

# North Korea and the escalation of a global crisis: any role for the European Union?

By T. Novotna

GEM-STONES (08.11.2017) – <http://bit.ly/2Ann7ey> – On 10 October 2017, the GEM STONES PhD School at the Institute for European Studies at Université libre de Bruxelles (IEE-ULB) hosted a seminar on “North Korea and the Escalation of a Global Crisis: Any Role for the European Union?” The event marked the start of the new academic year as well as bid a farewell to Dr. Tereza Novotna, previously an FNRS Post-doctoral Researcher at REPI, IEE-ULB and current Senior Associate Research Fellow at EUROPEUM, Institute for European Policy whose post-doctoral fellowship in Brussels came to an end while she embarks on her new Korea Foundation-funded research project on the EU-(North) Korea at Seoul National University. The two-hour seminar was co-organized by various units at ULB (GEM-STONES, REPI and EaST) and EUROPEUM Brussels Office.

Ahead of the EU’s Foreign Affairs Council and European Council “sanctions package” against the DPRK from mid-October 2017, the speakers, Mr Willy Fautré (director at Human Rights Without Frontiers), Dr. Zsuzsa Anna Ferenczy (political advisor at the European Parliament and a member of Group of Experts on North Korea and China at HRWF), Mr. Glyn Ford (founder and executive director at POLINT and former Labour MEP) and Dr. Tereza Novotna (IEE-ULB and EUROPEUM) discussed what can be done about the situation in North Korea from a

short- and long-term perspective and reflected on any potential solutions to the exacerbating global crisis, including various roles for the EU. The debate was chaired by Prof. Mario Telò (IEE-ULB, LUISS Guido Carli and the Belgian Royal Academy).

After welcome remarks, Mario Telò introduced the event by putting the nuclear issue on the Korean peninsula into a broader perspective: with the unpredictability of the DPRK regime and belligerent rhetoric from the White House, do we find ourselves at the eve of a preventive war? What are the options for international community to prevent a collapse of the global non-proliferation regime? What are the practical and theoretical implications for multilateral cooperation? Given that the US has been turning to protectionism while the EU has been building a web of free trade deals in the region (ROK, Japan; an investment treaty negotiations with China), is the EU becoming a crucial geo-economic actor in the area? Therefore, is the EU pursuing its foreign policy through economics as it happened in the past? As a result, could the EU be called to be a part of the diplomatic game?

The first panelist, Glyn Ford, started with a description of his rich experience in dealing with North Korea, including his over 40 visits to the country since 1997. He pointed out that there was a dialogue between the DPRK and the EU, but that the obstacles in pursuing it further were also on the European side, including refusal by then Commissioner for External Relations, Chris Patten (1999-2004) to join the Six Party Talks and disagreements between hardline and pro-engagement EU Member States. According to Ford, Kim Jong-Un has learned the lessons of Libya, Syria and Iraq and realized that he needs nuclear arms to safeguard its regime since he cannot compete with his conventional weapons. At the same time, however, Kim is the most pro-market oriented leader that the DPRK has ever had, delivering 4% economic growth in 2016 (including Western-style package holidays, new entertainment centers, etc.) aimed

particularly at about 1.5 million of people living in the capital of Pyongyang, i.e. those who matter for the regime's survival. From this perspective, even though the UN sanctions were unanimous, they won't work: the Pyongyangers can still buy Rolex watches and pizzas for prices equaling to an official several-month salary. Nonetheless, as Ford explained, in order to fully industrialize the country as Kim would like to, he would have to bring the workforce from the army to factories. Similarly, although the Rason special economic zone has flourished from fish, seafood and textile processing, its success has not been replicated around the country due to sanctions and rampant corruption, hence benefitting mainly to small traders.

To conclude his talk, Ford outlined four policy options: 1) pre-emptive war (leading to large numbers of casualties on the entire Korean peninsula); 2) regime change (a preferred option by the Chinese, but made more difficult through murders of China's allies, i.e. ThaeK and Kim Jong-Nam); 3) sanctions (stopping all oil deliveries, but the DPRK has stocks for about a year); 4) negotiations (the DPRK wants simultaneous bilateral talks with the US and ROK rather than any multilateral negotiations that would include China, hence it is a mistake to think that China can solve the problem). In the Q&A session, Ford recommended to the EU to restart the human rights dialogue with the DPRK in order to indicate that the EU is serious about solving the issue and to use the EU's diplomatic relations with the DPRK to open an EU Delegation in Pyongyang as well as let North Korea to have an embassy in Brussels. Ford also warned all EU Member States that had participated in the Korean War (e.g. the UK) not to get 'sucked into' a coalition of the willing against the DPRK on the US side, especially through various joint operations and exercises.

After thanking her colleagues for five years of a productive and friendly collaboration at ULB, Tereza Novotna focused on

the role of the EU on the Korean peninsula. In answering the question 'why should the EU care about North Korea?,' Novotna listed, among others, these reasons: 1) missile range (although the DPRK's missiles would have to fly over China and Russia, all Europe is already covered by their range); 2) transatlantic alliance (the US may invoke NATO's Art. 5 should it get attacked by the DPRK missiles, hence most of EU Member States would be involved; even without NATO's engagement, any US-led military intervention may lead to a repetition of the Iraq war split among the Europeans); 3) the EU's own 'rebalancing' to Asia (if the EU manages to "download" its policy preferences on the DPRK nuclear issue, it may upgrade its standing vis-à-vis other regional actors). Moreover, Novotna emphasized the EU's unique toolkit and experiences. For Novotna, in contrast to the US which, in the words of Secretary of State Tillerson, has three channels of communication with the DPRK, the EU has many GEM-STONES November 2017 more such channels but has so far been reluctant to use them in a coordinated manner: a) 7 EU Member State missions in Pyongyang; b) North Korean ambassadors in EU capitals, such as in Prague and London (which, with Brexit, should be offered as a 'carrot' to relocate to Brussels); c) former diplomats, e.g. former Member State ambassadors to the DPRK or retired EEAS officials who led the previous dialogues with the DPRK (e.g. political dialogue from 2015).

Although the Iran deal negotiations cannot be fully replicated, they can be used as a method: the EU as a mediator, isolating the goal of negotiations from other issues and using female diplomats as negotiators (even in the US administration, Ambassador Haley seems to be the only member to get things done). On the latest sanctions, Novotna reminded that although they put pressure on the regime now, some of them might be counterproductive in the long-term perspective. We should therefore put ourselves in the shoes of ordinary North Koreans and think what worked during the Cold War, drawing on experiences of the EU's formerly communist Member

States. Novotna argued that instead of isolation, we should boost contacts and information flows between 'the West' and the North Koreans through people to people exchanges (e.g. bringing the North Koreans to Europe as a Swedish institute does), while encouraging Western tourism to the DPRK rather than banning it. Similarly, Novotna highlighted that international community has so far focused on 'sticks', but should also use 'carrots' with the DPRK regime and, for instance, trade off 'targeted sanctions' for 'targeted economic assistance', including support for the black-market economy and a distinct type of DPRK's consumerism. Novotna concluded that in the Soviet bloc, there were various types of transition and if North Korea goes along the Chinese model, turning into a 'DPRK 2.0', it would be good for the country as well as international community.

In her presentation, Zsuzsa Anna Ferenczy, provided a brief overview of the EU's critical engagement policy towards North Korea. In particular, she focused on activities of the European Parliament as the most vocal EU institution when it comes to speaking up against human rights violations. Given the current escalation in tensions on the Peninsula and focus on the nuclear threat posed by the DPRK regime, it is important, according to Ferenczy, that human rights are not marginalized in ongoing efforts to address the global threat. The EU has been at the forefront of efforts to prioritize human rights when dealing with North Korea, including being a leading force behind recent resolutions on the UN Human Rights Council and General Assembly. Similarly, the EU's critical engagement policy continues to aim at political dialogue with focus on human rights, humanitarian assistance and diplomatic pressure with targeted sanctions.

Ferenczy emphasized that the EU should not give up on dialogue and engagement with Pyongyang and should remain the voice of human rights in all international multilateral discussions and negotiations. Moreover, the EU should be the voice of

moderation and reason in order to help tone down the increasingly belligerent discourse which will help ensure unity in the international community in the face of Pyongyang's provocations. For Ferenczy, the EU should also intensify cooperation with international partners, particularly China, which remains Pyongyang's closest ally albeit on increasingly shaky grounds. Brussels should therefore build on Beijing's recent constructive support for UNSC resolutions which is indispensable in order to work out a sustainable international strategy to the crisis. In the long run, as Ferenczy highlighted, the EU-China strategic partnership, which is complex but globally crucial, could equally benefit from working together on bringing a nuclear-free Pyongyang back to the international community. Joining forces would eventually help end North Korea's isolation along international norms and principles, gradually opening up and building a society where human rights and human dignity are safeguarded. For Ferenczy, this is where the EU must lead the way forward.

In the light of the latest UN and EU sanctions targeting Pyongyang, Willy Fautré addressed the issue of North Korean workers in Poland and their continuous exploitation. According to Fautré, the Polish authorities have for decades issued visas and work permits to North Korean workers and private companies have continued to hire the cheap and docile workers, turning a blind eye to their grave situation. These laborers are under constant surveillance of a North Korean 'supervisor' who confiscates their passports and prevents them from having any contact with the local population or journalists. These overseas workers do not have any individual work contract with their employers and are not allowed to have a personal bank account; their work hours range between 12 and 16 hours per day with one or two days of rest a month and their salaries get filtered through Pyongyang, which confiscates 80-90% of the income and leaves them only €120-140 per month. The hard currencies generated by their work is suspected by the UN to

be used to finance the DPRK's nuclear program. In Fautré's view, if Warsaw does not stop providing hard currencies to North Korea, the European Commission could be asked to start a full investigation of the situation in Poland and, if necessary, move on to an infringement procedure. Finally, as Fautré highlighted, the private companies hiring North Korean workers could be targeted by the next UN and EU sanctions, as is the case with Russia on other issues. In the Q&A session, the issue of North Korean workers in the EU created much interest and discussion with others pointing out that, despite horrendous working conditions, the ordinary North Koreans consider an overseas work a privilege and source of much-wanted foreign revenues and, in fact, they are willing to bribe the DPRK's authorities in order to get these jobs.

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# ROMANIA: Leading businessman Dan Adamescu dies in prison

*Leading Romanian businessman Dan Adamescu has become the latest victim of Romania's "failing" penal and judicial system.*

By Martin Banks

Eurereporter (25.01.2017) – <http://bit.ly/2kvVWX2> – Adamescu was serving a four year sentence for alleged bribery but had been seriously ill for some time and died in a hospital in Bucharest, aged 68.

A leading campaign group says Adamescu should have been released from prison both on health and age grounds and the case highlights a "total breakdown in the rule of law" in the country.

Willy Fautre, director of the Brussels-based NGO Human Rights Without Frontiers (HRWF), says the EU has an important role in such matters and should "closely monitor" the situation in Romania.

He told this website: "This is not an isolated case. I was in Romania last week and personally saw the huge public demonstrations about this issue."

Adamescu, whose fortune was estimated by Forbes at €550m, had asked judges in late 2016 to let him get out of jail sooner because of his age and due to the fact that he was already investigated while in preventive arrest. However, the court rejected his request.

A German citizen of Romanian origin, he founded the Nova Group



(TNG), which holds stakes in Romanian real estate like the InterContinental Hotel Bucharest and Unirea Shopping Centre.

In May 2014, he was imprisoned and sentenced to four years and four months on charges of bribery and corruption after what is widely seen as a show trial in February 2015. He vehemently denied the accusation and his family now say that the conditions in which he was held, and lack of medical care afforded to him, contributed to his death.

His son, Alexander Adamescu, has been fighting to clear his father's name, says he has also become a target for the Romanian authorities who are requesting his extradition and incarceration.

London-based Alexander said: "My sadness at this time is tinged with anger directed towards the Romanian state, whose persecution of my father caused his death. My father was vilified, haunted and assassinated to satisfy Romania's thirst for trophies in its ill-conceived anti-corruption mania. Now my turn has come to face the same fate. The trial and imprisonment on trumped-up charges left my father facing not only a justice system which blatantly failed to guarantee him a fair trial but also a prison system which is in breach of fundamental human rights."

Fautre, whose organization highlights human rights abuses around the world, said Adamescu's death while in detention "sheds once again some tragic light on the appalling prison conditions" in Romania which, he says, have been denounced "year after year" by the European Court of Human Rights.

He said "negative reports" on the state of the penal and judicial system in Romania have also been issued since 2013 by the Strasbourg-based Council of Europe's Committee of Prevention of Torture and the U.S State Department.

Similar concern has been expressed by Romania's Ombudsman in his 2015 report.

Fautre added: "Adamescu was known to be in very bad health but his requests for an early release were disregarded by the authorities. Prisons are overcrowded in Romania: eight of them have an occupancy rate of over 200%, and the average occupancy rate in local prisons is of some 150%."

If Romania does not solve the problems, the European Court of Human Rights has said it will rule that the country – a member of the European Union – must pay compensations to all inmates for each day of detention in improper conditions.

These compensations would amount to some € 80 million per year.

Fautre went on: "Given his condition, Adamescu should not have been kept in detention and our NGO considers that the EU should closely monitor the respect of fundamental human rights in Romania."

According to research, Romania is the European country with the highest number of its expats in prison in the EU (11,511).

In July 2016, prison protests spread across Romania as inmates expressed their dissatisfaction with poor conditions.

Romanian jails still fall below European standards, with overcrowding, inadequate medical attention and poor diet remain the main problems, according to activists. Its jails are said to still have inadequate hygiene conditions, with insufficient access to warm water, insufficient sanitary facilities, insufficient natural lighting and ventilation, and poor food quality.

A Council of Europe source said: "The Adamescu case illustrates the failing penal and judicial system in Romania."

Alexander Adamescu says that, despite his failing health, his father fought "injustices to the end".

He added: "As a family, we are determined to continue the

fight to make the truth know, restore his legacy and bring an end to the oppression of basic freedoms in Romania.”

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