

# **NORTH KOREA: About the dynamics of the fight against the exploitation of North Korean Overseas Workers**

## **Latest developments**

- **Ukraine ends visa-free deal with North Korea to keep out 'ineligible persons'**
- **Malta denies visas for North Korean workers, sending them back home**
- **Poland suspends issuing visas to North Korean workers**
- **IndustriAll Europe: Action needed against North Korean forced labour in the EU**

HRWF (12.09.2016) – *Human Rights Without Frontiers* hails the policies recently put in place in the EU, and beyond its borders, to curb the exploitation of North Korean Overseas Workers by their own government, with the complicity of a number of states and private companies.

In 2007, *Human Rights Without Frontiers* (HRWF) organized a conference at the European Parliament at which a former staff member of the North Korean embassy in Prague revealed that, prior to his defection, he had been in charge of the 'supervision' of dozens of North Korean seamstresses employed in the Czech Republic. When their exploitation was publicized by the national media, the Czech government put an end to the hiring of North Korean laborers.

At the same time, it was also known that in Poland numerous

North Korean workers were being recruited in Gdansk shipyards and orchards. Despite the regular coverage of the issue by the Polish media – especially *Gazeta Wyborcza* – and our awareness raising campaign, the practice was not stopped. This was probably due to the long-standing good relations between both countries established during two decades by the North Korean ambassadors who happened to be until recently the stepbrother of Kim Jong-il.

A few years ago, a North Korean restaurant opened in Amsterdam. *Human Rights Without Frontiers* informed Dutch MPs and the European Parliament about this controversial business, but there was no political reaction from Brussels or The Hague.

In September 2014, the Korean Institute for National Unification (KINU) co-organized a conference with *Human Rights Without Frontiers* on the exploitation of North Korean overseas workers at the European Parliament with MEP Kati Piri. This was followed by a meeting of experts on human rights in North Korea held by KINU and the European Institute for Asian Studies in 2015, where HRWF and KINU researchers raised this issue. Another similar meeting was organized by KINU in Madrid the same year.

In 2015, Qatar, which will host the FIFA World Cup in 2022, Construction Development Company (CDC) sent back about 200 North Korean workers last year because of repeated violations of national labor laws and regulations by the workers and their inhumane treatment by their supervisors.

Throughout 2016, the Seoul-based Database Center for North Korean Human Rights (NKDB) organized conferences on the exploitation of North Korean overseas workers in the EU, and on 1 June published the report “A Prison With No Fence” in five languages (Korean, Russian, Chinese, English and Spanish).

At the beginning of 2016, German MEP and Chair of the EU Parliamentary Committee on Employment and Social Affairs Thomas Händel drew attention to the exploitation of North Korean workers in Malta, sending letters to a number of EU agencies: the EU Agency for Fundamental Rights, Commissioner for Employment, Social Affairs, Skills and Labour Mobility Marianne Thyssen, and Guy Ryder, Director-general of the International Labour Organisation (ILO). He became concerned about the issue after hearing that a company producing leisure clothing was being sued on the basis of allegations of sub-standard working conditions, low wages, and misappropriation of wages.

On 25 May 2016, MEPs Kati Piri and Agnes Jongerius asked a written parliamentary question about North Korean workers in the EU. On 29 June, Commissioner Marianne Thyssen answered, “The Commission is aware of reports on alleged violations of the human rights of citizens of the Democratic People’s Republic of Korea (DPRK) working abroad,” and recalled, among other things, the EU’s policy against trafficking.

At the end of May, journalists investigated the situation in Poland and produced a remarkable 32-minute video report entitled “Cash for Kim: North Korean forced Laborers in Poland,” available at <http://bit.ly/1PaB0TG>

In early July, in Leiden (Netherlands), a new in-depth report on the issue of North Korean forced labour in Poland was launched as part of the Slaves to the System project run by the Leiden Asia Centre with Proferssor Remco Breuker.

The sudden interest in this issue by the concerned countries is the result of several factors:

- a long-standing awareness-raising and advocacy campaign
- the recent investigative work of NKDB, KINU, the Leiden Asia Center, and video-journalists
- the acceleration of Pyongyang's nuclear program which threatens the security of all the countries in the region, including the USA
- the opinion of a number of experts saying that the benefits in hard currencies generated by the exploitation of overseas workers amount to 1.2 – 2.3 billion USD and are used to finance the nuclear program of North Korea

***Human Rights Without Frontiers urges***

**the EU**

to collect data from its member states about the issuance of working visas to North Korean citizens and their working conditions

**the EU member states employing North Korean workers**

- to abide by the standards of the International Labor Organization and by their commitments under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR);
  
- to strengthen the implementation of labor protection standards
  
- clear information on work hours or work conditions and on salaries
- direct payment of salaries to the workers
- information about complaint mechanisms
- non confiscation of the passports and visas by a North Korean authority
- freedom of movement of the workers
- inspections of companies using North Korean labour and sanctions in cases of failure to abide by national and international standards

The international media have covered the latest positive developments and the implementation of good practices.

***Ukraine ends visa-free deal with North Korea to keep out 'ineligible persons'***

By Ju-min Park and Jane Chung

Reuters (31.08.2016) – <http://yhoo.it/2ck6bLC> – Ukraine has revoked a Soviet-era deal that allowed visa-free travel for North Koreans, the latest setback for isolated North Korea which has been under growing pressure since the UN Security Council imposed toughened new sanctions in March.

A Ukraine government document seen by Reuters said that the government approved a decree on July 27 to terminate the pact with North Korea, a major buyer of Ukraine's flour, that had allowed visa-free travel between the two countries.

The document, signed by Ukraine Prime Minister Volodymyr Groysman, said the withdrawal of visa-waiver agreement would "prevent ineligible persons from entering Ukraine".

The Ukraine Embassy in Seoul did not have immediate comment.

A recent surge in fighting in eastern Ukraine, where Kiev is fighting pro-Russian separatists, and fresh tension in Crimea have raised concern that a fragile ceasefire agreed in Minsk in February 2015 could collapse.

Concerns about the threat posed by North Korea have spiraled since it conducted its fourth nuclear explosion in January and followed it up with a series of missile tests, despite severe UN sanctions.

European Union member state Malta recently denied visa extensions for North Korean workers, effectively expelling them, South Korea has said.

South Korea has been making diplomatic efforts to engage North Korea's old allies to press for change in North Korea.

Impoverished North Korea and the rich, democratic South are technically still at war after their 1950-53 conflict ended in a truce, not a treaty.

Earlier this year, Namibia halted ties with two North Korean state-run companies that had built a munitions factory and were involved in projects for its military to comply with U.N. sanctions on Pyongyang, according to Namibian media and the South Korean government.

Poland has not issued new visas for North Koreans this year amid concerns that Pyongyang may be subjecting its workers to

conditions that violated their rights.

Singapore will impose visa requirements on North Korean visitors from October, its immigration authority said in July.

### ***Malta denies visas for North Korean workers, sending them back home***

Yonhap/ Reuters (28.07.2016) – <http://bit.ly/2cQzBog> – Malta has denied visa extensions for North Korean workers, effectively expelling them, due to a diplomatic campaign by South Korea and human rights groups, South Korea's Yonhap news agency reported on Thursday.

South Korea has been pressing the few countries that have ties with North Korea to push for changes in the isolated state, which has been criticised for its human rights record and for channelling wages earned by its workers abroad back to the North.

Malta has denied visa extensions for about 20 North Korean workers who had been employed at a construction firm and a clothing maker there, Yonhap reported, quoting unidentified sources in the Malta government and the companies.

All of the workers had since left Malta and returned to North Korea, Yonhap reported.

A diplomatic source in the capital, Valletta, said Malta had taken the move after a push by South Korea and human rights groups that raised concerns about the conditions faced by the North Korean workers, according to Yonhap.

Officials at Malta's consulate in Seoul could not be reached for comment.

North Korea has come under growing diplomatic pressure since its January nuclear test and a long-range rocket launch in February, which led to a new U.N. Security Council resolution in March tightening sanctions against Pyongyang.

South Korea has been making diplomatic efforts to engage North Korea's old allies to press for change in the isolated state.

Earlier this year, Namibia halted ties with two North Korean state-run companies that had built a munitions factory and were involved in projects for its military to comply with U.N. sanctions on Pyongyang, according to Namibian media and the South Korean government.

Poland has not issued new visas for North Koreans this year in reaction to the North's nuclear test and rocket launch at the beginning of the year amid concerns that Pyongyang may be subjecting its workers to conditions that violated their rights.

### ***Poland suspends issuing visas for North Korean workers***

VOA News (07.06.2016) – <http://bit.ly/2cpsW2e> – Poland has stopped issuing visas for North Korean workers amid reports that Pyongyang is sending its citizens to foreign countries in harsh working conditions to earn hard currency.

The Polish Foreign Ministry told VOA that Poland has not issued visas for North Korean workers after the North conducted its fourth nuclear test in January. Poland issued 156 visas for North Korean workers last year, according to the ministry.

Last year, the European Alliance for Human Rights in North Korea, a British-based group that advocates for human rights in North Korea, released a report that named Poland as one of nearly 20 countries that hosts North Korean laborers. Poland is one of two European Union countries on the list.

### ***Controversial scheme***

“As the member state of the EU, we are convinced that the primary duty of the international community is to promote this legitimate concern. DPRK's citizens working in Poland, in



shipyard or any other workplace, are subject to the Polish law and are not discriminated in any way," said the ministry in an email sent Saturday to VOA.

"The government of the Republic of Poland follows with great attention information on DPRK citizens' employment in Poland, especially concerning working conditions and observance of labor law standards," the ministry said.

Some media speculate that as many as 800 North Koreans are working in Poland, but the ministry says only 482 work permits were issued for North Koreans as of 2015. The figure accounts for less than 1 percent of all work permits issued in the country.

"Existing cooperation in this field is being carried out on the basis of private agreements between entities from Poland and the DPRK," the ministry said. "Polish authorities neither mediate in any way in employing DPRK citizens in Poland, nor do they carry out promotional campaigns for this purpose."

### ***International pressure***

In March, U.S. President Barack Obama signed an executive order imposing fresh sanctions on North Korea to curb the North's nuclear weapons program. The measure allows the U.S. Treasury Department to freeze assets of any party found to have engaged in exportation of workers from the North. A U.N. report found last year that Pyongyang earns as much as \$2.3 billion a year from workers exported to other countries, where they are often subject to harsh working conditions.

On Tuesday, South Korea's Foreign Ministry welcomed the Polish move, saying there have been growing international concerns about the practice.

### ***Action needed against North Korean forced labour in the EU***

IndustriAll (05.09.2016) – <http://bit.ly/2cg5XHk> – Appalled by

news reports on North Korean forced labour in the EU, IndustriAll Europe is aware of and extremely concerned by the rising number of stories being reported by news agencies and affiliated trade unions in several sectors (i.e. shipbuilding, textiles, agriculture) and countries. IndustriAll European Trade Union strongly condemns any form of forced labour. It is against every principle we stand for. It is also against the EU Charter of Fundamental Rights and the fundamental Conventions of the International Labour Organisation (ILO) including Conventions 29 and 105.

In the European press, several reports have been disclosed over the last few weeks and months highlighting cases in various EU Member States where North Korean workers had been trafficked into forced labour. In one such case, workers were earning no more than €150 – €200 a month in a Maltese textiles company. After this matter first came to public attention, our Maltese affiliate General Workers' Union (GWU) reported back that all workers employed directly by the accused company were now covered by a collective agreement. However, since then, GWU has confirmed that none of the 20 North Koreans employed are working on-site anymore.

Recently, another case of forced labour was reported in the shipbuilding and construction sectors in Poland. 800 North Korean 'slave labourers' were working in companies – companies that were sometimes even benefiting from the financial support of the European Union.

Even more shocking is the fact that the salaries earned by these workers are paid to managers and repatriated to the North Korean regime in Pyongyang. The United Nations estimate that North Korea earns between EUR1.5 bn and EUR2 bn a year from the forced labourers it sends overseas.

The Dutch-based academic 'Leiden Asia Centre' states that there can be little doubt that this is an issue of de facto forced labour. 70 to 100 per cent of the earnings of these

workers goes straight back to the North Korean State.

Although the number of cases reported are marginal, IndustriAll Europe demands action from the European Union and the EU Member States in order to stamp out these unethical and inhumane practices. In the European Parliament, German MEP and Chair of the EU Parliamentary Committee on Employment and Social Affairs, Thomas Händel, has already drawn attention to the alleged exploitation of North Korean workers.

IndustriAll Europe is in close contact with the affiliated organisations concerned and with those researchers that are disclosing these facts. *“It is totally unacceptable that these practices exist and are continuing within Europe. We urge all interested parties, whether they be the European institutions or the national Member States, to use all measures and tools they have at their disposal such as labour inspection to investigate and – where present – to immediately put an end to these practices,”* stated Luc Triangle, General Secretary.