

North Korean Workers Officially Dispatched to China & Russia

*Human Rights Denial,
Chain of Command & Control*

Greg Scarlatoiu

Executive Director, HRNK

With **Raymond Ha** (HRNK Director of Operations & Research)
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ABOUT THE COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA

The Committee for Human Rights in North Korea (HRNK) is the leading U.S.-based non-partisan, non-governmental organization (NGO) in the field of North Korean human rights research and advocacy, tasked to focus international attention on human rights abuses in that country. It is HRNK's mission to persistently remind policymakers, opinion leaders, and the general public that more than 20 million North Koreans need our attention.

Since its establishment in October 2001, HRNK has played an important intellectual leadership role in North Korean human rights issues by publishing over 50 reports, all of which are available online at <https://www.hrnk.org/publications/hrnk-publications.php>.

Recent HRNK reports have addressed issues including the influx of outside information into North Korea and the regime's response, the health and human rights of North Korean children, political prison camps, and the dominant role that Pyongyang plays in North Korea's political system.

HRNK is the first and only NGO that solely focuses on North Korean human rights issues to receive consultative status at the United Nations (UN). It was also the first organization to propose that the human rights situation in North Korea be addressed by the UN Security Council. HRNK was directly and actively involved in all stages of the process supporting the work of the UN Commission of Inquiry (COI) on North Korean human rights. Its reports have been cited numerous times in the report of the COI, the reports of the UN Special Rapporteur on North Korean human rights,

a report by the UN Office of the High Commissioner for Human Rights, two reports of the UN Secretary-General António Guterres, and several U.S. Department of State Democratic People's Republic of Korea Human rights Reports. HRNK has also regularly been invited to provide expert testimony before the U.S. Congress.

ABOUT THE AUTHOR

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METHODOLOGY

To produce this report, in addition to desk research, HRNK conducted interviews with twenty-three former North Korean workers officially dispatched overseas, addressing working conditions and chain of command-and-control issues at overseas locations. HRNK also conducted nine targeted interviews with former North Korean officials in charge of selecting, dispatching, and managing North Korean workers at overseas locations as well as with No Chain for North Korea CEO Gwang-il Jung, who provided up-to-date information through sources inside and outside North Korea. The questionnaires used during these interviews are provided in Annexes 4 and 5.

Introduction

According to North Korean workers formerly dispatched overseas and former officials who used to manage this process, up to 90 percent of the salary they earn is confiscated by the North Korean authorities under various pretexts. The argument has been made that, in North Korea, where the average salary of an industrial worker hovers around \$3 a month at best, a monthly remittance of even \$50 or \$100 makes a significant difference for family members back home. Others have noted that having a chance to take a direct glimpse at the outside world is meaningful, despite heavy regime surveillance at overseas worksites.

For these reasons, North Koreans who are interested in these coveted opportunities gather all available resources to bribe officials to work overseas on an “official” contract. However, the working conditions at overseas worksites constitute forced, slave labor. North Korea’s overseas workers suffer egregious human rights violations. There are severe violations of the International Labor Organization’s (ILO) core Conventions and North Korea’s own labor laws.

The testimonies of former overseas workers speak for themselves.

North Korean laborers went to Russia to work. I just want them to pay the workers properly instead of embezzling it. Don’t take our money. Please give it to us so that we can survive. Our family in North Korea are hanging all of their hopes on us, for us to make money, so shouldn’t we have some money to take back to them? Some people get hit by a tree while working and return as corpses, and they’re not paid either.

I want you to let the North Korean authorities know about this so that they fix it. When Kim Jong-il was alive, the authorities took all the money we earned. The Party cell secretaries and the Party secretaries at the unified enterprises took all the money. That’s why *jae-ssu* [North Koreans who go overseas to work in Russia] are called *ganbu* [cadre] *jae-ssu*. Only the cadre survive, and the laborers are lucky if they don’t die. There’s no need to waste words...[the cadre] have no conscience or morality.¹

If the situation there could be filmed, and could be shown to the world, it would be a movie about human rights. Just as an example, there was someone who worked at our company. He was from Pyongyang. While assembling rebars, he fell from a height of five meters. He injured his back from the fall. He needed surgery right away because he hurt his lower body, his legs...He needed immediate surgery, but the company didn’t want to spend the money for treatment in Russia, so they returned him to North Korea. There were flights twice a week, on Mondays and Thursdays. But it’s a North Korean airplane, and it couldn’t depart on schedule, so he returned to North Korea after waiting for ten days or so. He probably can’t use his lower body.

It’s not just one or two people with experiences like this. Many people who suffered work injuries could have recovered fine if they had received surgery in Russia, but they didn’t get medical attention in time. They just put on a cast and were returned to North Korea like that. There is no respect for human rights, and the laborers don’t make any money. Maybe there are a few people who manage to earn some money, but most North Korean workers don’t earn any. I heard that

¹ Interview 28, worker formerly dispatched to Russia, April 2022.

some people who came to Russia worked for five years, but they returned to North Korea after earning only around \$200 and \$300 in total. It is truly a living hell.²

North Korea's forced labor enterprise and its state sponsorship of human trafficking certainly continued until the onset of the COVID pandemic. HRNK has endeavored to determine if North Korean entities responsible for exporting workers to China and Russia continued their activities under COVID as well.

North Korea's dispatch of overseas workers to foreign countries earns the Kim regime the hard currency that is critical to its survival. The program began with the exportation of labor to the Soviet Far East in 1967.³ Prior to COVID, there were over 50,000 North Korean laborers working overseas, dispatched to over forty countries in Asia, Africa, the Middle East, and Europe.⁴

The following map, displayed on a database maintained by the East-West Center and the National Committee on North Korea, shows which countries are "believed to currently host or recently have hosted North Korean workers."⁵

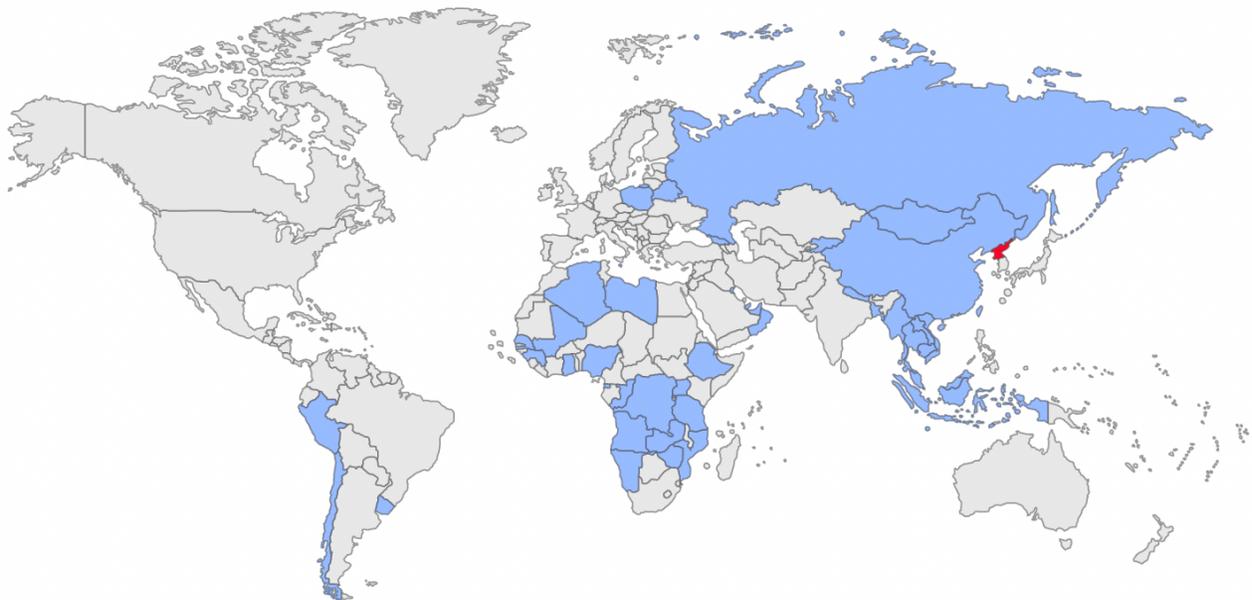


Figure 1: Destination Countries for North Korea's Overseas Workers
(Screenshot from <https://www.northkoreaintheworld.org/>, Sep. 24, 2022)

² Interview 31, worker formerly dispatched to Russia, April 2022.

³ Central Intelligence Agency, Directorate of Intelligence. "Logjams in the Soviet Timber Industry: A Research Paper." SOV 83-10206X. December 1983. Declassified in part, sanitized copy approved for release, January 26, 2012.

⁴ Shin Chang-Hoon and Myong-Hyun Go, *Beyond the UN COI Report on Human Rights in DPRK* (Seoul: Asan Institute for Policy Studies, 2014), 21.

⁵ "North Korean Overseas Workers," *North Korea in the World: North Korea's External Relations*. Accessed September 24, 2022. <https://www.northkoreaintheworld.org/economic/north-korean-overseas-workers>.

Social discrimination is rampant in the selection process. Only those of reliable *songbun* are sent overseas. The regime selects male candidates of good *songbun*—North Korea’s loyalty-based social discrimination system, married with at least one child. They are on the fringes of the “core” class, loyal but poor. Young women who are sent overseas as restaurant workers come from privileged “core” class families.

To go overseas, prospective workers have to give a \$100-200 bribe, liquor, cigarettes or dining coupons at high-end restaurants to those making the selection. The following testimony from a former overseas worker illustrates the role of corruption in the selection process:

North Korean society is very corrupt. You had to bribe people if you wanted to go. I had a hard time living in North Korea, so I really wanted to go to Russia. There are Provincial People’s Committees in North Korea. That committee selects who to send, so I got in touch with a Party cadre in that committee and bribed him. I visited his home several times to ask him to send me to Russia. Whenever I visited his house, I never went empty-handed. For example, I bought chicken from the markets, and took high-quality liquor from Kaesong made with ginseng because foreign liquor is hard to come by. This was more expensive than ordinary *soju*. The first time, the official refused it, afraid something may go wrong, but I kept trying and got close to him. He put in a good word to help me go abroad.⁶

After they cross the border, their passports are confiscated by their “minders” and supervisors. The workers are heavily monitored, and their freedom of movement is strictly limited. Upon returning to North Korea, the Ministry of State Security (MSS) keeps former overseas workers under strict surveillance for at least three years.

Previously, the ambitions of those dispatched overseas were modest. In the late 1980s, a North Korean worker worked as a logger in the Russian Far East to gift his family a color TV.⁷ In the 1980s and early 1990s, the workers’ families received not money, but coupons to purchase food and electronics. In the 1990s, the coupon system collapsed, and the number of overseas North Korean workers declined.

As the number began increasing again, the workers gained limited access to opportunities to earn cash. With the approval of the three supervisors—the Korean Workers’ Party (KWP) secretary, the Ministry of State Security (MSS) agent, and the worksite manager—they could moonlight or be “subcontracted” by other foreign entities if they bribe the bosses.

The workers abroad do not have any freedom of association or collective bargaining. Perceived dissent results in swift repatriation and harsh punishment:

They put plaster casts on both of the worker’s legs and send him back. The casts are taken off after they cross the border. They let the workers go home if it’s a minor problem, but for bigger issues they are sent to the *kwan-li-so* [political prison camp].⁸

⁶ Interview 25, worker formerly dispatched to Russia, April 2022.

⁷ Interview with former North Korean logger in Russia.

⁸ Interview with former North Korean logger in the Primorsky, Tynda, Amur Oblast, Russia.

Health and safety violations are widespread at overseas worksites. The scale of health and safety violations and the frequency of workplace accident-related injuries and fatalities varies depending on location, industry, and specialization. For example, the workplace accident fatality rate is high among loggers, in particular those assigned to chopping down trees at night and truck drivers driving in the winter. If loggers die on the job, the authorities wait for months to repatriate the bodies, until they have ten coffins to put on the truck, to save on fuel cost. A former truck driver remembered the sound of water sloshing inside the sealed coffins on his truck as frozen corpses were thawing inside.⁹

Wage violations are also rampant. Workers are not paid directly by the foreign employers.¹⁰ The workers are not aware of the concept of “overtime” work. The laborers work between 14 and 16 hours a day, with no holidays, except perhaps for one day a month.

In most cases, the working conditions at overseas worksites amount to forced labor. It is only the scale that may differ, depending on the recipient country, industry, or specialization. Differences in the scale of forced labor are circumstantial, rather than intentional. North Korea’s overseas workers are exploited by their government, by the recipient country, by their supervisors, and by other foreign workers.

⁹ Interview with former North Korean logger in Russia.

¹⁰ HRNK’s findings on this topic concur with those of the Asan Institute for Policy Studies, the Database Center for North Korean Human Rights, and the Korea Institute for National Unification.

China & Russia's Compliance with International Labor Standards

Although North Korean workers have been dispatched to other regions, the main destinations have continued to be China, Russia, and the Middle East. This report focuses on China and Russia. As North Korea's principal geopolitical allies, China and Russia have frequently hosted North Korea's overseas workers.

This section assesses China and Russia's compliance with international labor standards. While both countries are members of the International Labour Organization (ILO), they have shown significant shortcomings in their compliance with ILO core conventions.

China and the ILO

To date, the People's Republic of China has ratified seven ILO core conventions.¹¹

- It ratified the Equal Remuneration Convention, 1951 (No. 100) in 1990. This convention ensures the application to all workers of the principle of “equal remuneration for men and women workers for work of equal value.”¹²
- The Discrimination (Employment and Occupation) Convention, 1958 (No. 111) was ratified in 2006. This convention seeks to ensure “equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.”¹³
- The Minimum Age Convention, 1973 (No. 138), ratified in 1999, calls for “the effective abolition of child labor” and an increase in “the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.”¹⁴

¹¹ International Labour Organization, “Ratifications for China.” Accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103404.

¹² International Labour Organization, “C100 - Equal Remuneration Convention, 1951 (No. 100),” accessed June 12, 2020.

http://www.ilo.org/dyn/normlex/en/f?p=1000%3A12100%3A0%3A%3ANO%3A12100%3AP12100_INSTRUMENT_ID%3A312245.

¹³ International Labour Organization, “C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111),” accessed June 12, 2020.

http://www.ilo.org/dyn/normlex/en/f?p=1000%3A12100%3A0%3A%3ANO%3A12100%3AP12100_INSTRUMENT_ID%3A312256.

¹⁴ International Labour Organization, “C138 - Minimum Age Convention, 1973 (No. 138),” accessed June 12, 2020.

http://www.ilo.org/dyn/normlex/en/f?p=1000%3A12100%3A0%3A%3ANO%3A12100%3AP12100_INSTRUMENT_ID%3A312283.

- The Worst Forms of Child Labour Convention, 1999 (No. 182) prohibits child labor, such as slavery, trafficking, the use of children in armed conflict, prostitution, pornography, and other illicit activities.¹⁵ China ratified this convention in 2002.
- China ratified the Occupation Safety and Health Convention, 1981 (No. 155) in 2007. This convention calls for the implementation of policies “to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards in the working environment.”¹⁶
- In August 2022, China ratified the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105). These conventions will enter into force on August 12, 2023.

One of the conventions not ratified by China is the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The only legally recognized union is the All-China Federation of Trade Unions (ACFTU).¹⁷ However, this union does little to serve workers’ rights. It is led by Party members, and it helps the police in suppressing strikes and detaining protesters. The situation is worse for migrant workers, who “who rarely interacted with union officials.”¹⁸ China has also not yet ratified the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).¹⁹

Government Implementation Capacity of Labor Rights Laws

In an effort to strengthen its human rights legislation, labor laws such as the Labor Contract Law and the Law on Prevention and Control of Occupational Diseases have been amended. These laws aim to provide a more secure and healthy working environment.²⁰ Also, the number of workers joining trade unions has skyrocketed, supposedly giving the workers better opportunities to negotiate for their rights.²¹ Additionally, laws have been amended with the aim of improving systems for production safety supervision, law enforcement monitoring and emergency rescue and relief.²² Chinese legislation has been improved and has the potential to provide a more conducive working environment.

¹⁵ International Labour Organization, “C182 - Worst Forms of Child Labour Convention, 1999 (No. 182),” accessed June 12, 2020.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

¹⁶ International Labour Organization, “C155 – Occupational Safety and Health Convention, 1981 (No. 155),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312300:NO.

¹⁷ U.S. Department of State, “2021 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet),” accessed September 26, 2022. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/china/>.

¹⁸ Ibid.

¹⁹ International Labour Organization, “Ratifications for China.”

²⁰ UN General Assembly, “National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21– China,” Working Group on the Universal Periodic Review, Oct. & Nov, 2013, 17th Session, A/HRC/WG.6/17/CHN/1, accessed June 15, 2020. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/169/58/PDF/G1316958.pdf?OpenElement>.

²¹ Ibid.

²² Ibid.

Gaps between ILO initiatives, Chinese Laws, and the Government's Implementation

Despite the implementation capacity and potential to rectify the labor rights issues in China, the situation is still gloomy.²³ Even among the conventions ratified and laws enacted, many are not effectively implemented. Despite the ratification of Equal Remuneration Convention, large gaps in pay between rural and urban workers, and between men and women, are still glaring. The case for child workers is also dire. According to the ITUC, many of the worst forms of child labor (WFCL) exist in China, in activities including but not limited to trafficking and prostitution.²⁴

Moreover, according to a 2022 report by the State Department, “wage arrears remained a serious problem,” and “workplace accidents and injuries were particularly common and deadly in the coal industry.”²⁵ Migrant workers and those working in the informal sector lack legal protection and access to social benefits.²⁶

Russia and the ILO

Russia has ratified all core ILO conventions,²⁷ and its labor laws comply with major global standards. However, it has not accepted or ratified the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), and many migrant workers within the country continue to be subject to exploitative labor conditions. This is due to the exclusionary Constitution of the Russian Federation (CRF) that ensures fundamental labor rights only to its citizens and *legally* employed migrants. Moreover, Russia's official enforcement mechanisms are severely lacking.

Legal Framework in Russia

According to the CRF, Russia's labor laws are “applicable to all workers who have entered into employment relationships with employers.”²⁸ However, Russian employers are charged with the responsibility for employed migrants, including the registration of labor contracts. This allows for informal working relationships that do not warrant legal protections.²⁹

²³ International Labour Organization, “Independent evaluation of the ILO's strategies on Fundamental Principles and Rights at Work,” Annexes, Revised edition 2015. https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_314442.pdf.

²⁴ International Trade Union Confederation, “Internationally Recognised Core Labor Standards in the People's Republic of China,” Geneva, 12 and 14 June 2012, accessed September 25, 2022. https://www.ituc-csi.org/IMG/pdf/final_china_tpr_2012_7_june_doc.pdf.

²⁵ U.S. Department of State, “2021 Country Reports on Human Rights Practices: China.”

²⁶ Ibid.

²⁷ International Labour Organization, “Ratifications for Russian Federation,” accessed September 26, 2022. https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102884.

²⁸ Victor Egorov, “National Labour Law Profile: Russian Federation,” *International Labour Organization*, 2002, accessed June 19, 2017. http://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS_158917/lang--en/index.htm.

²⁹ “Guest Worker Programs: Russian Federation,” *The Law Library of Congress*, accessed June 14, 2020. <https://www.loc.gov/law/help/guestworker/russianfederation.php#Procedures>.

Immigrating workers are required to obtain a work permit, which depends on the annual quota established by the Russian government.³⁰ Recently, the process of obtaining a work permit has become more difficult in the face of economic crisis.³¹ This has dramatically reduced the number of migrants into Russia; some argue that fewer numbers will facilitate more consistent protection of migrant worker rights.³² Russia has a penchant for reactionary law-making. In 2013, Russia passed a law exempting employers associated with the World Cup from many domestic labor restrictions in order to expedite stadium construction.³³

Legal flexibility is also true in the context of international law. The Russian constitutional court has allowed the country to comply selectively with rulings issued by the European Court of Human Rights (ECHR), on the basis that implementation mechanisms of the Court could contradict the CRF.³⁴ As “[the ECHR does] not only consider the provision of ILO Conventions but also the interpretations of the ILO supervisory bodies,” this court decision allows Russia harmful liberty in dealing with migrant workers, which perpetuates systemic harms.³⁵ Article 15.4 of Russia’s Constitution states that international treaties take precedence over Russian law, but the court ruling continues to stand.³⁶ Furthermore, foreign firms or NGOs, which may be crucial in promoting the rights of migrant workers, may be deemed undesirable and subsequently disregarded.³⁷

The unionization rate in Russia is artificially high, at approximately 35 percent, due to the prevalence of state-supervised unions. The inefficacy of authentic unions in Russia (whose density is closer to 3.5 percent) is reflected in public opinion survey data, which ranks it last in a list of 22 influential actors in Russia.³⁸

³⁰ “Guest Worker Programs: Russian Federation,” *The Law Library of Congress*.

³¹ Matthew Luxmoore, “Ruble ripple: New Russian laws make life difficult for migrant workers,” *Al Jazeera*, February 27, 2015, accessed June 19, 2020. <http://america.aljazeera.com/articles/2015/2/27/new-russian-laws-make-life-difficult-for-migrant-workers.html>.

³² International Labour Organization, “Russian Federation: Migrant Workers,” accessed June 15, 2020. http://www.ilo.org/dyn/natlex/natlex4.listResults?p_lang=en&p_country=RUS&p_count=730&p_classification=17&p_classcount=42.

³³ “New ‘FIFA’ Laws Strip World Cup Workers’ Rights in Russia,” *ITUC CSI*, 2013, accessed June 19, 2020. <https://www.ituc-csi.org/new-fifa-laws-strip-world-cup>.

³⁴ “Russian Federation: Constitutional Court Allows Country to Ignore ECHR Rulings,” *The Law Library of Congress*, <http://www.loc.gov/law/foreign-news/article/russian-federation-constitutional-court-allows-country-to-ignore-echr-rulings/>, accessed June 14, 2020.

³⁵ Franz Christian Ebert and Martin Oelz, “Bridging the gap between labour rights and human rights: The role of ILO law in regional human rights courts,” *International Institute for Labour Studies*, 2012, accessed June 13, 2020. http://www.ilo.org/wcmsp5/groups/public/--dgreports/inst/documents/publication/wcms_192786.pdf.

³⁶ “Russian Federation: Constitutional Court Allows Country to Ignore ECHR Rulings,” *The Law Library of Congress*.

³⁷ “Russia’s Putin signs law against ‘undesirable’ NGOs,” *BBC News*, 2015, accessed June 19, 2020. <http://www.bbc.com/news/world-europe-32860526>.

³⁸ “Labor Under Putin: The State of the Russian Working Class,” *New Labor Forum*, 2016, accessed June 15, 2020. <http://newlaborforum.cuny.edu/2016/12/08/labor-under-putin-the-state-of-the-russian-working-class>.

Labor Inspection and Its Implementation

The State Labor Inspection is in control of implementing the Labor Code and other legal acts pertaining to labor regulations in Russia.³⁹ Labor Inspectors carry out scheduled inspections once every two years, which accounts for 1% of all cases.⁴⁰ 95% of interventions of Labor Inspectors are carried out in response to employee complaints.⁴¹

Any worker may file a complaint regardless of citizenship, but it will only be investigated if it is a formal labor relation.⁴² Without a written employment contract, workers must appeal to a local court to prove that official labor relations existed between the worker and employer. The European Federation of Public Service Unions (EPSU) reports an insufficient number of labor inspectors.⁴³ A 2022 report by the State Department also notes that “the number of labor inspectors was insufficient to enforce the law in all sectors.”⁴⁴ Human Rights Watch also reported that document inspections on worksites, in living quarters or on the street are frequently used as a means of extortion.⁴⁵

Migrant Workers

According to the ILO’s report on migrant workers and labor migration planning in Russia, companies experience labor shortages.⁴⁶ Accordingly, migrant workers who are willing to work for lower wages fulfill employers’ demand for low-wage workers in sectors such as construction, commerce, catering, car-maintenance services, tourism and entertainment.

The State Department identifies Russia as a Tier 3 source, transit, and destination country for victims of forced labor, with labor trafficking as the top human trafficking concern.⁴⁷ In 2016, there were estimated to be between 5 and 12 million foreign workers in Russia, making it the third most populous country in terms of migrant population.⁴⁸ Migrant workers are subject to exploitative

³⁹ International Labour Organization, “Forced Labour Exploitation and Promoting Good Labour Practices in the Russian Construction Industry,” Geneva, 2009, 13, accessed September 25, 2022.

https://www.files.ethz.ch/isn/111255/2009_Preventing-Forced-Labour.pdf.

⁴⁰ Syndex, “A mapping report on Labour Inspection Services in 15 European countries,” *EPSU*, 2012, 72, accessed March 27, 2020.

http://www.epsu.org/sites/default/files/article/files/EPSU_Final_report_on_Labour_Inspection_Services.pdf.

⁴¹ *Ibid.*

⁴² Jane Buchanan, “Are You Happy to Cheat Us?: Exploitation of Migrant Construction Workers in Russia,” *Human Rights Watch*, 2009, 79. <https://www.hrw.org/report/2009/02/10/are-you-happy-cheat-us/exploitation-migrant-construction-workers-russia>.

⁴³ *Ibid.*, 74.

⁴⁴ U.S. Department of State, “2021 Country Reports on Human Rights Practices: Russia,” accessed September 26, 2022. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/russia/>.

⁴⁵ Buchanan, “Are You Happy to Cheat Us?,” 28–29.

⁴⁶ International Labour Organization, “Review of Approaches in Measuring the Need for Migrant Workers and Labour Migration Planning- Russian Federation and International Experience” (Moscow, 2009), 14.

https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-moscow/documents/publication/wcms_308941.pdf.

⁴⁷ U.S. Department of State, “2022 Trafficking in Persons Report: Russia,” accessed September 26, 2022.

<https://www.state.gov/reports/2022-trafficking-in-persons-report/russia/>.

⁴⁸ UN, “International Migration Report,” 2016, ST/ESA/SER.A/375, accessed June 7, 2020.

http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015_Highlights.pdf.

conditions, “such as withholding of identity documents, non-payment for services rendered, physical abuse, lack of safety measures, or extremely poor living conditions.”⁴⁹ Overall, Russia has not made significant moves to combat trafficking, and associated funding and programs continue to be insufficient.⁵⁰

Implementation Status of Core ILO Conventions

Although Russia has ratified all ILO core conventions, it has frequently ignored requests and recommendations from the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR).

- Forced Labour Convention, 1930 (No. 29): In 2016, the CEACR observed that Russia has inadequacies in its legal framework, coordination between departments, and enforcement capacity. All of these factors are obstacles to effectively combatting human trafficking.^{51,52} The CEACR has also urged Russia to amend domestic laws that permit forced labor of prisoners.⁵³
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87): This has been Russia’s only full reply to a direct request.⁵⁴ In response to Russia’s continued defiance of international standards for workers’ right to organize and strike, the CEACR requested in 2012 and again in 2016 legal amendments on the list of entities prohibited from striking due to conflict of national interest.^{55,56}

⁴⁹ U.S. Department of State, “2022 Trafficking in Persons Report: Russia.”

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² International Labour Organization, “Observation (CEACR) – Adopted 2016, Published 106th ILC Session (2017),” accessed June 6, 2020.

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3299902.

⁵³ International Labour Organization, “Direct Request (CEACR) – Adopted 2016, published 106th ILC session (2017),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3299906,102884.

⁵⁴ International Labour Organization, “Replies received to the issues raised in a direct request which do not give rise to further comments (CEACR) – adopted 2016, published 106th ILC session (2017),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3299693,102884.

⁵⁵ International Labour Organization, “Observation (CEACR) – Adopted 2012, published 102nd ILC session (2013),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3086191,102884.

⁵⁶ International Labour Organization, “Observation (CEACR) – Adopted 2016, published 106th ILC session (2017),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3299946,102884.

- Right to Organise and Collective Bargaining Convention, 1949 (No. 98): According to the Russian Labor Confederation (KTR), *de facto* protection against acts of anti-union discrimination does not exist. The KTR also noted that the institutions responsible for protecting trade union rights are not effective. It is very difficult to prove cases of discrimination in court, and employers have sufficient means and resources to appeal the decisions in court.⁵⁷ Thus far, the Russian government has been unresponsive to CEACR observations and requests to provide information on improvements in the system, let alone comply with Convention requirements.
- Equal Remuneration Convention, 1951 (No. 100): Despite the fact that the Labor Code promotes equal remuneration for men and women for work of equal value, the CEACR noted that the gender wage gap persists in Russia. The CEACR thus urged the Russian government to take appropriate measures to raise public awareness with regard to equal remuneration for men and women for work of equal value.⁵⁸
- Abolition of Forced Labour Convention, 1957 (No. 105): The CEACR has noted that the Russian Penal Code continues to stipulate that acts of “extremism” conflicting with Russian ideology are punishable with “the deprivation of liberty.”⁵⁹ Amidst reports of laws being used against critics of the government, the CEACR urged Russia to provide information on the application of the laws in violation of this convention.⁶⁰
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111): According to the ILO, the Russian Labor Code prohibits women from being employed in certain sectors and industries, and other various occupational gender segregation persists in Russia. The CEACR thus requested that the Russian government take measures to promote equality of opportunity and treatment for women and ethnic minorities.⁶¹

⁵⁷ International Labour Organization, “Observation (CEACR) – Adopted 2016, published 106th ILC session (2017),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3301108,102884.

⁵⁸ International Labour Organization, “Observation (CEACR) – Adopted 2017, published 107th ILC session (2018),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:3343611,102884:NO.

⁵⁹ International Labour Organization, “Observation (CEACR) – Adopted 2020, published 109th ILC session (2021),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:4042098,102884:NO.

⁶⁰ *Ibid.*

⁶¹ International Labour Organization, “Direct Request (CEACR) – Adopted 2014, Published 104th ILC Session (2015),” accessed June 19, 2017.

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3187540:NO.

- Minimum Age Convention, 1973 (No. 138): The CEACR noted that although section 63(1) of the Labor Code prohibits children aged under 16 to be employed, illegal employment of minors and the violations of the Labor Code were frequent in informal economy. It also condemned Russia for failing to provide information on child labor and associated measures taken by the government to protect these children. Russia was recommended to strengthen its Labor inspection system.⁶²
- Worst Forms of Child Labour Convention, 1999 (No. 182): In its most recent observation, the CEACR requested more extensive investigatory efforts and prosecution aimed at those “who engage in the sale and trafficking of children,” as well as information on the scope and nature of child labor trafficking cases.⁶³

⁶² International Labour Organization, “Observation (CEACR) – Adopted 2020, published 109th ILC session (2021),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:4042125,102884:NO.

⁶³ International Labour Organization, “Observation (CEACR) – Adopted 2020, published 109th ILC session (2021),” accessed September 26, 2022.

https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNT_RY_ID:4042118,102884:NO.

China & Russia’s Compliance with UN Sanctions regarding Repatriation of North Korean Workers

North Korea conducted its first nuclear test in October 2006, provoking widespread international condemnation.⁶⁴ The UN Security Council thereafter unanimously adopted Resolution 1718, stating that the Council was taking measures under Chapter VII (Article 41) of the UN Charter, preventing a range of goods from entering or leaving North Korea and imposing an asset freeze and travel ban on persons related to the nuclear weapons program.

Since then, the UN Security Council has adopted nine major sanctions resolutions on North Korea in response to the country’s continued nuclear and missile activities.⁶⁵ Each resolution condemns North Korea’s then latest nuclear and ballistic missile activity and calls on the country to cease its illicit activity, which violates previous UN Security Council resolutions. All nine resolutions were unanimously adopted by the Security Council. All but Resolution 2087 of January 2013 contain references to acting under Chapter VII (Article 41) of the UN Charter.

Security Council Resolution 2375

Following North Korea’s sixth nuclear test on September 3, 2017, the UN Security Council unanimously adopted Resolution 2375 on September 11. The resolution primarily targeted North Korean oil imports, textile exports and overseas laborers, which includes following provisions regarding the country’s overseas workers:

All Member States shall not provide work authorizations for DPRK nationals in their jurisdictions in connection with admission to their territories unless the Committee determines on a case-by-case basis in advance that employment of DPRK nationals in a member state’s jurisdiction is required for the delivery of humanitarian assistance, denuclearization or any other purpose consistent with the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), or this resolution, and decides that this provision shall not apply with respect to work authorizations for which written contracts have been finalized prior to the adoption of this resolution.⁶⁶

Security Council Resolution 2397

In response to North Korea’s ICBM launch on November 29, 2017, the Security Council unanimously adopted Resolution 2397 on December 22, 2017, which contains a sanction below with respect to the country’s overseas workers, expressing concern that North Korea nationals continue to work in other states for the purpose of generating foreign export earnings that North Korea uses to support its nuclear programs despite the adoption of paragraph 17 of Resolution 2375 (2017):

⁶⁴ This section was developed in collaboration with Seoul-based pro-bono legal counsel. It was initially completed on June 29, 2020. Minor updates and revisions have been made to account for recent events.

⁶⁵ UN Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017), 2397 (2017).

⁶⁶ UN Security Council, Resolution 2375 (2017), paragraph 17.

All Member States shall repatriate to the DPRK all DPRK nationals earning income in that Member State's jurisdiction and all DPRK government safety oversight attachés monitoring DPRK workers abroad immediately but no later than 24 months from the date of adoption of this resolution (22 December 2017) unless the Member State determines that a DPRK national is a national of that Member State or a DPRK national whose repatriation is prohibited, subject to applicable national and international law, including international refugee law and international human rights law, and the United Nations Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations.⁶⁷

Also, Member States were required to submit a midterm report after 15 months from December 22, 2017 and a final report 27 months from December 22, 2017 regarding all DPRK nationals that were repatriated based on this provision.

Status and Compliance: China

According to the UN committee overseeing the compliance by the member states of the sanctions to North Korea (a.k.a., "1718 Sanctions Committee"), as of May 4, 2020, 93 UN member states have submitted reports on the implementation of Resolution 2375 (2017), and 56 member states submitted reports on the implementation of paragraph 8 of Resolution 2397 (2017).

In its report to 1718 Sanctions Committee on the implementation measures of paragraph 17 of Resolution 2375 (2017), the Permanent Mission of the People's Republic of China to the UN presented that in September 2017, it suspended the issuance of permits to citizens of the DPRK to come to China for work in accordance with its internal law, provided that work permits for citizens of the DPRK whose written contracts to come to China for work were signed before the adoption of Resolution 2375 (2017) will be reviewed and issued in accordance with the law.⁶⁸

In March 2018, China reported to the 1718 Sanctions Committee regarding the compliance and implementation of Resolution 2397, which in relevant parts provided that it issued in February 2018 in accordance with its internal law an announcement stipulating that the "permits for foreigners to work in China" issued to citizens of the DPRK in accordance with Administration of Foreign Experts Affairs Announcements 1 and 2 of 2017 may not be extended beyond December 22, 2019 if the recipients of such permits are "citizens of the Democratic People's Republic of Korea earning incomes" on Chinese territory.⁶⁹

China's UN mission confirmed in 2018 that it had repatriated more than half of the guest workers in its territory by the end of 2017, though it didn't provide an exact figure,⁷⁰ stating that "China will continue earnestly implementing its international obligations, carry out the repatriation work in an orderly manner and complete the repatriation on time."⁷¹ In addition, China submitted its

⁶⁷ UN Security Council, Resolution 2397 (2017), paragraph 8.

⁶⁸ UN Security Council, Resolution 1718, October 14, 2006, S/AC.49/2017/143.

⁶⁹ UN Security Council, Report of China on the implementation of Security Council resolution 2397 (2017), March 16, 2018, S/AC.49/2018/35.

⁷⁰ According to a United States estimate, as of 2017 North Korea had approximately 50,000 workers abroad in China.

⁷¹ David Brunnstrom, "China fails to repatriate North Korea workers despite U.N. sanctions: U.S. official," *Reuters*, January 23, 2020, accessed September 24, 2022. <https://www.reuters.com/article/us-northkorea-usa-china-sanctions-idUSKBN1ZL34H>.

interim report on compliance of paragraph 8 of Resolution 2397 on March 8, 2019 and its final report on March 20, 2020 pursuant to the requirements in Resolution 2397. These reports, however, have not been publicly disclosed by the 1718 Sanctions Committee as of date.

Media reports: China

Despite China's official assurance on its compliance with resolutions, several media reports provide anecdotal evidence to suggest that China is not fully complying with the requirements of paragraph 8 of Resolution 2397 past the deadline of repatriation of December 22, 2019. For instance, it was reported that most of the North Korean restaurants in cities such as Beijing, Shanghai, Shenyang, and Dandong were still operating normally, although some had recently closed their operations. Some of these remaining restaurants reportedly still have North Korean employees, while others hired Chinese workers to replace the North Koreans.⁷²

Moreover, reports indicate that a substantial number of North Korean workers still work on the assembly lines at factories in Dandong and other cities in northern China, near the border with North Korea. These workers appear to have sidestepped UN sanctions by replacing their previous work visas with visas for studying or official business or by getting a border permit that allowed them to commute from North Korea to China every day.⁷³

It was also reported that on April 27, 2020, North Korea had ordered its workers in China to stay in the country until at least the end of 2020, quoting a source that "North Korean workers at restaurants and factories in Liaoning and Jilin provinces had their stays extended until this year's end." Speculations were also abound that North Korean authorities resorted to dispatching laborers to work for Chinese companies under false pretenses, whether on student visas, through exchange programs for industrial trainees, or as temporary visitors.⁷⁴

Another media reported in the same vein, noting that North Korea's move to switch visa types to bypass the UN sanctions was first spotted by them in 2018. The country dispatched workers under the pretense of "training them" at Chinese companies, including factories and restaurants. At that time, it was reported that several hundred North Koreans were working in China under a trainee status. Also, many North Korean university students in China are suspected to spend most of their time working at North Korean restaurants in cities of China contributing foreign money to Pyongyang's coffers.⁷⁵

⁷² Min-hee Park and Jung In-hwan, "Roughly half of N. Korean's overseas workers still haven't repatriated according to UNSC resolution," *Hankyoreh*, December 23, 2019, accessed September 25, 2022. http://english.hani.co.kr/arti/english_edition/e_northkorea/921862.html.

⁷³ *Ibid.*

⁷⁴ Seulkee Jang, "N. Korea orders workers in China to stay until end of the year," *Daily NK*, May 1, 2020, accessed September 25, 2022. <https://www.dailynk.com/english/north-korea-orders-workers-china-stay-until-end-year/>.

⁷⁵ Troy Stangarone, "How to Handle Sanctions Relief With North Korea," *The Diplomat*, January 4, 2020, accessed September 25, 2022. <https://thediplomat.com/2019/02/how-to-handle-sanctions-relief-with-north-korea/>.

Status and Compliance: Russia

As required under Resolution 2397 (2017), Russia's UN mission reported in general terms in March 2018 that it is strictly adhering to the requirements of the Security Council sanctions regime against North Korea, including the obligations under Resolution 2397 (2017), and a decree of the Russian President was currently being drafted on measures to implement the resolution.⁷⁶

In March 2019, Russia confirmed to the 1718 Sanctions Committee that, in accordance with paragraph 8 of Resolution 2397 (2017), in the period from December 31, 2017 to December 31, 2018 the number of nationals of North Korea with valid work permits in Russia decreased from 30,023 to 11,490 persons.⁷⁷

In accordance with its final report on March 20, 2020, Russia indicated that as at December 22, 2019, there were 1,003 nationals of North Korea in the Russian Federation who had entered the country earlier on the basis of work visas, none of whom had work permits that were valid beyond December 22, 2019. Among them, however, 511 North Korean nationals as of the date of the report remained in Russia due to North Korea's unilaterally halting transportation links with Russia to bar the spread of the COVID-19 pandemic and the repatriation of such persons would resume once North Korea reopens its borders.⁷⁸

Media reports: Russia

As it appears to be case with China, however, reports by media, think tanks, and foreign policy experts suggest that thousands of North Koreans continued to travel to Russia on student, tourist, and work visas even after the end of 2019.⁷⁹

Furthermore, it was reported that the number of tourist and student visas issued by Russia to North Koreans in 2019 (at approximately 27,000) were six times higher than that in 2018, which was 4,645. In the fourth quarter of 2019 (between October and December), 3,779 North Koreans entered as tourists and 3,183 entered as students. This increase in the number of student and tourist visas issued after the passing of Resolution 2397 raised speculations that Russia has been assisting North Korea to export its foreign labor force in circumvention of the UN sanctions through use of student and tourist visas in addition to work authorizations. Russia issued work visas to 7,465 North Koreans in 2019.⁸⁰ Russia also issued 753 employment visas to North Koreans from January to March 2020, after the December 22, 2019 deadline prescribed by Resolution 2397. If confirmed,

⁷⁶ UN Security Council, "Note verbale dated March 21, 2018 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chair of the Committee," March 23, 2018, S/AC.49/2018/51.

⁷⁷ UN Security Council, "Note verbale dated 6 March 2019 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chair of the Committee," March 25, 2019, S/AC.49/2019/9.

⁷⁸ UN Security Council, "Note verbale dated 20 March 2020 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chair of the Committee," March 25, 2020, S/AC.49/2020/21.

⁷⁹ "North Korea Policy, One Year After Hanoi: A Testimony by Dr. Sue Mi Terry," *Beyond Parallel*, February 26, 2020, accessed September 24, 2022. <https://beyondparallel.csis.org/north-korea-policy-one-year-after-hanoi-a-testimony-by-dr-sue-mi-terry/>.

⁸⁰ Lee Kyung-ha, "러, 지난해 대북 관광·학생 비자발급 6 배 증가," *Radio Free Asia*, January 24, 2020, accessed September 25, 2022. <https://www.rfa.org/korean/in-focus/nk-nuclear-talks/sanctionmk-01242020154655.html>.

this could confirm that Russia is in clear violation of Resolution 2375 (2017), which prohibits issuance of work permits and authorizations to North Korean workers.⁸¹

In the first quarter of 2020, according to Russia's latest data, 3,067 North Korean nationals entered Russia as tourists, 1,975 entered the country as students, and 753 entered as workers. Another 1,161 were listed as entering under the categories of "private" and "other." The new numbers, released in publicly available documents from the Russian Ministry of Internal Affairs, appear to show that despite the UN's prohibition on North Korean workers, and even while North Korea was reportedly shutting down its borders to prevent the COVID-19 pandemic from spreading into the country, thousands of North Korean citizens continued to enter Russia, including for work.⁸²

In its 2019 annual report, the 1718 Sanctions Committee highlighted the Russian visa issue in particular, noting that: "according to statistics of the Russian Federation, there was a sharp increase in the number of tourist and student visas granted to nationals of the Democratic People's Republic of Korea in 2019."⁸³ As such, experts have raised questions in the past about Russia's apparently generous visa policies toward North Koreans seeking to study or travel on tours in Russia, especially as the official number of work visas was shrinking at the same time in anticipation of the UN worker sanctions.

Analysis

Upon the outbreak of the COVID-19 pandemic, North Korea experienced a wipe-out of its foreign exchange, resulting from lower remittances from tourism and overseas workers and the impact of border closures on trade.⁸⁴ The pandemic is assessed to have achieved in a very short time period what UN Security Council sanctions had strived to accomplish in commercial sectors since 2017, a termination of foreign earned income.⁸⁵

Also, according to a member of the UN's Panel of Experts, North Korea may be delaying repatriation of overseas workers due to border closures, including China and Russia.⁸⁶ It is reported that China and Russia has allowed prolonging North Korean workers' stays by taking "visa runs" to adjacent cities or by accepting justifications that there are insufficient flights

⁸¹ Lee Kyung-ha, "러, 올 1/4 분기 북한인 753 명에 취업비자 발급," *Radio Free Asia*, April 23, 2020, accessed September 26, 2022. https://www.rfa.org/korean/in_focus/food_international_org/russiavisa-04232020152043.html.

⁸² "After UN Worker Ban Took Effect, Russia Granted 753 Work Visas to North Koreans," *NK Pro*, April 21, 2020, accessed September 24, 2022. <https://www-nknews-org.proxy.library.cornell.edu/pro/after-un-worker-ban-took-effect-russia-granted-753-work-visas-to-north-koreans/>.

⁸³ UN Security Council, "Report of the Panel of Experts established pursuant to resolution 1874 (2009)." March 2, 2020, paragraph 146, S/2020/151.

⁸⁴ Bradley O. Babson, "The North Korean Economy Under Sanctions and COVID-19." *The Diplomat*, May 28, 2020, accessed September 25, 2022, <https://thediplomat.com/2020/05/the-north-korean-economy-under-sanctions-and-covid-19/>; William Brown, "North Korea's China Trade Suffers Coronavirus Shock." *38 North*, April 8, 2020, accessed September 25, 2022, <https://www.38north.org/2020/04/wbrown040820/>.

⁸⁵ *Ibid.*

⁸⁶ Elizabeth Shim, "U.N. expert: Repatriation of North Korea workers delayed amid COVID-19." *United Press International*, May 29, 2020, accessed September 25, 2022, https://www.upi.com/Top_News/World-News/2020/05/29/UN-expert-Repatriation-of-North-Korea-workers-delayed-amid-COVID-19/5801590761133/.

available.⁸⁷ According to this panel member, it appears that China and Russia are attempting to evade sanctions by using the pandemic as a reason for “delayed and insufficient repatriation of the North Korean workers.”⁸⁸ China and Russia also submitted a joint letter asking for sanctions relief to António Guterres, the UN Secretary-General.⁸⁹ As noted above, tourist or student visas are being used as loopholes for sanctions.⁹⁰ Thus, attention on the number of visas issued is crucial.

With respect to China, assuming some or all of the media reports discussed above are accurate, the country appears to be in violation of paragraph 8 of UN Resolution 2397, which requires China to repatriate all North Koreans “earning income” from its jurisdiction by December 22, 2019. Paragraph 8 of Resolution 2397 was made to address member states’ concern over the compliance with Resolution 2375, which bans the issuance of work permits to North Korean workers. However, the language of paragraph 8 of Resolution 2397 is so broad that it may be construed to require repatriation of all North Korean nationals without regard to the type of authorizations by which such nationals stay in a member state (i.e., student, tourist, temporary residence or work trainee visas, as such are available in accordance with the law of a relevant state), as long as such national generates any “income” in such member state’s jurisdiction.

Similarly, with respect to Russia, if the reports and data regarding Russia’ compliance with UN sanctions are accurate, Russia may also well be in violation of paragraph 8 of UN Resolution 2397, even accounting for any delays created by the pandemic. Especially, as discussed above, the continued issuance of work authorizations to North Korean nationals after the adoption of resolution 2375 in 2017, however small, creates a reasonable impression that Russia may not be in full compliance with the resolution, provided that no such authorizations are permitted exceptions under the resolution. The increased number of student and tourist visas issued in 2019 and the first quarter of 2020 also raises suspicions that Russia may have been seeking to circumvent the explicit requirement of the resolution. However, as noted above, the use of such non-work visa and authorizations may still be construed to violate Resolution 2397 if North Korean nationals engage in income-generating activities using lawfully issued visas in Russia or China.

Lastly, it should be noted that in December 2019 Russia and China proposed a resolution lifting some of the UN sanctions against North Korea including prohibition of its workers, noting “the intent of enhancing the livelihood of the civilian population” and also calling for “prompt resumption of the six-party talks or re-launch of multilateral consultations in any other similar format.”⁹¹ The draft resolution met almost immediate opposition of the United States and its allies in the Security Council. China and Russia made another push to revive this draft resolution in the Security Council in November 2021.⁹²

⁸⁷ Shim, “U.N. expert: Repatriation of North Korea workers delayed amid COVID-19.”

⁸⁸ Shim, “U.N. expert: Repatriation of North Korea workers delayed amid COVID-19”; “North Korea Policy, One Year After Hanoi: A Testimony by Dr. Sue Mi Terry,” *Beyond Parallel*.

⁸⁹ *Ibid*.

⁹⁰ Yang Hee-jung, “북 제재회피 관행 ‘총체적’으로 주시해야,” *Radio Free Asia*, May 29, 2020, accessed September 25, 2022. https://www.rfa.org/korean/in_focus/nk_nuclear_talks/sanctionnk-05192020150422.html.

⁹¹ Edith M. Lederer, “US opposes lifting key sanctions against North Korea,” *AP News*, December 18, 2019. <https://apnews.com/article/8692b877d6c22548622056e263f25ec7>.

⁹² Michelle Nichols, “China, Russia revive push to lift U.N. sanctions on North Korea,” *Reuters*, November 2, 2021. <https://www.reuters.com/world/asia-pacific/china-russia-revive-push-lift-un-sanctions-north-korea-2021-11-01/>.

North Korean Workers Officially Dispatched to China & Russia under COVID

UN Security Council Resolution 2397 strengthened “the ban on providing work authorization for DPRK nationals by requiring [UN] member states to repatriate all DPRK nationals earning income and all DPRK oversight attachés monitoring DPRK workers abroad within their jurisdiction within 24 months from 22 December 2017.”⁹³ However, according to reports from in-country sources, both China and Russia have continued the practice of employing North Korean workers officially dispatched overseas. Moreover, under COVID, North Koreans officially dispatched to China appear to be trapped in a tough predicament.

China

On May 1, 2022, 800 North Korean female workers in the Chinese city of Dandong, linked to the North Korean city of Sinuiju via the Freedom Bridge, were reportedly tested for COVID. The move was prompted by twenty workers displaying symptoms of the disease and being subsequently quarantined.⁹⁴ The workers are reportedly part of a group of 80,000 to 100,000 North Korean workers dispatched to China’s northeastern provinces, which are home to a strong ethnic Korean minority, to earn foreign currency for the regime. In a tragically ironic twist, the workers were producing COVID-19 protective suits and isolation gowns at the time.⁹⁵

North Korean workers dispatched to China have become victims of human trafficking during the COVID-19 pandemic, according to a source in the North Korean escapee community. This source noted the presence of approximately 800 North Korean workers in Yanbian Korean Autonomous Prefecture, with 400 in Hunchun and another 400 in Longjing and Yanji. Because of the pandemic-induced border closure, these workers could not return to North Korea even after the contracts with the local companies had expired. The economic difficulties created by the Chinese authorities’ zero-COVID policy appear to have worsened the situation. Unable to return to North Korea, they were reduced to eating one meal a day during 2021, as they had trouble finding work.⁹⁶

Brokers subsequently stepped in to “sell” these workers to local companies for a fee of 100 yuan per worker on short-term assignments. These contracts would sometimes involve 100 workers at a time, yielding 10,000 yuan for the broker. The workers would frequently move between work sites, staying only for a few days at each site. This practice is still ongoing, as of September 2022. In particular, the young female North Korean workers in Hunchun had originally been sent to a company that processed seafood brought in from the port at Rason. Once the border was shut and seafood could no longer cross the border, they were out of work. They now find themselves working at construction sites, enduring heavy labor in harsh conditions.⁹⁷

⁹³ UN Security Council, Resolution 2397.

⁹⁴ Jieun Kim and Bai Tao, “Factory in China tests North Korean workers for COVID after 20 show symptoms,” *Radio Free Asia*, May 3, 2022, accessed August 20, 2022. <https://www.rfa.org/english/news/korea/china-05032022202426.html>.

⁹⁵ *Ibid.*

⁹⁶ Interview 32, August 2022.

⁹⁷ *Ibid.*

Stranded in China for two years under COVID-19 and buried in debt, two North Korean textile workers officially dispatched to China reportedly took their own lives in early 2022. Both of them had allegedly paid \$1,500 bribes to human resources officials and were overwhelmed by having to “pay the principal back after a year, with \$70 to \$100 per month in interest.”⁹⁸

Russia

The practice of hosting officially dispatched North Korean workers in Russia post-UN Security Council Resolution 2397 has continued during the COVID-19 pandemic. Russia is reportedly even considering engaging North Koreans in the reconstruction of the self-proclaimed republics of Donetsk and Luhansk, which North Korea recognizes.⁹⁹ The Russian Federation’s Ambassador to the DPRK Alexander Matsegora reportedly told Russian government-controlled newspaper Izvestia that “highly qualified and hard-working Korean builders, who are capable of working in the most difficult conditions, could help us restore our social, infrastructure and industrial facilities.”¹⁰⁰ While former North Koreans living in South Korea and other countries claim this is likely a cover for the dispatch of North Korean “military advisors,” i.e. Korean People’s Army (KPA) mercenaries, HRNK has not had the time or resources to rigorously investigate this issue.

⁹⁸ Jieun Kim, “In debt and stranded in China, 2 North Korean textile workers take their own lives,” *Radio Free Asia*, March 8, 2022, accessed May 20, 2022. <https://www.rfa.org/english/news/korea/workers-03082022174017.html>.

⁹⁹ Interview 32, August 2022.

¹⁰⁰ “North Korean labour could be sent to rebuild Donbas, Russian ambassador says,” *The Guardian*, July 19, 2022, accessed August 10, 2022. <https://www.theguardian.com/world/2022/jul/19/north-korean-workers-could-help-rebuild-donbas-region-russian-ambassador-says>.

Command & Control of North Korea's Overseas Workers in China & Russia

Command and control of the dispatch, operation, and return of North Korean workers in China and Russia are organized by the departments or business entities and the KWP.¹⁰¹ According to the type of jobs dispatched overseas, production quotas are given by the corresponding management departments, and manpower management is performed.

Policy Approval Process

North Korean companies and agencies submit proposals to the higher departments in the KWP or Cabinet in the form of sending workers overseas to earn foreign currency in line with their industries and functions, such as clothing and textile product processing, construction, marine product processing, and IT specialists.

Then, each department of the KWP reviews the policy document and finally sends it to Kim Jong-un's office to obtain approval. After receiving Kim Jong-un's signature, they can send the workers outside the country, but if the document is rejected, workers cannot be sent overseas.

Overseas workers are, in principle, on a three-year deadline. The approval process for dispatching workers abroad is as follows. For example, if the External Construction General Bureau (ECGB) of Office No. 39 plans to make a given amount of dollars a year by sending 30,000 construction workers and loggers to Russia, it has to create and submit a policy proposal to Office No. 39.

Meanwhile, if the document sent by the ECGB is reviewed and approved by the manager, section chief, deputy director, and head of Office No. 39 (first deputy director), Kim Jong-un's approval has to be obtained at the end of the process.

In addition, if Kim Jong-un approves the ECGB's proposal, KWP officials conduct a background check and notifies the selected workers one by one, and the Ministry of Foreign Affairs issues passports to each worker.

Such dispatch, management, and withdrawal of workers overseas is organized by the agency that dispatched them, and Ministry of State Security agents are dispatched to overseas sites to monitor and control workers while they are abroad.

The system works along these specifications unless instructions are issued to withdraw all overseas workers in a particular area.

¹⁰¹ The findings in this section, including information on specific Chinese and Russian companies, are based on interviews O-C-1, O-C-2, and O-C-3, conducted in April 2022.

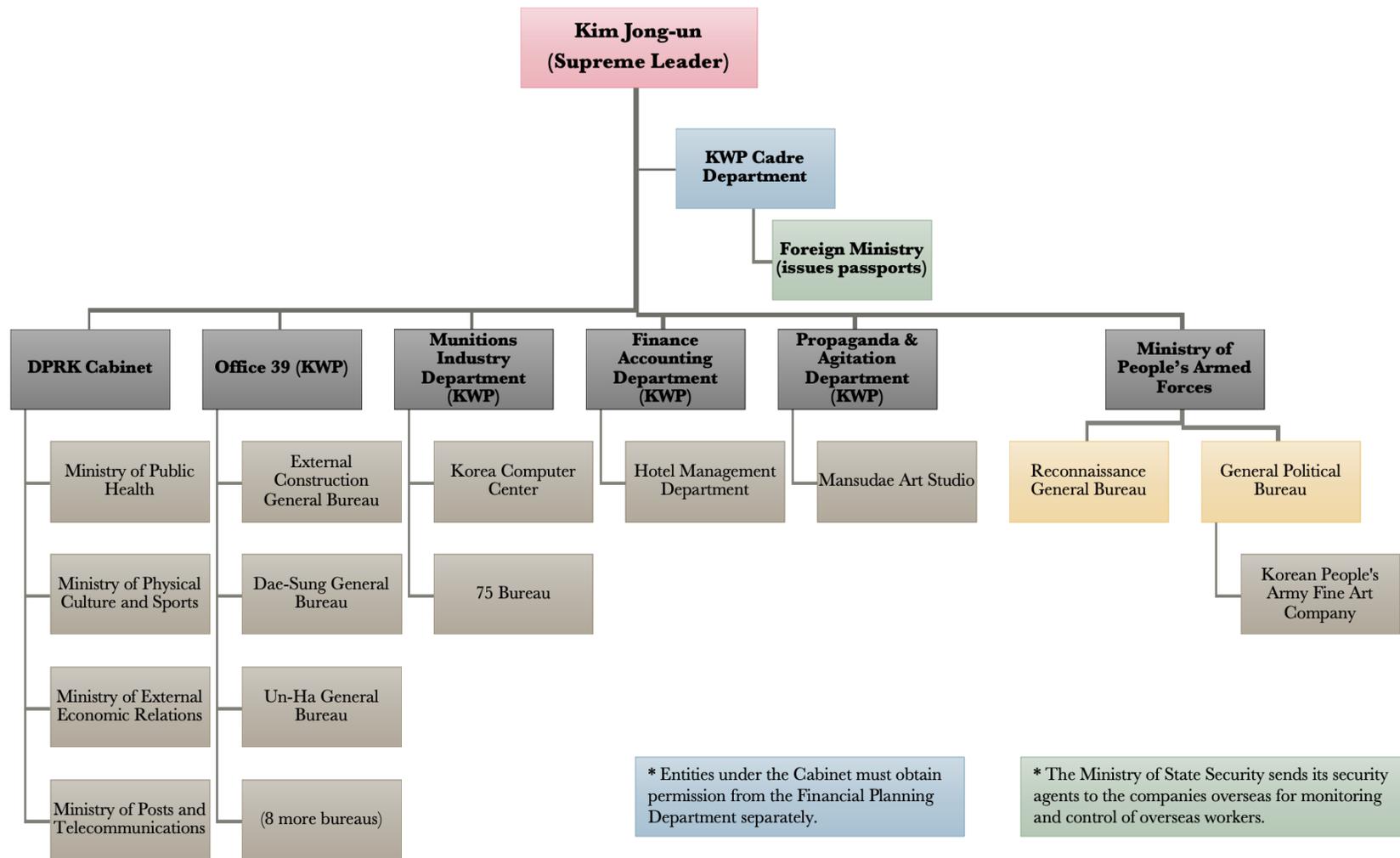


Figure 2: North Korea's Chain of Command & Control for Dispatching Overseas Workers
(Produced by Hyunseung Lee)

Identification of North Korean Entities

Companies that send tens of thousands of workers overseas include the External Construction General Bureau, the Un-ha Group, the Dae-sung Group, the Moran Group, and the Son-bong Group, which are essential agencies belonging to KWP Office No. 39.

Tens of thousands of workers are also dispatched from the Bong-hwa Bureau (Group), the 7th General Bureau of the People's Armed Forces (Nam-gang Trading Company), Mansudae Art Studio (KWP Propaganda & Agitation Department), the People's Army Art Studio (Baek-ho Trading Company), the Reconnaissance General Bureau (IT specialists), the Pyongyang Information Center, and the Korea Computer Center.

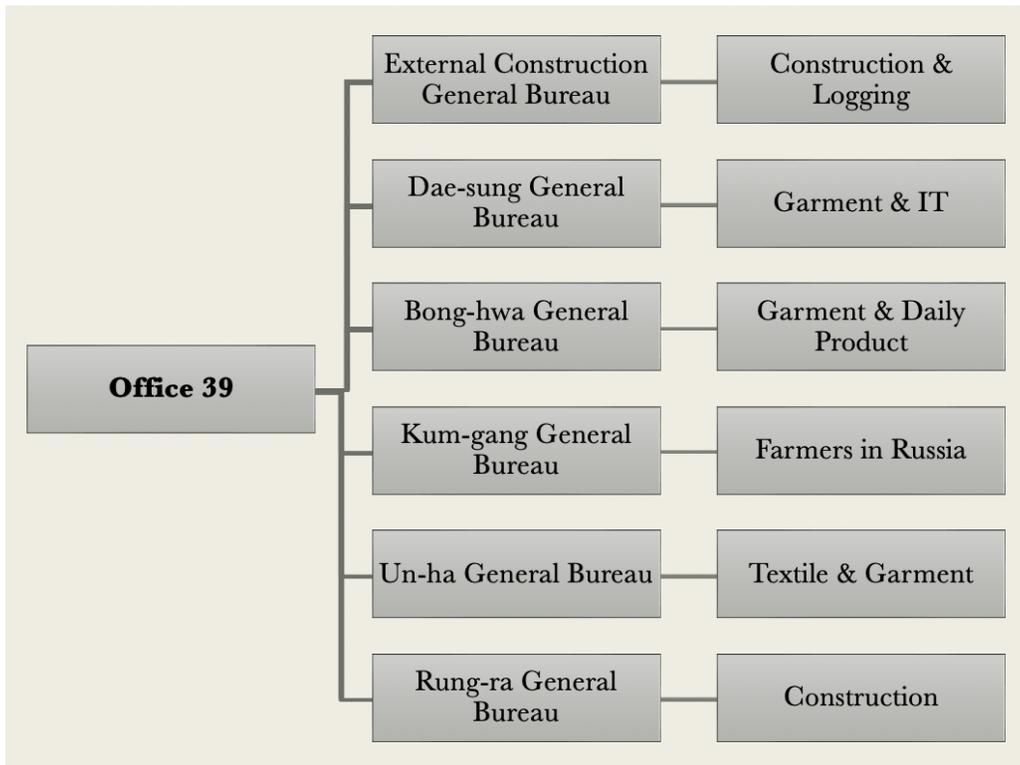


Figure 3: List of Bureaus under Office No. 39
(Produced by Hyunseung Lee)

North Korea's dispatch of overseas workers can be divided into five main industries, including construction, forestry, sewing, catering, and IT.

Construction manpower is dispatched by the Capital Construction Directorate-General and Ryugyong Construction Directorate-General (KWP), the Foreign Construction Management Bureau (Ministry of Trade of the Cabinet), and Nam-gang Construction Office (Ministry of Social Security).

Forestry personnel are mainly dispatched to Siberia through the Ministry of Forestry and Forestry Management Offices of each province in North Korea. It is known that the dispatch of manpower in the forestry field is based on an agreement between the North Korean and Russian governments.

The sewing industry is under the Bong-hwa Guidance Bureau under the KWP Light Industry Department, the Dae-seong General Bureau and Rak-won General Bureau under KWP Office No. 39, and Un-ha Guidance Bureau under the Cabinet’s Ministry of Light Industry.

The dispatch of manpower related to the catering industry is under the Koryo Service Directorate-General of KWP Office No. 38, the Cabinet Sports Guidance Commission, the Foreign Service General Bureau (Pyongyang City People's Committee), and the Committee for Cultural Relations with Foreign Countries.

IT-related manpower mainly consists of active-duty military personnel who are sent abroad after changing their identity to pretend they are civilians. They are supervised by the KPA (Korean People's Army).

All individuals are recommended by their affiliated organizations and are finally selected after thorough background checks by government agencies such as the KWP agencies, the Ministry of State Security, and the Ministry of Social Security. The final decision on the dispatch of overseas workers is made by the appropriate department within the KWP.

Construction Workers	<ul style="list-style-type: none"> • Construction projects in the Middle East, Russia, Mongolia, and African countries.
Textile Workers	<ul style="list-style-type: none"> • Textile & clothing factories in China
IT Workers	<ul style="list-style-type: none"> • Program Outsourcing Mostly in China and Southeast Asian countries
Art & Sculpture Workers	<ul style="list-style-type: none"> • Statue, Sculpture, Artwork Mostly in African countries, but some are in Russia and Southeast Asia
Restaurant Workers	<ul style="list-style-type: none"> • Mostly in China, and Southeast Asian countries
Logging Workers	<ul style="list-style-type: none"> • Russia is the only country hosting the North Korea logging workers
Product Processing Workers	<ul style="list-style-type: none"> • Marine Product / Daily Necessities / Furniture / etc.
Farmers	<ul style="list-style-type: none"> • Russia hosted North Korean workers for farming

Figure 4: North Korea’s Major Labor Export Industries
(Produced by Hyunseung Lee)

Financial Practices

Current financial practices related to the dispatching of overseas workers are not widely known. In the past, however, income earned by overseas workers was mainly paid in cash by foreign recruitment companies to evade sanctions. It is common for the North Korean government to take more than 90% of the money that the dispatched workers earn. The workers receive the remaining 10% or less. The way the North Korean government extracts money from the dispatched workers from North Korea appears to be through extracting various “official” fees.

The workers would have to open a personal account or a borrowed-name account, since they cannot conduct normal banking transactions with foreign banks due to sanctions against North Korea. However, according to escapee sources, the North Korean government prefers to take cash to North Korea rather than transfer funds between accounts, due to international sanctions.

According to a former official involved in these matters, the North Korean authorities received cash in U.S. dollars from Chinese buyers while trading minerals with China in North Korea (Sinuiju). The highest amount received was reportedly up to \$50,000, but customs declarations or registrations were never completed. The process of transferring money is reportedly “simple.” Specifically, the officials in charge go to the customs office area and find a truck license plate number previously shared by the Chinese buyer. Then, they receive the cash, most commonly in U.S. dollars, from the truck driver. It is common for a significant amount of cash to flow into North Korea through truck drivers (Chinese and North Korean) who go back and forth from China and North Korea every day.

North Korean companies that receive cash from the Chinese entities have Chinese brokers on the Yalu River to contact North Korean ships or trucks and secretly hand over bundles of cash or hand them over to North Korean “bankers” abroad. In addition to trucks and ships, cash bundles are handed over through various other channels, including North Korean trains, freight trucks, passenger planes, and automobiles entering China. According to former officials, the amount of money smuggled in while bypassing the international financial system amounts to hundreds of millions of dollars every year.

These illegal financial transactions will continue unless the United States identifies foreign companies that hire North Korean workers, imposes secondary sanctions, and blocks labor and employment markets involving North Koreans.

Identification of Chinese & Russian Companies

HRNK has endeavored to inquire about the names of companies doing business with North Korea, the name of the company president, and the address of the respective workplace.

One such example is Liaoning Baohua Industry Group Co., Ltd. (辽宁宝华实业集团) in Dandong, which employs North Korean workers and often conducts smuggling operations with North Korea. The Chairman of the Baohua Group is Song Qi (宋琦). In addition, Geng Ren-tao, the head of the Dandong Import & Export Company, reportedly employs many North Korean workers.

Lists of additional Russian and Chinese companies are enclosed below.

북한거래 회사 명과 사장명 작업장 주소

1. 어미 회사명: ООО «Самолёт»

사장: 모름

작업장 주소; 첫번째 주소; деревня раздоры,
Одинцовский городской округ, московская
область, России.

두번째 주소; квартал №37 поселение

Кокошкино, Москва, Россия

세번째 주소; Микрорайон мирный,

Посёлок Мирный, городской округ Люберцы,
московская область
России

네번째 주소; деревня раздоры,

Одинцовский городской округ, московская область,
России.

2. 새끼 회사명: ООО«СК Монолит»,

사장; Акоп (러시아 국적의 아르메니아 인)

작업장주소; деревня раздоры, Одинцовский городской
округ, московская область,
России.

3. 새끼 회사명: ООО «М. К. трансавто», ООО «сторой сервис»

사장 ; Заури (러시아 국적의 그루지야 인)

작업장 주소; 첫번째 주소; квартал №37 поселение
Кокошкино, Москва, Россия

두번째 주소; Микрорайон мирный

Посёлок Мирныйб городской округ Люберцы,
московская область
России

작업내용은 다 같이 벽돌 및 블로크 축조입니다.

Figure 5: Information on Companies in Russia

The name of the company doing business with North Korea, the name of the company president, and the address of the workplace.

1. Parent Company Name: ○ ○ ○ << Airplane >>

Name of CEO: Do not know

Workplace Address:

First address; Village of discord, Odintsovo city district, Moscow region, Russia

Second address; Quarter No37 settlement Kokoshkino, Moscow region, Russia

Third address; Mirny microdistrict, Mirny settlement, Lyubertsy city district,
Moscow region, Russia

Fourth address; Village of discord, Odintsovo city district, Moscow region,
Russia.

2. Name of Subsidiary Company: ○ ○ ○ << SK Monolith >>

Name of CEO: Akop (Armenians of Russian nationality)

Workplace Address: Village of discord, Odintsovo city district, Moscow region, Russia.

3. Name of Subsidiary Company: ○ ○ ○ << M.K. transavto >>, ○ ○ ○ << Build service >>

Name of CEO: Zauri (Georgian of Russian nationality)

Workplace Address:

First address; Quarter No37 settlement Kokoshkino, Moscow region, Russia

Second address; Mirny microdistrict, Mirny settlement, Lyubertsy city district,
Moscow region, Russia

* Its main work is brick and block manufacturing.

Figure 6: English Translation of Figure 5

Table 1: List of Companies in China

Company Name (English)	Company Name (Chinese)	Address	Product	# of N. Korean Workers
Donggang Hongxu Garment Co., Ltd.	辽宁省丹东市东港市洪旭制衣公司	辽宁省丹东市东港市翔海路 1 号 (No. 1 Xianghai Road, Donggang City, Dandong City, Liaoning Province 118300)	Winter Down Jacket	500
Datian Garment Co., Ltd.	辽宁省丹东市东港市孤山镇大田服装有限公司 [The company's vice president who has 25% share is a South Korean citizen, 曹在顺 (Cho Jae-Sun/조재순)]	About 210 meters north of the intersection of Daxu Line and Xisun Line in Donggang City, Dandong.	Hiking Outdoor Clothes	150
Dandong Risheng Garment Co., Ltd.	辽宁省丹东市东港市孤山镇日升制衣有限公司 http://ddrisheng.cn/wzsy	辽宁省丹东市东港市孤山镇东街七组 (Group 7, East Street, Gushan Town, Donggang City, Dandong, Liaoning Province 118311)	Outdoor Clothes, Pants, Winter Down Jackets	280
Dandong Jinpeng Garment Co., Ltd.	辽宁省丹东市东港市孤山镇金鹏制衣有限公司	辽宁省丹东市东港市中央大街 1 号楼 (Building 1, Zhongyang street, Donggang City, Dandong, Liaoning Province)	Winter Jackets	500
Dandong Yuanzhou Garment Co., Ltd.	辽宁省丹东市东港市孤山镇远舟制衣有限公司	丹东市元宝区五龙背镇金山村七组 (Unit 7, Jinshan Village, Wulongbei Town, Yuanbao District, Dandong, Liaoning Province 118000)	Various Kinds of Clothes	1,000

Dandong Taihua Food Co., Ltd.	辽宁省丹东市东港市泰华食品	辽宁省丹东市东港市环城大街 99 号 (No. 99, Huancheng street, Donggang City, Dandong, Liaoning Province)	Shellfish Processing / Sold to Japan	150
Donggang Julong Food Co., Ltd.	辽宁省丹东市东港市巨龙食品有限公司	东港市桥南开发区和平大街一号 (No. 1 Heping Street, Qiaonan Development Zone, Donggang City, Dandong, Liaoning Province)	Cuttlefish & Shellfish Processing, Sold to Japan	300
Donggang Guanglin Garment Co., Ltd.	辽宁省丹东市东港市广林服装有限公司	辽宁省丹东市东港市新兴区青年路 0208 图 02 宅 1-17 栋 (Building 1-17, house 0208-02, Qingnian Road, Xinxing District, Donggang City, Dandong)	Pants & Jeans	200
Donggang Haomai Garment Co., Ltd.	辽宁省丹东市东港市豪迈制衣	辽宁省丹东市东港环城大街 197 号 (No. 197, Donggang Huancheng street, Dandong, Liaoning Province)	T-shirts	150
Dandong Tangren Clothing Co., Ltd.	辽宁省丹东市唐人服装品饰有限公司	丹东市振兴区胜利街 1477 号 (1477 Shengli Street, Zhenxing District, Dandong, Liaoning Province)	Suits	200

Recommendations

First, North Korea should abide by its obligations under the International Covenant on Economic, Social and Cultural Rights and its own domestic legislation to protect the rights of its workers, at home and abroad.¹⁰² North Korea should cease to restrict access to employment based on one's *songbun* classification.

Second, if North Korean workers are still dispatched overseas in blatant violation of UN Security Council (UNSC) Resolutions 2375 and 2397, the ILO's core conventions should be the minimum standard applied to determine the status of overseas North Korean workers and to hold both North Korea and receiving countries accountable.

Third, a set of standards inspired by the Global Sullivan Principles should be developed. Companies along the supply chain tainted by violations of the rights of exported North Korean workers should abide by those standards.

Fourth, further investigation of the situation of exported North Korean laborers should be conducted. Hosting countries found to be in violation of UNSC Resolutions 2375 and 2397 should be pressured to disclose the status of North Korean workers within their territorial jurisdiction.

Fifth, while mindful of UNSC Resolutions 2375 and 2397, a determination should be made if the presence of tens of thousands of North Korean citizens overseas may provide opportunities for access and interaction, despite draconian control and surveillance.

Sixth, worldwide civil society awareness campaigns should stimulate grassroots advocacy.

Seventh, North Korea should join the ILO and apply internationally accepted minimum core labor standards and its own labor legislation to protect its workers, at home and abroad.

Eighth, countries where North Korean laborers reside, in violation of UNSC Resolutions 2375 and 2397, should abide by their international obligations and take steps to protect the rights of all foreign workers, including North Korean workers.

Ninth, pursuant to their international obligations, hosting states should conduct scheduled and unannounced inspections of worksites employing North Koreans, while acknowledging that their mere presence is a violation of UNSC Resolutions 2375 and 2397.

Tenth, hosting states and employers should seek direct access to North Korean workers and distribute material informing them about their rights.

Eleventh, violations of the labor rights of North Korean workers residing overseas should continue to be included in future legislation pertaining to sanction regimes.

¹⁰² An English translation of applicable North Korean law is provided in Annexes 1 to 3.

Twelfth, the exportation of North Korean labor should be terminated through concerted international action in addition to UNSC Resolutions 2375 and 2397, if the North Korean regime refuses to improve the working conditions and the overall human rights situation of these workers.

Thirteenth, companies facilitating the official dispatch of North Korean workers, including companies identified in this report, are in violation of UNSC resolutions and should be consequently subjected to sanctions.

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Annex 1

Socialist Labor Law of the Democratic People's Republic of Korea

(사회주의로동법)¹⁰³

Adopted as legislation no. 2 by the Supreme People's Assembly (SPA), April 18, Juche 67 (1978)

Amended by Political Decree no. 2494 by the Central People's Committee on February 20, Juche 75 (1986)

Amended by Political Decree no. 803-1 by the SPA Standing Committee on June 16, Juche 88 (1999)

Amended by Political Decree no. 566 by the SPA Standing Committee on June 30, Juche 104 (2015)

Chapter 1. Basic Principles of Socialist Labor

Article 1 Socialist labor is creative and willingly performed by workers who are free from oppression and exploitation.

Workers of the Democratic People's Republic of Korea work with innovation and individual passion for the prosperity of the nation, the people's welfare, and personal happiness.

Article 2 Labor is the source of all material and cultural assets, and a powerful means of reforming nature, society, and humanity. Socialism and communism are established by the millions of the working people's creative labor.

Labor is the most sacred and honorable element of the Democratic People's Republic of Korea.

Article 3 Socialist labor is a collective act of workers that serves the common good.

Workers of the Democratic People's Republic of Korea shall work together by helping and guiding each other under the collective principle of "one for all and all for one."

Article 4 Under socialism, all citizens bear the duty to participate in labor.

Every citizen in the Democratic People's Republic of Korea who is able-bodied will participate in social labor in accordance with the working ability of the individual.

Article 5 Under socialism, all workers have the right to work.

Unemployment has permanently ceased in the Democratic People's Republic of Korea.

All workers select occupations in accordance with their wishes and skills. They are guaranteed stable jobs and working conditions by the nation.

Article 6 Under socialism, labor is based on the conscientiousness of workers who are masters of the nation, society, revolution, and construction.

By reinforcing the ideological revolution, the state arms all workers of the Korean Worker's Party with *Juche* ideology and ownership of labor.

Article 7 An essential demand for the establishment of socialism and communism is the elimination of fundamental differences within labor. Labor must be an enjoyable activity that is an integral element of workers' everyday lives.

The state shall eliminate differences between heavy and light labor, and agricultural and manufacturing industries by encouraging the technological revolution, liberating workers from strenuous labor and gradually reducing the disparity between manual and intellectual work.

¹⁰³ Translation by Raymond Ha, HRNK Director of Operations & Research. The Korean-language text of the law is available from the ROK Unification Law Database at https://www.unilaw.go.kr/bbs/selectBoardList.do?bbsId=BBSMSTR_00000000021&bbsSubId=011.

Article 8 Improving workers' overall cultural and technological level is a firm guarantee for precipitating the establishment of socialism and cultivating workers into capable architects of socialism and communism.

Through an advanced educational system and policies that are best for the people, the state fully guarantees every possible condition that would allow all workers to concurrently pursue studies while they work.

Article 9 To continually increase labor productivity and develop production rapidly is a legitimate demand for the establishment of socialism and communism.

The state guarantees immense growth in labor productivity and rapid development of production by precipitating the ideological, technological, and cultural revolutions, intensively developing the *Chollima* Movement, proper planning of the economy, and placing political efforts at the forefront.

Article 10 Socialist labor is performed under an absolute socialist economic system.

In accordance with policies of unified and detailed planning, the state rationally organizes socialist labor within the scope of the people's economy.

Article 11 All material or cultural assets acquired through labor in the Democratic People's Republic of Korea are to be fully directed toward the state's development of prosperity and the welfare enhancement of all workers.

The state shall properly enforce the socialist principle of distribution and perpetually enhance the workers' material and cultural qualities of life.

Article 12 An essential demand of socialism is placing the highest value on the people by protecting workers' labor through proper combination of work and rest.

The state guarantees sufficient rest for workers in order to recuperate from labor and protects

workers' lives and health through free comprehensive medical care and advanced labor protection systems.

Article 13 Socialist labor policies of the Democratic People's Republic of Korea are a manifestation of the revolutionary labor creed that was introduced during the glorious anti-Japanese revolutionary struggle and are a virtuous spoil of war attained through the fight for the democratic and socialist revolutions.

The state shall further develop its socialist labor policies and fight to implement those that are democratic and best for the people on a nationwide level.

Chapter 2. Labor as a Sacred Duty of the Citizen

Article 14 Workers in the Democratic People's Republic of Korea are masters of the revolution who fight to attain the ideals of communism.

To love and earnestly participate in labor is a citizen's most sacred duty and honor.

Citizens must voluntarily participate in meaningful labor, in service of building socialism and communism.

Article 15 The minimum age for employment in the Democratic People's Republic of Korea is 16.

The state shall prohibit the employment of children who are not of minimum employment age.

Article 16 A standard workday is 8 hours.

The standard workday shall be reduced to 6 or 7 hours contingent upon the difficulty and category of work.

The standard workday shall be reduced to 6 hours for female workers with at least 3 dependents.

Article 17 Workers must self-revolutionize and place themselves appropriately within the labor stratum, work with ownership by demonstrating

a communist attitude toward labor and the revolutionary spirit of escaping adversity through one's own efforts.

Article 18 Socialist labor regulations are conscientious and strict adherence to these rules is the workers' natural duty.

Workers must stringently adhere to socialist labor regulations and the daily standard work hours. Workers cannot leave their workplace at will without observing established procedures.

Article 19 Active propagation of the technological revolution is a duty of the socialist worker.

Workers must build and produce more in a given amount of time, increase technical skills, and continually create new standards by actively participating in technological innovation campaigns.

Article 20 Drawing upon every potential and preparedness, workers shall exhibit wisdom and vigor with a sense of pride and responsibility concerning their assigned work, which they must perform without fail on a daily, monthly, and quarterly basis.

Article 21 Workers must work with a frugal attitude, and continually enhance the quality of manufactured goods by properly adhering to technical regulations and standard operating procedures.

Article 22 Workers must safeguard and love as their own their machinery and production equipment, increase their utility rate, and conserve raw material to the best of their ability.

Article 23 Workers must prevent accidents by stringently adhering to the Labor Protection Law and vigilantly looking after their workplace, which should be maintained in a sanitary manner.

Article 24 In the Democratic People's Republic of Korea, a citizen's status is defined by the sincerity with which they approach their work. Exemplary workers shall be adored and held in high esteem by the people.

Workers who approach their work with a sense of ownership and make meritorious contributions to the establishment of socialism shall receive national commendations including the Hero of Labor award and Title of Honor.

Chapter 3. Organization of Socialist Labor

Article 25 Rational organization of socialist labor is an important guarantee toward full mobilization of labor resources and continual development in production through active enhancement of the creative passion and capabilities of workers.

The state shall mobilize in a unified manner all labor resources from urban and rural areas.

Article 26 The state shall rigorously fulfill the demands of the Taean work system.

Factories, enterprises, and social cooperative organizations must convert labor-related administrative tasks to those that are interpersonal, realize the popular line within the organization of labor, and utilize labor resources in a scientific and rational manner.

Article 27 Planned labor reforms labor organizations and is the foundation for effective mobilization of labor resources.

The state shall implement a realistic and mobilized labor plan that has accurately detailed its labor force and demand.

Article 28 The state firmly adheres to the principle of guaranteeing labor force balance between manufacturing and agricultural industries, manufacturing and non-manufacturing sectors, and primary and auxiliary industries.

Labor-related administrative authorities including state institutions, enterprises, and social cooperative organizations shall guarantee priority in increasing the number of production workers, assigning labor in accordance with the state's level of economic development under the regulation principle of worker numbers in the non-

manufacturing sector, and systematically increasing the proportion of labor in the secondary sector.

Article 29 The state actively mobilizes its labor force and systematically meets the labor demand for the people's economy by methodically fostering the members of the reserve labor force.

Through the establishment of a reserve labor force regulation system in accordance with the demands of the state's economic policies, economic institutions and labor-related administrative authorities at every level must promptly ensure the number of workers projected by the people's economic development plan and properly adjust and assign workers in the people's economic sectors and regions.

Article 30 In order to facilitate maximum display of workers' creative wisdom and ability, state institutions, enterprises, and social cooperative organizations should assign labor that is most suited to the worker according to gender, age, personality, hopes, and technical skills.

Article 31 The state guarantees all necessary conditions for women to actively participate in socialist labor.

Local and other relevant state institutions, enterprises, and social cooperative organizations must establish day care centers, kindergartens, and children's wards to facilitate women's work in society, and organize domestic work groups as well as domestic cooperative organizations according to the wishes of women who are unable to work outside of the home.

Article 32 In accordance with characteristics of the production process, level of technical machinery, and conditions of production, factories, enterprises, and social cooperative organizations must improve labor organization and thoroughly manage labor discipline. Factories, enterprises, and social cooperative organizations must eliminate labor inefficiency by assuring sufficient labor conditions and ensure that workers complete all 480 working minutes.

Article 33 The state stringently oversees the principle of eight hours of work, eight hours of rest, and eight hours of study.

State institutions, enterprises, and social cooperative organizations must guarantee workers' proper rest as well as normalization of both labor and study by properly combining labor, rest, and study.

Article 34 In the event of a labor surplus due to unavoidable circumstances, state institutions and enterprises must promptly organize a group of workers for temporary support in other factories, enterprises, and cooperative farms.

In the event that there is a temporary surplus of labor, state institutions and enterprises may not willingly dismiss said labor surplus.

Article 35 Labor force mobilization from factories, enterprises, and cooperative farms for the purpose of other work is strictly forbidden.

Labor force devoted to production in factories and enterprises cannot be assigned to other work without the state's permission.

During the farming season, farmers may not be assigned to non-agricultural work.

Article 36 Workers at the management level from factories, enterprises, and cooperative farms are required to participate in production labor for the time period stipulated by law.

Chapter 4. Distribution of Socialist Labor

Article 37 Distribution of labor according to its quantity and quality is an economic law of socialism and a powerful means to precipitate production capacity, to increase the workers' will to produce, and to improve their technical skills.

The state shall stringently implement the principle of socialist labor distribution while continually increasing the workers' political and ideological consciousness.

Equal wages shall be paid for equal labor irrespective of gender, age, and ethnicity.

Article 38 The state compensates for the workers' physical and mental energy expended during labor and establishes the cost-of-living ranking system under the principle of securing the lives of workers.

Based on the cost-of-living ranking system and the cost-of-living payment principle established by the state, state institutions, enterprises, and social cooperative organizations must properly pay living expenses to workers, office clerks, and members of social cooperative organizations.

Article 39 The basic payment forms of living expenses for state institutions, enterprises, and social cooperative organizations are fixed rate payment and contract payment systems. Supplementary payments of living expenses take the form of bonus and reward money systems.

In order to actively encourage workers' creative abilities and increase their will to produce, state institutions, office clerks, and members of social cooperative organizations must properly apply the payment forms of living expenses.

Article 40 The state distributes living expenses to factories and enterprises based on a proper assessment of their production plan for each commodity and enactment of the production cost plan and production indicators, both in accordance with the independent profit system.

Factories and enterprises must make an additional bonus payment to workers who have performed well based on their fulfillment of the production plan, product quality, and the use of production materials and facilities.

Article 41 Work quota is the standard by which the results of labor are measured, and its proper establishment is an important condition that enables precise application of the socialist labor distribution principle.

The state must firmly adhere to the popular line in its application of work quotas and enact them based on proper calculation of workers' levels of

political thought, technical skills, and the results of new scientific technology.

Article 42 For each sector of the people's economy, the state shall maintain a standardized factory whose management and production are regularized in accordance with the demands of the Taean work system. The state shall enact a national work quota based on the measured data derived from this standardized factory.

Based on the national work quota, state institutions, enterprises, and social cooperative organizations must establish scientific and advanced work quotas that are consistent with the reality of current development. The work quota must be properly applied and continually improved.

Article 43 Labor unit is a standard by which labor results of workers and farmers in cooperative farms are assessed, and distribution of labor is specified.

Cooperative farms must properly allocate work to and assess the work performed by their workers and farmers, which shall be regularly disclosed to the public.

Article 44 Sub-unit farming and the crop surplus reward system cultivate a spirit of collectivism among workers in cooperative farms and they ensure proper implementation of the socialist principle of distribution.

Agricultural administrative authorities and cooperative farms must properly assess the labor results of farmers through implementation of the sub-unit farming management system and crop surplus reward system.

Article 45 Based on the development of the manufacturing and agriculture industry and production efficiency enhancement, the state shall firmly adhere to the principle of proportionally improving the overall living standard of workers, office clerks, and farmers by rationally adjusting the ratio of living expenses of every worker and uniformly raising the income of farmers across all sectors and regions.

Chapter 5. Labor & Technological Revolution: Enhancing Workers' Technical Capabilities

Article 46 The central task of the technological revolution is to eradicate labor's fundamental differences and to liberate workers from strenuous labor.

Based on the achievements of socialist industrialization, the state fights to guarantee complete equality in labor and liberate workers from oppression, exploitation, and the strictures of nature by further advancing the technological revolution.

Article 47 The state shall eradicate labor in excessive heat and high-risk environments, and differences between heavy and light labor by implementing mechanization, semi-automation, and full automation across various sectors, including manufacturing, of the people's economy.

Article 48 The state shall strengthen the results of irrigation and rural electrification by precipitating the technological revolution in agriculture. It shall eradicate the difference between manufacturing and agricultural labor by rapidly attaining agricultural industrialization and modernization through agrochemicals and comprehensive mechanization.

Article 49 Scientists, experts, and manufacturers must reinforce creative cooperation and expand the technological revolution movement to the masses.

State institutions, enterprises, and social cooperative organizations must actively encourage the rationalization movement as well as innovation related to technological development and productivity enhancement, and promptly adopt innovative ideas into the production process.

To inventors and production innovators who have largely contributed to the development of the people's economy, the state shall confer national recognition and technical qualifications.

Article 50 Together with factory colleges, agricultural colleges and their respective secondary schools, night schools, and other educational systems, the state shall foster all workers into competent individuals who can master the latest scientific technology, operate modern machinery and equipment, and skillfully manage and administer the people's economy.

Article 51 State institutions, enterprises, and social cooperative organizations must systematically improve the workers' technical skills through a proper technical and skill inheritance education system and ensure that all workers possess at least one modern technical skill and be knowledgeable in the use of machinery in their respective fields.

Article 52 The state shall implement a technical skill examination system for improvement in technical skills.

The State Commission for Science and Technology and the labor-related administrative authorities must regularly and systematically implement exams that rank levels of technical skill.

Chapter 6. Labor Protection

Article 53 The purpose of labor protection is to provide a free, safe, and sanitary working condition. It is an important requisite for protecting and improving the lives of workers.

The state shall strictly enforce the policy of prioritizing labor protection over production.

Article 54 State institutions, enterprises, and social cooperative organizations must establish a system of occupational safety education and firmly internalize occupational safety among workers by providing education on labor protection policies and technical knowledge on occupational safety.

Workers cannot be asked to perform labor without proper education on labor protection policies and technical knowledge on occupational safety.

Article 55 The primary work of state institutions, enterprises, and social cooperative organizations is to guarantee sanitary and safe labor conditions to workers.

State institutions, enterprises, and social cooperative organizations must ensure a safe and sanitary workplace for workers by fulfilling conditions of industrial hygiene including sunlight, lighting, ventilation, and prevention of dust, gas, and excessive heat in the workplace. Work-related accidents and occupational diseases must be prevented by continually and thoroughly improving these conditions.

Article 56 State institutions, enterprises, and social cooperative organizations must thoroughly examine safety conditions before commencing production and promptly remove all factors that may be hazardous to the lives and health of workers.

Production must cease immediately in the event of an accident and production can continue only after the hazard has been eliminated.

Article 57 State institutions, enterprises, and organizations responsible for the construction and design of production facilities must provide safe labor conditions for the construction of factories, enterprises, buildings, other infrastructure, and machinery.

Newly constructed, expanded, and renovated factories, enterprises, buildings, other infrastructure, and machinery cannot commence operation without the permission or inspection by the regulatory authorities.

Article 58 In order to protect the health of workers, state institutions, enterprises, and social cooperative organizations must provide regular physical examinations and promptly take measures that are necessary for workers' health.

Article 59 The state must accord special consideration to the labor protection of female workers.

State institutions, enterprises, and social cooperative organizations must provide sufficient

labor protection and sanitation facilities for female workers.

Female workers must not be given work that is strenuous or detrimental to their health, and those who are pregnant or have children of nursing age must not be given nighttime work.

Article 60 The state shall provide protective equipment, work essentials, and nutritional supplements at no cost.

Workers must use their designated protective equipment and work essentials. They must do their utmost to conserve protective equipment.

Article 61 State institutions, enterprises, and social cooperative organizations must maintain strict discipline and order, establish standard operating procedures and labor protection laws, and ensure that all laborers and workers strictly comply with them.

The state must stringently regulate irresponsible implementation of labor protection measures so as to prevent grave consequences to the protection of health and lives of workers.

Chapter 7. Labor and Rest

Article 62 Workers are entitled to rest.

Through the ever-increasing number of cultural facilities, the state fully guarantees an eight-hour workday, paid vacation, regular holidays at the expense of the state, and the right to rest.

Article 63 Workers shall rest each day after working hours.

Economic institutions and enterprises are prohibited from requiring work after working hours.

Article 64 Workers are guaranteed one day of rest per week.

National holidays and Sundays are days of rest.

State institutions, enterprises, and social cooperative organizations that must assign work

on a day of rest due to unavoidable circumstances must provide workers a day of leave within one week's time.

Article 65 Workers, office clerks, and cooperative farmers receive 14 days of regular leave per year and those in special categories of work receive from 7 to 21 days of additional leave.

Article 66 In addition to the regular and additional days of leave, female workers receive 60 days of leave before childbirth and 180 days of leave following childbirth irrespective of their time of employment.

Article 67 The state shall meet the increasing demand for cultural leisure by modernizing and increasing the network of various recreation centers, and extensively organize tourism and sightseeing opportunities.

Relevant state institutions and enterprises must ensure that workers receive sufficient rest during the workday by properly operating their in-house recreation centers.

Chapter 8. National and Social Benefits for Workers

Article 68 The state takes responsibility for the lives of all workers and regards the continual improvement of their cultural and material lives as its most important principle.

Workers shall receive many national and social benefits in addition to the distribution of labor.

Article 69 The state guarantees practical and adequate homes, and communal living quarters to workers.

Cooperative farmers shall be allowed use of farming homes at no cost, which shall be built at the expense of the state.

Article 70 The state shall provide food supplies at a low cost to workers, office clerks, and their dependents.

Article 71 At the expense of the state and society, both shall rear children of workers at day care

centers and kindergartens equipped with modern facilities.

Article 72 The state provides compulsory education to workers' children until they are of working age and also provides free education at all levels until the final year of secondary education.

Uniforms and textbooks shall be provided at a low cost by the state to all students, and students enrolled in universities and vocational schools shall receive scholarships.

Article 73 As stipulated by the national social insurance system, the state provides provisional financial assistance to workers who have temporarily lost their working ability due to work-related accidents, sickness, and injuries. If they are unable to work for more than 6 months, the state provides the workers a disability pension as stipulated by the national social insurance system.

Article 74 The state shall provide a pension to men 60 years of age and women 55 years of age who have worked the requisite number of years.

Article 75 The state shall give special consideration to family members of deceased or disabled workers who have performed meritorious service through labor or sociopolitical activities.

Article 76 The state and social cooperative organizations shall provide workers, office clerks, and cooperative farmers the average living expenses on their days of regular and additional leave, and temporary financial assistance to those who are on leave before and after childbirth.

Article 77 In the event of fatalities from work-related accidents, sickness, and injuries, the state provides a bereaved family pension to the dependents of those deceased. If there are no caretakers for the surviving children, the state takes responsibility for their care.

Article 78 The state provides costless care at nursing homes and other care facilities for the disabled and elderly who neither have caretakers nor the ability to work.

Article 79 The state provides medical benefits to all workers under the costless medical service system.

Workers, office clerks, and cooperative farmers and their dependents receive all medical services at no cost, including medical treatment, medical care, preventive treatment, and childbirth.

Annex 2

Labor Protection Law of the Democratic People's Republic of Korea

(로동보호법)¹⁰⁴

Adopted as Political Decree no. 945 by the Standing Committee of the Supreme People's Assembly (SPA), July 8th, Juche 99 (2010)

Amended by Political Decree no. 3292 by the SPA Standing Committee, March 5, Juche 103 (2014)

Chapter 1. Fundamentals of Labor Protection Law

Article 1 (Purpose of law)

The Labor Protection Law of the Democratic People's Republic of Korea establishes a rigorous institutional order for labor protection, thereby assuring safe and sanitary working conditions for workers and actively promoting the lives and well-being of workers.

Article 2 (Principle of resolute progress in labor protection)

The government of the Democratic People's Republic of Korea has provided the best labor protection system for the people through clear and accurate labor protection policies.

The state shall build on its achievements to resolutely work towards further progress in the field of labor protection.

Article 3 (Basic principle of labor protection)

It is an essential demand of the socialist system that the state takes full responsibility for and tends to the lives and well-being of workers.

The state shall ensure that workers receive the benefits of labor protection as stipulated by law, and thus enable workers to work as much as they wish in safe and sanitary conditions.

Article 4 (Primacy of labor protection)

The state shall firmly adhere to the principle of ensuring labor protection over economic production.

Article 5 (Nationwide, society-wide principle of labor protection)

Ensuring labor protection involves the entire nation and all of society.

The state shall strengthen systematic efforts to educate institutions, enterprises, organizations, and citizens on labor protection to elicit their active participation in labor protection.

Article 6 (Principle of investment on labor protection)

The state shall systematically increase investment to provide sufficient material and technological means to ensure labor protection, and to further modernize these means.

Article 7 (Principle of scientific research and training for labor protection)

The state shall intensify scientific research in the field of labor protection and train necessary technical experts in a far-sighted manner.

Article 8 (Exchange and cooperation in labor protection)

The state shall promote exchange and cooperation with other countries and international organizations in the field of labor protection.

¹⁰⁴ Translation by Raymond Ha, HRNK Director of Operations & Research. The Korean-language text of the law is available from the ROK Unification Law Database at https://www.unilaw.go.kr/bbs/selectBoardList.do?bbsId=BBSMSTR_00000000021&bbsSubId=011.

Chapter 2. Education on Occupational Safety

Article 9 (Establishing a system of occupational safety education)

The strengthening of education on occupational safety is a necessary precondition to ensure that workers can avoid accidents, injuries, and other damages to their health during work.

Institutions, enterprises, and organizations must establish and provide to workers a well-structured educational program on occupational safety.

Article 10 (Duration and audience)

Institutions, enterprises, and organizations must precisely define the duration and audience of educational programs on occupational safety. These programs must be systematically planned to account for the type of occupation and the type of working environment.

The Central Labor Administrative Guidance Committee shall decide upon the duration and audience of educational programs on occupational safety.

Article 11 (Methods)

Institutions, enterprises, and organizations must use a wide range of methods to provide substantive education to workers, so that they have a clear and accurate knowledge of national labor protection policy, technical matters related to safety, safety regulations, safety procedures, sanitation, and the like.

Workers who have not received education on occupational safety cannot be asked to perform labor.

Article 12 (Principles)

Institutions, enterprises, and organizations must abide by the following principles with regards to education on occupational safety.

1. New workers must receive 5–20 days of education on occupational safety before

they can be asked to perform labor. The minimum duration is 2–5 days for workers moving to a new type of occupation.

2. Workers must receive education on occupational safety whenever a new task begins, or whenever the type of work or working condition changes.
3. Workers must demonstrate a sufficient understanding of occupational safety and satisfy the relevant standards before they can be asked to perform labor.
4. Workers undergoing occupational safety education or training cannot be asked to perform other work.
5. The program of education on occupational safety must be clearly designed and accurately implemented.

Article 13 (Facility for occupational safety education)

Institutions, enterprises, and organizations must provide and maintain in good condition a dedicated space for the purpose of education on occupational safety.

This facility must have sufficient resources and materials necessary for educating workers on occupational safety.

Article 14 (Education on occupational safety equipment)

Institutions, enterprises, and organizations must establish and regularly provide a program of education for workers on equipment related to occupational safety.

Article 15 (Occupational safety training)

Relevant educational and training institutions must designate occupational safety engineering and labor protection studies as mandatory subjects and strengthen educational programs in these areas.

Chapter 3. Ensuring Labor Protection

Article 16 (Basic demands of ensuring labor protection)

Ensuring labor protection is a crucial task in providing safe and sanitary working conditions for workers.

Institutions, enterprises, and organizations must prioritize labor protection.

Article 17 (Installation of safety devices)

Institutions, enterprises, and organizations must install safety devices, protective devices, and signaling devices to prevent accidents.

Workers cannot be asked to perform labor if such devices have not been installed.

Article 18 (Maintenance of safety devices)

Institutions, enterprises, and organizations must perform regular maintenance on safety devices and repair faulty devices in a timely manner.

Article 19 (Ensuring regular operation of safety devices, forbidding their disassembly)

Institutions, enterprises, and organizations must ensure the regular operation of safety devices.

Installed safety devices cannot be disassembled without the approval of labor-related administrative authorities and relevant supervisory authorities.

Article 20 (Ensuring sanitary working conditions)

Institutions, enterprises, and organizations must take steps to prevent harm from extreme heat, gases, dust, noise, vibration, humidity, radiation, or germs. Taking principles of hygiene into account, institutions, enterprises, and organizations must also ensure adequate sunlight, lighting, ventilation, heating, or the like as necessary.

Workers cannot be asked to perform labor if extreme heat or toxic substances exceed defined standards.

Article 21 (Provision of amenities)

Relevant institutions, enterprises, and organizations must provide amenities such as dormitories, canteens, washrooms, barbershops, resting lounges, nurseries, and preschool facilities. These facilities must be well maintained and operated at all times.

Article 22 (Medical examination and treatment)

Public health institutions must install and maintain to a reasonable extent medical facilities or clinics in institutions, enterprises, and organizations, and are responsible for providing medical examinations and preventive care to workers.

The installation of medical facilities or clinics is mandatory in large institutions, enterprises, or organizations where the risk of work-related accidents is especially high.

Article 23 (Change in occupation)

If a worker is no longer able to work due to a work-related illness, labor-related administrative authorities, institutions, enterprises, and organizations must promptly re-assign the worker to a different and suitable occupation.

Article 24 (Ensuring labor protection for female workers)

Institutions, enterprises, and organizations may only assign light labor to female workers prior to maternity leave and must ensure sufficient nursing time for female workers with children of nursing age.

Article 25 (Construction of production facilities)

Institutions, enterprises, organizations, and institutions responsible for designing production facilities must demonstrate sufficient consideration for occupational safety and sanitation in constructing production facilities.

Buildings and facilities must be located with adequate and rational consideration for the effect that toxic substances may have on neighboring areas.

Article 26 (Inspection of safety devices and sanitary conditions)

Institutions, enterprises, and organizations must conduct regular inspections of safety devices and sanitary conditions, and promptly remedy any defects.

Equipment necessary for the inspection of safety devices and sanitary conditions must be regularly inspected. Such equipment must be used only when in compliance with relevant standards.

Chapter 4. Provision of Safety Supplies

Article 27 (Basic demands)

Safety supplies shall be provided to workers engaged in heavy labor and to workers who are exposed to toxic substances or extreme heat.

Safety supplies include necessary tools, protective equipment, nutritional supplements, cleaning products, and medical supplies that are relevant to each occupation.

Article 28 (Recipients and standards for provision)

Institutions, organizations, and enterprises must provide relevant safety supplies to designated recipients in compliance with standards for the provision of such supplies.

Safety supplies must also be provided, as necessary, to those conducting scientific research or undergoing training at production facilities and other individuals mobilized for production purposes.

The Central Labor Administrative Guidance Committee shall, with the Cabinet's approval, decide upon the recipients of safety supplies and the standards for the provision of such supplies.

Article 29 (Production and distribution of safety supplies)

National planning authorities and relevant institutions, enterprises, and organizations must, without fail, formulate and implement a plan for the production and distribution of safety supplies.

The production and distribution of safety supplies takes precedence over the production and distribution of other goods.

Article 30 (Provision and collection of safety supplies)

Safety supplies shall be provided at no cost or at a cost.

Safety supplies provided at no cost must be returned and collected after use.

Article 31 (Storage and maintenance of safety supplies)

Institutions, enterprises, and organizations must have facilities for the storage of safety supplies to ensure that these supplies are not damaged or contaminated.

Damaged or contaminated safety supplies must be promptly repaired or replaced.

Article 32 (Provision and distribution of nutritional supplements)

Institutions, enterprises, and organizations must provide nutritional supplements, protective medicine, antidotes, and the like to workers engaged in heavy labor or exposed to hazards.

Special canteens may be operated for the distribution of such supplies.

Article 33 (Preferential provision of supplies)

Workers engaged in heavy labor in fields such as coal mining, mining, the metal industry, forestry, or geological exploration shall be given preferential treatment in the provision of clothing, food, and other personal items.

The Central Labor Administrative Guidance Committee shall, with the Cabinet's approval, decide upon the recipients of and standards for the preferential distribution of such supplies.

Article 34 (Provision of uniforms)

Workers in designated fields, such as railway transportation and mining, shall be provided with uniforms.

The Cabinet shall decide which industries and individuals receive uniforms. It shall also decide other relevant standards for the provision of uniforms.

Chapter 5. Labor and Rest

Article 35 (Basic demands of labor and ensuring rest)

The appropriate combination of labor and rest increases worker productivity and is important in ensuring that workers can lead cultured lives.

Institutions, enterprises, and organizations must meticulously prepare and implement plans for allocating labor and rest, so that workers can perform labor conscientiously and in good health.

Article 36 (Working hours)

A standard workday is 8 hours. Working hours may be shortened for workers engaged in heavy labor or working in special industries.

The Central Labor Administrative Guidance Committee shall, with the Cabinet's approval, decide upon working hours.

Article 37 (Prohibition of overtime work)

Institutions, enterprises, and organizations are prohibited from ordering workers to work beyond their designated working hours.

In circumstances where assigning overtime work is unavoidable, the approval of relevant labor-related administrative authorities is required.

Article 38 (Work for female workers)

Institutions, enterprises, and organizations must take physical characteristics of female workers into account and not assign them heavy labor, dangerous labor, or work that exposes them to bodily harm.

Female workers who are pregnant or have children of nursing age must not be assigned to nighttime work, overtime work, or work on holidays, and excepting unusual circumstances, they cannot be dismissed from their place of employment.

The Central Labor Administrative Guidance Committee, with the Cabinet's approval, shall decide upon which occupations female workers may not engage in.

Article 39 (Guarantee of rest)

Institutions, enterprises, and organizations must guarantee rest on national holidays and Sundays.

If work is assigned on national holidays or Sundays due to unavoidable circumstances, workers must be given a corresponding amount of rest within one week.

Article 40 (Guarantee of holidays)

Institutions, enterprises, and organizations must provide workers with regular holidays and additional leave as stipulated.

Female workers must be given maternity leave in addition to regular holidays and additional leave.

Regular holidays and additional leave may not be carried over to the subsequent year.

Article 41 (Maintenance of facilities for rest & recuperation, necessary resources)

The Central Labor Administrative Guidance Committee and institutions, enterprises, and organizations must provide modern facilities for workers' rest and recuperation. These facilities must be well-maintained, so that workers are able

to rest and recuperate at these facilities on a regular basis.

Supplies and resources needed for these facilities must be adequately provided by the relevant institution, enterprise, or organization.

Chapter 6. Establishing Regulations on Occupational Safety

Article 42 (Basic demands)

Strengthening regulations on occupational safety is important in preventing workplace accidents and creating a safe working environment.

The Central Labor Administrative Guidance Committee and institutions, enterprises, and organizations must establish stringent occupational safety regulations.

Article 43 (Complying with safety regulations and standard operating procedures)

Institutions, enterprises, and organizations must create safety regulations and standard operating procedures and ensure that workers comply with them.

Article 44 (Precedence of occupational safety directives)

Institutions, enterprises, and organizations must give directives on occupational safety before beginning a task and must comprehensively evaluate how the task was executed after it has been completed.

Tasks cannot be organized in contravention of safety regulations.

Article 45 (Safety check before starting task)

Before starting work, institutions, enterprises, and organizations must check the working environment for safety and ensure that protective equipment and necessary tools are worn correctly.

Any violations must be remedied before work can begin.

Article 46 (Removal of hazards)

If any hazards emerge during the course of work, institutions, enterprises, and organizations must remove the hazard before work can be continued.

Article 47 (Safety check between shifts)

If workers work in shifts, institutions, enterprises, and organizations must ensure that the outgoing worker is relieved only after it is confirmed that the working environment is safe and sanitary.

If there is an anomaly, it must be rectified before the next shift can begin.

Article 48 (Inspection of facilities, warning signs)

When conducting an inspection of the facilities, institutions, enterprises, and organizations must also conduct an inspection of safety equipment.

Any hazardous areas or equipment must be clearly marked with a sign.

Article 49 (Inspection of hazardous work sites)

Work sites with a high risk of exposure to hazards must be registered with the Central Labor Administrative Guidance Committee and regularly inspected by relevant institutions.

Workers may not be asked to perform labor at any hazardous work sites that have not been registered or inspected.

Article 50 (Handling of hazardous substances, operation of heat-related or pressurized equipment)

If it is necessary to handle explosive, toxic, or radioactive substances or operate heat-related or pressurized equipment, institutions, enterprises, and organizations must receive prior approval from relevant institutions.

Article 51 (Placement of occupational safety supervisors)

Institutions, enterprises, and organizations must place occupational safety supervisors and safety officers at the work site.

Work may not proceed if safety supervisors and officers are not present.

Chapter 7. Work-related Accidents: Emergency Response & Investigation

Article 52 (Basic demands)

Emergency response to and investigation of work-related accidents are crucial tasks that help save lives and property, determine the cause of accidents, and prevent their re-occurrence.

The Central Labor Administrative Guidance Committee and relevant institutions, enterprises, and organizations must respond to and investigate work-related accidents in a prompt manner.

Article 53 (Organization of response teams)

Relevant institutions must organize a rescue team with the sole responsibility of responding to work-related accidents in a particular region or at a given entity.

A rescue team may be put in charge of multiple regions or entities.

Article 54 (Provision of equipment)

Relevant institutions are responsible for providing to rescue teams the equipment and resources necessary for responding to accidents, such as respirators, oxygen, reagents, vehicles, communication devices, and measurement devices.

Article 55 (Preparation for emergency mobilization)

Relevant institutions must intensify training programs so that rescue teams can rapidly respond to work-related accidents.

Training regulations for rescue teams may not be contravened.

Article 56 (Response to work-related accidents)

In the event of a work-related accident, relevant institutions must immediately mobilize the rescue team to carry out aid and rescue operations.

In the event of a large-scale accident, rescue teams in neighboring regions or precincts may also be mobilized.

Article 57 (Prohibition on alternative use)

Rescue teams and rescue-related equipment may only be used for the purpose of responding to work-related accidents.

Article 58 (Ensuring use of transportation for rescue operations)

Authorities under the Ministry of People's Security, railway authorities, and other relevant institutions, enterprises, and organizations are responsible for ensuring that there are no delays in the use of transportation to move rescue personnel, equipment, and resources in response to work-related accidents.

Article 59 (Notification of work-related accidents)

In the event of a work-related accident, public health authorities and relevant institutions, enterprises, and organizations must promptly report the situation to labor-related administrative authorities and authorities under the Ministry of People's Security.

Article 60 (Organization of ad hoc investigative committee)

There shall be a Central ad hoc Committee on Accident Prevention in the Cabinet. There shall be similar ad hoc committees at the ministerial, central authority, provincial (directly governed city), city (district) levels, and in the military, institutions, and enterprises.

Article 61 (Proposing investigation of accident)

Labor-related administrative authorities must request to the relevant ad hoc Committee on Accident Prevention that a work-related accident be investigated.

Article 62 (Jurisdiction of investigative body)

Depending on the severity of a work-related accident, the investigation of the accident falls under the jurisdiction of the Central ad hoc Committee on Accident Prevention, the ministerial, central authority, provincial (directly governed city), or city (district) level ad hoc Committee, the Military Commission on Accident Prevention, or the Committee on Accident Prevention at institutions or enterprises.

If necessary, an accident that would usually be investigated by a lower-level Accident Prevention Committee may be directly investigated by a higher-level committee.

Article 63 (Content of investigation)

Investigations of work-related accidents shall address the following.

1. Date, time, location, and type of accident
2. Motive or cause of accident
3. To what extent labor protection measures are actually implemented at institution, enterprise, or organization where accident occurred
4. Loss of lives or damage to property due to accident
5. Responsibility for accident and resolution of post-accident issues
6. Compensations for victims and their families, with consideration for the accident's impact on victims' livelihoods
7. Policies to prevent further work-related accidents
8. Any other issues raised during the investigation

Article 64 (Reporting results of investigation)

Once the investigation into the work-related accident is complete, the results of the

investigation must be reported to the relevant institutions.

Chapter 8. Guidance & Regulation of Labor Protection

Article 65 (Basic demands)

Strengthening guidance on and regulation of labor protection is a fundamental element of properly implementing the state's labor protection policies.

The state shall strengthen guidance on and regulation of labor protection in line with the practical demands of development.

Article 66 (Guidance on labor protection)

Under the unified guidance of the Cabinet, the Central Labor Administrative Guidance Committee and relevant institutions shall conduct guidance on labor protection.

The Central Labor Administrative Guidance Committee and relevant institutions must firmly establish systematic guidance on labor protection and assume complete control of all related tasks.

Article 67 (Ensuring labor protection)

National planning authorities and relevant institutions must provide and allocate in a timely fashion labor, equipment, materials, resources, and funds necessary for labor protection.

Article 68 (Adoption of scientific, technological knowledge)

The Central Labor Administrative Guidance Committee and scientific research institutions must continually intensify scientific research on matters relevant to labor protection and proactively adopt the results of this research.

Article 69 (Dissemination of scientific knowledge on labor protection)

Institutions responsible for education, publishing, and media must employ a wide variety of means to widely disseminate and propagate the state's

labor protection policies, scientific knowledge related to labor protection, and achievements in the field of labor protection.

Article 70 (Supervision and control of labor protection policy)

Labor-related administrative authorities and relevant supervisory institutions shall control and supervise the implementation of labor protection policies.

Labor-related administrative authorities and relevant supervisory institutions must control and supervise in an appropriate manner the implementation of labor protection measures at institutions, enterprises, and organizations.

Article 71 (Compensation for damage to health or property)

If, due to insufficient or incomplete labor protection policies, workers have suffered damage to their health or if the property of the state, social cooperative organizations, or citizens has been damaged, appropriate compensation shall be provided.

Article 72 (Administrative penalties)

Penalties shall be imposed on individual citizens or responsible workers at institutions, enterprises, and organizations in the following instances.

1. Education on occupational safety has been improperly conducted.
2. Workers have been asked to perform labor in unsafe conditions.
3. The implementation of labor protection policies has been delayed due improper

or untimely conduct of safety and sanitation inspections.

4. Workers have suffered damage to their health or their cultural lives have been adversely affected because they have not been provided sufficient rest and holidays as stipulated.
5. Safety supplies have not been provided to the designated recipients, have not been provided in accordance with relevant standards, have been diverted or wasted, or have been degraded in quality.
6. Female workers have been asked to perform labor that they are prohibited from being assigned to, or female workers have suffered damage to their health due to unsafe working conditions.
7. If the training and organization of rescue teams responsible for responding to work-related accidents have been conducted in an irresponsible manner, or if the rescue team's activities have been impaired by inadequate preparation or cooperation.
8. If workers' rest and recuperation have been adversely affected due to the lack of designated facilities for this purpose, the improper management of these facilities, or the insufficient provision of required materials and resources for these facilities.
9. Labor protection laws have otherwise been violated.

Article 73 (Criminal responsibility)

If the acts described in Article 72 can be considered a criminal act, individual citizens or responsible workers at institutions, enterprises or organizations shall be held criminally liable, and shall be penalized in accordance with relevant provisions of the Penal Code.

Annex 3

Work Quota Law of the Democratic People's Republic of Korea

(로동정량법)¹⁰⁵

Adopted as Political Decree no. 484 by the Standing Committee of the Supreme People's Assembly (SPA), December 10th, Juche 98 (2009)

Amended by Political Decree no. 354 by the SPA Standing Committee, February 11th, Juche 104 (2015)

Chapter 1. Fundamentals of Work Quota Law

Article 1 (Purpose of Law)

The Work Quota Law of the Democratic People's Republic of Korea establishes a rigorous institutional order for the enactment and application of work quotas, thereby organizing labor in a scientific, rational manner and raising the effectiveness of labor, which precipitates the construction of the socialist economy.

Article 2 (Definition)

Work quota is the amount of labor that must be completed under given working conditions in a given amount of time, and it is the standard by which the results of labor are measured.

Work quotas encompass comprehensive work quotas, detailed work quotas, and standards for labor allocation.

Article 3 (Principle of improving work quotas)

The proper enactment and application of work quotas is an important demand of socialist economic management.

The state shall systematically establish institutions for defining and applying work quotas, and continually improve and strengthen its efforts in

this area in line with the practical demands of development.

Article 4 (Principle for enacting work quota)

The enactment of work quotas is an important task that enables the correct organization of labor and precise assessments of the results of labor.

The state shall firmly adhere to the popular line with regards to work quotas and enact a scientific and advanced work quota based on an accurate assessment of workers' level of ideological consciousness, workers' level of technical skill, the results of new scientific research, and the like.

Article 5 (Principle of applying work quotas)

The proper application of work quotas is important for increasing labor productivity and creating even more societal wealth.

The state shall stringently apply work quotas in all areas and entities of the people's economy.

Article 6 (Principle of strengthening workers in the field of work quotas)

The state shall assign able workers to the field of work quotas and heighten their role and responsibilities.

Article 7 (Principle of revising work quotas)

The state shall continually revise work quotas to account for rising levels of workers' ideological consciousness and technical skill, as well as proactive efforts to promote the modernization, scientization, and informatization of the people's economy.

¹⁰⁵ Translation by Raymond Ha, HRNK Director of Operations & Research. The Korean-language text of the law is available from the ROK Unification Law Database at https://www.unilaw.go.kr/bbs/selectBoardList.do?bbsId=BBSMSTR_00000000021&bbsSubId=011.

Article 8 (Intensifying scientific research, training experts)

The state shall intensify scientific research on work quotas and train necessary experts in a far-sighted manner.

Article 9 (Scope of law)

This law enacts work quotas, which are applicable to relevant institutions, enterprises, and organizations.

This law does not apply to enterprises established through foreign investment that are located in the territory of the Democratic People's Republic of Korea.

Chapter 2. Enactment of Work Quotas

Article 10 (Responsibility for enactment)

The standard work quota shall be enacted separately from work quotas for institutions, enterprises, and organizations.

The authorities responsible for enacting work quotas shall enact the standard work quota. Relevant institutions, enterprises, and organizations shall enact their own work quotas.

Article 11 (Procedures for enacting standard work quota)

The authorities responsible for enacting work quotas must properly identify and designate standard entities that have standardized their methods of management and normalized their methods of production. The standard work quota must be based on the labor performance of and other data from these standard entities.

If standard entities do not exist in a certain field, relevant authorities may enact work quotas based on the labor performance of and other data from the entity with the highest labor productivity in that field.

Article 12 (Enacting work quota in conformity with instructions)

Standard work quotas must be enacted in conformity with instructions for enacting standard work quotas.

The Central Guidance Authority on Work Quotas must prepare exact instructions for enacting standard work quotas and send these instructions to the authorities responsible for enacting standard work quotas.

Article 13 (Enacting work quotas at institutions, enterprises, and organizations)

Institutions, enterprises, and organizations shall enact their work quotas by adapting the standard work quota to account for changing realities and detailed, pragmatic concerns.

Relevant institutions, enterprises, and organizations must properly designate the scope of work quotas and define how these work quotas will be applied to each type of product and production process. Comprehensive work quotas, detailed work quotas, standards for labor allocation, and production targets must be enacted in a detailed manner.

Article 14 (Requesting review of work quotas)

Work quotas that have been enacted shall be subject to review by the Central Guidance Authority on Work Quotas. Authorities responsible for enacting work quotas and relevant institutions, enterprises, and organizations must prepare a document requesting review of work quotas and submit it through higher authorities to the Central Guidance Authority on Work Quotas.

Article 15 (Review of work quotas)

Once the document requesting review of work quotas has been received, the Central Guidance Authority on Work Quotas must carry out the review in a timely manner. It may request data or other materials necessary for the review from relevant institutions, enterprises, and organizations.

Relevant institutions, enterprises, and organizations must promptly provide this data or other materials if so requested.

Article 16 (Notification of review results)

The Central Guidance Authority on Work Quotas must properly review work quotas and decide whether to approve or reject the work quota in question.

Relevant institutions, enterprises, and organizations must be promptly notified of the results of the review.

Article 17 (Registration of work quota)

Relevant institutions, enterprises, and organizations must register approved work quotas with higher authorities or the Central Guidance Authority on Work Quotas.

Article 18 (Assessing and updating work quotas)

Authorities responsible for enacting work quotas and relevant institutions, enterprises, and organizations must regularly assess and update work quotas in a timely manner.

The revised work quota must be registered with higher authorities or the Central Guidance Authority on Work Quotas.

Chapter 3. Work Quota Implementation

Article 19 (Responsibility to enact work quotas)

Institutions, enterprises, and organizations are obligated to properly apply the work quota.

A work quota cannot be applied unless it has been registered, and a registered work quota cannot be arbitrarily revised.

Article 20 (Guarantee of conditions for work quota implementation)

Institutions, enterprises, and organizations shall accurately inform their employees of their

respective work quotas and sufficiently guarantee the conditions under which they can be applied.

Article 21 (Provisional work quota application)

Institutions, enterprises, and organizations can establish and apply a provisional work quota regarding new manufacturing and production.

The provisional work quota cannot be applied for more than 3 months.

If the provisional work quota is to be applied for more than 3 months, it must be registered with higher authorities.

Article 22 (Implementation of work quotas in a different unit)

If an employee of an institution, enterprise, or organization is called for temporary work by a different institution, enterprise, or organization, the employee adheres to the work quota of the temporary workplace.

Article 23 (Application of a revised work quota)

In the event of unforeseen circumstances, institutions, enterprises, and organizations may revise the work quota. The revised work quota must be approved by a higher authority or the Central Guidance Authority on Work Quotas.

Article 24 (Work quota implementation period)

The implementation period of a work quota is as follows.

1. The standard work quota is implemented from the date that is indicated on the applicable standard work quota table.
2. An enacted or revised work quota is implemented from the day it is registered with higher authorities.
3. A provisional work quota is implemented on the date that is established by the institution, enterprise, or organization.

Article 25 (Establishment of a labor plan based on work quotas)

Institutions, enterprises, and organizations must establish a labor plan based on the work quota. In this case, the same work quota must be applied to the production and manufacturing performed under equal conditions.

Article 26 (Labor assessment based on work quotas)

Organizations, enterprises, and associations must accurately assess the results of labor based on their respective work quota and pay a corresponding wage.

Assessment of labor results and wage payments cannot be made outside of the work quota.

Article 27 (Comprehensive analysis of work quota application results)

Institutions, enterprises, and organizations must regularly perform a monthly, yearly, and quarterly analysis of results from applying work quotas, and record relevant patterns.

This analysis shall be based on a standardized assessment of participation in labor tasks and execution of work quotas.

Chapter 4. Work Quota Management & Regulation

Article 28 (Work quota management)

Work quota guidance is exercised by the Central Guidance Authority on Work Quotas under the unified guidance of the Cabinet.

To ensure appropriate administration of the state's labor regulations, the Central Guidance Authority on Work Quotas must regularly command and guide the implementation of work quotas.

Article 29 (Enhancing on work quotas)

The Central Guidance Authority on Work Quotas and other relevant institutions must regularly review the implementation of work quotas and stringently establish measures to improve the establishment of work quotas.

Relevant institutions, enterprises, and organizations must sufficiently guarantee work conditions for workers in the field of work quotas.

Article 30 (Work quota supervision and regulation)

The Central Guidance Authority on Work Quotas and relevant supervisory institutions shall regulate the proper application and implementation of work quotas.

The Central Guidance Authority on Work Quotas and relevant supervisory institutions must stringently regulate the enactment and application of work quotas.

Article 31 (Reduction in labor performance and collection of wages)

Labor performance that was assessed based on an improper application of work quotas shall be reduced and the wage that was paid shall be revoked.

Article 32 (Administrative responsibility)

Administrative penalties shall be levied on individual citizens or responsible workers at institutions, enterprises, and organizations in the following cases.

1. Damage or loss resulting from an improper review and approval process of the work quota
2. Damage or loss resulting from arbitrary enactment and application of work quotas
3. Damage or loss resulting from implementation of an unapproved work quota

4. Implementation of an unapproved provisional work quota for more than 3 months
5. Damage or loss resulting from failure to promptly assess and review the work quota
6. Assessment of labor results and wage payment that are inconsistent with a work quota
7. Implementation of a revised work quota that has not been approved
8. Other damage or loss resulting from violation of the work quota law or its order of implementation.

Article 33 (Criminal Responsibility)

In the event of grave consequences from any of the acts specified in Article 32, criminal penalty in accordance with the applicable provisions of criminal law shall be levied against the culpable workers and individual citizens of responsible institutions, enterprises, and organizations.

Annex 4

Standard Interview Questionnaire for Former Workers Officially Dispatched to China & Russia

In about 10-15 minutes, please describe your experience prior, during, and after your being officially dispatched overseas.

1. Please state your name, date and place of birth, and your place of residence right before leaving North Korea as a worker dispatched overseas. How long have you lived in South Korea?
2. When did you work as a worker dispatched overseas?
3. Where did you work, in what country, what region, and for how long?
4. How many times were you officially dispatched?
5. Does one have to wait after repatriation, before being granted an opportunity to be dispatched for a second time?
6. Did you defect during, or after your being dispatched overseas?
7. How did you defect, and what route did you follow?
8. How did you find out about the job?
9. Did you think it was a good opportunity?
10. What was the hiring process like? Were you recruited, or did you respond to a job ad?
11. What agency was involved in the hiring?
12. What were the hiring criteria? Were there any minimum requirements?
13. Was there bribery involved in the hiring process? If so, how much, and to whom did you give bribes?
14. Did you have a contract?
15. If so, who is the other contracting party?
16. What was the duration of your contract?
17. Did you come across people working for the hosting agency?
18. Did you know who the hosting agency was in the respective country?
19. What were you doing in your home country?
20. On paper, did you continue to be an employee of your older workplace in North Korea while being dispatched overseas?
21. If so, did you have to fulfill any obligations towards your old workplace while overseas?
22. What is your level of education? If college educated, please give the name of your university and your major.
23. Are you from an urban or rural area?
24. Which would best describe your family background?
 - a. My family is wealthy
 - b. My family is neither wealthy, nor poor
 - c. My family is poor
25. Did you come by yourself, or together with family members?
26. Did you have family members back home? How many? Do you still have family members at home?
27. Is being a worker dispatched overseas regarded as a prestigious job?
28. Did you communicate with family members?
29. Did you have access to a telephone? If so, how frequently?
 - a. I have permanent access to a telephone
 - b. I occasionally have access to a telephone
 - c. I rarely have access to a telephone.
30. If your answer was “b” or “c,” please explain in more detail when you have access to a telephone.

31. Do you have access to a computer linked to the internet? If so, how frequently?
 - a. I had permanent access to the internet
 - b. I occasionally had access to the internet
 - c. I rarely had access to a telephone.
32. If your answer was “b” or “c,” please explain in more detail when you have access to a computer linked to the internet.
33. What kind of work did you do?
34. What did your workplace specialize in doing?
35. How many hours a day, how many days a week did you work?
36. How many other North Koreans worked with you?
37. Were there workers of other nationalities? If so, locals or foreigners?
38. Were you aware of North Korean workers elsewhere in the country? If so, in what industries, and in what areas?
39. Did you have to work overtime?
40. If you did, under what circumstances do you have to work overtime?
41. Did you have free time? If so, when?
42. What did you do in your free time? Did you get to know people outside your workplace?
43. Were you aware of colleagues taking on second jobs after bribing their supervisors?
44. If you had to work overtime, about how many hours a week per average?
45. What was your salary? Did you get paid on an hourly, daily, weekly or monthly basis? How much higher was it than your pay in North Korea?
46. Were you aware of your actual salary? How many percent was retained by the North Korean authorities?
47. Were you ever told that you had to pay tax in the host country?
48. Were you aware of the North Korean government paying taxes in the host country?
49. How was your salary paid, in hard currency, the currency of your current country of residence, or in the currency of your home country?
50. Did you exchange your salary into North Korean currency? If so, was it done at the official exchange rate? Did you just send hard currency home? If so, how?
51. Was your salary handed over to you in cash, or deposited in an account?
52. If it was deposited in an account, was that account in your home country, or in your current country of residence?
53. Did you think you are paid more or less than other workers in this country doing the same type of job? Please explain.
54. Have you heard of cases of workers whose salaries were not paid?
55. Did you receive tips? What did you do with the tips? (ONLY FOR RESTAURANT WORKERS)
56. Did you get paid for overtime?
57. If you got paid for overtime, which would best describe the frequency of the payments:
 - a. I always get paid for overtime
 - b. I occasionally get paid for overtime
 - c. I rarely get paid for overtime
58. How long was your deployment supposed to be?
59. Have you heard of situations when workers in your position were asked to stay longer than initially expected?
60. Did you have vacation?
61. Did you accumulate vacation days while overseas? Did you have the option to spend them while overseas or take them after your return to North Korea?
62. Did you undergo a health examination prior to being dispatched from your country of origin?

63. If so, what did it involve? A blood test, physical examination etc.?
64. Are you aware of anyone being rejected for medical reasons?
65. What happens when you or your co-workers got sick? Did you have access to doctors or hospitals?
66. Were you aware of any accidents resulting in the injury or death of one or more of your co-workers?
67. If so, how were they handled?
68. Were the victims or families provided compensation?

69. How many members were there in your work unit?
70. What was the male-female ratio in your work unit?
71. Were you aware of any instances of gender discrimination in the way work, including overtime, is assigned, or in the way salaries are paid?
72. Were you aware of instances of sexual harassment?
73. What was the average age of your work unit?
74. How old was the oldest member, and how young was the youngest one?

75. Was there a system of punishment in place for workers who made mistakes or failed to obey regulations?
76. Was there a system of rewards in place for workers who performed extraordinarily well or exceeded expectations?
77. Did you have production targets? Were they realistic, or over-burdening?
78. Was there a performance evaluation in place? If so, who did that?
79. Who supervised your work? Did you know the company or agency that person worked for?
80. How many supervisors per how many workers were there? Did the supervisors rotate, or is it always the same person(s)?
81. Were there agents of the Ministry of State Security (formerly known as the State Security Department) or other government security agency on site?

82. Who conducted surveillance of the workers, and how?
83. Was local/national law enforcement involved at all? Was there private security?
84. Were you aware of bribes paid to supervisors and/or security agents?
85. If so, how much and what for?

86. How were your living conditions? Did you live alone, or together with others? How many others? At what type of lodging facility did you live?
87. Were your sleeping quarters close to the workplace? If not, how did you commute to work?
88. Did you get together with your co-workers? If so, did your supervisors and/or security agents also join the meetings?
89. If you noticed a problem pertaining to your workplace, if your salary was not paid in full or on time, if you noticed a workplace safety problem, if someone had been the victim of sexual harassment, could you report it?
90. If so, what was the reporting mechanism?
91. Were workers encouraged to report problems? If so, which of the following most accurately describes that requirement:
 - a. The workers were encouraged to speak freely and report any problem.
 - b. The workers were encouraged to report only some types of problems. If so, please explain what problems must be reported.
 - c. The workers were not allowed to voice their concerns and were reprimanded if they did so.
92. Did you want to continue to do the work, or were you eager to return home?
93. Did you come to the realization that reality was very different from your expectations?
94. If so, when and how? Please provide a detailed explanation.

95. Did you manage to get out of your sleeping quarters/workplace?
96. What did you know about the host country prior to being dispatched?
97. Do you think the workers dispatched overseas and their families are better off than others in North Korea?
98. Are you for or against continuing the practice of sending North Korean workers overseas?
99. What have you heard about the current numbers of North Korean workers officially dispatched overseas? Are those numbers fairly steady, are they increasing or decreasing?
100. What is your sense of the current overall situation in North Korea, under the Kim Jong-un regime? Do you sense that there is change? If so, please explain.

Please address any other issues that may have been omitted in this questionnaire.

Annex 5

Questionnaire for Former Officials in Charge of Dispatching & Managing Workers in China and Russia

1. Are you able to explain the lines of command that control the dispatch, operation, and return of North Korean workers in Russia and China?
2. Are you aware of financial transactions conducted in conjunction with the dispatch of North Korean workers to Russia and China?
3. If so, are you able to share information on such financial transactions?
4. Are you aware of actual names of individuals and enterprises involved in the North Korean overseas labor supply chain?
5. Are you aware of the names of Russian or Chinese companies and/or individuals that are evading sanctions?
6. Can you share any information on the Daehung Company/Daehung General Bureau, which operates under the control of Office 39, directly tied to the KWP?
7. Can you think of any additional information that may help identify individuals and entities involved in the dispatch of North Korean workers to Russia and China and sanctions evasion?