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PSCORE

People for Successful
COrean Reunification



[NORTH KOREAN WORKERS OVERSEAS: STATE- SPONSORED SLAVERY]

In order to raise awareness about the issue of, in our view, state-sponsored slavery committed by the Democratic People's Republic of Korea (DPRK), PSCORE has prepared the following brief report, detailing the circumstances of North Korean overseas labor and its implications for human rights and international security.

Facts

- Today, 16 countries are hosting North Korean migrant workers: Russia, China, Mongolia, Kuwait, United Arab Emirates, Qatar, Angola, Poland, Malaysia, Oman, Libya, Myanmar, Nigeria, Algeria, Equatorial Guinea, Ethiopia.¹
- More than 50.000 North Koreans are currently employed overseas, around 20.000 in Russia alone. This number has more than doubled since Kim Jong-un came to power in 2011.²
- North Koreans abroad are mainly employed in manual labor industries, particularly mining, logging, textiles, and construction.
- Workers are organized into labor cadres, supervised by a political officer who enforces the DPRK's policies on foreign soil.
- It is estimated that the DPRK government earns between \$400-\$500 million a year through remittances from their workers overseas.³
- Wages vary with each host country and occupation. In Russia, workers have to either look for employment individually and pay a monthly fee (between \$500-1,000) to the North Korean government, but are allowed to keep the additional income, or accept jobs from the North Korean agency and receive no payment. Other sources report receiving only between 2% to 10% of their promised wages.⁴
- While abroad, North Korean migrants are under constant surveillance by North Korean security personnel and political “minders.”
- Though the number of rest days varies according to location and occupation, workers typically enjoy only two days off each month.
- North Korean laborers are required to work between 12 and 20 hours per day, including on weekends.⁵
- Workers enjoy virtually no freedom of movement; they are often required to sleep on-site. Any contact with foreigners is severely restricted and supervised.
- Workers who commit even the slightest infractions face detention, abuse, and repatriation to North Korea.
- Competition for employment overseas is fierce. Candidates must have connections within the Korean Worker's Party or be able to pay bribes to be selected.
- Individuals with immediate family in North Korea (i.e., wife and children) are preferable, and in some cases required, as their family serves as collateral to ensure workers' obedience while abroad.
- The type of work is decided based upon individuals' political class (*songbun*) - the most dangerous and difficult work is assigned to members of the lower classes.

¹ Shin Chang-Hoon, Go Myong-Hyun, *Beyond the UN COI report on Human Rights in DPRK*, The Asan Institute for Policy Studies, 2014.

² International Network for the Human Rights of North Korean Overseas Labor, *The Conditions of the North Korean Overseas Labor*, 2012.

³ *Beyond the UN COI report on Human Rights in DPRK*.

⁴ Pattison Pete, *North Koreans working as 'state-sponsored slaves' in Qatar*, the Guardian, 7 Nov 2014.

⁵ Devalpo Alain, *North Korean slaves*, Le Monde diplomatique, 8 April 2006.

Voluntary Slavery

PSCORE defines the exportation scheme of North Korean laborers as **state-sponsored slavery** perpetrated by the government of the DPRK. The government is in complete control of whether workers can go abroad in the first place, where they will work, and the conditions under which they live in their host countries. Just as within North Korea, workers sent abroad lack protection for even the most basic human rights and are subject to routine exploitation by their government. Upon arrival in the host country, supervisors confiscate laborers' passports, denying them any freedom of movement through strict surveillance meant to keep them in line. North Korean workers do not possess individual contracts, and experience different forms of payment and mandatory work time depending on their host country and respective industry. While workers generally labor for 12–20 hours each day, with only two days of rest each month, the DPRK government employs an exploitative system of wage confiscation.⁶ According to testimonies, North Korean migrant workers can either search for employment individually and pay a monthly fee to their North Korean agency, effectively placing the workers in debt bondage, and keep any additional income. Or they can receive jobs from the North Korean agency and earn no additional income for their labor. Moreover, other sources tell about North Korean agencies confiscating the salaries to redistribute whatever they see fit to their employees, resulting in 2% to 10% of the promised wages, while the remaining money is split between local companies and North Korean institutions.⁷

Once a week, North Korean migrant workers are required to attend mandatory political education classes at their work camp, which is not different from the ones in North Korea itself. During class, attendants have to criticize their own and other people's 'wrongdoings' in the self-criticism session (*saengwahl ch'ongwha*). Furthermore they are required to watch speeches from their respective supreme, dear, and great leader and study North Korean news and ideology during the study session. In cases of disobedience, for example, seeking additional employment unauthorized, the offenders face detention and repatriation to North Korea. This treatment of North Korean migrant workers can be described as tantamount to modern day slavery, and does not only include the government of the DPRK but also the 16 collaborating states which host these workers. Nonetheless, North Koreans still apply voluntarily and eagerly for these employments overseas, possibly running into debt by bribing officials in exchange for these vacancies.

This is the reason why people argue against labeling this exportation of North Korean workforce as slavery - in their view, one cannot be a slave voluntarily. However, the working and living conditions described above depict a life in slavery and North Koreans still have many valid reasons to apply for these jobs even though it means enslavement. First, in the prospect of receiving three meals a day - a luxury many cannot receive in the DPRK - and a much higher payment than domestic employment can provide, many people consider their lives to be better abroad than in North Korea. Second, the North Korean government deceives its population by referring to the workers abroad as Kim Jong-il's warriors, who are crucial for

⁶ Devalpo Alain, *North Korean slaves*, Le Monde diplomatique, 8 April 2006.

⁷ Pattison Pete, *Qatar's ambitious future driven on by North Korean 'forced labour'*, the Guardian, 7 Nov 2014.

the state. Third, many North Koreans do not consider this practice slavery, since they do not know the concept of slavery and what it entails - the violation of various basic international human rights. For them, it is just a better life and work than in North Korea. Fourth, living in foreign countries is an adventure for everybody, especially North Koreans who are usually not able to leave their country. This list is not exhaustive, it just gives an impression of why North Koreans would volunteer to work abroad.

The Case of Mr. Lee - Testimony

After his father died due to his inability to afford medication, Mr. Lee decided to apply for employment in Russia to earn money. By bribing a North Korean official with \$300, he was allowed to work abroad. In preparation of his time overseas, Lee had to attend additional political education classes and cover his own transportation fees. On his arrival in Russia, he received a valid visa for three years, but his passport was confiscated by North Korean officials. While Lee was living in a North Korean work camp, he received three meals a day, but the quality was so low, since the North Korean cook bought the cheapest Russian ingredients, that he and his fellow workers ate meals outside the camp. In exchange for paying a monthly fee to the North Korean agency, Lee was allowed to find work individually. These payments increased during the time, starting off with 17,000 Russian Rubles in 2003 (\$530), increasing to 20,000 rubles in 2009 (\$625), and 27,000 to 30,000 rubles last year (\$770). Two or three times a year, additional charges were demanded for Kim Jong-il's birthday or other royal events, ranging between 300 to 500 rubles each. Unfortunately, there is no recent information about the average salary in the construction industry in Russia. According to the ILO, the average wage in the construction sector in Russia was 8123 ruble in 2004 (\$285), and 12979 ruble in 2007 (\$519).⁸ It is safe to assume that North Koreans earn even less than the average wage, making it difficult for North Koreans workers to fulfill the monthly quota set by their government. If a worker cannot pay the monthly fee in two consecutive months, he faces repatriation and is still obliged to pay the outstanding debt. As a consequence, Lee was working as much as possible on construction sites and only had breaks for lunch or sleep in order to be capable of sending remittances home to his family.

His hard and good work earned him a positive reputation, making it easier for him to find additional employment. Nationals from other countries were also working on the same working sites, enabling him to make friends with some of them. Despite this contact, Lee was under constant surveillance not only through North Korean security personnel but also through fellow workers. During his time abroad, he had to attend weekly 'education classes' which consisted of self-criticism, speech, and study sessions through which the North Korean government further indoctrinated their work force abroad. How terrified the North Korean migrants were of the North Korean officials can be seen in another worker's tragedy. Lee witnessed a suicide of a North Korean worker, who was caught watching a South Korean

⁸ International Labour Organisation, accessed 10 March 2015.

drama and sentenced to be repatriated back to the DPRK. In his despair, and belief of certain death in North Korea, the worker committed suicide at the working site.

In the beginning of his employment abroad, Lee considered himself as one of Kim Jong-il's warriors, working for his Dear Leader and not as a slave. He began doubting the North Korean government and Kim Jong-il's importance, when he discovered that the North Korean leader was eating, buying, and wearing luxurious items - a lifestyle which stands in stark contrast to what he was taught by the North Korean authorities, and the lives of the general North Korean population. Due to the expiration of his working visa, Lee had to return twice to North Korea. This enabled him to financially support his family with small sums, which he accumulated during his stay abroad. Lee was forced to leave his work site in Russia, when North Korean officials discovered that he was working alongside South Koreans on a construction site. With the help of fellow workers, who were of different nationality and who blocked the North Korean security personnel's access to the site, Lee was able to escape. He stayed in Russia for a couple of years, working individually and illegally on several construction sites. When Lee got sick and needed to go to the hospital, his supervisor realized that he was an illegal North Korean worker and helped him defect to South Korea. In retrospect, Lee considers his life and work in Russia as slavery.

PSCORE is currently conducting interviews with North Korean defectors who experienced toiling overseas for the DPRK. With these testimonies we hope to shine a light on the North Korean government's state-sponsored slavery process and to raise awareness about the abuse of North Korean workers overseas in the international community. An important aspect of these international human rights violations is that they are carried out by North Korean government agents on foreign soil in collaboration with the respective governments. The case of Choi Gyong Ho, which was published in Amnesty International's 1995 report "Human Rights Violation behind Closed Doors", showcases the extent to which the Russian and North Korean government cooperate to repatriate North Korean refugees and workers abroad. Choi Gyong Ho was a North Korean logger in Russia, who left his camp to work in a private owned store and marry a Russian woman. His attempts, sending letters to the Russian and North Korean authorities, to get a residence permit in order to stay in Russia legally, were not successful. Consequently, he went to a local Internal Affairs office in Russia to receive support and documents, but instead, he was arrested on the spot and transferred to his North Korean supervisor. It is unknown what happened to Choi Gyong Ho afterwards, but in the light of other testimonies, it is safe to say that he was detained, repatriated to North Korea, and there held as a prisoner of conscience, solely for his wish to remain in Russia.⁹

⁹ Amnesty International, Democratic People's Republic of Korea (North Korea) - Human Rights Violations behind Closed Doors, December 1995.

Violations of International Law and Obligations

The DPRK's export of workers abroad is in violation of both UN Security Council (UNSC) resolutions and international labor and human rights laws. UNSC resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013) restrict the DPRK's military and nuclear progress through a series of sanctions, including a ban on the import of luxury products. Related to the DPRK's export of workers, these resolutions include a “ban on the provision of financial services or the transfer of financial or other assets, including bulk cash, that could contribute to prohibited programs or activities or to the evasion of sanctions.” The DPRK government evades these sanctions, in part, by exporting and exploiting its workforce and using them as couriers of bulk cash on their return. By confiscating as much as 90 percent of its workers' wages, the DPRK government appropriates this currency to fund DPRK state programs, which many suspect includes its nuclear program.¹⁰ It is also believed that much of this income is used to fuel the “royal court economy,” where top government and military officials of the DPRK are provided with luxurious gifts in exchange for their loyalty.

Arguably, the treatment of North Korean workers abroad is of even greater concern, as the previously describe conditions North Korean migrant workers endure can be described as tantamount to modern slavery perpetrated on an intergovernmental level. Specifically, North Korean foreign workers' rights are violated according to Article 7 of the International Covenant on Economic, Social, and Cultural Rights and Article 12 of the International Covenant on Civil and Political Rights, whereby workers are guaranteed fair wages, health safety, and days of rest, and free movement and liberty, respectively. In addition, in violation of the 2000 United National TIP Protocol (the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children) and the 1987 Convention against Torture and Other Cruel, Inhuman, and Degrading Punishment or Treatment (CAT), these workers are not permitted to terminate their contracts or leave worksites and face arbitrary arrest, detention, repatriation, and torture for violating these rules.

These international law violations are especially important concerning the North Korean laborers, since the DPRK is exporting its human rights violations to other countries. North Korean officials have total authority and command in working camps overseas and enforce their policies and laws on the territory of foreign sovereign states. These countries are in the position to positively change the working conditions of North Korean workers overseas. As a result, it is easier to negotiate and discuss necessary improvements for the employment of North Korean workers overseas. The North Korean government heavily relies on the inflows of foreign hard currency through their export of work force, as it can be seen in the increase of North Korean workers abroad. This gives the UN and concerned parties a good bargaining position to improve the working conditions of North Korean workers overseas and end this system of state-sponsored slavery perpetrated by the North Korean government.

¹⁰ *Beyond the UN COI report on Human Rights in DPRK.*

Recommendations

PSCORE urges:

- The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to:
 - Include the working conditions for North Korean migrant workers in his annual reports
 - Investigate member states that are collaborating with the DPRK government in violation of international labor and human rights laws and failing to protect the rights of North Korean migrant workers
- The Democratic People's Republic of Korea to:
 - Stop exploiting North Korean workers.
 - Adopt international labor standards.
 - Stop the surveillance system of workers abroad.
 - Do not confiscate the wages of North Korean workers overseas and pay them their full wages directly.
- Member States to:
 - Disallow the North Korean surveillance system in member state territory
 - Pay North Korean migrant workers directly and end any payment system that pays workers' wages to North Korean state institutions
 - Ban the import of products made by North Koreans migrant workers, if they are produced in violation of international labor and human rights laws.
 - Investigate and hold private companies accountable for their treatment of North Korean migrant workers.

About PSCORE

PSCORE is a Seoul-based non-profit, non-religious and non-partisan NGO, founded in 2006 by North Korean defectors and South Korean and foreign students and registered with the South Korean Ministry of Unification. In August 2012, the organization was granted special Consultative status with the United Nations Economic and Social Council (ECOSOC) making it the first South Korean NGO dedicated to North Korean human rights to receive this special recognition by the international community.

PSCORE has two main objectives. The first is to encourage harmony and understanding between North and South through education and capacity building, human rights awareness and discussion. The second is to address potential barriers to reunification of the Korean peninsula and suggest alternatives to minimize them. PSCORE works to achieve these goals through its education and integration programs for North Korean students, hosting conferences, and recording testimonies of human rights abuses committed in North Korea. It is finally also able to assist directly two or three North Korean defectors in reaching South Korea per year.