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Polish Companies and their Structures

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CHAPTER VII

Polish Companies and their Structures

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Introduction

Detailing the approach to the processing of data acquired in the research process, this chapter seeks to make comprehensible the methodological steps that have been taken in unitising, analysing, and ordering the eventual selection of information that has been used in the research.

Data was collected from open access databases, paid access databases, and were collected via anonymous sources that cannot be identified for safety reasons.

Methodology

Following the receipt from an anonymous source of a data set that consisted of photographs of documents compiled by a company named Redshield, the research team proceeded to verify the information by cross-referencing with existing literature and data. The data consisted mostly of notarial acts, financial reports, and forms requesting changes to the company's Chamber of Commerce (KRS) entry. The research team supplemented these documents with open access Polish Chamber of Commerce documents on Redshield, as well as various other companies based in Poland. The additional companies were selected based on connections with, or in reference to existing literature, including previous research presented in the first edition of the *Slaves to the System* findings.¹

All of these documents were retrieved from an open access Court Registration System database, accessible through the national government's website. A total of 28 different companies were selected, based on the suspicion that these companies are connected to North Korean labour.

1) Remco E. Breuker and Imke B.L.H. van Gardingen, eds., *Slaves to the System, North Korean Forced Labour in the European Union: The Polish Case* (Leiden: LeidenAsiaCentre Press, 2016).

The photographs were separated into single page files, and each page of the photographed documents, as well as the Chamber of Commerce documents, were consequently numbered with unique codes for easy retrieval. These numbers have been used for reference in this chapter. The information contained in each page was then processed and entered into a database file under the relevant number. This information was categorised. These categories were ordered by importance, with the most relevant data obtained consisting names of persons, names of companies, and addresses. The categories were coded on the basis of recurrence within the data set. In addition, the researcher chose to include important information with a single or relatively few occurrences if these were deemed relevant to the research.

The information was selected to enable close analysis and inclusion of the identities of the persons involved. This information is contained in categories including names, signatures, personal titles, addresses, Polish national identification number, passport number, residence or identity card number, and date of birth.

The categories containing information regarding the companies include Chamber of Commerce registration number (KRS), other types of Polish company registration numbers (NIP and REGON), relevant dates such as date of registration, address, geographical location, codes referring to company activities (PKD), account numbers, and currency amounts. Sorting all the relevant information into these various categories allowed for a clearer overview of the documents' content and for optimal accessibility of specific information by searching for keywords in the database file.

The documents in their original, unprocessed form are much more challenging to use for quick and effective reference.

The database file was manually compiled by the researcher using data processing software. Once this database file was compiled, its content was reviewed and summarised by several researchers in the operational team in order to identify connections between individuals and between companies. A basic table containing all the encountered companies along with their registration numbers, addresses, and all their shareholders produced a first summary that brought to light some peculiarities.

Examples of such peculiarities are overlaps of shareholders between multiple companies or multiple companies sharing one address. Apparent connections between companies or shareholders were further explored by exploring the database file using specific keywords, such as a shareholder's name or a Chamber of Commerce registration number. This was done to check for further evidence of connections and to confirm new findings. Additionally, this information was cross-referenced with existing data from earlier research and literature, further fortifying the validity of the information being processed.

Although the significance of these findings remained unclear in certain cases, the findings do point towards the existence of an intricate network of different companies suspected to be involved in North Korean forced labour.

In the case of Redshield, which was more extensively covered as a result of the research team's efforts, it was possible to gather relevant information with regard to the identity of the individuals involved as well the internal functioning and chronological evolution of the

company. The specific findings on Redshield are summarised separately below, followed by a summary of the findings based on KRS documents of various related Polish entities.

Findings

As described above, the set of Redshield documents mostly consisted of notarial acts, financial reports, and forms submitted to the Polish District court requesting some update or change to the company's Chamber of Commerce entry. Other than these main types of documents, the data also contained several confirmations of receipt (package or other mail) and a number of transaction receipts.

The most recent date encountered in the data was 04/04/2017² and the latest update to Redshield's Chamber of Commerce entry is 25/07/2017, meaning the company was still active very recently.³ The oldest date encountered in the photographed documents was 04/01/2012, contained in a financial report.⁴ According to the Chamber of Commerce documents, the company was first registered that same year on 06/04/2012 under registration number KRS 0000417288.⁵ The company is based in Szczecin, Poland.⁶ It is noteworthy that Redshield appears to be registered twice, under two different Chamber of Commerce registration numbers. The second registration is dated 21/05/2014, under KRS 0000508779.⁷ The documents on this second Redshield registration also mention the older Redshield as its partner.⁸ Four different Chamber of Commerce documents concerning Redshield were used in this research, meaning two different updates of each of the two different registrations under the company name 'Redshield.' The older registration (KRS 0000417288) will be referred to as Redshield (1) from this point onwards, while the newer registration (KRS 0000508779) will be referred to as Redshield (2).

Redshield's company board is comprised entirely of North Korean individuals.⁹ The only Polish names mentioned in the company's notarial acts are translators.¹⁰ The data often refers to CHR as the chairman, but this changed in May 2016 when Mr P. is appointed as the new chairman.¹¹ From this point onwards, the management of the company is comprised of Mr P. and MR CCJ.¹² However, this is only the case for the Redshield (1), as Mr P. is only mentioned as current chairman in Redshield (1)'s most recent Chamber of Commerce up-

2) 17A0028.

3) 17A0338.

4) 17A0007.

5) 17A0338, 17A0386.

6) 17A0338, 17A0386, 17A0344, 17A0380.

7) 17A0344, 17A0380.

8) 17A0345, 17A0381.

9) 17A0339, 17A0340, 17A0345, 17A0346, 17A0347, 17A0381, 17A0382, 17A0387, 17A0388, 17A0393, 17A0394, 17A0395.

10) 17A0011, 17A0106, 17A0153.

11) 17A0273, 17A0274.

12) 17A0275, 17A0339.

date.¹³ Both entries regarding Redshield (2) still contain CHR.¹⁴ Redshield (2)'s older entry lists PMH as a shareholder, while the newer entry lists Mr O and CCS.¹⁵

According to the most recent update of Redshield (1), CCS owns shares worth 500 PLN while Mr P. owns shares worth 4,500 PLN, the total capital amounting to 5,000 PLN¹⁶ (roughly 1,200 EUR).¹⁷ Mr P's shares were previously owned by CHR.¹⁸ In the most recent document of Redshield (2), Mr O. is listed as owning 1,000 PLN worth of shares, while CCS owns the same amount,¹⁹ meaning 2,000 PLN in total (roughly 480 EUR).²⁰ Previously, these same shares were owned by CHR and PMH.²¹ As for bank transactions involving Redshield, the data contains small money transfers from the company, which are found in the form of receipts of fee payments from Redshield to the district court.²² Redshield used at least two Polish banks, Alior and Pekao, to carry out these transactions.²³

The data contains copies of yearly financial reports. Some of these copies also contain information on employment by the company, although none of the documents included specific information on the identity of the individuals employed, apart from the board members and shareholders. According to the 2013 financial report, Redshield employed 47 workers referred to as 'physical' (manual workers), three workers referred to as 'mind' (administrative workers), and one owner. The amount spent on employee compensation, not including the board, is indicated as 1,247,178.66 PLN²⁴ (roughly 299,100 EUR).²⁵ How, and if, Redshield carried out these salary payments is not contained in these reports. According to the 2014 financial report, the company employed 43 manual workers, four administrative workers and had one owner. The employee compensation excluding the board amounted to 1,150,899.98 PLN²⁶ (roughly 276,000 EUR).²⁷ According to the 2015 financial report, the company employed 17 workers described as being 'in workstations' (manual workers), four administrative workers, and one employee 'on leave/free time'.²⁸ There is a visible decrease in the number of workers under contract in the company. This is in line with the development

13) 17A0340.

14) 17A0347, 17A0382, 17A0383, 17A0387.

15) 17A0345, 17A0346, 17A0381.

16) 17A0339, 17A0275.

17) 'PLN to EUR', *XE Currency Converter*, accessed 3 February 2018, <http://www.xe.com/currencyconverter/convert/?Amount=5000&From=PLN&To=EUR>.

18) 17A0017, 17A0387.

19) 17A0345, 17A0346.

20) 'PLN to EUR', *XE Currency Converter*, accessed 3 February 2018, <http://www.xe.com/currencyconverter/convert/?Amount=2000&From=PLN&To=EUR>.

21) 17A0381, 17A0382.

22) 17A0005, 17A0058, 17A0099, 17A0103, 17A0104, 17A0174, 17A0192, 17A0310.

23) 17A0005, 17A0058, 17A0099, 17A0174.

24) 17A0046.

25) 'PLN to EUR', *XE Currency Converter*, accessed 4 February 2018, <http://xe.com/currencyconverter/convert/?Amount=1247178.66&From=PLN&To=EUR>.

26) 17A0095.

27) 'PLN to EUR', *XE Currency Converter*, accessed 4 February 2018, <http://xe.com/currencyconverter/convert/?Amount=1150899.98&From=PLN&To=EUR>.

28) 17A0325.

described in the previous report showing that most North Korean workers were increasingly ‘self-employed’.

Apart from these findings on the company’s history and management, the examined documents on Redshield also contains specific information concerning the individuals involved in the company. Two of the shareholders, CHR and PMH, appear to be married,²⁹ yet they are registered at different addresses in Szczecin, Poland.³⁰ A number of other shareholders share the same address: CCS and Mr O. are registered at the same address,³¹ while CHR and Mr P. are both registered at the address of the company itself in Szczecin.³² Also, the data contains two individuals’ passport numbers,³³ and most shareholders are registered under a Polish identification number (PESEL), which is assigned to all individuals living in Poland,³⁴ apart from Mr P.³⁵ Lastly, the data contained the names of two individuals, COC and YYN. These individuals were listed without context, making it unclear how they are related to Redshield.³⁶

The following findings are based on the set of Chamber of Commerce (KRS) documents including various different companies based in Poland. The possible involvement of these companies in the facilitation of North Korean forced labour requires a thorough reading and understanding of the findings included in this volume. Therefore, the findings below are only to be read in this particular context. The research team refrains from framing responsibility of the exploitation of North Korean workers outside the context of this volume, and the findings as listed below are disconnected from this aspect, thus only connected methodologically in the processing of documents included in the research. The majority of all these companies’ KRS documents exclusively list Polish individuals. Few include North Koreans in their management. The only companies with a management composed entirely or partially of North Koreans are Chopol, Wonye, and Redshield.³⁷

Some of the companies included in the data list a number of different Polish shareholders or board members, and some of these names appear several times in different companies, suggesting connections between these companies. Examples of commonly reappearing names are: Cecylia Kowalska, who appears in the documents on Wonye, Elan, Alson, and Aramex.³⁸ A person with the initials JS appears under many different companies: Partner Stocznia, Partner Shipyard, Partner, Odroujście, Malserwis, and J.M.A.³⁹ Another person, ASM, appears in the companies Sail Szczecin, Partner Stocznia, Partner, Offshore

29) 17A0126.

30) 17A0002, 17A0011, 17A0105, 17A0106, 17A0153.

31) 17A0159, 17A0160, 17A0162, 17A0163.

32) 17A0002, 17A0011, 17A0031, 17A0105, 17A0106, 17A0153, 17A0293, 17A0294, 17A0295.

33) 17A0011, 17A0106.

34) ‘Personal ID Number (PESEL),’ *Consulate General of the Republic of Poland in New York*, accessed 3 February 2018, http://newyork.mfa.gov.pl/en/consular_information/passports/pesel/pesel.

35) 17A0297.

36) 17A0340, 17A0129.

37) 17A0339, 17A0340, 17A0345, 17A0346, 17A0347, 17A0373, 17A0377, 17A0381, 17A0382, 17A0383, 17A0387, 17A0388, 17A0393, 17A0394, 17A0395, 17A0450, 17A0451, 17A0456, 17A0457, 17A0458.

38) 17A0450, 17A0452, 17A0499, 17A0500, 17A0523, 17A0526, 17A0529.

39) 17A0564, 17A0566, 17A0573, 17A0579, 17A0580, 17A0581, 17A0593, 17A0598, 17A0610, 17A0630.

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Marine Construction, Odroujskie, Malserwis, BFK, and J.M.A.⁴⁰ MBN is involved with Partner Stocznia, Partner Shipyard, Partner, Malserwis, and J.M.A.⁴¹ Wojciech Kowalski is linked to Eltech, Alson, and Aramex, and PA appears under Sail Szczecin, Offshore Maritime Construction, and BFK.⁴²

Several of these companies seem to be run by several members of the same family. One of these companies is Gospodarstwo Ogrodnicze T. Mularski, which lists five members of the Mularski family as shareholders.⁴³ The companies JTM Grupa and Vital exclusively list members of the Kociszewski family as their shareholders and board members.⁴⁴ However, it appears that these two companies are in fact one and the same. JTM Grupa and Vital share the same registration date, registration number, an incomplete address, and shareholders. The document under the name Vital is the more recent update, so the company originally named JTM Grupa most likely changed its name to Vital.⁴⁵ This is not the only company to have changed its name. Aramex and Eltech Solutions are located at different addresses in Gdansk and the listed shareholders are not entirely the same; nevertheless, they share the same registration number and date. It is likely that Aramex changed its name to Eltech Solutions since the document under this name is more recent.⁴⁶ Lastly, Alson and Elan also share a number of characteristics indicating that they are, in fact, the same company. Both companies list the same shareholders, registration date and registration number, although their address differs. The company Alson appears to have changed its name to Elan, as indicated by the most recent Chamber of Commerce update.⁴⁷

Similar to Redshield, which is registered twice under two different KRS numbers, the company Partner Shipyard also shows two different registration numbers, with one being a partner of the other.⁴⁸ Additionally, this company is also registered with the Dutch Chamber of Commerce. The company JW Steel is another company with two separate KRS registrations.⁴⁹ Apart from these companies with double registrations, there is also an instance of several companies being combined into one Chamber of Commerce entry. According to the KRS documents on the company Atal, several different companies have been joined under one main Atal company. These acquired companies were previously called SPV Atal-Invest, Atal, Atal-Wysoka, and Atal-Wykonawstwo. These were previously each accorded their own registration number.⁵⁰

Lastly, several companies share an address. The companies Sail Szczecin, Partner Shipyard, and Offshore Maritime Construction all list the same address in Szczecin.⁵¹ The

40) 17A0579, 17A0580, 17A0581, 17A0592, 17A0598, 17A0604, 17A0606, 17A0611, 17A0630, 17A0645, 17A0657, 17A0558, 17A0564, 17A0565, 17A0574, 17A0575.

41) 17A0566, 17A0572, 17A0581, 17A0597, 17A0611, 17A0630, 17A0564.

42) 17A0399, 17A0400, 17A0499, 17A0529, 17A0530, 17A0559, 17A0586, 17A0587, 17A0604, 17A060.

43) 17A0434, 17A0435, 17A0436.

44) 17A0536, 17A0543.

45) 17A0534, 17A0535, 17A0536, 17A0541, 17A0542, 17A0543.

46) 17A0528, 17A0398.

47) 17A0498, 17A0522.

48) 17A0571, 17A0572, 17A0575, 17A0609, 17A0645, 17A0646, 17A0657.

49) 17A0617, 17A0623.

50) 17A0470, 17A0482, 17A0483.

51) 17A0557, 17A0571, 17A0585.

shareholders listed for each of these companies are not all the same persons, but there is overlap: ASM is involved with both Sail Szczecin and Partner Shipyard, while PA's name appears under both Sail Szczecin and Offshore Maritime Construction. Similarly, the companies Partner Stocznia, Partner Shipyard, Partner, Malserwis, and J.M.A. all share one address in Police, Poland.⁵² Again, these companies' lists of shareholders show similarities. JS, ASM, and MBN are involved with all these companies. The companies Alson and Aramex also both share the same address in Gdansk.⁵³ Both companies include Cecylia Kowalska, WK, and AM among their shareholders. One last detail to note on the topic of company addresses, is that Chopol is the only company to also list an address in Pyongyang apart from their Polish address.⁵⁴ Chopol is one of the companies to list North Korean individuals among their board members: RYJ⁵⁵ and KMC.

Note

Information contained in the database can be requested via LeidenAsiaCentre using the document number/database reference number located in the footnotes.

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- 'PLN to EUR'. XE Currency Converter. <http://www.xe.com/>.

52) 17A0563, 17A0609, 17A0579, 17A0596, 17A0629.

53) 17A0498, 17A0528.

54) 17A0372, 17A0373.

55) This name is not indicated in Han'gŭl, therefore it is unclear what its correct romanised form should be.