compensation because his employer is with less than five employees. Eventually, as we were confused, distributed statements to the relevant authorities including Presidential Office. The injured old man visited the Presidential Office later, but was gaining no affirmative result once again.

Ryu, Jung-Ki grandpa was filled with tears in his eyes in the extreme circumstance he has no travel fare of returning home, to say nothing of the outstanding payment of hospital charge.

They are always, difficult to visit a Hospital for the Expensive Medical Charge. However, Heavy Their Sickness May Be, nor likely to knock even a drug store.

Most of the foreigners are apt to be patient when they sick, and they would not like to ask for other's help until their sickness became serious. In case when any foreign laborer is absent from the work for one day, his monthly allowance and 10,000 won will be deducted from his payment, and because, they would hardly find a time to visit hospital as their workload is always fully burdening on their shoulders. Furthermore, those laborers who are illegal stayers are hardly contemplating to visit a hospital, because they are not benefited by the medical insurance so that they have to pay for 200 or 300 thousand won for a few kinds of medical checks. However, the circumstance of the industry trainees, who are beneficiary of the medical insurance, are still disadvantageous. Because, most of their employers are spending no money for insurance payment on behalf of the trainees, though the regulation demands the employers pay a half amount of insurance payment. They also are confused to find a proper department at the hospital due to their difference in language.

(Example 1)

One day, Mr. Kulong, a Nepalese, who was then with a serious headache, watched the T.V. drug advertisement, and found Penjal, a pill effective for headache, and then he went to a drug store and asked for the drug. The pharmacist mistaken in hearing his poor pronunciation of the drug, "Penjal" sound like Benzol, and passed a bottle of benzole to the foreigner. He had to wash his gastric organ soon after he drunk benzol.

(Example 2)

Mr. Kirisina, a Nepalese, was fell down on the ground by cerebral hemorrhage due to overwork. His symptom was followed by disorder of his visual nerve, serious vomiting, and dizziness. The friends of his around him brought some gastric drug and liver pills as prescription for vomiting, and checked at the eye doctor's for his visual weakness. As his condition was getting worse, the friends felt fearful about the patient, and visited a medical counselling office by taxi after three hours. He was almost unconscious at that time, and was so serious that he sight was losing every minute. He took an emergency care at the serious case room, and recovered three months after, and shortly ago he returned his home. At the similar time, the Nepalese Mr. Hari also had to struggle with the chronic headache.

However, due to the constant workload at the factory, he had to take anodyne to soothe the pain. At the neighboring private medical clinic, he was told to take a C.T photograph. But, he could not afford to pay for the

charge of more than 300,000 won. He gave up to follow the doctor's suggestion, and when he fell down on the ground, he was so heavily sick that he was almost incurable. Attending Mr. Hari's funeral, Mr. Kinishia dropped heavy rops of tears on the ground in his regret that Hari might have recovered his health if he had taken a proper medical care in time, because his symptom of disease was the same as his.

They Cannot Exit from Korea as Freely as They want, due to the Seriously Large Amount of Fine, and the Ministry of Justice encourages to Collect More Fine :Even though the illegal stayers lost their hand in their industry disaster, or whatever large amount of payment is unpaid to them, or even their arm bone was fractured by violent force, they should pay for a certain amount of fine when they leave from Korea. Whoever the foreign laborer who sincerely worked at his employer, and if he was an illegal stayer, he should be deported from Korea if someone reported of him to the authorities. What is worse, there are instances that the employers of the illegal stayers often report them to the police authorities when the laborer was afflicted industry disaster like so become a financial burden to the employer, or when any laborers are unpaid of their designated amount of payment, the employer would report him to the police on charge of illegal stay to avoid his responsibility of payment of their salaries. However, in such case, the enterprise operator who was in delinquency of wage or compensation will not be charged by the law.

In addition to the above, the government set up two or three times each year a control period of the illegal stayers, and regulate the foreign laborers ruthlessly. Some of the laborers were detained by the police only with his slipper and in his usual factory uniform, or at times, the escaping laborers jumps down from the second floor, injured bone fractures at his arms or rump bone. In the control period, we find the overpacked number of foreign workers not only at their collective camp, but also at the detention jail or correctory jail. However, the government believes that the only way to prevent the illegal stayer is to enforce rigid control of them. Ironically, when any illegal stayer could not afford to pay the fine (some onemillion won annually), the officials suggest them to work at a place to earn the fine amount, and release the illegal stayer without taking a measure to deport him.

In this connection, when someone wants to leave Korea without payment of fine, he or she may wandering around the place where the justice ministry's control is rigid so that he may be captured as an alleged illegal stayer and will be deported by force. Or, at times, some of them would play dramatically as if they were fighting together with knives in their hands, so that they can attain their real purpose of being deported without paying the fine. However, eventually, most of the illegal stayers, if they cannot afford to pay for the fine, they are to be retained in Korea and would continue their laboring work.

(Example 1)

As a plain example, Mr. Lim, Ho, a Korean resident in China, paid some 3 million won to a breker who

guided him to come to Korea, and while he was engaged in a work, he was detained and brought to the Exit and Entry Control Bureau in custody after 18 months of his life in Korea. He earned a total of 4 million won during this period, and among the amount, he lent 2 million won to a relative of his but was not refunded then, and among the rest of 2 million won, he paid fine for 1.8million won, and lastly, he could have only 200 thousand won. Mr. Lim was frustrated that he had to refund the loan of 3 million won in China and he could not return to China with empty hand. Finding no way to breakthrough the pressed situation, he at last cast himself into the traffic lane on the elevated bridge at Kuro-dong on November 9, 1993, and finished his life by himself.

Korean Women, Borderless in Their Love, but has Border in their Marriage : Love is the ultimately pure and value of noblest beyond the boundary. However, there is a nation in which love should not surpass the boundary. The country where especially women should not surpass the boundary, that is Korea. The government was desirable to introduce manpower only, but love came together with manpower. As people entered into the country, in the natural course, there is an increasing tendency of Korean and foreigner's marriage. However, when a Korean woman wants to marry with a foreign man and to keep their married life in Korea, they would never maintain a normal married life in Korea. The nationality act of Korea is principally based on paternal line, therefore, in case of marriage between Korean man and foreign man who married to Korean woman should have an annual income of more than \$30,000 and stay in Korea for three years consecutively with approval of minister of justice.

However, it is impossible for any illegal stayer or the industry trainee, who is allowed only for 2 years, to stay in Korea more than three years, and therefore, it reveals the suggestion of will and intention of the government to stop their marriage to Korean women.

(Example 1)

Mr. S, the Nepalese, and Korean woman so called as Kim met each other at their workstation and soon became fallen in love by having living together, and thus they have a three-year old daughter at present. They formally married in the congratulations of the relatives in Korea, and Kim(his wife) reported their marriage article to the district office, and registered her husband on her household certificate as a lodger. However, Mr. S was always uneasy that he did not know how soon he would be detained and compelled to leave Korea because of his status was an illegal stayer. If Mr. S were deported by force, he cannot return to Korea within four years, their marriage would naturally become frustrated. At last Mr. S, in a fear of being deported at any time, he sought out a way to make an inquiry to the Exit and Entry Bureau to find out something that can support and keep on their married life in Korea.

The Exit and Entry Bureau replied to his inquiry that all illegal stayers should leave Korea in the first hand, and then take a legal process to come to Korea. The couple went back to Nepal and reported their marriage to the

Nepalese authorities. And, then, his wife, Kim, who returned home(Korea) alone, sent an invitation to her husband...With an enthusiastic aspiration of meeting her husband in Korea to keep on their married life.

But, her husband, Mr. S is still stay away from Korea with flaming longing heart for his wife for six months already. The Korean Embassy in Nepal refused to issue him a visa for his previous record of illegal stay.

(Example 2)

Pakistani Mr. M and Korean woman so called as Joo are married and are kept on their married life in Korea with their two-year old daughter. Joo and M were married in Pakistan, and as Mr. M had not previous illegal stay record, he could return to Korea by his wife's invitation very easily. However, his visa was F1 visa. Which is lodger's visa, rather than F2 which is spouse visa. His visa expires only three months comparad with spouse visa which expires one year and is permitted employment. Mr. M is not allowed any earning activity with that visa. If he works for earning, he should be noted that he will be deported at any time. What is worse, the daughter bom between the two should follow paternal line, therefore, she is prohibited to register on Korean register as notonality of Pakistant. In this connection, in the natural course, their daughter is acknowledged as a Pakistani, and foreigner in Korea. This child also was issued a three-month visa. These two foreigner, the child and her father should leave Korea on the three-month expiry date, and then they would return to Korea from the overseas.

They blame their destiny that the husband is not allowed to work in Korea, and should leave here every three months, and their children are all treated as foreigner, and they together have to repeat the tiresome procedure of exit and entry to keep on their married life. Furthermore, all these expenses occurrable in these repetitious coming and going proccass would in tact become an unbearable amount for these poor married couple.

In most cases, they would avoid to report the birth of their child. Therefore, these children are without birth certificate and naticnality as well. Frequently, the mother mat register the child on her Korean register to take procedure for enterance of kindergarten or formal elementary school. In this case, the children are nominal children of unmarried mothers on the documents. If they are failed in registration on their mother's single register, the children may be registered on the register of mother's maiden home register, at times becoming as if the mother and the child were sisters or sister and brother on the register. In the case of marriage by and between Korean woman and a man from the advanced Western nations, it is quite different. The spouses are able to receive spouse visas, and are allowed to engage in an ordinary work in Korea. They are privileged to have their visa extended as they want. And, when they lived in Korea for consecutive three years and earns more than \$10,000 remuneration, the foreign spouse may acquire Korean nationality by sanction of the minister of justice.

LEGAL STAY LABORER IS A TRAINEE WHILE ILLEGAL STAY LABORER A LABORER.

Government has been operating "the system of industrial techincal trainee for foreigner" as an alternative to the severe illegal stay of foreigners causing social problem. But this system was made in order to get the gain of low pay by not applying to the labor act by introducing foreign manpower not as the qualification of laborpower but as the trainee. This system became the cause of deepaning the problems such as the infringement of human rights and sweating the laborers rather than solving the problem of foreign manpower introduction. Our society shall be ruled by common sense. Legal foreign resident shall be given much benefits while the illegal not. The common sense has been ignored in the problem of foreign laborers. The legal resident (industrial technical tranee)was paid only 160,000-300,000 won monthly for their 12-16 hours work day and night until the announcement of improved guideline for the trainee. There are still the laborers who are paid only 40,000-80,000 won monthly as they came to Korea through the local corporation or overseas joint invest enterprise, but in case of illegal foreign laborers we pay 600,000-1,000,000 won a month mostly.

At the same time the legal residents are watched going out of the factory while the illegal can transfer to the new job and go shopping very freely though they are in danger of crackdown of Korean authorities. In case of injury while working the illegal workers are treated better than the legal ones. In other words, the illegal workers have been enjoying the industrial disaster compensation benefit from Mar. 1994 while the legal trainees from Mar. 1995. Moreover at present about 27,000 trainees of local corporation have no industrial disaster insurance benefit, thus they are compulsorily deported after being paid some hudred thousand won even when their hands are cut.

EVEN GOVERNMENT DOES NOT HAVE THE WHOLE PICTURE OF FOREIGN LABORERS OF THE LOCAL CORPORATION.

There are 2 kinds of trainee in the system of industrial technical trainee. One is the group entered through Cooperative Federation of Small Businesses, and most of them are recruited through manpower exporting companies, and the considerable parts of treatment have been improved for them after the bitter and long sit-down strike at Myung Dong Catholic Church in 1995. The other is the group came through the Korean companies or joint venture companies in China, India or other regions of South East Asia which sent the manpower to Korea for the technical drill to be returned to their countries after training, and this group has

been used as a handy way of maintaining low wage, and the number of such companies have been increasing year after year. The local corporation trainee is employed on the wage condition of 40,000 won-80,000 won a month to be serving in the factory in Korea. They are strictly watched as the simple laborers. Their level of monthly wage is less than 1/10 of the illegal workers serving in the same labor as the trainees. The trainees must work at night or through the night to be able to purchase necessary articles for them to live in Korea since their wages are unreasonable. For these situations they are roughly treated in the labor of over average 12 hours a day receiving only 300 won in average an hour.

Such unreasonable trainees amount to total 27,000 in number showing 300% increase compared to the last year predicting that more foreign laborers be introduced year after year. But government authorities such as ministry of labor and justice have had no correct realities of them such as what treatments they are receiving or what kinds of training they are receiving but they just justify themselves by saying that the local corporations are not under the control of the ministry of labor.

Example 2)

Monthly wage is only 40,000 won in Jun Bang Co., Ltd. Chun An. Though they are paid some for their pocket money, 20,000 won has been saved while they must live one month with only 30,000 won. No money will be left in their pocket when they spend some for meal, a cup of coffee and the traffic fare when they go out. The system of trainees has basic problem when we know they paid 900,000 won to the broker to be the trainees in Korea. To prevent the trainees from escaping the work or company,

- 1) They shall pay 800,000 won penalty in case they violate the contract.
- 2) They shall not have talks with the Korean workers, and they shall not sleep out, and they shall not go out of the factory even, and they shall not phone.
- 3) They have just one day off a month, and they say they have never left the factory since they arrived there with no public transportation means.
- 4) They have been inhumanly treated under the military punishment, but they had no choice but to be patient under such brutal treatment.

Example 3)

Kum Yang Corporation, opened local firm in Aug. 1992 in Chungdo, China, has her factory in Pankyp-sungnam city, Kyounggido province. It imported 18 trainees on Apr. 3, 1995 and let them carry the products and label the sticker on the socks as it manufactures the hosiery products. The laborers started the strike risking their lives requesting the wages as they have not been paid any money since they made contract under the condition that the company should pay the wage annually. Even two months after the due year, they were not

paid any, so they could not send any money home in China. Though they paid annual wage after the strike but the 3 prime movers were deported already while 2 women workers are to be deported by them under the pretext of health problem though they should have received the monthly physiologic leave. Moreover they say they will not pay the expenses of ship fare and others (430,000 won) for these 6 workers in an excuse that they have not satisfied the contract term.

The Kum Yang Corporation let the laborers work against any pains from sickness by the agreement of compulsory contract that they would deduct 10,000 won from the monthly wage in case of one day absence. The Chinese workers said that they have drunk the cold water only in Summer season and barley water in Winter season. The Chinese workers are protesting by reproaching the Korean system of trainees by saying "Why are we deported compulsorily while we worked hard just wishing the wages be paid we deserve and we have done nothing wrong. Toward these important situations government says that the corporation has caused not any legal problems but the government and corporation try to find the excuses out of the responsibilities of human rights.

THE MANPOWER EXPORTING COMPANIES ARE THE NEW SERVANT MERCHANT JUST COLLECTING GREAT AMOUNTS OF MONEY

It was in 1994 when the system of importing foreign manpower, in easy way which we call the system of industrial technical training was used widely by federation of Small Industries has been most serious in the structural evils of the system of industrial technical training

These manpower sending companies are recruiting the laborers overseas by way of exaggerated advertisement that they would pay U\$450-500 against the fact that they pay monthly U\$200 in reality, and they receive about 2,000.00 U\$ - 4,000.00 U\$ for the brokerage commission there. Most of the laborers are said to have sold house and dry or rice field to pay for it.

Due to the fact that they the Chinese workers can be paid only U\$210, against the great sum of brokerage commission and other expenses, they are able to pay for the brokerage commission with the savings for 1 year 3 months without spending any money of the wages. To make the matter worse 11-60 dollars are monthly deducted under the name of the fee for manpower management by the manpower exporting companies which are paid the wages of the workers directly and 80% of the wages are sent home and 20% are kept as the deposit for key money

As all the wages are controlled by the manpower exporting companies, the workers of industrial technical trainees must work over night or night to buy the necessities of everyday life, sometimes they work on Sunday and holidays. Owing to such arrogance of the companies the laborers have no choice but to become the illegal residents after escaping the work.

To prevent the workers from escaping the works, the companies started to mobilize the strict watching system by capturing and retaining the passports and banning them from exchanging letters and going out of the places of employment. It is what we say the chained compulsory labor.

There we see frequent happenings of compulsory deportation, detention and violence in case they find out the trainees who have tried to escape or the illegal residents of the foreign laborers who have helped or tried to help them by organizing self-protection strict structures.

Due to such crippled operation of the system in connection with the manpower exporting companies, there were 13 Nepal laborers in 1995 who cried "Do not hit us please, pay us directly and we are not the slaves." There we see over 60% increase of trainees who escaped the place of employment at present.

THE ANGER OF THE FOREIGN LABORERS INTO THE GREAT OUTCRY

The grudge of the foreign laborers are piercing the sky owing to the consistent attitude that government utilizes the foreign workers but does not take the responsibilities. The counselling centers for the laborers from abroad are filled with the workers who have their fingers cut and the hospitals with the dead bodies with no name for several months.

Korean government, however, is consistent in saying that they can not be compensated as they are not legal workers who are applicable to no compensation acts. The result of sit-in strike for 40 days in the hall of Economy practice Union in Jan. 1994 by the industry disaster patients who questioned the conscience of Korean government by lifting their cut fingers made Korean government announce that the labor acts be partially applied to the industrial disaster insurance for the foreign workers but the whole basic acts of labor be not applicable to them.

One year after that industrial disaster patients strike of sit-down in 1994, there was another one in such cold weather of winter against the sweating, oppression, detention or many other inhumanly treatments by the system of industrial technical trainees.

The cry "Please do not hit us, please directly pay us and we are not the slaves" made us the Koreans ashamed and it was the start of announcing not only for Korea but for all over the world about the immorality of Korean government so cold as the cold of the related acts were given to the foreign laborers by applying disaster insurance to the trainees as well as enforcing medical insurance, paying directly and guaranteeing the basic pay. 1997 is the year of laborer established by United Nations. Now the labor problem is not only the one of our nation but the concerns of all the nations in the world. The capital has been endlessly creating the rich across but the labor has been infringed and exploited and it is not exception in Korea.

It is said that Korean government decided to import about 20,000 foreign laborers. Such foreign manpower introduction will be continued in the future. Government would be not late if it starts making desirable plan for the solution of the problems of the foreign laborers.

First - Government should take measures of pardoning the illegal stay laborers.

Government should take pardoning measures toward the illegal foreign laborers admitting that Korean government has a certain level of responsibility for their illegal stay and they have dedicated to the Economy of Korea. They are greatly dedicating to Korean industry since they can adapt themselves to the culture and food of Korea, and they speak Korean so well and skilled so much as to contribute to the elevation of productivity and prevention of the industrial disaster. In case such laborers are deported compulsorily and new laborers are imported various dangerous happenings such as the sicknesses and pains the former laborers have experienced as the new laborers would be strangers to the culture and food of Korea as well as language.

Without the will of solution on the illegal laborers of about 110,000 in number who are in the dead ground, no new system should be settled down. Therefore taking measure of pardoning them shall be the start of opening new door of importing desirable overseas manpower.

Second - The system of industrial technical training shall be abolished.

This system has already been used in the advanced countries in order to exploit the laborpower of low income of the poor countries, and recently such system has been abused by several Asian countries including Korea worse than ever before. This system has resulted eventually in the detention and violence to the wrong and mistaken direction since the theory of inviting the manpower itself was aimed to get the low wage manpower from the beginning.

The system should be made based on the lawful foundation under the contract between both countries mutually at least at the time of importing foreign laborpower but it has been processed in a way of helping the profit of the specified organization. These huge waves of noise have been happened as government assigned all the powers of management and invitation of the manpower to the specified profit organizations only attaining the theory of profit organizations without any minimum guarantee of human rights. Even though various improving measures are to be complimented to the system of industrial technical training, this system should be removed since the theory itself of importing foreign laborpower is on the assumption of exploiting the laborpower.

Third - The acts pertaining to the protection of foreign laborer should be established (provisional name).

The signature collecting campaign for the establishment of foreign laborer protection acts has been actively proceeding with the public hearings having been held by the self-organizations of the foreign laborers (Council of Bangladesh, Nepal and China), counselling centers for the foreign laborers and the supporting organizations.

This is to remove the basic main factor that oppresses the human rights of foreign laborers through complete abolishment of industrial technical training system and measures of pardoning all illegal residents by reflecting the merits of the system of employment approval with the present system of labor approval as the foundation.

Korean government is urged to establish "Foreign laborer protection acts" urgently as not to ride over the rights of them through lawful steps of importing the foreign laborer by paying proper price based on this acts of protection.

Problems about foreign female workers in Japan

S.P.R. Japan
Noriko Makishita

As the government of Japan doesn't admit freely foreign workers, opportunities to work in Japan for foreigners are limited. So female foreigners in Japan normally are forced to work in the "sex industry". In the 80s, singers and dancers from the Philippines began to come to Japan with entertainer's visas, and later, many girls from Thailand began to come to Japan through the system of the slave trade. Girls from Russia and East Europe are coming to Japan now.

In total, big numbers of foreign workers are male, but in the range of age 15 to 24, the percentage of girls is overwhelming. Of all working visas, 80% are for entertainer visas, and of those 90% are given to Filipinos. In the latter part of the 80's, many girls from Thailand began to come on tourist visas. They are told "There are many waitressing jobs in Japan" by some slave trade organizations and came to Japan with debts of as much as 3 or 4 million yen. They do not understand the situation and are forced into prostitution. In recent years, several girls have tried to run away and been involved in murders. In court they were accused as the murderers, not as the victims of the prostitution. Supporting groups are asking police to expose slave trade organizations and asking the government to establish domestic and international laws, such as the "Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others", the "International Covenant on Civil and Political Rights" article 7, 8 and 9, the "Convention on the Elimination of All Forms of Discrimination against Women", the "Convention on the Rights of the Child" article 19, 34 and 35, and the "International Convention on the Protection of the Rights of all Migrant Workers and their Families" established by THE UNITED NATIONS in 1990.

129

There are from one hundred and fifty thousand to two hundred thousand foreign female workers now in Japan. And almost all of them are working in the "sex industry". This abnormal phenomenon reveals the character of Japan. In the background of the need for young foreign girls, there are the Japanese patriarchy, the history of tolerance to prostitution, long hour of labor, and the hard management system in the business world and so on. As the economy is the driving force of the society, hard working, stressed men go to the girls in the "sex industry" to let off steam, just like the Japanese soldiers needed the system of "comfort women". On the other hand, there is a structure that wives support "men leading society", their husbands and father-absent home. Japanese women have been separated into "giving birth sex" and "serving men's pleasure sex" and in both, women have been deprived of their character and pride. Still there are many women who admit it, saying "he doesn't destroy our family" or "men tend to go to prostitutes". The long history of patriarchy and the incompleteness of women's independence left Japanese women in these situations. Mothers can get jobs again, but mostly part-time at the half of the wage of men.

In the 70s, when the "sex tours" from Japan to other Asian countries became targets of criticism, they started to "import" Asian girls to Japan through the same route. Foreign girls are working not as workers but as "entertainers". Under the circumstances of the difference of the language, customs and discrimination, they are forced to wait on men customers. So there are many cases that because of the illegal act of waiting on men under the order of their bosses, they get deported or become the victims of prostitution. As the entertainment visa is valid for only 6 months, they often overstay to get more money and end up as victims of "YAKUZA" or gangsters. They can not get money by month, but are paid all together when they go back. Sometimes they get money at the airport, but it sometimes happens that they have to leave Japan with no payment. During their stay the living expenses are given by their bosses, usually 500 yen, or 5 dollars a day. It is not enough to live on in Japan, so they have to survive by the tips of customers. The spirit of the Japanese Immigration Control Law is the exclusion of foreigners. Under the existing circumstances, members of NGOs have to support foreign workers in Japan.

The marriages between foreign girls and Japanese men are increasing. Overstayed foreigners have to clear many hurdles to marry Japanese, even in the case of pregnancy. They are continually deported. The expulsion order is menace to foreigners. If they are deported, they can not come back to Japan for a year.

The international marriage is very stressful for foreigners, as Japanese society is very intolerant of other cultures. They ask the married women to go native, to become a Japanese. Through the differences of the languages, manners and costumes, many couples are getting divorced. Many foreign wives are battered by their husbands and sometimes even their husbands' families. Due to visa problems, foreign wives hesitate to divorce due to abuse and violence. Foreigners who married Japanese can stay in Japan as the "spouse of Japanese", but when they are divorced, they lose the right to stay, even when the mother has custody of the child who has Japanese citizenship. The state of foreign wives who don't have friends to talk with or officers to consult is very serious.

The problems of the children from international marriages are also serious. Many of them are bullied at school. It reveals the illness of Japanese society. There also is a big problem of children of Philippine mothers and Japanese fathers, who are abandoned by their fathers. It is said that there are 10,000 of those children around Manila. NGOs of both countries are searching for the fathers and asking them to do their duty as fathers. But too often fathers who are found won't do their duty and further more, cut off all relationships. In these cases the husbands' parents stand on their son's side and are against the Philippine wife. This reflects how Japanese society despises other Asian countries.

Japan has a history of discriminating against foreigners and indigenous people and depriving them of their cultures and human rights. Japanese society is intolerant of other cultures. The law and the administration are not satisfactory for the rights and welfare of foreigners. Those working for the rights of foreigners are NGOs and citizens who are supporting NGOs. They are concerned about various kinds of foreigners' problems and in solving their problems while respecting their wishes. They are making effort in working at many problems such as medical care, labor problems, marriage, divorce, legal problems, children's problems and so on. They have

the help of lawyers, doctors and religious groups. but have difficulties raising funds. In Japan. we have only 10 private shelters which women can run to from the "YAKUZA" or the violence of their husbands, but we need more shelters.

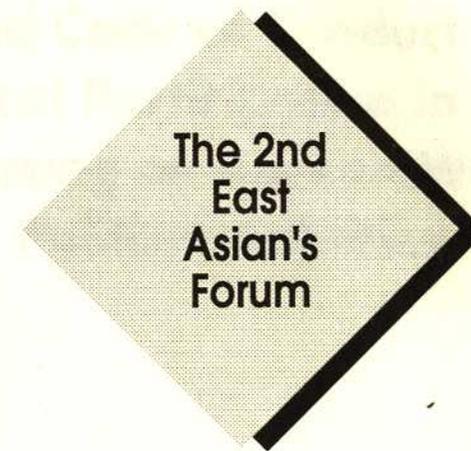
So there are many NGOs acting for the rights of foreigners and exchanging information, studying and lobbying. And it is needed also to inform their home countries about the real labor situations, manners and customs and dangers expected in Japan.

The situation of foreign women reveals that Japanese women, too, are of low social standing. Japanese women are now changing the society made up "for men" in various kinds of fields and many groups are networking. Foreign women in Japan are not the object of help for us but comrades to work with changing this old Japanese society.

Representative of S.P.R.

(Society for the Protection of Rights of Foreigners, Hokkaido)

Noriko Makishita



Workshop 1

Political Empowerment

The Plan and Code of Conduct for women's Political Participation in Korea - Focusing on Korean Women's Political activities -

by **Cho Seun Hyung**

President Korean League of Women Voters

1. Introduction : A summary of the World Conference on women

2. World Conference on Women, Code of Conduct of Korean government, Activities of Korean Women in Non Government Organizations (NGO)

- 1) Government Level
- 2) Women's NGO Level

3. Korean Women's Political Participation

- 1) Historical analyses of women's role in the National Assembly and local government
- 2) The role of women's role in political parties
- 3) women as voters

4. Conclusion : The plan and code of conduct

The Korean League of Women voters, which I lead, is the only unit for Korean Women's political activities in Korea. It has attempted to increase the political participation of Korean since 1969. As a result, the role of women in Korean has improved, yet still many areas of policy making are still regarded as male dominated. Out of this organization have emerged many members of congress, ministers and prominent women leaders.

I regret to say that as of yet, the League of Women Voters has concentrated most of its efforts on issues related to the upper classes, needs of the more disadvantaged. At this forum I would like to talk about the intention of increasing participation until women of all walks of life are widely represented in the League of Women Voters.

While I am deeply honored to be given this chance to present a paper on the issue of increasing women's roles in politics, I also feel great responsibility to do so. Just as Asian people have created an "Asian Miracle" in economics through hard work and perseverance, such efforts are needed to bring about a greater political role for women in Asia.

I. Introduction

Declaring the 1975 as "the year of World Women", the United Nations challenged the international community to rethink the role of women in the society. In this year the first world conference on women took place in Mexico. One of the larger accomplishments of the conference was the increased awareness of sexual discrimination as an international problem. About 6000 people from 133 countries met under the motto "Equality.

Development. Peace". and out of this meeting came the Mexico Declaration and the World Action Plan. The declaration promotes the principal "equality between men and women is defined as the equality of rights, opportunity, responsibility and the equality as human beings." It insisted that every government make the institutional reform needed to enlarge women's political participation and urged the creation of a new order of international relations, which more closely considered the role of women.

At the second world conference on women in Copenhagen in 1980, about 8000 participants from 140 countries gathered to evaluate the "United Nations 10 years of women". The conference adopted a resolution committed to improving education, employment and health conditions of women. But unfortunately, due to the Cold War and the Palestinian human rights issues, this resolution found little real support from United Nations participants.

The third world conference on women in Nairobi in 1985 had about 15,000 participants from 153 countries. Out of this conference came the strategy for the next 20 years to improve the development of the role of women. This strategy largely aspired to accomplish many of the unsatisfied goals of the past years, and to hopefully eliminate the obstacles to women in improving their roles. Even though the conference fostered solidarity of women and provided a clear strategy, realization of such goals were hindered by the racial discrimination issues in South Africa.

All three conferences focused on women as the people oppressed in the male-dominated society. The conferences were held with the purpose of improving the position of women through changing the traditional ways of thinking and institutions.

The fourth world conference on women in Beijing in 1995 was held in tribute to the fiftieth anniversary of the United Nations. Participation was around 30,000 from 185 countries. The participants made the decision to reduce the level of poverty, violence and discrimination experienced by women throughout the world. The NGO part of the conference adopted the Beijing Declaration which promised that women from all countries would cooperate with each other to positively influence both the political and economic position of women. This declaration said that the discrimination of women is an international human rights issue. Also adopted was the code of conduct with all 6 chapters and 361 clauses, supporting the central tenants of the Beijing Declaration.

Korean representatives, which numbered 700 and came from 96 different groups, succeeded in Beijing to make the issue of forced prostitution of Korean and other countries' women by Japanese during World War II, and sexual harrasment was the main issue of interest. Korean participants experienced working together with other international women's group and in addition learned how to effectively participate in such international forums.

The Beijing conference adopted very specific and realistic plans. Not only were political and economic issues raised, but also the role of women's reproductive rights, concerning abortion and contraception, and domestic violence were mentioned. Made clear was the fact that women's movement need not be a zero-sum game between men and women. Developmental vision was built on women's values and experiences, and goals and strategies were created to affect institutions and ways of thinking to make these goals see fruition. The distinctive feature is that these strategies emphasize co-relationship based on equality between men and women, to be developed in the 21st century.

Out of these conferences came Korean women feeling a new sense of empowerment. I would like to make some observations on how Korea has and, in the future, should, take the lessons learned and put them into practice at home.

II. World Conference

The year of 1975, "the year of World Women", was a period when women's problems were largely ignored. Most countries were more concerned with rapid economic growth and had few women legislators. Most women's groups in this period were organized for the sole purpose of counseling women about family law, but failed in recognizing larger issues preventing women from achieving a more prominent role in their respective societies. Most organizations lacked funding, which decreased their level of influence.

Some progressive groups started to organize after 1980. Sexual discrimination began to be more widely

discussed among women scholars. It was also at this time that women's role in the government began to be considered, and specific goals and strategies, needed to be created were realized. After the Nairobi conference, Korean women's groups managed to receive some increased support from the government. How this came about is outlined below"

1. The government level : focusing on the law and institutions.

The Korean government proclaimed at the 1980 world conference that institutions would be created with the purpose of improving the role of women in the Korean society. On March 14, 1983, the Institute of Korean Women's Development was inaugurated and supported the improved role of women through education, training and research. On December 8, 1983, the Committee of Policy concerning Women was inaugurated by the President. This committee has little real administrative influence concerning women's policy, due to its sole role of investigation and proposing adjustments of policy. Its sole institutional role is in investigating laws before being enacted into the law. The Korean government added into the law, an act making sexual discrimination illegal on January 26, 1985. In April 1988, the Korean government passed a law called the "Employment Equality Act", which forbids all discrimination on the basis of gender when employing, retiring or firing workers.

More however, need to be done. For example, making a new clause to prohibit sexual harassment in the workplace, specifying equal pay for equal wages, extending the law to all work places, and strengthening the punitive provisions of existing laws.

The Ministry of Political Affairs (II) was established in February 1988, and a female Minister was appointed. This ministry has the function of studying and researching government policy concerning women and carries out surveys in an effort to more fully appreciate the concerns about women in the Korean society. The greatest barrier to this ministry in increasing the role of women in the society is that the ministry has no power to legislate and promote policies through administrative means. The Ministry of Political Affairs (II) needs to be reformed so that it has the judicial means, an adequately staffed workforce and a large enough budget to more positively influence the role of women.

The Act of Public Servant Employment, revised in June 1989, enlarged the opportunity for women to take part in the government. With the aid of this legislation, the percentage of women passing the civil servant exam increased to 30 percent in 1990 from a traditional rate of 10 percent. The previous practice of restricting the percentage of women passing the exam was also terminated during the ninth administration.

The Bureau of Family Welfare was created and offices were opened in all major cities in 1988. The directors of these offices were women. In 1991, offices in smaller cities were open, with women, again, were selected as directors of these offices. These directors served as the link between local concerns and the central government.

Traditional Korean family law, which encouraged continued sexual discrimination against women, was revised

in 1989 by the National Assembly and has been enforced since 1990. The revised family law ended some patriarchal elements of the old law. However, ending the prohibition of marriage between two people with the same family name, due to continued Confucian ideology, had yet to be revised.

The law stipulating the punishment for sexual violence and protection for victims was legislated in December 1993, and has been enforced since 1994. Sexual violence is one of the most serious social problems and public institutions need to be created to help combat this problem. Sexual violence must be publicized. Codifying the guaranteed privacy of rape victims in an ensuing trial, needs to be enacted and is currently being considered by the National Assembly.

The Women's Development Act legislated by the Globalization Committee has been in effect since July 1, 1996. According to this law, state and local governments are responsible for making all legal and institutional resources available to women. Also, these resources are to be funded to a level where they are effective. The law stipulates that the goal will be to end all sexual discrimination in existing laws, increasingly fund women's groups, prevent sexual and domestic abuse and end sexual discrimination in the mass-media.

It is worthwhile to examine the results. Instead of the name desired by women (Equality Act between Men and Women), the law was named the Women's Development Act. The Law is ambiguous as to which department of government is actually responsible for enacting the law and thus the law seems to be more of a declaration. The Federation of Women's Groups stated their displeasure openly and encouraged the public to immediately demand changes.

The budget in 1995 gives only 0.05 percent of its resources to women's concerns, which most strikingly shows the long road ahead for women in Korea. Furthermore, the political participation of women has no guarantee in Korean political institutions. The gap between the ideals put forth in the United Nations' women's conferences and the reality in Korea is still great. Greater help from the government and increased ties between women's groups in Korea and international women's groups need to be forged.

2. The Level of Development of Women's NGOs

The role and contributions of NGOs has increased recently in the international society. Universities, including Ehwa Women's University in Seoul opened Women's Studies lecture in the Mexico Conference. Improving the consciousness of the importance of the role of women in society brought about by the increased role of Women's Studies had helped the realization of the sexual discrimination problem present in the society. This meeting was a turning point in the war against sexual discrimination. Groups increasingly volunteered to participate in an effort to eradicate this problem. International groups increasingly mobilized and sought resources not only from their governments, but from private sources.

The biggest Korean NGO effort is the movement to revise the Family Law, which around 100 groups worked

for after the Nairobi conference. Revising the Family Law was an issue on which progressive and conservative forces agreed. This effort shows the potential of a large umbrella alliance coming about in Korea.

The Pan Women's Meeting for Political Participation was established in 1991. These women's groups petitioned the government to help them with securing physical and human resources and to revise the election laws. At the same time, the Korean League of Women Voters (KLWV), the Center of Korean Women and Politics (CKWP), the Korean Institute for Women and Politics (KIWP), the Federation of Women's Groups and the Young Women's Christian Association (YWCA) met to increase fundraising efforts for women running for political office.

The policy forum concerning the presidential election by KLVW was considered a success. Many groups and women scholars participated and it was the first women's forum concerning the presidential in Korea's history.

The Pan-Women' Solidarity Meeting for Revising the Election Laws was formed in November 1993. It submitted a petition to the government that new committees be created concerning women's concerns, that elections be held under public supervision, that civil groups have greater official access in election campaigns, that redistricting take place and that more power be given to the local government. These views were reflected in the unification election law, local self-government law, and political funding law that were passed in the 166 special session of the National Assembly in March of 1994.

Many women, buoyed by recent successes in petitioning for policy reform, became increasingly active in election politics. Under the slogan "change the world with one vote" and "cast the vote rightly" recent elections have seen the highest levels of participations by women in politics in Korean history. After the election women's groups urged that the central government ensure free and fair local elections and that local concerns be increasingly heard in the National Assembly.

Women's groups also petitioned the government to institute a quota system, stipulating that 20 percent of political appointees be women, both nationally and locally. This demand originated with a 10 percent demand in 1988. In 1994, various women's NGOs established the Women's Solidarity for the Introduction of Quotas. The Women's Solidarity movement also demanded that the government adopt the 20 percent quota system of women for high level civil servants and a 10 percent quota for representation in the local government. As a result, the Democratic Liberal Party and the Democratic Party promised to allot 20 percent of all political office nominations to women. However, it should be noted that this is below the United Nations recommendation of 30 percent female representation.

Just as Korean Women's NGOs played an important role in increasing the women's role in domestic politics, Korean women's NGOs have founded an enlargement plan for the participation of women in international conferences. The Seoul Manifesto by the CKWP in 1992 and the seminar, "Improvement Quality of Life in the Asian Pacific Area and the Role of Women as Political Leaders" gave support to women to participate in an international discussion. The "Public Hearing of Each Party's Women's Policy" in preparation for the 15th

national election urged women to vote not by character but by political party. Two important problems for women's groups to be solved are the Japanese Comfort Women controversy and sexual violence.

Looking over the NGO situation, the time to focus on women's social-economic position was from 1975 to 1985. The focus has strongly diverted to the political position of women since 1985. The participation of women in the economy was 48 percent in 1996, but women's participation in politics was only 2 percent. This fact is likely the largest motivator for changing the direction of concern of the international women's movement.

As the above shows, the success of the women's movement largely depends on the level of government and NGO support. However, even when there has been law reform favoring women, Korea's experience is that increasing the role of women in politics has been extremely slow, and achieving "Equality. Development and Peace" is extremely difficult.

In comparing each country's women's rights index, which measures political participation, Sweden experienced the highest degree of female participation, followed by Norway, Finland and Denmark. These countries, not by coincidence, practiced sexual equality under the law and greatly helped women through welfare. It is very shameful for Korea to rank 90th out of 116 countries, lower than China, Indonesia, the Philippines, North Korea and Bangladesh and all Asian countries that have a much lower level of economic development than Korea.

The following section more closely analyzes the role of women in the political process. The first role to be observed in legislature, followed by past participation of women in political movements and concluding with the behaviour of women in political movements, and concluding with the behaviour of women as voters. Following this analyses are enlargement plans and proposals for the new code of conduct.

III. The Situation Korean Women's Political Participation.

In this chapter, I'm going to analyze the performance of women as members of political parties, and the behaviour of female Korean voters, especially their behaviour over the 15th National Assembly elections and local elections. Following the historical analyses, a vision and proposal for the code of conduct are proposed.

1. Historical analyses of the National Assembly and local government election.

The historical average female representation of women in Korean legislative bodies has been 2 percent. Most recently, in the 15th general election, the number of women representation in legislative bodies increased to 3 percent, which amounted to 9 out of a total 299 representatives in the National Assembly. Table 1 shows all of the women candidates and appointees in the history of the National Assembly.

<Table 1. Female candidates and winners in Korean National Assembly >

Election	Female candidates	Elected	Percent
1st	nLocal-18	0	0
Special Re-election	Local-3	1	0.5
2nd	Local-11	2	1.0
3rd	Local-10	1	0.5
4th	Local-5	3	1.29
5th	Local-8	1	0.4
6th	Local-4	1	0.8
	National-3	1	2.3
7th	Local-4	1	0.8
	National-4	2	4.5
8th	Local-2	0	0
	National-7	5	9.8
9th	Local-2	2	1.4
	National-10	9	11.5
10th	Local-5	1	0.7
	National-7	7	9.2
11th	Local-10	1	0.6
	National-3	8	8.8
12th	Local-7	2	1.1
	National-9	6	6.5
13th	Local-14	0	0
	National-13	6	0.8
14th	Local-21	1	0.4
	National-16	4	6.5
15th	Local-20	2	
	National-37	7	

According to table 1, only 0.5% of women entered the National Assembly through election. Although the number of female candidates have been increasing since the 11th election, the number of candidates winning the election has not increased.

<Table 2. The results of local elections>

Year	# of Local Officials	Female Candidates	Elected Female	Autonomous l City Officia	Fenale Aut City Cant	Elected Female Can
1992	4540		40	816		8
1996	4541	206	71	972	39	58
1995	Out of 230 candidates for local office, 1 woman was elected as head of local council, and 15 women were elected head of autonomous city councils.					

As shown in table 2, the number of women candidates and candidates being elected have increased in the recent local elections. However, only one woman has been elected to lead a local council.

The results have also shown that the larger the district, the lower the level of women being elected. In spite of this fact, it should be worthwhile for women to participate in local politics, because of the importance of local politics to women's daily lives. Also, women can play a role in beginning a grass-root democratic movement.

The United Nations recommends that countries should attempt to achieve a 30 percent participation of women in elected offices by 1995. However, Korea is far away from this goal, with only 3 percent of elected National Assembly officials, 0.4 percent of leaders of local assembly, 5.76 percent of local council officials and 1.56 percent of local assembly officials being women. Not only is Korea far behind the United Nations goal of 30 percent female participation, but it is also far below the world average of 11 percent.

Resulting from the influence of women's groups supporting the Women's Solidarity for Quotas movement, political parties allotted 25-60 percent of candidates to be women in the June 27, 1995 elections. This shows the result of the influence of NGOs as a political power and the political parties growing awareness of women voters.

However, in the 15th general election, each party promised to guarantee the nomination quota and that at least 20 percent of these nominated women would be elected. However, this promise was not kept, with the political parties claiming that voter support for women was lacking or that no competent female applicant came forth. Since women lacks funds and viable networks, despite their talent, they need some support of existing institutions to be elected, such as increased government funding, quotas and fairer elections. Additionally, more talented women need to come forth and enter the arena of politics.

Few women attain jobs in the most important portions of the central government. In addition to the lack of support to women from the government and political parties, women also face the widely held belief that the most important role of women is in the home as a part of the family. This seems to lead manu noters and legislators to believe that they can not trust women to manage affairs outside the home, such as business, international relations, and law.

2. Women in Political Parties

Since democracy is largely based on participation politics taking place within political parties, the role of political development relies heavily on these political parties. Although women make-up from 40 to 70 percent of members of political parties, few women hold any position of responsibility or influence. According to a research in 1985, each party had only 6-10 percent of women in positions of influence or responsibility. The amount of women participating in actual party politics traditionally increased during elections, but then this surge in female involvement immediately regressed after elections. Women who are named to official positions within political parties, usually receive little publicity and are still kept far from the core of political power. Traditionally, the largest aid women were allowed to provide political parties was one of low level human resource during elections, canvassing, office help and the like. Rather than educating women and improving their abilities to foster potential political resources, political parties have recently coopted many women's political slogans. Political parties have frequently proclaimed their awareness of the importance of women and have stated their intention to increase female participation in political party forums. Most of these slogans are a result of the influence of the female NGOs. What this result show is that if more viable, politically astute women candidates can be fostered, women will see a greater opportunity in politics. Thus, women need some institution to help them in developing the needed political skills and create the needed political networks.

3. Women as Voters

Voting is the most desirable way to change and develop a political system. Women voters in Korea outnumber men by 400,000. However, the rate of female participation is slightly less than that of the men. In 1992, the percentage of men voting was 72.2, while women's was 70.9, while 82.6 percent of eligible men voted while 80.9 percent of women did. However, the local elections of 1991 show that 1.2 percent more eligible women voters participated than men and that women participated at a higher rate than men in local council elections. This shows women's greater interest in local elections compared to men's interest in central elections. Most women see local elections as more germane to their life and thus, local elections is the most auspicious locale for women to improve their political situation.

Research has shown that female voters cast their vote based more on a candidate's school, career, character and most importantly, the regional background of the candidate, but do not base their decisions on political party affiliation. According to research done during the most recent National Assembly election, the voting behaviour of women mirrors that of men. This differed from the perception held at the time that women would vote for the party with views most favorable to their needs.

Part of the reason for women to not base their voting decision more commonly on political party affiliation is

that Korean political parties' political platforms do not greatly differ from one another, making voting on policy preferences impossible for voters. This is another reason that women have not been able to vote for policies favorably disposed to female political development.

In order to increase women's political participation, women's political consciousness and desire to organize must be heightened. The following section describes steps needed to be taken to achieve these goals through participation enlargement plans and codes of conduct for female political involvement.

IV. Conclusion: The Enlargement Plan and Code of Conduct

The most important thing in reforming women's political involvement is to set clear goal, which sets an obvious destination. A movement without any decisive ideology can not attain any goal. Also very important is not only the strong confidence of the leaders in the goal but also the confidence of all members of the movement in the goals.

Enlargement Plan

1. Theory of creating a political scenario proper for Korean Women

It seems false that the government's behaviour is conducive for the political liberation of women. The government's slogans and institutions' claims to aid women are only to gain popular support, and ignore the real needs of true female political liberation. This has resulted in little progress in female political empowerment.

Korean women should develop political theories for themselves rather than accept Western political development theory or Western-based feminism. Korean women should develop theories that men and women can both agree on.

2. Increasing female political participation in local elections.

Local government provides women with many issues they can relate to and easily become actively involved. Due to the background of Korean women's existence, local government provide close relationship with every-day life which more likely appeals to Korean women's interests.

In welfare states in Northern Europe, women occupy over 70 percent of local government positions and over 40 percent in the central government. This has been a result of the women's political movement beginning at local level. Through beginning their participation at the local level, women gained confidence, experience and knowledge. As women participated more effectively in local government they were increasingly able to then challenge male dominance in the central government. In order to follow such a plan, the following code of