

Korean Transnational Corporations Watch

3 March 2015

Dr. Yanghee Lee

Special Rapporteur on the situation of human rights in Myanmar

Dear Dr. Lee

Re: Regarding a Strike in a South Korean-owned Garment Factory in Myanmar

Greetings.

Korean Transnational Corporations Watch (hereafter KTNC Watch) is a network of human rights/labor/environment/public law organizations in Korea which has long been active in responding human rights issues of Korean-owned or -invested companies overseas.

Regarding human rights violations in Korean companies in Myanmar, KTNC Watch has been closely monitoring the situation including a field research to Myanmar in 2013. Especially among the recently increasing investment into Myanmar from Korea, we have tried to raise awareness among relevant Korean authorities and international bodies, asking them to take appropriate measures to address human rights concerns in Korean companies in Myanmar.

1. According to local news in Myanmar, workers in the E-LAND (Korean company) and Costec International located in Shwepyithar near Yangon have been in strike for wage increase from early February, followed by massive popular protests in solidarity with the workers. Though the Yangon local government went on mediation between the striking workers and the management, the strike has been prolonged since the Myanmar central authority arrested two union leaders during the negotiation between the government and the union and the management persists with its own wage increase scheme which is far under the workers' demand of 30,000 Kyat. The Myanmar government dismissed the workers' sit-ins forcefully, arrested union leaders, and even warned the workers might face additional legal actions, heightening the tension.

2. The KTNC Watch's field research in 2013 shows that general workers in Myanmar have to do long overtime work including working in Sundays to receive as little as USD 60 to 100 per month. Given that the majority workers in the garment industry are women, long working hours may cause health problems. More importantly, due to sharp increases in prices, the current low wage is hardly enough to cover basic living costs. The situation of garment workers who are forced to work long hours to survive is one of the serious human rights issues recognized by the international community.
3. When the Myanmar government is yet to set the minimum wage, workers striking for wage increase demonstrate how frustrated they are today. Moreover, Korean companies are notorious for taking advantages at the expense of desperate garment workers in Myanmar, going so far for the Labor Department of Myanmar to conduct inspections of human rights situation in Korean-owned garment factories late in 2013. Demanding wage increase and waging peaceful strikes and demonstrations are divine rights of Myanmar workers fully guaranteed in international human rights/labor standards. Nevertheless, the Myanmar authorities accused and arrested striking union leaders of threatening public safety, violating the fundamental rights of workers despite what is provided by its domestic law. Highlighting the fact that Korean companies are taking advantage of the Myanmar government's favors which consistently violates the human rights of workers, it will subsequently make the image of Korean companies much more negative.
4. Unlike other Asian countries including China, Korean companies and the government are expected to comply with and implement the OECD Guidelines for Multinational Enterprises as a member state of the OECD. More recently, the UN established the UN Guiding Principles on Business and Human Rights, promoting each member state to take measures of amending relevant laws and institutions to prevent its companies from being involved in human rights violations in fragile states.
5. According to local news reports, Korean Embassy in Myanmar not only failed to mediate in the situation for peaceful resolution, but also was suspected to ask the Myanmar authorities to mobilize forceful intervention on grounds of legal provisions completely unfavorable to workers. It is no more than abandoning the internationally expected role of the Korean government protecting local workers' human rights in host countries as well as the profits and interest of Korean companies.
6. All Koreans are very pleased and honored to have you as the UN Special Rapporteur on

the situation of human rights in Myanmar. And we believe you are and will be significantly contributing to the improvement of human rights situation in Myanmar. In particular, we expect you to pay more attention to practices of Korean companies in Myanmar and put pressure on them and Korean authorities to fully comply with international human rights and labor standards.

Thank you for your attention. We look forward to your positive response regarding this matter.

Yours sincerely,

KTNC Watch

About KTNC Watch: KTNC Watch is composed of Advocates for Public Interests Law, Corporate For All, Gonggam human rights law foundation, MINBYUN-Lawyers for a Democratic Society, Labor Committee, Korean Confederation of Trade Unions, Korean House for International Solidarity, and Korean Lawyers for Public Interest and Human Rights.

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