Universiteit Leiden
The Netherlands

North Korean slavery and forced labor in present-day Europe

Breuker, R.E.; Pargas, D.A.; Schiel, J.

Citation
Breuker, R. E. (2023). North Korean slavery and forced labor in present-day Europe. In D. A. Pargas & J. Schiel (Eds.), *The Palgrave handbook of global slavery throughout history* (pp. 643-660). London: Palgrave MacMillan. doi:10.1007/978-3-031-13260-5

Version: Publisher's Version
License: Creative Commons CC BY 4.0 license
Downloaded from: https://hdl.handle.net/1887/3704811

Note: To cite this publication please use the final published version (if applicable).

CHAPTER 36

North Korean Slavery and Forced Labor in Present-Day Europe

Remco E. Breuker

Introduction

This chapter deals with the practice of exploiting North Korean workers in the European Union through human trafficking, forced labor, and the suspension of most personal liberties. As a form of state-driven contemporary slavery, it starts from legal premises: the workers arrive with valid visas, residence permits, and work permits. They then find themselves in a miniaturized reproduction of North Korean society: with their minder came the entire socio-ideological structure of constraint—daily compulsory meetings, confession and criticism sessions, ideology instruction lectures, etc.—, which is recreated in situ in order to legitimize and make practically possible the extraction of labor and the removal of personal freedoms. The focus of this chapter is on the structure of the system that enslaves DPRK workers—not on the specific characteristics of the cases that have been researched. For specific details of place, time, number, and so forth I refer to the appropriate research.[1] For this chapter I specifically but not exclusively looked at the DPRK workers in Polish shipyards in the mid-2010s. The presence of DPRK labor in Poland, or in Eastern Europe for that matter, has a long history, but that falls without the scope of this paper; mainly because the circumstances before the 2000s were significantly different.[2] This chapter offers a predominantly empirical description and

R. E. Breuker (✉)
Leiden University, Leiden, Netherlands
e-mail: r.e.breuker@hum.leidenuniv.nl

© The Author(s) 2023

D. A. Pargas and J. Schiel (eds.), *The Palgrave Handbook of Global Slavery throughout History*, https://doi.org/10.1007/978-3-031-13260-5_36

analysis of the phenomenon, as there is yet hardly any empirically grounded academic literature on the topic.

The number of DPRK citizens working abroad has consistently risen over the past two decades. Increasingly strict international sanctions notwithstanding, hundreds of thousands of DPRK workers have worked or are working in tens of different countries, most notably in terms of absolute numbers China, Russia, and Mongolia, but also in Middle Eastern states, African states, and a number of EU countries. The exploitative and abusive treatment of these workers by the state that dispatches them and the companies that employ them has resulted in media attention, research by NGOs and academics, and criminal complaints in two EU jurisdictions. Concerns that the money earned was funneled into weapons development programs convinced the UN to include a gradually imposed ban on overseas DPRK labor in its sanctions on North Korea. On December 22, 2019, all UN member states were expected to have sent home all DPRK workers remaining in their territories, although evidence suggests this sanction was complied with only slowly and in some territories incompletely or marginally.[3]

This volume defines slavery as "as a practice by which human beings were held captive for indefinite periods of time; treated as property that could be bought and sold; coerced into extremely dependent and exploitive power relationships; denied rights (including potentially rights over their labor, lives, and bodies); subjected to forced migration by various means; and compelled to labor against their will." DPRK overseas labor conforms to this definition, with the possible exception of being treated as property that could be bought or sold. While an argument can be made that this is what happened in certain cases and while another argument can be made that instead of buying and selling again in some cases "leasing" seems to have been an appropriate characterization of the forced movement of laborers, generally speaking this has not been the case with DPRK overseas workers. The fear of being sold is effectively replaced by the fear of being punished (or having loved ones punished), and in particular of being sent to the kind of political camps that only admit new inmates but—almost—never release them.[4]

Overseas DPRK labor fits the pattern of slavery observed elsewhere in the world—in its past and present. It is also very much a globalizing phenomenon. As a form of state-led human trafficking which in situ results in forced labor and labor exploitation, it also serves as a convenient and reliable indication of North Korea's place in the global economy. Due to the state-led nature of overseas DPRK labor it does not always show a good fit with studies done on migrant labor—it does however show similar patterns to those found in human trafficking.

Entry into Slavery (How People Became Enslaved)

The DPRK is widely known as an extremely repressive state in which not much is left for its citizens to decide for themselves.[5] Structural human rights

infringements by the DPRK state have been described as "without parallel."[6] The DPRK tops the Global Slavery Index, which measures and compares the prevalence of modern slavery in a society.[7] While it would go too far to characterize all North Koreans as living in modern slavery, state coercion is extremely strong. As such, corvee labor (unpaid and forced) is part and parcel of the average North Korean citizen's life.[8] State organs decide in the stead of the individual what profession he or she will enter (de facto hereditary professions are widespread) and it is illegal not to hold a job for North Korean males between the ages of 18 and 65 and unmarried adult females—the possibility of punishment for being unemployed also acts as a strong motivation to accept the state's directions in this regard. An extensive and intrusive system that guides and monitors ideological, social, and political loyalty and sanctions breaches thereof is an obligatory and ever-present part of the lives of all North Koreans with the exception of the supreme ruler himself and the inmates of the political annihilation camps (whom the state does not count as human beings and as such no longer in need of ideological guidance) restrict freedom even further and structure and repurpose that freedom which is left.[9] Humans being human beings, even within this structure, designed to be totalitarian, omnipresent, and ambitiously omniscient, the room is found to demur, be inconspicuously different, and find freedom in unexpected places.[10] Still, the template the North Korean state forces upon its citizens is singularly coercive. This is important for the present discussion in two manners. First, the strong coercive nature of state involvement shapes attitudes, patterns, and expectations among North Korean citizens. And second, this system travels with those who are sent abroad—in fact, it would not be much of an exaggeration to state that the defining characteristic of North Korean civil life is participation in Party Organisational Life (POL).[11]

Perhaps the only structural exception to the immediate and coercive presence of the state is the realm of economic activities, in which, even if the state (or its representatives) always takes their share, individual initiative, if profitable, is condoned. Sending workers overseas at first sight points at strong direct state involvement. The history of DPRK overseas labor also suggests as much.[12] Local practices at the overseas sites where DPRK workers reside and work, however, indicate a certain variety in hiring, employing, and sheltering workers. In Vladivostok, workers seem to be fairly self-reliant and relatively free to move around in the city. Vladiwostok-based workers, for example, seem to work at least one other job next to the work they do for the North Korean state.[13] In Poland, on the other hand, individual movements were extremely restricted and few of the workers there seem to have had an opportunity to do work outside of what was expected from them by the regime.[14] Construction workers in St. Petersburg were infamously locked in shipping contained surrounded by barbed wire fences when they were not at work.[15] While the shipyards in Poland were filled with male Pyongyang citizens in good standing with spouses and children,[16] Chinese textile factories or Czech shoe factories preferred young female workers, even when they had not yet started a family of

themselves. Among the workers sent abroad, an increasing number is in fact active-duty (which in the context of North Korea means conscripted) army personnel.[17] Paradoxically, this last example points to private initiatives rather than state-led efforts. Across the board, however, there are a number of factors that strongly suggest that the prime mover behind DPRK overseas labor is the state, even if local execution is leading and varied.

First, there is the selection process: prospective overseas workers need permission from the state, both locally and centrally, to be able to even apply to go abroad. Such permission is then given by the central department that arranges everything, but locally, confirmation of one's good standing is also needed from one's (former) place of work and from the blockhead (*inminban-jang*). Having received this permission, there are then the centrally ran labor camps, the second indication of the state being in charge of this process. The prospective laborer is inducted into a training camp, run by one of the central facilities that have specialized in sending laborers abroad. Here, the wait can extend to one year, depending on the bribes paid by the worker. A noteworthy aspect that emerged from interviews done with former North Korean overseas laborers is that generally no one in these training centers was told where they were going to be sent or what they would be doing there for what kind of salary. While waiting to be sent overseas, the workers' visas and work permits are arranged and negotiated by local North Korean diplomats. This is the third indication of state sponsorship of overseas labor. Fourth, the travel to the place of destination is routed through embassies: usually the first overnight stop is the DPRK embassy in China. From Beijing, workers, who travel in groups, travel to the DPRK embassy nearest to their final destination. For a long time, this was the embassy in Sophia, Bulgaria, for those workers dispatched to Europe, Russia, and Africa: from there, cheap flights were booked to the final destinations. A fifth indication of state involvement is offered by the treaties and agreements the DPRK state with foreign governments to be able to send (an increased number) of laborers abroad.[18] And finally, sixth, as soon as the workers arrived, passports would be collected by their managers and kept for safekeeping at local embassies or consulates.[19] In the cases this did not happen, the embassy was too remote or passports were needed intermittently, making this an inconvenient arrangement. Instead, passports were then kept in the safe of the manager of the workers.

If we put these six indicators of state involvement together, it becomes clear that the export of overseas laborers in the DPRK is an affair initiated, mediated, and largely executed by the state. This is not to say that it is a centralized affair, or that the volition of the workers does not play a role in the process of being sent and working abroad. There is agency on the part of the workers, albeit limited, and there seems to be little to no central coordination, once the initial decision to permit a North Korean entity (e.g. a business, a Party department, or an Army enterprise) to send laborers overseas is made. Interviews with recent refugees from North Korea seem to indicate

that males serving out their mandatory military service have been occupying an increasingly large share of the people sent out to work abroad.[20]

One important takeaway from the level of state involvement in the selection and dispatch of workers shown by the DPRK is that it reflects a difference in the social background of workers selected to be sent abroad compared to when the system started in the late 1940s. Then, being sent abroad (as a lumberjack in Siberia) signified that the state had its doubts about the persons sent.[21] North Koreans who had worked in Siberia however returned not merely with tales of hardship, but also with tangible fruits of their labor, such as refrigerators and other goods difficult to get hold of in North Korea. Such economic opportunity gradually caused citizens in good standing with the regime to volunteer for being sent abroad. It is a well-known fact that one needs to bribe the authorities in order to be considered for being sent abroad to work there.[22] As a result, the authorities have come to prefer, if possible, sending Party members abroad (roughly 15 percent of the DPRK population is a member of the Korean Workers' Party), a clear break with previous policy. The analysis of the workforce of a shipyard in Poland in 2015 yielded an unexpectedly high percentage of Party members: over 75 percent of the workers there was a member.[23] The fact that now citizens in good standing with the state have been dispatched to work abroad signals a broad shift in policy on several levels. First, being sent abroad to work is no longer used as a tool of punishment. As a result of workers abroad returning with cash and/or with desirable goods hard to obtain in North Korea, going abroad to work changed from being seen as a sanction to being regarded as an opportunity. The need for bribery even to be considered to be sent abroad shows just how desirable working abroad came to be (even though there are indications that this has been changing over the last few years).[24] Second, this indirectly also shows that DPRK workers were increasingly being sent to places from where defection was not only easier but also more to be expected. For the average North Korean sent to a Siberian logging camp in the seventies, life in the Soviet Union on his own would not necessarily have been a better option than life in North Korea, even if North Korean living standards were lower. But in the case of workers spending a number of years in countries like Poland, the Czech Republic, Germany, Hungary, Austria, or Malta, the DPRK authorities became more apprehensive about the flight potential. Sending groups of workers to such high-risk countries that consisted predominantly of Party members living in Pyongyang (which is a hard-earned favor in North Korea) alleviated some of the concerns the authorities had. Nonetheless, the risk that workers would flee while overseas was something to be taken much more seriously than in earlier decades, because the number of DPRK citizens escaping the country became much higher from the late nineties onward. As a result networks to flee the country and to help one's family escape had come into being, which created the possibility of a worker fleeing while working abroad and then relying on those networks to get his or her family also out of the country. Consequently, there were two additional measures the DPRK state

took to ensure the flight-risk was kept at a minimum. Potential candidates to be sent abroad were screened, not just whether they were a Party member or not, but also with regard to their family. Only people with a family to be left behind while they were going abroad, were considered safe to send. The second measure is taken I will go into more detail later: the Party Organization Life-system that structures the life of a North Korean citizen accompanied the workers to wherever they would be sent to work.

The facts that North Korean overseas forced labor is an initiative of the DPRK state, that it is undertaken by organizations that are part of that state, and that state involvement is a necessary element of the phenomenon would seem to suggest that the many different concrete instances of DPRK overseas forced labor that have occurred across the world were centrally coordinated. Perhaps surprisingly, this however does not seem to have ever been the case. Interviews with former workers, former managers, and former diplomats tasked with the supervision of overseas work sites in their area suggest that there is no central coordination for sending workers overseas and then managing them there. Central coordination seems mainly to exist on the level of planning and the setting of financial quota. Also, parts of the profits made by the entities that send out and manage the overseas workers are collected on a central level.[25]

Experiences of Slavery

Generally, workers were only told where they were going to work and what kind of work they were expected to perform once they were on their way there. In some cases, workers only found out after arriving at their overseas work site. Again, it needs to be stressed here that since there was no factual central coordination for workers being sent overseas, but that each group was sent and managed by the particular company, army department, or state or Party bureau, circumstances could differ greatly. Also, due to their proximity to North Korea and the well-established labor migration from North Korea to there, workers traveling to China or Russia generally did know where they were going and what kind of tasks they were going to perform. But a group traveling to for example the Middle East might only find out on arrival what country they found themselves in.

In the case of an EU Member State as a final destination, workers tell of being immediately taken to their site of work and immediately being put to work there. Then their lives abroad start, characterized by isolation from the society in which they now live and work, as well as by exploitation and unfreedom.

The experiences of the DPRK workers in Polish shipyards have been relatively well documented, due to efforts by the Polish Labor Inspectorate to regulate work done by third-country nationals (i.e. workers who possess neither the Polish nationality nor that of another EU Member State),[26] to two investigative documentaries precisely on this topic,[27] to two detailed reports

mentioned above, and to one North Korean worker who fled the shipyards to start a life elsewhere. These sources have chronicled some of the experiences of DPRK workers at Polish shipyards, which are reproduced below.

These experiences may be set against the definition of slavery this volume used. For the sake of convenience, I have used the constitutive elements of the definition as subject headers.

A Practice by Which Human Beings Were Held Captive for Indefinite Periods of Time

DPRK workers sent to the EU did not know how long they would stay there. It was assumed before they went that it would be about three years and this seems to have been the case for a large number of workers. Other workers stayed in the EU for a longer period, but as far as studies have shown, not indefinitely. Once the workers arrived at their destination, they were quickly familiarized with their surroundings and their new way of life. They were instructed not to socialize with the local population and only work together with local workers if absolutely necessary. In Gdansk, for example, 35 workers stayed in the same house (meant for one family), traveling to and from work as a group. At the Partner Shipyards in Stettin, housing facilities had been arranged on the shipyard. Special permission was needed in all cases to leave the compound. A former worker testified that such permission was given if a doctor's visit was absolutely necessary (in which case one's passport was also returned temporarily); for doing groceries; or for buying beer and cigarettes on the rare occasion when one was free from work and ideological training. Access to internet, radio, TV, and newspaper was forbidden.[28] So was leaving the house. Infractions would be punished by physical violence, but more often by levying a fine.[29] In severe cases, the perpetrator could be sent home for trial and punishment. Contact with one's family at home was not allowed.

The way this regime was maintained was not through violence and also not through the threat of violence, although having left one's family at home, there was a very strong implicit threat there. On the ground, this regime was maintained by reproducing part of the North Korean authoritarian structure: by holding regular compulsory ideological meetings, self and mutual criticism sessions, Party lectures, donations, and the like. These meetings were strictly attended, and detailed notes were taken to be sent to Pyongyang in order to file them with the individual files of the workers.[30] A worker in the EU stated the following: "I take a rest on Sundays. First, we clean after breakfast on Sunday morning. And then from 9:30 am until 10:30 am we hold a meeting. It's usually about watching seminar video clips, propaganda films, or discussing the weekly settlement."[31] POL comes at a price: "The reason why our second wage was 100 zloty less than the first wage was because the manager provided 100 zloty as a donation to the Kŭmsusan Palace Fund. All North Koreans are virtually obligated to pay to the government 30 dollar every quarter as a contribution to the Kŭmsusan Palace Fund. This also applies

when you work abroad."[32] Ideological hierarchies overlap with those on the work floor, creating structures that effectively trap the worker in place: "In our system, the director of the company is no.1, the party secretary is no.2, and the no.3 is the security officer from the State Security Department. In practice, no.3 wields all real authority. The manager (Mr. K.) is party secretary for the company and our team leader functions as cell party secretary."[33]

Workers were also expected to inform one another. The coercive power of this system (Party-Organizational Life) that is aimed at ceaselessly correcting and censoring North Koreans into becoming a model citizen can hardly be overstated: model behavior in these meetings is necessary to find or keep work, to obtain a house, to marry, and generally to not get into trouble with the regime. By bringing the threat inherent to the POL system with them, the managers were capable of controlling a much larger group of workers by themselves, because the entire weight of the DPRK politico-social and ideological structure is encapsulated by the POL system.

Treated as Property that Could Be Bought and Sold

Here again, a perfect fit cannot be found. Studies of the circumstances under which DPRK workers worked in the EU have not found instances of the person being bought or sold.[34] During the time workers were under contract with the North Korean state through its intermediary that had brought them to the EU they had no say in where they stayed, where they worked, how much they earned, or how long they stayed in the EU. Interviews with former workers in Poland made it clear that the groups of North Korean workers could be moved from one place to another overnight, which in one case meant moving from a shipyard with relatively lucrative work for which the workers were qualified to a building site where the work was both unfamiliar and paid worse.[35] The opaque constructions that tied the workers, on paper self-employed contractors, to the joint ventures of Polish and North Korean operators, and to the temp agencies that managed the workers' assignments, constructions that were kept wholly outside the knowledge of the workers themselves, further increased their isolation and absence of self-determination. As such, it can be argued that for the duration of their stay in the European Union DPRK workers were for all practical purposes the property of the joint venture that hired them out to the companies where they would work.[36] Their input was not only not asked for, giving input could be seen as being subversive.[37]

Coerced into Extremely Dependent and Exploitative Power Relationships

Extremely dependent and exploitative power relationships that are entered under coercion and/or deception are at the very heart of the system of slavery (and of human trafficking). The situation in which North Korean workers in the EU find themselves after arrival reads like a textbook case.[38] After having

been taken to their place of work in the EU without their prior knowledge, DPRK workers are bound hand-to-foot to the structure in place. They rely for their job on their manager, often a North Korean who also doubles as an interpreter and who resides in the country of work.[39] The manager/interpreter had access to the workers' passports (kept in the DPRK embassy if nearby, otherwise in the safe of the temp agency employing them). Housing, food, and clothing were arranged for by the manager (but paid for by the workers),[40] as were the work permits and residence permits. In clear violation of EU rules, the workers did not have individual bank accounts in their own name (they have none at all), which meant that for their salaries they were also completely dependent on the goodwill of the manager/interpreter.[41] Contact with one's family back home was impossible and actively blocked. Combined with the presence of the coercive ideological straight-jacket of the POL, it is no exaggeration to state that DPRK workers in the EU were kept completely dependent on the very same people that managed their exploitation.[42]

Denied Rights (Including Potential Rights Over Their Labor, Lives, and Bodies)

Reports by the Polish Labor Inspectorate confirm what interviews with DPRK workers also pointed out: the workers were kept completely ignorant of their rights.[43] They did not know they were entitled to an employment contract which specified the kind of employment, renumeration, working conditions, et cetera. Denial of rights largely came down to keeping the workers in isolation (itself a rights violation). As a result, none of the workers was aware of the following rights (which were all violated): liberty of movement and the freedom to choose one's residence,[44] the right not to be subjected to arbitrary and unlawful interference with privacy, family, home, or correspondence,[45] freedom of thought, conscience, and religion,[46] freedom of expression, the right to hold opinions without interference,[47] and the right to adequate standard of living, food, clothing, and housing,[48] the right of peaceful assembly; and the right of freedom of association.

Rights are further violated by the arbitrary punishment that managers are free to meet out: "I thought that I needed to obey their [DPRK officials] commands in order to come out alive. I did imagine what it would be like to escape and run, but if I got caught I would have been punished by death. So I tried to find an opportune moment to escape, but it never came."[49] Punishment ranged from beatings to the withholding of payment, which could take on quite extreme forms: "There was an incident in October 2014 in X, where two young welders (35 years old) stole electronics from stores and one was arrested. He was taken to the police station, but the manager negotiated with the storeowner and covered up the case. After that case, all North Koreans in Y were grounded for a while. The person directly involved was transferred from Z to A and didn't receive even one penny for an entire year. [...] He wasn't given his wages for an entire year even though he had to keep working."[50]

A Czech employee of a factory that employed DPRK workers testified that physical violence was used as a tool of discipline, signaling the DPRK manager's abrogation of the right to physical integrity: "Mr. Kim was probably the head or the boss. If I can talk about my own company, we forbade him from accessing the factory because he behaved extremely roughly with the workers. Once, he even wanted to beat one of them because her work performance was not as he imagined."[51]

Physical violence was also used as a way by the managers of channeling frustrations and anger about the difficult situation workers were in, the grinding work, not being paid, and being isolated from society and their families for years on end: fights between workers were allowed to go on as a release valve. This happened both among female tomato-pluckers in Poland and male welders at Polish shipyards.[52]

Subjected to Forced Migration by Various Means

This is a condition that is not entirely met by DPRK workers in the EU. As described above, many DPRK workers volunteered to go abroad, even if they had not been told where they would go and what kind of work awaited them there. Bribery was a common phenomenon in order to be able to go abroad. At the same, it should be noted since the Treaty of Palermo (2000) voluntary participation in human trafficking on the part of the trafficked is seen as unvoluntary coercion, because of the deception involved. This certainly is a factor in the selection of workers in North Korea also and deception was one of the factors that persuaded people to volunteer for going abroad.[53] The most important factor in the forced migration of the workers is the state apparatus—as such, this analysis should ideally be extended to how that apparatus coerces DPRK citizens, both at home and abroad.

Compelled to Labor Against Their Will

DPRK overseas labor is, predictably, all about its citizens' capacity to work that the North Korean state sells, parcelled out over more than forty countries worldwide. Between 150,000 and 200,000 workers are thought to have been mobilized before the 2019 sanctions took effect.[54] The strict regime that traveled with them from North Korea to their place of destination meant that to not work when told to was not a viable option: the worker would place himself or herself in danger—and possibly endanger his family remaining behind in North Korea as well. As described above, the absence of rights, of information, of identity papers, of employment contracts and the presence of threats, isolation, and the POL structure cemented the workers within their exploitative environment. Intimidation and threats, withholding of wages, frequent excessive (and unpaid) overtime, isolation from other non-DPRK workers, and other violations of international laws and treaties have been written up in detail in the reports of the Polish Labor Inspectorate. Interviews with (former)

DPRK workers sketch the same picture of the impossibility to not work, even when one was ill (if a worker was too ill to work, more wages would be withheld).

A worker who worked in Poland testified the following: "I woke up at 6am, made up my bed and washed until 7, had breakfast and went to work by 8 o'clock. I worked until 12 o'clock and had lunch for an hour, worked again until 6 o'clock and dinnertime was from 6 to 7 o'clock. Excluding lunchtime, I usually worked 11-12 hours per day. There were extended work hours every two or three days. There wasn't any policy about it, but low-level executives encouraged us to bring glory to the Party by working more. They encouraged us to finish the task earlier and report good news to the Party. […] Extended working hours every 2-3 days made daily average work hours increase to 14, since three hours were added every time. Usually (I worked) from 7 am to 7 pm. On Saturdays it was until 5 pm. But later on they made us work until 7 pm on Saturdays as well. […] Sometimes I worked until 11 pm. Usually when the work was not finished, they made us work nights as well, but once neighbours complained about the noise, so we had to stop working at night."[55]

> We used to work 10-12 hours a day. A regular working day is eight hours, but the manager or the foreman would encourage extending the shifts. On a rare occasion it could happen, if we received special instructions, that I'd have to work 24 hours, then rest some 30 minutes, and then continue again the next day. That happened twice to me. Of course, you would do that, expecting to be able to earn more money, but you would never get paid the hours you actually worked. It was physically very hard, I couldn't do that anymore. We were told that we could have a rest on Sundays, but that would depend on the foreman. If he said we had to work overtime, we'd have to do it.[56]

DPRK Overseas Labor as Globalizing Factor

There are several remarkable characteristics that make DPRK overseas labor in the EU (and elsewhere). First, in many aspects it is a hybrid phenomenon with fluid boundaries. It is hybrid in its combination of (the remnants of) a socialist authoritarian state structure's supply of labor with the demands of a globalized capitalist economy. A concrete manifestation of this hybridity, and of the meaninglessness of hard boundaries between different—ideological—systems such as socialism and capitalism and between state and private, is the way DPRK overseas labor roots in foreign soil. The smaller entities within the DPRK state prepare and effectuate the dispatch of the workers to the EU, local joint ventures owned by Polish businesspeople and North Korean managers help arrange contracts with local intermediary companies that take care of all practical matters involved with shuttling the workers from workplace to workplace,

and with the local companies, some of which (like Polish shipbuilding giant Christ) are big international players, where the workers are actually placed.[57] Among the customers of shipyards like Christ on whose ships North Korean welders had worked, were big Dutch shipbuilders and the NATO, weaving North Korean forced labor into the very fabric of EU economic life. It is important to note that the visual aspects of this phenomenon (the fact that it looks North Korean) only partly overlap with its real structure—the fact that it is a diversified, globalized structure of which North Korea only forms one part.

Second, similar hybridity can be found in the status of the workers, who during their time abroad in the EU live lives virtually without personal freedom, but whose status changes when they return to the DPRK—even if an argument could also be made that the life of an average DPRK worker shares fundamental similarities with that of someone living under conditions of modern slavery. It is therefore possible (and has happened) that workers who had a measure of personal freedom in the DPRK were relegated to captivity and forced labor when they were sent abroad to work. Upon return, the meager earnings they were allowed to keep (often less than 10 percent of their real wages) helped them in ameliorating their lives in North Korea. A second trip abroad returned them to a state of slavery—the second return home helped them to better their circumstances. Such changes in relative unfreedom show the fluid and impermanent boundaries of the status of slavery among DPRK workers sent abroad.

The DPRK is popularly known as the most isolated country in the world, but its practice of sending groups of workers abroad to earn money for the state connects it not only to over forty countries worldwide, but it also connects it firmly to the global economy. The global movement of DPRK workers integrates their experiences of unfreedom and the particular power-based relationship peculiar to the DPRK system with EU economic activities and legal structures.

Notes

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. How the Supply of a Captive DPRK Workforce Fits Our Demand for Cheap Labour* (Leiden: LeidenAsiaCentre, 2017); Remco E. Breuker and Imke B. L. H. van Gardingen, eds., *People for Profit: North Korean Forced Labour on a Global Scale* (Leiden: LeidenAsiaCentre, 2018); Teodora Gyupchanova, "Labor and Human Rights Conditions of North Korean Workers Dispatched Overseas: A Look at the DPRK's Exploitative Practices in Russia, Poland, and Mongolia,"

Cornell International Law Journal 51 (2018): 183. The 2014 UN Commission of Inquiry report does not mention forced labor; due to the short period within which the report needed to be completed, it was not deemed feasible to include a large topic such as this. See Commission of inquiry on human rights in the Democratic People's Republic of Korea, "Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea" (United Nations Human Rights Council, 2014).

2. Breuker and van Gardingen, *People for Profit*; Liudmila Zakharova, "Russia-North Korea Economic Relations," *Joint US-Korea Academic Studies* 27 (2016).
3. United Nations Security Council Resolution 2397 had called for the return of all DPRK nationals earning income abroad within 24 months from 17 December 2017. See S/RES/2397, 17 December 2017, https://undocs.org/S/RES/2397(2017).
4. Remco E. Breuker and Imke B. L. H. van Gardingen, "Pervasive, Punitive, and Prevalent: Understanding Modern Slavery in North Korea," Global Slavery Index 2018 (Walk Free Foundation, 2018).
5. Commission of inquiry on human rights in the Democratic People's Republic of Korea, "Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea"; Sandra Fahy, *Dying for Rights: Putting North Korea's Human Rights Abuses on the Record* (Columbia University Press, 2019).
6. This comparison actually was made in the very first sentence of the public presentation of the report made by Justice Kirby. See Michael Kirby, "Statement by Mr Michael Kirby Chair of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea to the 25th Session of the Human Rights Council, Geneva, 17 March 2014" (25th session of the Human Rights Council, Geneva, March 17, 2014).
7. See *Global Slavery Index* at https://www.globalslaveryindex.org/2018/findings/highlights/. The definition used by the GSI as well as its methodology for measuring slavery are not uncontested, in particular with regard to a society such as North Korea that does not allow any field or archival research in situ, but a qualitative analysis of a survey of North Korean refugees confirms the prevalence of modern slavery within contemporary North Korean society. Breuker and Gardingen, "Pervasive, Punitive, and Prevalent."
8. For a qualitative analysis of this question, see Breuker and Gardingen.
9. Breuker and van Gardingen, 22.
10. Memoirs of North Koreans in exile confirm as much.
11. The only exception to this—seriously enforced—rule in North Korea is its Supreme Leader, loyalty to whom is the overriding moral value instilled, monitored, and stimulated during POL meetings. For an overview of the POL, see Kim Sŏnggyŏng, ""Pukhan chumin-ŭi ilsang-gwa pangbŏb-ŭrosŏ-ŭi maŭm: Saenghwal ch'onghwa-wa kŏmyŏr-ŭi sanghwang-esŏ-ŭi kongmo-hanŭn maŭm," Kyŏngje-wa Sahoe" 109 (2016): 153–90; Yi Kyŏngsu, "[Saenghwal-Lo Pon Pungnyŏksahoe 10] Chojik saenghwal: Sonyŏndan-but'ŏ Chosŏn Rodongdang-kkaji modŭn chumin 1 kae isang chojig-e kaip haksŭp,ch'onghwa t'onghae'chiptanjuŭi'ŭishik naemyŏnhwa," *Minjok 21*, 2007, 66–71; Andrei Nikolaevich Lankov, In-ok Kwak, and Choong-Bin Cho, "The Organizational Life: Daily Surveillance and Daily Resistance in North Korea," *Journal of East Asian Studies* 12, no. 2 (2012): 193–214, https://doi.org/10/gm78f6.

12. Zakharova, "Russia-North Korea Economic Relations"; Gyupchanova, "Labor and Human Rights."
13. Britt C. H. Blom and Rosa Brandse, "Surveillance and Long Hours: North Korean Workers in Russia," in *People for Profit: North Korean Forced Labour on a Global Scale*, ed. Remco E. Breuker and Imke B. L. H. van Gardingen (Leiden: LeidenAsiaCentre, 2018), 43–66.
14. Breuker and van Gardingen, *Slaves to the System*.
15. Håvard Melnæs, "The Slaves of St Petersburg," *Josinar*, 03 2017, https://www.josimar.no/artikler/the-slaves-of-st-petersburg/3851/.
16. Breuker and van Gardingen, *Slaves to the System*, 81.
17. Personal communication Ko Young-hwan on August 3, 2017.
18. Which have continued to be concluded with Russia, also after the UN sanctions made this illegal. See for example Isabelle Khurshudyan and Min Joo Kim, "For North Korean Workers, Russia's Far East Remains a Windfall for Them and for Kim's Regime," *Washington Post*, July 18, 2021, https://www.washingtonpost.com/world/europe/north-korean-workers-russia-sanctions/2021/07/18/5d1f5d82-e3eb-11eb-88c5-4fd6382c47cb_story.html.
19. According to Kim T'aesan, who was managed a group of 150 DPRK workers in the Czech Republic between 2000 and 2000: "It is the general practice of North Korea's overseas labour that all passports of workers are collected and that the embassy of the DPRK in the hosting country takes care of them. In our case, we kept all the passports of the workers in a locked safe in the office of the manager. Only when the workers were to prove their ID, for instance, when they needed to go to the hospital, they were allowed to hold their passport." See Breuker and van Gardingen, *Slaves to the System*, 32.
20. Personal communication with Ko Young-hwan on August 3, 2017.
21. Zakharova, "Russia-North Korea Economic Relations."
22. Breuker and van Gardingen, *People for Profit*; Artyom Lukin and Liudmila Zakharova, "Russia-North Korea Economic Ties: Is There More than Meets the Eye?" *Orbis* 62, no. 2 (2018): 244–61.
23. Breuker and van Gardingen, *Slaves to the System*, 81.
24. Breuker and van Gardingen, "Pervasive, Punitive, and Prevalent."
25. When I discussed this aspect with a former North Korean diplomat who had among other things been responsible for overseeing the different work sites in Poland between 2014 and 2016, he told me that the DPRK authorities have no reliable grasp of how many workers have been sent abroad, because that is not necessarily what they monitor. Tallies are kept in Pyongyang, but only in terms of what the different enterprises, bureaus, etc., earned for the central leadership in US dollars. Personal communication from T'ae Yŏngho on August 3, 2017.
26. The reports of the Polish Labour Inspectorate can be found in Breuker and van Gardingen, *Slaves to the System*; Breuker and van Gardingen, *People for Profit*.
27. *Cash for Kim* (2016) directed by Sebastian Weis (https://video.vice.com/en_us/topic/cash-for-kim), and *Dollar Heroes* (2018) directed by Carl Gierstorfer and Sebastian Weis (https://www.thewhy.dk/films/dollar-heroes-north-koreas-secret-slaves).
28. Although all North Koreans possessed mobile phones and could access the Polish internet.

29. One of the workers the documentary makers of *Dollar Heroes* spoke to in secrecy told about having been physically molested after a supposed infraction of the rules set by the manager.
30. Although it seems that at least at one occasion the reports sent to Pyongyang had been faked: there had been no meeting.
31. Breuker and van Gardingen, *Slaves to the System*, 76.
32. Breuker and van Gardingen, 77.
33. Breuker and van Gardingen, 79.
34. Although such circumstances were and still are clearly present in the Chinese area bordering on the DPRK, where the trade in North Korean women and children thrives. See Hee-soon Yoon, "Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean Women & Girls in China" (London: Korea Future Initiative, 2019).
35. Remco E. Breuker, "Non-Enforcement: The Conscious Choice Not to Enforce," in Breuker and van Gardingen, *People for Profit*, 159.
36. There is also an argument to be made that upon their return to the DPRK (and indeed before the departure from it) a large number of them would have found themselves is conditions were much akin to those associated with modern slavery. See Breuker and Gardingen, "Pervasive, Punitive, and Prevalent."
37. Imke B. L. H. van Gardingen, "Accountability for DPRK Workers in the Value Chain: The Case of Partner Shipyard, a Polish Shipbuilder and Its Dutch Partners," in Breuker and van Gardingen, *People for Profit*, 12–42.
38. Which was indeed the verbatim reaction of a colleague, a criminologist specialized in human trafficking, when we went through the available testimonies and other evidence detailing the situation of DPRK workers in the EU.
39. His expertise is deemed too valuable to be wasted by sending him back after a number of years. In Poland, we found that DPRK managers and/or interpreters would even have long-term or permanent residence permits, so that the structure they had set up to recruit, train, manage, and lease the workers remained stable, even if the workers themselves came and went. See Breuker and Gardingen, *People for Profit*.
40. "A manager told us that they [the foreign enterprises] are hiring us because of our low personnel costs, and that they deduct the charges for board and lodging, gas, and electricity from our monthly waged. They never let us know how much we earn and how much they charge for the expenses. That's why none of us knows how much we are being exploited." See Breuker and Gardingen, *Slaves to the System*, 35.
41. According to a former manager of DPRK workers in the Czech Republic: "The workers wouldn't dare to raise an issue against the system, for instance, regarding their wages. If they do, they know they will be sent back home (DPRK), where they will face punishment." Breuker and Gardingen, 11. The way the wages were withheld was simple: "The manager would list the names of all the workers on the salary list and, next to our names, we would have to write our signature, but it didn't record the actual salaries we received. The list was merely prepared for the inspector of the labour authority; that is why they kept the list that recorded all the salaries." van Gardingen, "Accountability," 19.
42. This was also the case in the Czech Republic. Jan Blinka, "Employing North Korean Workers in the Czech Republic," in Breuker and van Gardingen, *People for Profit*, 84–117.

43. For a more complete and legal review in reference to the relevant international treaties of the denial of rights suffered by DPRK workers in the EU, see Breuker and van Gardingen, *Slaves to the System*, 28–45. For an exhaustive analysis of this case under EU law, see van Gardingen, “Accountability.”
44. Article 12 of the ICCPR (International Covenant on Civil and Political Rights), https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights#article-12.
45. The right of every person to be protected against arbitrary or unlawful interference with his privacy, family, home, or correspondence as well as against unlawful attacks on his honour and reputation is enshrined in Article 17 of the ICCPR (https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights#article-17). The POL system, which demands total transparancy with regard to thought and deed from all DPRK citizens as well as the duty to inform upon one another is in violation of Article 17.
46. As stipulated by the Human Rights Committee in General Comment 22 on Article 18. A confidential informant in Poland stated the following: “Once a week we write notes about self-critique, pros, and cons, and then get checked by the cell leader. The reason we keep track of the records is for the party secretary from the embassy or the secretary from the company patrolling down randomly. Indeed, there once was the time we did not hold the meeting for a month and procrastinated writing notes until the end of the month.” See Breuker and van Gardingen, *Slaves to the System*, 39.
47. Human Rights Committee, General comment No. 34, September 2011, CCPR/C/GC/34. “If you complain or go against their opinion, you become an outcast. No one can act that way. Workers think it as a natural thing and they just go along with it. Of course, we complain among ourselves. There is a possibility that the manager’s informant can hear us but I believe he is on the same side. It is all right unless you make a statement against the system.” Breuker and van Gardingen, *Slaves to the System*, 40.
48. Article 11 of the ICESCR states: “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.” See https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights#article-11.
49. James Burt and Saemee Kim, “The Will of the State” (London: EAHRNK, 2015), 36.
50. Breuker and van Gardingen, *Slaves to the System*, 54–55.
51. Blinka, “Employing North Korean Workers in the Czech Republic,” 94.
52. Breuker and van Gardingen, *People for Profit*, 4.
53. Although this seems to have been changing after 2015. See Breuker and van Gardingen, “Pervasive, Punitive, and Prevalent.” This is what a worker in Poland remarked on the situation: “As for institutes carrying the name of foreign construction training centre, there are Nŭngna [Rungra], Pyongyang, Moranbong, Songhwa, Yangyak and 15 other training centres (20 in total). There are many training centres, but they are having trouble by having not that many applicants. It is the job of the executives from the training centre to recruit as many applicants as possible to dispatch them overseas. They can

easily become the target of criticism if they don't meet certain performance targets by the evaluative work meeting at the end of the year." Breuker and van Gardingen, *Slaves to the System*, 46.

54. Marieke Meurs, "Addressing North Korean Forced Labour by Means of Internationale Economic Sanctions," in *Tightening Belts: Two Regional Case Studies on Corporate Social Responsibility*, ed. Remco E. Breuker and Imke B. L. H. van Gardingen, Asser Institute Series (The Hague: T.M.C. Asser Press, 2019), 181–92.
55. Breuker and van Gardingen, *Slaves to the System*, 54–55.
56. Van Gardingen, "Accountability," 18.
57. For details what such arrangements look like, see van Gardingen, "Accountability."

Further Readings

Blinka, Jan. "Employing North Korean Workers in the Czech Republic." In *People for Profit: North Korean Forced Labour on a Global Scale*, 84–117. Leiden: LeidenAsiaCentre, 2018.

Blom, Britt C. H., and Rosa Brandse. "Surveillance and Long Hours: North Korean Workers in Russia." In *People for Profit: North Korean Forced Labour on a Global Scale*, edited by Remco E. Breuker and Imke B. L. H. van Gardingen, 43–66. Leiden: LeidenAsiaCentre, 2018.

Breuker, Remco E. "Non-Enforcement: The Conscious Choice Not to Enforce." In *People for Profit: North Korean Forced Labour on a Global Scale*, edited by Remco E. Breuker and Imke B. L. H. van Gardingen, 159–75. Leiden: LeidenAsiaCentre, 2018.

Breuker, Remco E., and Imke B. L. H. van Gardingen, eds. *People for Profit: North Korean Forced Labour on a Global Scale*. Leiden: LeidenAsiaCentre, 2018.

———. "Pervasive, Punitive, and Prevalent: Understanding Modern Slavery in North Korea." Global Slavery Index 2018. Walk Free Foundation, 2018.

———, eds. *Slaves to the System: North Korean Forced Labour in the European Union, the Polish Case. How the Supply of a Captive DPRK Workforce Fits Our Demand for Cheap Labour*. Leiden: LeidenAsiaCentre, 2017.

Fahy, Sandra. *Dying for Rights: Putting North Korea's Human Rights Abuses on the Record*. New York: Columbia University Press, 2019.

Gardingen, Imke B. L. H. van. "Accountability for DPRK Workers in the Value Chain: The Case of Partner Shipyard, a Polish Shipbuilder and Its Dutch Partners." In *People for Profit: North Korean Forced Labour on a Global Scale*, edited by Remco E. Breuker and Imke B. L. H. van Gardingen, 12–42. Leiden: LeidenAsiaCentre, 2018.

Gyupchanova, Teodora. "Labor and Human Rights Conditions of North Korean Workers Dispatched Overseas: A Look at the DPRK's Exploitative Practices in Russia, Poland, and Mongolia." *Cornell International Law Journal* 51 (2018): 183.

Lankov, Andrei Nikolaevich, In-ok Kwak, and Choong-Bin Cho. "The Organizational Life: Daily Surveillance and Daily Resistance in North Korea." *Journal of East Asian Studies* 12, no. 2 (2012): 193–214.

Lukin, Artyom, and Liudmila Zakharova. "Russia-North Korea Economic Ties: Is There More than Meets the Eye?" *Orbis* 62, no. 2 (2018): 244–61.

Meurs, Marieke. "Addressing North Korean Forced Labour by Means of Internationale Economic Sanctions." In *Tightening Belts: Two Regional Case Studies on Corporate Social Responsibility*, edited by Remco E. Breuker and Imke B. L. H. van Gardingen, 181–92. Asser Institute Series. The Hague: T.M.C. Asser Press, 2019.

Zakharova, Liudmila. "Russia-North Korea Economic Relations." *Joint US-Korea Academic Studies* 27 (2016).

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (http://creativecommons.org/licenses/by/4.0/), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.