

Tropical tuna social risk profile

Forced labor, human trafficking, and hazardous
child labor risks

Republic of Korea, Fishing and Processing

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SEAFOOD SOCIAL RISK TOOL V2

Disclaimer

The Seafood Social Risk Tool has been prepared for information purposes only, and is not intended to constitute business, legal, market, financial or investment advice. The Seafood Social Risk Tool is designed to serve as an informational resource and does not override legislation or internal policies or procedures. It is recommended that all users of the Seafood Social Risk Tool seek independent legal advice. The Monterey Bay Aquarium Foundation shall not be responsible to any party related to its use or interpretation of the information contained in the Seafood Social Risk Tool.

Contents

About the Seafood Social Risk Tool	3
Overview	4
Base risks of forced labor, human trafficking, and hazardous child labor in the country in general...	4
Adjusted risks of forced labor, human trafficking, and hazardous child labor in the country's seafood supply chain.....	5
Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain	7
Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain	8
Fishing	11
Processing and Trade.....	11
Due Diligence for Tropical Tuna in South Korea	12
South Korea: Country-level indicators	15
South Korea: Seafood industry-level indicators.....	34
South Korea: Fishing indicators	50
South Korea: Processing indicators.....	65
References.....	70

About the Seafood Social Risk Tool

The Seafood Social Risk Tool profiles seafood production systems around the world and identifies areas within those systems that are at higher risk of containing forced labor, human trafficking, and hazardous child labor to help businesses begin to focus their efforts to improve human rights and labor conditions.

The tool includes more than 80 indicators of risk based on publicly available evidence of forced labor, human trafficking, and hazardous child labor abuses in seafood supply chains as well as an analysis of information about risk factors correlated with these abuses. This information is packaged into risk profiles specified by species and country of origin designed to help businesses better identify the potential for human rights abuses in their supply chains so they can take the first steps toward improving conditions for seafood workers.

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The Seafood Social Risk Tool was created in partnership with the Monterey Bay Aquarium, Sustainable Fisheries Partnership, Liberty Shared, and a team of human rights experts.

Monterey Bay Aquarium's Seafood Watch program raises awareness of important ocean conservation issues and empowers seafood consumers and businesses to make choices for healthy oceans.

Sustainable Fisheries Partnership is a US-registered nonprofit that operates globally to rebuild depleted fish stocks and reduce the environmental and social impacts of fishing and fish farming. The organization works by engaging fishery stakeholders and seafood businesses throughout the supply chain to promote the sustainable production of seafood.

Liberty Shared aims to prevent human trafficking through legal advocacy, technological interventions, and strategic collaborations with NGOs, corporations, and financial institutions globally.

To learn more about Seafood Watch, to view our seafood recommendations, or to view the Seafood Social Risk Tool, [visit SeafoodWatch.org](https://www.seafoodwatch.org).

Overview

The Republic of Korea (hereafter South Korea) operates one of the world's most significant distant-water fishing (DWF) fleets.ⁱ In 2019, South Korea produced 3.83 million tons of seafood.ⁱⁱ Distant water fisheries accounted for nearly 508 thousand tons, equivalent to 13% of South Korea's total seafood production, with a value of approximately USD 984 million (KRW 1,116,389 million).ⁱⁱⁱ The DWF fleet primarily targets tuna and squid.^{iv} In 2018, South Korea harvested over 319,600 metric tons of bigeye, skipjack, and yellowfin tunas, with more than 70% of recorded catch comprising skipjack tuna.^v South Korea processed 1.36 million metric tons of seafood in 2018.^{vi} The country's top five seafood export destinations by value are Japan, China, the United States, Thailand, and Vietnam.^{vii} Tuna is among South Korea's top seafood export items.^{viii} Significant quantities of frozen skipjack tuna are exported to Thailand for processing, as well as smaller amounts to Mexico, China, Ecuador, and Vietnam, among other countries.^{ix}

Base risks of forced labor, human trafficking, and hazardous child labor in the country in general

Overall, the risks of forced labor, human trafficking, and hazardous child labor in South Korea appear to be high. Corruption and resource issues hinder the enforcement of domestic labor laws, while demands for low-skilled foreign labor and limited protections for migrant workers exacerbate the risk of human trafficking, forced labor, and hazardous child labor occurring. Nevertheless, there are signs of improving governance with the adoption in 2021 of key international labor standards intended to guarantee fundamental labor rights, although the impact of this is not yet known.

South Korea was downgraded from a Tier 1 country to a Tier 2 country by the US Department of State's 2022 Trafficking in Persons Report due to weakened efforts to meet the minimum standards for the elimination of trafficking compared to previous years and inadequate identification and protection of trafficking victims.^x Active labor investigations are delayed by an insufficient number of labor inspectors and, in some cases, have been derailed by alleged cases of corruption and bribery involving labor inspectors.^{xi} Workers' rights to freedom of association and collective bargaining are recognized in law, but in practice are not well respected.^{xii,xiii} Workers are subject to anti-union practices, interference, and union-busting tactics.^{xiv} The International Trade Union Confederation identifies South Korea as one of twelve countries where arrests of trade union leaders were made in 2022.^{xv}

Current labor migration trends and the treatment of migrant workers in South Korea increase the risk of human trafficking, forced labor, and hazardous child labor occurring. The number of foreign workers in the country has grown quickly over the last decade or so.^{xvi} There is a high demand for low-skilled foreign labor to fill labor gaps and ninety percent of foreign workers in South Korea are classed as low-skilled.^{xvii} Protections for foreign workers have improved since the introduction of the Employment Permit System

(EPS) in 2003.^{xviii} But concerns persist regarding discrimination toward foreign workers. Low-skilled foreign workers are especially vulnerable to labor exploitation. To help protect the rights of foreign migrant workers further, the Korean Government amended the relevant regulations in 2012 and 2016 to allow workers to change workplaces in situations where labor violations have occurred, such as in cases of unpaid wages, without that change counting towards the maximum permitted number of workplace changes allowed.^{xix}

More recently, South Korea has committed to eliminating forced labor and promoting freedom of association.^{xx} In spite of opposition from political parties and business groups over the strengthening of labor unions,^{xxi} the Moon Jae-in administration ratified the Convention on Freedom of Association (C87), the Convention on Right to Organize and the Collective Bargaining (C98) and Convention on Forced Labour (C29) on April 20, 2021.^{xxii} The ratification increases the total number of fundamental International Labour Organization (ILO) conventions ratified by South Korea from four to nine out of the now eleven¹ fundamental instruments.^{xxiii} Evidence regarding the application of these conventions has not yet been reported by South Korea to the ILO.^{xxiv}

Adjusted risks of forced labor, human trafficking, and hazardous child labor in the country's seafood supply chain

South Korea's seafood industry has been linked to an elevated risk of human rights abuses and correlated risks of illegal, unreported, and unregulated (IUU) fishing, with higher risks identified in the distant water fishing fleet, which mainly fishes for tuna. Evidence includes allegations from the past five years of human trafficking, forced labor, and conditions indicative of forced labor in the fishing industry. Regulatory changes have led to improvements in the fishing industry, nevertheless, concerns have been raised about whether these provide sufficient protections for fishers with some evidence to suggest that conditions for migrant fishers have not improved. Thus, the risks of forced labor and human trafficking in South Korea's seafood industry are still considered high.

Both the coastal water fishing (CWF) and distant water fishing (DWF) fleets have been linked to human rights and labor rights abuses, but risks appear to be highest in the DWF fleet.^{xxv} Factors that contribute to increased risks in the DWF fleet include the higher proportion of migrant workers, who are generally more vulnerable to labor abuses in fishing. The overall ratio of foreign workers to total workers in South Korea's agriculture and fishing industry is low at 3.8 percent, compared to 9.7 percent in manufacturing.^{xxvi} But the employment of migrant workers in fishing is skewed towards the DWF fleet, exacerbating the already heightened vulnerability of migrant workers in South Korea to labor exploitation. Private recruitment agencies used to hire migrant workers for the DWF fleet charge them excessive recruitment fees, exposing

¹ With the adoption of a Resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work by the International Labour Conference in June 2022, the number of ILO fundamental conventions, also known as the core conventions, increased from the eight to ten (plus the Protocol of 2014 to the Forced Labour Convention, 1930, resulting in eleven fundamental instruments). See <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm>

workers to debt and increased risks of forced labor. This risk is then exacerbated by the withholding or nonpayment of wages as identified by several research efforts.^{xxvii}

International attention on South Korea's DWF fleet increased with the 2011 case of the South Korean-flagged fishing vessel 'Sajo Oyang 75', when 32 Indonesian fishers escaped the vessel and sought help from the authorities in New Zealand, claiming to have suffered verbal and physical abuse, sexual assault, and nonpayment of wages.^{xxviii} Since then, several investigations by organizations such as Advocates for Public Interest Law (APIL) and Environmental Justice Foundation (EJF) have revealed further evidence of human rights abuses, and more specifically, forced labor in South Korea's DWF fleet. Alleged abuses identified include excessive working hours, debt bondage, withholding of identify documents, wage deductions, dangerous working conditions, poor living conditions, and physical or verbal abuse.^{xxix} Some of the fishing vessels that have been linked to allegations were certified to export seafood to the UK and European Union.^{xxx} In some cases, evidence of conditions suggestive of forced labor within the DWF fleet has been explicitly linked to tuna fishing vessels. For example, in interviews conducted by APIL and EJF with migrant crew on 12 Korean-flagged tuna longliners in 2021, the crew reported the withholding of wages or wage deductions, debt bondage, excessive working hours, and some crew also reported experiencing verbal and physical abuse.^{xxxi}

Risk factors such as transshipment at sea and IUU fishing are also present in the DWF fleet. Regarding the correlated risk of IUU fishing, South Korea was issued a yellow card in 2013 by the EU for failing to adequately address IUU fishing. This was later lifted in 2015 following reforms to fisheries governance and in 2018, South Korea notably signed a joint statement with the EU committing to fight IUU fishing.^{xxxii} South Korea was again identified internationally for reported IUU fishing activities by the United States in 2019 but was removed from the United States' preliminary IUU list after South Korea revised its Distant-Water Fisheries Development Act to allow regulators to quickly sanction offending fishing vessels. Allegations of IUU fishing by vessels in the DWF fleet, including in connection to tuna fishing, continue to be made but there is evidence of the Ministry of Fisheries penalizing vessels found to be in violation of South Korea's DWF legislation.^{xxxiv,xxxv}

South Korea has been praised internationally for its efforts in the past five years to improve the legal framework governing the DWF fleet, including changes to regulations concerning illegal fishing and worker protections, but concerns continue to be raised.^{xxxvi,xxxvii} New rules to help protect migrant workers in South Korea's DWF fleet came into effect in January 2021. The new regulations require recruitment fees to be paid by the employer instead of the worker and set out additional rules regarding access to basic needs (clean water) and rest periods. However, the regulations have been criticized by international and local NGOs, who warned that loopholes still leave fishers vulnerable to abuse. EJF and APIL called for additional reforms to tackle recruitment fees and a focus on compliance and enforcement.^{xxxviii} Recommendations presented to Korea's Ministry of Oceans and Fisheries in a policy briefing by EJF, published in June 2022, call on the government to ratify ILO Convention 188, to reform the national Seafarers Act in line with fundamental labor conventions, adopt a victim-centered for labor inspections, continue improving transparency in the

fishing industry, and increase the traceability of seafood.^{xxxix} A 2023 briefing by EJF and APIL concludes that the new measures introduced in 2021 to protect migrant fishers “have failed to uphold their basic human rights” and calls for urgent reforms.^{xl} Among the recommendations made, the briefing calls on the Korean government to end the use of recruitment fees and the practice of passport confiscation, stop minimum wage discrimination, impose a maximum time at sea for DWF vessels, and establish an effective grievance reporting system for all crew.^{xli}

Very little information was found on South Korea’s tuna processing industry, making it difficult to assess risks of forced labor, human trafficking, or hazardous child labor. It is worth noting however, that South Korea exports significant quantities of tuna, mainly in frozen form for processing in other countries such as Thailand and Ecuador. Therefore, readers should be aware of the upstream risks from South Korea’s tuna fishing industry entering into global supply chains.

Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

Country-level indicators

- South Korean men are subject to forced labor in fisheries and aquaculture, agriculture, and salt production. Foreign men and women from Asia, the Middle East, and South America are subjected to sex trafficking and forced labor or conditions indicative of forced labor in South Korea. South Korean women and children are exploited in commercial sex. In addition, South Korean people are exploited abroad in sex trafficking.

Seafood industry-level Indicators

- South Korea’s seafood industry has been linked to human trafficking and forced labor, as well as indicators of forced labor, in the past five years. Evidence is mostly related to the fishing industry, but fish farming has also been implicated.
- Abuses are especially prevalent in the distant water fishing (DWF) fleet but have also been identified in the coastal water fishing (CWF) fleet in the past decade.
- Migrant workers employed in the CWF fleet are allegedly subjected to debt bondage arising from excessive recruitment fees, the withholding of their passports by recruitment agencies while waiting to start employment, verbal and physical abuse, discrimination, delayed payments, and excessive working hours, among other concerns, which likely amount to forced labor.
- No evidence was found linking South Korea’s seafood industry to hazardous child labor

Fishing indicators

- South Korean DWF vessels have been linked to human trafficking and forced labor, as well as conditions indicative of forced labor, with evidence specifically linking some allegations to tuna longline vessels.

- Conditions reported by former crewmembers of three tuna longliners during an investigation conducted from 2018 to 2020 by Environmental Justice Foundation (EJF) and the Advocates for Public Interest Law (APIL) included excessive working hours, withholding of wages, recruitment fees, and the confiscation of identity documents.
- In interviews conducted by EJF and APIL in 2021 with 13 migrant crew on 12 Korean-flagged tuna longliners registered in the WCPFC, crew reported similar experiences of wages being deducted or withheld, debt bondage, excessive working hours without rest, and some crew also reported verbal and physical abuse.
- No evidence was found linking the DWF fleet or tuna vessels to hazardous child labor.

Processing indicators

- No evidence was found linking South Korea’s tuna processing industry to human trafficking, forced labor, or hazardous child labor.

Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

Factors that increase the likelihood

Country-level indicators

- There is high demand for low-skilled foreign workers to fill labor gaps. Ninety percent of foreign workers in South Korea are low-skilled.
- Workers’ rights to freedom of association and collective bargaining are not well respected; the ITUC Global Rights Index rates South Korea below the regional average rating for the Asia-Pacific, assigning it a rating of 5 (No guarantee of rights).
- Restrictions on the employment of migrant workers may amount to discrimination.
- South Korea has not yet ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Convention No. 188 on Work in Fishing or two of the ILO fundamental instruments on forced labor (Convention No. 105 on the Abolition of forced labor and Protocol 29 to the Forced Labor Convention).
- Most people convicted for trafficking-related crimes received lesser penalties that may not act as a deterrent.

Seafood industry-level indicators

- The 2018 Global Slavery Index (GSI) for fishing categorizes South Korea as ‘High risk’. High risk factors relate to the country’s “National Fisheries Policy” (catch outside EEZ, distant water fishing, and subsidies).

- International and local NGOs have raised concerns about gaps in new regulations effected in January 2021 for the distant water fishing fleet that may leave migrant workers vulnerable to abuse and poor living and working conditions.
- The implementation and enforcement of labor-related regulations in the fishing industry is hindered by an insufficient number of vessel inspections, jurisdictional disputes between the authorities, and weak penalties.
- Efforts to implement a grievance reporting system for migrant fishers since 2021 appear to have had limited success to date, with poor awareness of the system identified by a 2023 NGO study.

Fishing indicators

- South Korean tuna fishing vessels stay at sea for extended periods with crew found to be spending more than 12 months onboard.
- Bigeye tuna and yellowfin tuna caught in the Indian Ocean is overexploited.
- South Korea has made efforts to address illegal, unreported, and unregulated (IUU) fishing, but there continue to be reports of IUU fishing by DWF vessels, including in connection to tuna fishing.
- The distant water fishing (DWF) fleet engages in transshipment activity.
- More than 60% of fishers employed in the South Korean DWF fleet are foreign migrant workers, mostly from countries in Southeast Asia.
- Migrant workers employed on DWF vessels often incur significant debts through loans used to pay excessive recruitment fees to private recruitment agents and intermediary brokers.
- Contracts for DWF fishers fail to outline working hours or compensation for overtime worked.

Processing indicators

- Limited information was found regarding the tuna processing industry in South Korea, making it difficult to assess risks.

Factors that decrease the likelihood

Country-level indicators

- South Korea is ranked within the 'very high human development' category of the Human Development Index (HDI) and shows progress against each of the HDI indicators for income, health, and education.
- South Korea performs well against most of the SSRT indicators for governance practices and systems, including perceptions of governance, perceptions of corruption in the public sector, and the risk of money laundering.
- People in South Korea are more accepting of migrants than on average for all countries assessed according to the Gallup Migrant Acceptance Index.
- South Korea has committed to eliminating forced labor and promoting freedom of association by ratifying the Convention on Freedom of Association (C87), the Convention on Right to Organize and the Collective Bargaining (C98), and the Convention on Forced Labour (C29) in 2021 and has committed to ratify the ILO Work in Fishing Convention, 2007 (C188) by 2024.

- The adoption of the Prevention of Trafficking in Persons, Etc. and Victim Protection Act, which came into effect from January 2023, provides a definition of trafficking in persons that aligns more closely with international norms.

Seafood industry-level indicators

- Improved regulations on recruitment fees, access to basic needs, and working hours came into effect for South Korea’s distant water fishing fleet in January 2021.
- The government agreed in January 2022 to gradually increase the minimum wage for foreign migrant fishers to match that of Korean nationals.
- Labor inspections carried out by the government of fishing vessels weighing over 20 tons included participation by fishermen’s unions in 2022 and comprised written surveys and interviews carried out with migrant fishers in their native languages.
- A South Korean seafood company, significant to the global seafood industry, participates in voluntary initiatives with commitments to improving traceability and eliminating “modern slavery” from its supply chain.

Fishing indicators

- Tropical tuna caught in the Western and Central Pacific Ocean is not considered overexploited.
- Over the last decade South Korea has implemented positive reforms in fisheries governance to address risks of illegal, unreported, and unregulated fishing.
- South Korea has not been identified as a flag of convenience.

Processing indicators

- The tuna processing industry appears to be consolidated among a small number of companies, some of which have vertically integrated operations.
- Tuna prepared for the export market likely undergoes limited processing as trade data indicates that South Korea mainly exports frozen skipjack tuna.

Fishing

South Korea operates one of the world's major distant water fishing (DWF) fleets, accounting for around ten percent of global distant water fishing effort in other countries' waters from 2016 to 2017.^{xlii} The DWF fleet predominantly targets tunas and cephalopods.^{xliii} According to a 2016 report by WWF-Korea, tuna is the most important species caught by the DWF in terms of catch volume and fishing capacity, with tuna representing about 50% of the catch, following by squid at 18%. Other species caught by the DWF fleet include Alaska pollock and Pacific saury.^{xliiv}

South Korea is a member of all five tuna Regional Fishery Management Organizations (RFMOs).^{xliv} Tuna is mainly caught by South Korean purse seine and longline vessels in the Western and Central Pacific Ocean (WCPO) and increasingly in the Indian Ocean.^{xlvi} According to the Western and Central Pacific Fisheries Commission's Record of Fishing Vessels, 101 South Korean-flagged tuna longliners and 24 South Korean-flagged tuna purse seiners are authorized to fish in the WCPO.^{xlvii} Capture production statistics from the FAO show that in 2018, South Korea harvested over 235,000 metric tons (t) of skipjack tuna, over 51,500t of yellowfin tuna, and over 32,500t of bigeye tuna.^{xlviii}

Processing and Trade

South Korea is an important supplier of frozen tuna to Thai tuna processors and produces canned tuna for domestic consumption. Information regarding the status of the tuna processing industry in South Korea is limited. According to a 2011 report, five major canneries operated in the southern provinces of South Korea, with additional canneries operated by two of the main Korean purse seine fishing companies.^{xlix} Canned tuna was mostly produced for domestic consumption.^l Tuna and squid are South Korea's most important species in seafood exports.^{li} In 2019, South Korea exported more than US\$182 million in value of skipjack tuna (HS codes 160414, 030233, 030343),^{lii} with frozen skipjack (HS code 030343) accounting for almost 92% of those exports.^{liii} The top five export destinations by value for frozen skipjack were Thailand, Mexico, China, Ecuador, and Vietnam.^{liiv} Thailand accounted for 63% of South Korea's frozen skipjack exports by value in 2019.^{liv}

Due Diligence for Tropical Tuna in South Korea

Important Country-Specific Considerations

- Relaxed controls on immigration and a demand for low-skilled labor have led to a significant increase in the number of foreign migrant workers employed in South Korea over the last decade.
- Efforts to enforce anti-trafficking and forced labor laws are hindered by legislative gaps and an insufficient number of labor inspectors. Meanwhile, the ability of workers to address grievances through trade unions is limited by anti-union practices.
- South Korea’s distant water fishing (DWF) fleet has been linked to evidence of forced labor and conditions indicative of forced labor, as well as correlated risks of transshipment and illegal, unreported, and unregulated fishing.
- Limited information was found on tuna processing in South Korea.

Suggested Due Diligence Priorities & Questions

Recruitment

Migrant workers in the DWF fleet are hired by private recruitment agents and intermediary brokers, often with considerable costs incurred by the workers. The threat of losing a job opportunity means that workers often sign recruitment contracts with unfavorable terms. Recruitment agencies confiscate workers’ passports to prevent them from leaving while waiting to start employment. In contrast to fishers employed on coastal water fishing vessels, migrant workers employed on DWF vessels did not report receiving training on Korean language and culture, safety, and the names of fish and fishing gear.

1. What procedures are in place to manage recruitment agents and intermediary brokers, including those in foreign countries? Are there screening and evaluation processes prior to engaging with recruitment agents?
2. Do you know how recruitment agents comply with the ‘Employer Pays Principle’, including whether they have a procedure for verifying that workers are not charged fees and a mechanism for workers to report violations?
3. Do migrant workers receive training to help understand the terms of their recruitment contracts and safely perform their work?
4. What procedures are in place to ensure workers have unrestricted access to their documents (such as passports)?

Contracts and Compensation

Not all migrant workers recall signing a labor contract, which is required for the visa process, indicating that labor contracts may sometimes be signed fraudulently on behalf of workers. Generally, labor contracts do not address working hours or compensation for overtime, leaving fishers vulnerable to exploitation. Migrant fishers on DWF vessels receive very low wages that do not match those of Korean fishers working on board. Workers employed in the DWF fleet report experiencing wage deductions or withholding of wages.

1. Is there a procedure in place to verify the authenticity of signed labor contracts?
2. Do recruitment and labor contracts include clauses that define rest periods, wages, and compensation for overtime?
3. Do you know if all workers in your supply chain, including foreign nationals, are paid at least the national minimum wage?
4. What is the frequency with which workers are paid? Are there checks in place to ensure that workers are paid in a timely manner?
5. Are there checks in place to deter and monitor for unlawful wage deductions?

Complaints mechanisms

Although workers' rights to freedom of association and collective bargaining are recognized in law, in practice they are not well respected. Little information was found regarding access to trade unions in the seafood industry and measures put in place to establish a grievance system for migrant workers in the distant water fishing fleet appear to be ineffective.

1. Do workers in your operation/supply chain have access to third party support such as trade union representatives?
2. Do workers in your operation/supply chain have access to a complaint mechanism that is safe and easy to use?
3. Are there procedures to document, track, and resolve workplace grievances and complaints?

Worker demographics

No information on the tuna processing workforce in South Korea was found.

1. Do processing operations employ mostly migrant laborers or ethnic minorities? What countries or parts of the country do the workers come from?
2. Do workers have documented legal work permits? If so, who manages these permits?
3. What proportion of workers are considered low-skilled in the work environment?
4. What is the proportion of temporary and contract workers to permanent workers?
5. What is the proportion of women in the workforce? Are women in managerial roles?

South Korea: Country-level indicators

Indicator	Description	Sources
Poverty levels in a country	<p>Human Development Index</p> <p>HDI value (2021): 0.925</p> <p>HDI rank (2021): 19/191 countries and territories</p> <p>South Korea's HDI value for 2021 places it in the 'very high human development' category and positions it at 19 out of 191 countries and territories. This rank is shared with Japan. South Korea's HDI value for 2021 is slightly above the average of 0.899 for countries in OECD. The country shows progress against each of the HDI indicators for income, health, and education from 1990 to 2021. However, when South Korea's HDI value is discounted for inequality, it falls to 0.838, a loss of 9.4% due to inequality in the distribution of the HDI dimension indices. The average loss due to inequality for very high HDI countries is 10.2% and for OECD it is 11.0%.</p>	<p>UNDP Human Development Index (HDI)</p> <p>UNDP Global Human Development Indicators Country Profile: Republic of Korea</p>
	<p>Poverty headcount ratio at national poverty line (% of population): No data.</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> • North Korea: No data • Japan: No data • Taiwan: No data • Hong Kong: No data • China (2020) 0.0%. 	<p>World Bank</p>
	<p>Global Hunger Index (2023): South Korea is not rated.</p> <p>Neighboring countries Japan, Taiwan and Hong Kong are not rated.</p> <p>North Korea scores a 'serious' level of hunger and China scores a 'low' level of hunger.</p>	<p>Global Hunger Index (GHI)</p>

Indicator	Description	Sources
	<p>Note: GHI is scored on a 100-point GHI Severity Scale, where 0 is the best score (no hunger) and 100 is the worst (where ≥ 50 is 'extremely alarming').</p>	
<p>Country's position in the regional economic power system</p>	<p>Comparing HDI ranking to other countries in the region</p> <p>South Korea</p> <ul style="list-style-type: none"> HDI Value (2021): 0.925 HDI rank (2021): 19 <p>South Korea shares the same rank in the UNDP HDI with its neighboring country Japan. Both Japan and Hong Kong also fall in the 'Very high human development' category, and China is in the 'High human development' category.</p> <p>Neighboring countries:</p> <p>North Korea HDI Value (2021): Not rated HDI rank (2021): Not rated</p> <p>Japan HDI Value (2021): 0.925 HDI rank (2021): 19</p> <p>Taiwan HDI Value (2021): Not rated HDI rank (2021): Not rated</p> <p>Hong Kong HDI Value (2021): 0.952 HDI rank (2021): 4</p> <p>China HDI Value (2021): 0.768 HDI rank (2019): 79</p>	<p>UNDP Human Development Index (HDI)</p>

Indicator	Description	Sources
	<p>Comparing its recent economic growth to the general economic growth rates in the region</p> <p>South Korea GDP Growth (annual %): 2.56 (2022)</p> <p>Neighboring countries:</p> <p>North Korea GDP Growth (annual %): no data</p> <p>Japan GDP Growth (annual %): 1.03 (2022)</p> <p>Taiwan GDP Growth (annual %): no data</p> <p>Hong Kong GDP Growth (annual %): -3.48 (2022)</p> <p>China GDP Growth (annual %): 2.99 (2022).</p>	<p>World Bank Databank figures on annual economic growth</p>
	<p>Migration data</p> <p>The Net migration rate (immigrants minus emigrants per 1,000 population) for South Korea is 0.8 (2021).</p>	<p>IOM Migration Data Portal</p>
	<p>Regional migration trends and patterns</p> <p>South Korea is primarily a source rather than a destination country for migrants. Koreans typically migrate overseas seeking better work opportunities. Primary destinations for Koreans living abroad include the United States, Canada, Australia, and Japan.</p> <p>The country has gradually opened itself up to immigration over the past decade in response to labor shortages and falling fertility rates, relaxing its controls on immigration, and seeking to attract foreign workers. As a result, the number of registered foreign nationals in South Korea</p>	<p>Migration Policy Institute 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'</p>

Indicator	Description	Sources
	<p>grew from 438,000 in 2003 to nearly 1.5 million in 2015. Key source countries for foreign nationals in South Korea include China and South-East Asian countries.</p> <p>Foreign labor is mainly sought out for unskilled jobs that are rejected by educated nationals. Ninety percent of foreign workers in South Korea are classed as low-skilled. Low-skilled foreign labor can be employed by qualifying employers under a guestworker scheme known as the Employment Permit System (EPS). Under the EPS, the South Korean government has Memoranda of Understanding in place with 16 sending countries, including Indonesia, the Philippines, Sri Lanka, Vietnam, and Thailand. Sectors permitted to employ foreign workers include construction, manufacturing, agriculture and livestock, fisheries, and some services.</p> <p>South Korea is also a destination country for refugees, mainly from North Korea, that typically transit via China and other countries in East Asia.</p>	
	<p>Known human trafficking routes</p> <p>Freedom Collaborative’s Victim Journeys Map identifies South Korea as a destination country for human trafficking victims from Thailand.</p> <p>The US Department of State’s 2023 Trafficking in Persons (TIP) Report identifies South Korea as a destination country for trafficking victims from China, Thailand, Russia, the Philippines, Vietnam, Indonesia, Morocco, and other countries in Asia, the Middle East, and South America.</p>	<p>Freedom Collaborative, No date, Victim Journeys Map</p> <p>US Department of State, 2023 Trafficking in Persons (TIP) Report</p>
<p>Governance practices and systems in a country (measured through indexes)</p>	<p>WGI (2022) Percentile rank</p> <ul style="list-style-type: none"> • Voice and Accountability: 74.88 • Political Stability and Absence of Violence: 64.62 • Government Effectiveness: 90.09 • Regulatory Quality: 83.96 • Rule of Law: 84.92 	<p>World Governance Indicators (WGI)</p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> Control of Corruption: 76.89 <p>South Korea ranks among the top half for each indicator. The country ranks close to or above the regional average for East Asia and the Pacific for all indicators.</p> <p>Note: Percentile rank among all countries ranges from 0 (lowest) to 100 (highest) rank, where the higher the percentiles, the better the governance.</p>	
	<p>Corruption Perception Index (2022)</p> <p>Score: 63/100</p> <p>Rank: 31/180 countries and territories</p> <p>More than two-thirds of countries score below 50 on this year's Corruption Perception Index, with an average score of just 43. South Korea's score is above average and positions it 31st out of 180 countries and territories. South Korea scores closely to Taiwan (68), Japan (73), and Hong Kong (76), while North Korea and China score less than South Korea at 17 and 45, respectively. South Korea scores greater than the regional average of 45 for the Asia Pacific region.</p> <p>Note: Based on 0 = Highly Corrupt, 100 = Very Clean.</p>	<p>Transparency International Corruption Perceptions Index (CPI)</p> <p>Transparency International, 2023, Corruption Perceptions Index 2022 (Report)</p>
	<p>Basel Anti-Money Laundering Index (2023)</p> <p>Score: 4.56/10</p> <p>Rank: 112/ 152 jurisdictions</p> <p>South Korea ranks among the top half of countries assessed for the Basel AML Index, where a higher rank relates to lower risk. Neighboring countries Japan (4.66/10), Taiwan (4.00/10), and Hong Kong (4.93/10) score similarly to South Korea, while China (6.77/10) has a higher risk score. North Korea is not rated.</p>	<p>Basel Anti-Money Laundering (AML) Index</p>

Indicator	Description	Sources
	<p>Note: Ranking is out of 152 jurisdictions; top possible score is 0 (low risk,), lowest score is 10 (high risk).</p>	
	<p>Global Rights Index (2022)</p> <p>Rating: 5 (No guarantee of rights)</p> <p>The ITUC Global Rights Index rates South Korea below the regional average rating of 4.18 for the Asia-Pacific. Neighboring countries China and Hong Kong are also rated 5, while Japan and Taiwan are rated better at 2 (Repeated violations of rights). North Korea is not rated.</p> <p>Note: Countries are ranked from 1 to 5+, where five plus corresponds to “no guarantee of rights due to the breakdown of the law” and 1 corresponds to “sporadic violations of rights”.</p>	<p>International Trade Union Conference (ITUC) Global Rights Index (GRI)</p>
<p>Education and general literacy levels in a country</p>	<p>Adult literacy rates, among the population aged 15 years and older (2018): 98.80%</p> <p>Adult female literacy rate:(2018): 98.40%</p> <p>Adult male literacy rate (2018): 99.20%</p> <p>Neighboring countries</p> <ul style="list-style-type: none"> • North Korea (2018): 99.998% • Japan: no data • Taiwan: no data • Hong Kong: no data • China (2020): 97.15% 	<p>World Bank Open Data</p>
	<p>Primary school completion rates (2021): 98.48%</p> <p>Primary completion rates, female (% of relevant age group) (2021) 98.47%</p> <p>Primary completion rates, male (% of relevant age group) (2021): 98.48%</p>	<p>World Bank Open Data</p>

Indicator	Description	Sources
	<p>The primary school completion rate in South Korea is close to that of its neighboring countries:</p> <p>Neighboring countries</p> <ul style="list-style-type: none"> • North Korea (2009): 97.33% • Japan (1999): 104.86% • Taiwan: no data • Hong Kong (2022): 90.14% • China (2010): 104.90% <p>Note: “There are many reasons why the primary completion rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of primary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of primary education.”</p>	
	<p>Lower secondary education completion rates (2021): 95.21%</p> <p>Lower secondary completion rates, female (% of relevant age group) (2021): 94.68%</p> <p>Lower secondary completion rates, male (% of relevant age group) (2021): 95.71%</p> <p>The lower secondary education completion rate in South Korea is less than that of neighboring countries:</p> <p>Neighboring countries</p> <ul style="list-style-type: none"> • North Korea: no data • Japan (1994) 105.78% • Taiwan: no data • Hong Kong (2022) 101.13% • China (2012) 104.90% <p>Note: “There are many reasons why the rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades</p>	<p>World Bank Open Data</p>

Indicator	Description	Sources
	<p>of lower secondary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of lower secondary education.”</p>	
	<p>School enrolment, tertiary (2021): 100.32% gross</p> <p>School enrolment, tertiary, female (2021): 91.58% gross</p> <p>School enrolment, tertiary, male (2021): 108.36% gross</p> <p>The enrolment rate in tertiary education in South Korea is considerably higher than that of most neighboring countries:</p> <p>Neighboring countries</p> <ul style="list-style-type: none"> • North Korea (2018) 27.21% • Japan (2020) 62.14% • Taiwan: no data • Hong Kong (2022) 104.22% • China (2022) 71.98% 	<p>World Bank Open Data</p>
<p>Attitudes towards migrant workers in a country’s population</p>	<p>Migrant Acceptance Index 2016 – South Korea: 6.49/9</p> <p>South Korea’s score of 6.49 out of 9 in the 2016 Migrant Acceptance Index indicates that people in the country are more accepting of migrants than on average for all countries assessed, with a world score of 5.29/9.</p> <p>Neighboring countries</p> <ul style="list-style-type: none"> • North Korea: Not scored. • Japan: 6.42/9 • Taiwan: 6.80/9 • Hong Kong: 5.89/9 • China: 5.11/9 <p>South Korea’s score for the 2016 Migrant Acceptance Index is greater than that of the regional score for East Asia, which is 5.29/9.</p>	<p>Gallup Migrant Acceptance Index</p>

Indicator	Description	Sources
	<p>Note: Based on 138 countries surveyed in 2016; U.S. surveyed in 2017; and updated in 2019 (scores not publicly available for all countries); top possible score is 9.0.</p>	
<p>Legislation and regulation to protect migrant workers</p>	<p>Coverage of legal provisions under the labor laws</p> <p>South Korea has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which the Government considers to be incompatible with domestic law. UN Treaty Body Database , Human Rights Council, November 2017</p> <p>Foreign migrant workers are afforded the same fundamental labor rights as Korean nationals. However, the guest worker scheme, known as the Employment Permit System (EPS), places restrictions upon foreign workers that may constitute discrimination. There are two systems under the EPS: General EPS for foreign nationals, and the Special Case EPS for foreign nationals of Korean ancestry. Under the General EPS, foreign workers are restricted to work in certain sectors and are limited in the number of times they can change workplaces (with some exceptions to allow for situations outside the workers' responsibility and the protection of workers from mistreatment such as delayed wage payment). There are no restrictions on employment sectors or workplace changes for workers under the Special Case EPS. Migration Policy Institute, 2017 , Human Rights Council, November 2017</p>	<p>UN Human Rights Office of the High Commissioner, 2020, UN Treaty Body Database</p> <p>Human Rights Council, November 2017, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21* Republic of Korea</p> <p>Migration Policy Institute, 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'</p>
	<p>Access to social protection, health, and education</p> <p>Under the Employment Permit System (EPS), foreign workers have the same access as domestic workers to health insurance, industrial accident compensation, employment insurance, and national pension. Migration Policy Institute, 2017</p>	<p>Migration Policy Institute, 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'</p>

Indicator	Description	Sources
	<p>Some medical services are provided for undocumented migrants, but children of undocumented migrants are not eligible for national insurance or health benefits, although medical bills are subsidized by the Government. Human Rights Council, November 2017 , Human Rights Council, November 2017, Summary of Stakeholders’ submission</p>	<p>Human Rights Council, November 2017, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21* Republic of Korea</p> <p>Human Rights Council, November 2017, Summary of Stakeholders’ submissions on the Republic of Korea*</p>
	<p>Bilateral MOUs or other agreements specifically designed to protect migrant workers</p> <p>South Korea has agreements in place with 16 sending countries, including Indonesia, the Philippines, Sri Lanka, Vietnam, and Thailand.</p>	<p>Migration Policy Institute, 2017, ‘South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers’</p>
<p>Ratification of relevant international conventions and domestication of conventions into a national legal framework (Forced labor, human trafficking, and</p>	<p>Convention No. 29 – Ratified 20 April 2021, In Force</p>	<p>Forced Labour Convention, 1930 (No. 29)</p>

Indicator	Description	Sources
hazardous child labor)		
	Convention No. 105-- Not Ratified	Abolition of Forced Labour Convention, 1957 (No. 105)
	Convention No. 138-- In Force	Minimum Age Convention, 1973 (No. 138)
	Convention No. 182-- In Force	Worst Forms of Child Labour Convention, 1999 (No. 182)
	Protocol 29-- Not Ratified	Protocol of 2014 to the Forced Labour Convention, 1930 (P29)
	Palermo Protocol-- Ratified	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the 'Palermo Protocol')
	Convention No. 188-- Not Ratified	ILO Convention 188 on Work in Fishing;
	PSMA – Party to the PSMA	The FAO Port State Measures Agreement (PSMA)

Indicator	Description	Sources
	<p>Domestication into national legislation</p> <p>Forced labor is prohibited and criminalized in South Korea. US Department of State, 2023</p> <p>However, South Korea has not yet ratified Convention No. 105. This is due in part to the country’s mandatory military service for men (where Convention No.29 states that military service is not forced labor, Convention No.105 does not) and the use of prison labor as a punishment for expressing favorable political opinions toward the Democratic People’s Republic of Korea (North Korea). Nissen, 2022</p> <p>The minimum age for work is set at 15 years, unless authorized by the Ministry of Employment and Labor to work between the ages of 13 to 15 years. The minimum age for hazardous work is set at 18 years. US Department of State, 2023</p> <p>Trafficking in persons is criminalized under Chapter 31 of the Criminal Act, which prescribes punishments of up to 15 years’ imprisonment. However, the definition of trafficking is limited to the buying or selling of a person for exploitation. US Department of State, June 2023 US Department of State, 2023</p> <p>According to Environmental Justice Foundation (EJF), the Ministry of Oceans and Fisheries (MOF) has committed to ratify ILO C188 by 2024. EJF recommends that the MOF prepare a detailed, time-bound plan to accompany this commitment. In addition, EJF urges the Ministry to expedite the reform of national legislation, specifically the Seafarers’ Act, in line with ILO C29, C87, C98 and C188. EJF, June 2022</p>	<p>US Department of State, 2023, 2022 Country Reports on Human Rights Practices: South Korea</p> <p>Nissen, A., 2022, Not That Assertive: The EU’s Take on Enforcement of Labour Obligations in Its Free Trade Agreement with South Korea, European Journal of International Law, Vol 33 (2), pp 607-630</p> <p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p> <p>Environmental Justice Foundation (EJF), June 2022, EJF policy briefing prepared for the Ministry of Oceans and Fisheries</p>

Indicator	Description	Sources
Regulation of recruitment	<p>Country’s government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents</p> <p>Limited evidence of South Korea’s government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents was found but evidence suggests that they are inadequate. Notably, the country has not ratified the ILO convention ‘C181— Private Employment Agencies Convention, 1997 (No. 181)’, which provides for the regulation of recruitment through private employment agencies for all categories of workers except seafarers. ILO NORMLEX</p> <p>Debt-based coercion linked to excessive recruitment fees presents a risk of forced labor. The Ministry of Employment and Labor (MOEL) requires agencies to publicly list the charges for foreign workers on their websites. According to the US Department of State, in cases where trafficking victims were recruited from another country, the cases were often not prosecuted due to a perceived lack of jurisdiction. South Korea aims to address unscrupulous recruitment agencies by stipulating in its bilateral MOUs that only public sector entities can be involved in recruitment. The MOEL investigated 191 recruitment agencies in 2022. The use of debt-based coercion in the recruitment process for migrant fishers is a particular concern, with recruitment fees of US\$5,000 or more sometimes charged to fishers. US Department of State, June 2023</p> <p>New regulations for the recruitment system for migrant fishers came into effect in January 2021. These state that fees charged by recruitment agencies must be paid by the employer, not the worker, but it is unclear whether this includes all costs prior to boarding the fishing vessel. EJF, 29 January 2021</p>	<p>ILO NORMLEX, ‘C181— Private Employment Agencies Convention, 1997 (No. 181)</p> <p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p> <p>Environmental Justice Foundation (EJF), 29 January 2021, ‘New rules fall short of protecting migrant workers in Korea’s fishing fleet’</p>

Indicator	Description	Sources
<p>Enforcement of legislation for forced labor, human trafficking, hazardous child labor, migrant worker protections, recruitment and working conditions</p>	<p>Reliable evidence indicates that South Korea is making efforts to enforce anti-trafficking and forced labor laws, but there are notable concerns about its ability to do so effectively.</p> <p>The US Department of State’s 2022 Trafficking in Persons Report assigned South Korea a Tier 2 TIP Ranking, downgrading the country from Tier 1 in previous years, stating “The Government of the Republic of Korea (ROK) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included creating a new training course for prosecutors, training seafarers’ labor inspectors on trafficking, and initiating the process to draft new victim identification guidelines and a national anti-trafficking action plan. However, these efforts were not serious and sustained compared with the efforts during the previous reporting period, even considering the impact of the COVID-19 pandemic, if any, on the government’s anti-trafficking capacity.” US Department of State, July 2022 (pg. 328)</p> <p>A reduction in prosecutions and weak penalties, combined with a lack of investigations into trafficking in the fishing industry, were among the reasons cited for the country being downgraded to Tier 2 in 2022 from Tier 1 in 2021. US Department of State, July 2022</p> <p>The country remained at Tier 2 in the 2023 Trafficking in Persons Report. Insufficiencies in the country’s legal definition of trafficking have negatively affected officials’ understanding of the issue and the prosecution of trafficking offences. The Prevention of Trafficking in Persons, Etc. and Victim Protection Act, in effect from January 2023, provides a definition of trafficking in persons that aligns more closely with international norms. However, the law did not amend the definition of</p>	<p>US Department of State, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p> <p>US Department of State, March 2023, 2022 Country Reports on Human Rights Practices: South Korea</p>

Indicator	Description	Sources
	<p>trafficking within Chapter 31 of the Criminal Act. US Department of State, June 2023</p> <p>Statistics on trafficking cases are combined with related crimes, making it difficult to determine the actual number of law enforcement actions that involved human trafficking. The Korean National Police Agency (KNPA) reported investigating 429 cases, and the Ministry of Employment and Labor (MOEL) reported investigating 80 cases of forced labor. Fewer prosecutions were initiated in 2022 than in 2021, but a similar number of trafficking related convictions were made in the same period, with 170 traffickers sentenced to at least one year’s imprisonment. Most people convicted for trafficking-related crimes received lesser penalties of less than a year of imprisonment, suspended terms of imprisonment, or fines. US Department of State, June 2023</p> <p>Regarding forced labor, the US Department of State reports that “The government generally enforced the law effectively but did not consistently identify cases of forced labor.” US Department of State, March 2023</p>	
	<p>The US Department of State reports that child labor laws are generally enforced effectively in South Korea.</p>	<p>US Department of State, March 2023, 2022 Country Reports on Human Rights Practices: South Korea</p>
	<p>The 2018 Global Slavery Index (GSI) rates the South Korean Government’s response to Modern Slavery as “CC”. The GSI methodology states a Government Response Rating of CC indicates that: “The government has a limited response to modern slavery, with largely basic victim support services, a limited criminal justice framework, limited coordination or collaboration mechanism, and few protections for those vulnerable to modern slavery. There may be evidence that some government policies and practices facilitate slavery. Services are largely provided by</p>	<p>Global Slavery Index’s overall ratings</p>

Indicator	Description	Sources
	<p>iOs/NGOs with limited government funding or in-kind support.”</p> <p>Global Slavery Index 2018 Country data for South Korea:</p> <ul style="list-style-type: none"> • Estimated number of people living in modern slavery: 99,000 • Prevalence Index Rank: 137/167 • Vulnerability to Modern Slavery: 29.83/100 • Government Response Rating: CC <p>Note: The GSI ranks government responses from AAA (very comprehensive response) to D (very inadequate), and a higher rating on the GSI is assumed to mean lower risk by the SSRT.</p>	
	<p>Documentation from national labor inspection and other law enforcement agencies</p> <p>The most recent universal periodic review by the Human Rights Council of South Korea took place in 2017, with the fourth review currently underway in 2023. Universal Periodic Review: Korea (Republic of)</p> <p>In the years preceding the 2017 review, the Government of Korea notably took steps to improve protections for migrant workers, including amendments to the restrictions on workplace transfer of migrant workers, the legal recognition of undocumented workers as workers within the law, and the establishment of a labor union for migrant workers. Additionally, the government reported that it is enforcing an insurance system exclusively for migrant workers, that among other benefits, is designed to provide a safety net for safe return to the worker’s home country. Human Rights Council, November 2017</p> <p>Among the recommendations made by the Working Group in response to the Government of Korea’s 2017 National Report, Thailand urged the government to “Take further measures to combat trafficking in persons, particularly</p>	<p>Universal Periodic Review: Korea (Republic of)</p> <p>Human Rights Council, November 2017, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21* Republic of Korea</p> <p>Human Rights Council, December 2017, Report of the Working Group on the Universal Periodic Review* Republic of Korea</p>

Indicator	Description	Sources
	<p>women and children, and sexual exploitation, by ensuring effective enforcement of the Criminal Act and providing victims with necessary assistance and protection throughout the process of investigation and trial” (pg. 13), and to “Enhance measures to promote and protect the rights of migrant workers, and ensure fairer and safer working conditions as well as stricter labour law enforcement and punishment for employers who violate the law” (pg. 15). Human Rights Council, December 2017</p>	
	<p>ILO Committee of Expert on the Application of Conventions and Recommendations</p> <p>Regarding labor inspections, the Government of South Korea reported that there has been a steady increase in the number of labor inspectors since 2012 but the number of workplaces subject to inspections has also risen.</p> <p>The number of cases where labor law violations were referred to judicial proceedings following labor inspection procedures increased significantly from 331 cases in 2014 to 1,410 cases in 2016.</p> <p>Labor investigations are still delayed by an insufficient number of labor inspectors. Observations made by the Korean Confederation of Trade Unions (KCTU) indicate that the increase in the number of labor inspectors has not been sufficient to cover the increase in the volume of cases handled, and in some cases, the Ministry of Employment and Labour failed to begin investigations even when significant suspicions were raised about labor violations. In response, the CEACR urged the Government to strengthen its efforts to ensure that the number of labor inspectors is sufficient to allow the inspectorate to effectively implement its duties. Observation (CEACR)— adopted 2019, published 10⁹th ILC session (2021), Re Labour Inspection Convention, 1947 (No. 81)— Republic of Korea</p>	<p>Observation (CEACR)— adopted 2019, published 109th ILC session (2021), Re Labour Inspection Convention, 1947 (No. 81)— Republic of Korea</p> <p>Direct Request (CEACR)— adopted 2019, published 109th ILC session (2021), Re Labour Inspection Convention, 1947 (No. 81)— Republic of Korea</p> <p>Direct Request (CEACR)— adopted 2020, published 109th ILC session (2021) C111—Discrimination (Employment and Occupation) Convention, 1958 (No. 111)— Republic of Korea</p>

Indicator	Description	Sources
	<p>In some cases, active labor investigations have been derailed by alleged cases of corruption and bribery involving labor inspectors. The KCTU states that there have been cases in which labor inspectors blocked active investigations or persuaded workers to withdraw a case. The union also referred to corruption and bribery involving labor inspectors, including cases of collusion between inspectors and employers leading to the dismissal of workers that made complaints. Nonetheless, the Government is taking steps to address these issues. Direct Request (CEACR) – adopted 2019, published 10⁹th ILC session (2021), Re Labour Inspection Convention, 1947 (No. 81) – Republic of Korea</p> <p>Employment, dismissal, and wages account for 29 percent of all petitions alleging discrimination since 2001 when the establishment of the National Human Rights Commission of Korea (NHRCK) was established. A chapter on workplace harassment in the Labour Standards Act still needs to be improved because it does not apply to workplaces with fewer than five employees and to non-regular workers.</p> <p>The Government noted its intention to improve job stability and working conditions by converting non-regular workers to regular employment. While these efforts improved the average annual salary and working environment of regularized workers, discrimination persists between fully regular and converted workers.</p> <p>In 2018, 59.3 percent of workplaces subject to inspections were found in violation of the law regarding migrant workers. Out of 1,478 instances of violations found by inspections in March and April 2018, only two cases led to judicial proceedings. It is difficult for migrant workers to prove violations by their employers, leading workers to abandon their employer and find informal work without proper legal protections. The linguistic and cultural barriers and residence status of migrant workers means that it is more difficult for them to access remedy. Direct Request</p>	

Indicator	Description	Sources
	<p>(CEACR)—adopted 2020, published 109th ILC session (2021) C111—Discrimination (Employment and Occupation) Convention, 1958 (No. 111)—Republic of Korea</p>	
<p>Evidence of forced labor, human trafficking, and hazardous child labor in the country</p>	<p>Traffickers exploit domestic and foreign victims in South Korea. In addition, South Korean people are exploited abroad, including in sex trafficking.</p> <p>South Korean women and children are exploited in commercial sex. Men and women from China, Thailand, Russia, the Philippines, Vietnam, Indonesia, Morocco, and other countries in Asia, the Middle East, and South America are subjected to sex trafficking and forced labor in South Korea, having sometimes been recruited with false promises of work in other industries.</p> <p>South Korean men are subject to forced labor in fishing, fish farming, cattle farming, and salt production. Foreign migrant workers are vulnerable to debt bondage and other conditions indicative of forced labor. In addition to reports of forced labor of migrants in South Korea’s fishing industry, the country is also a transit point for Southeast Asian fishers subjected to forced labor on vessels destined for Fiji and other Pacific countries.</p>	<p>US Department of State, June 2023, 2023 Trafficking in Persons Report</p>

Table 1: Korea— Country-level indicators

South Korea: Seafood industry-level indicators

Indicator	Description	Sources
<p>Direct evidence of forced labor, human trafficking, and hazardous child labor</p>	<p>South Korea’s seafood industry has been linked to human trafficking and forced labor in the past five years. The direct evidence found is mostly related to the fishing industry, but fish farming has also been implicated:</p> <p>The US Department of State’s 2023 Trafficking in Persons (TIP) Report says, “Traffickers have forced some physically or intellectually disabled South Korean men to work on fishing vessels and fish, salt and cattle farms.” In addition, there are reports of practices of debt bondage and resulting forced labor of migrant workers on Korean-flagged or owned vessels. According to the report, recruitment agencies and brokers charge excessive recruitment fees of around US\$5,000 or more to fishers. US Department of State, June 2023</p> <p>The 2022 TIP Report more specifically states that sometimes recruitment fees as high as USD 13,000 are charged to Indonesian and Vietnamese fishers employed on CWF vessels. US Department of State, July 2022</p> <p>For over a decade, vessels from South Korea’s coastal water fishing (CWF) and distant water fishing (DWF) fleets have been linked to human rights abuses of migrant fishers. Attention on South Korea’s fishing industry began in earnest with the 2011 case of the South Korean-flagged DWF vessel ‘Sajo Oyang 75’, when 32 Indonesian fishers escaped the vessel and sought help from the authorities in New Zealand, claiming to have suffered verbal and physical abuse, sexual assault, and nonpayment of wages. Reporting in 2012 by the National Human Rights Commission of Korea revealed similar situations of abuse toward migrant workers occurring on CWF vessels, including verbal and physical abuse, and the confiscation of identity documents by shipowners. According to Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, the most serious risks are found on DWF vessels, followed by CWF vessels weighing</p>	<p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p> <p>US Department of State, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p> <p>International Labour Organization (ILO), October 2012, ILO indicators of Forced Labour</p> <p>Advocates for public interest Law</p>

Indicator	Description	Sources
	<p>20 tons or more, and then CWF vessels weighing less than 20 tons. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>As South Korea’s DWF vessels primarily fish for tuna, further discussion relating to evidence in the DWF fleet is included in the fishing indicators (see Table 3). Evidence that relates to the CWF fleet or other parts of the seafood industry is outlined below.</p> <p>The 2014-2016 research effort conducted by APIL and the IOM Republic of Korea, summarized in the report “Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels”, included field interviews with 70 migrant fishers that had worked on South Korean-flagged vessels, as well as representatives of recruitment agencies, labor unions, civil society organizations, and government. Regarding the CWF fleet, the report finds that for migrant workers employed on CWF vessels weighing 20 tons or more, debt bondage is a major concern. Despite receiving higher wages than fishers in the DWF fleet, migrant workers employed on CWF vessels weighing 20 tons or more suffer from debt due to the costs of recruitment. The use of intermediary brokers increases the costs to workers of recruitment, while poverty and generally low education levels and experience in fishing exacerbate the vulnerability of migrant workers to exploitation by recruitment agencies and employers. By comparison, the involvement of the government in the recruitment of migrant fishers to CWF vessels weighing less than 20 tons, instead of recruitment agencies, means that those fishers have faced fewer issues. The recruitment fees charged to migrant workers on CWF vessels weighing 20 tons or more include a service fee, security deposit, training fees and miscellaneous fees. Workers also pay for their own airfare. Migrant workers on CWF vessels weighing 20 tons or less are subject to miscellaneous fees. Workers from Vietnam reportedly paid the highest recruitment fees among migrant workers employed on CWF vessels weighing 20 tons or more, with service fees</p>	<p>(APIL) and Human Rights Network for Migrant Fishermen, Republic of Korea, May 2020, Who Tied Them to the Sea?: Monitoring Report on the Human Rights of Migrant Workers on Korean Fishing Vessels</p> <p>The Hankyoreh, 8 January 2020, 'Migrant workers aboard S. Korean fishing boats regularly abused and exploited'</p>

Indicator	Description	Sources
	<p>typically ranging from USD 7,200 to USD 8,800 and security deposits ranging from USD 2,600 to USD 5,000. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>Additional issues identified for migrant workers employed on CWF vessels weighing 20 tons or more include the use of poorly explained recruitment and labor contracts lacking terms of work, the withholding of workers’ passports by recruitment agencies while waiting to start employment, a lack of safety training or equipment, verbal and physical abuse, discrimination, delayed payments, and excessive working hours (in excess of 15 hours per day), with some fishers alleging working 20 or more hours per day. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>The working and living conditions on CWF vessels described by APIL and IOM Republic of Korea (December 2017), as outlined above, may be concluded to amount to international definitions of human trafficking and forced labor, with conditions meeting the ILO’s definition of indicators of ‘Menace of Penalty’ and ‘Involuntariness’, which must both be present to deduce forced labor. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017 , International Labour Organization, October 2012</p> <p>The above evidence relates to cases of abuse that occurred five or more years ago. More recent evidence supporting these findings is outlined below:</p> <p>APIL and the Human Rights Network for Migrant Fishermen published a 2020 monitoring report based on interviews conducted from January to May 2019 with 18 migrant fishers employed on CWF vessels weighing more than 20 tons (E-10 migrant fishers) in the cities of Busan and Gyeongju and a survey conducted in October 2019 with 63 migrant fishers</p>	

Indicator	Description	Sources
	<p>employed on CWF vessels weighing less than 20 tons (E-9 migrant fishers) working on an island in Jeollabuk-do province. The report identifies multiple indicators that amount to human trafficking and forced labor, including the use of high recruitment fees, with migrant fishers sometimes providing other types of collateral such as land deeds or taking out loans to pay the security deposit; the withholding of identity documents; discriminatory low wages and delayed or non-payment of wages; verbal and physical abuse; poor living conditions; and excessive working hours with little to no rest days. Advocates for public interest Law (APIL) and Human Rights Network for Migrant Fishermen, Republic of Korea, May 2020</p> <p>According to findings announced by the Human Rights Networks for Fishing Boat Migrant Workers from a survey of 81 migrant workers on South Korean fishing boats, migrant fishers employed on South Korean vessels are subject to verbal and physical abuse, working up to 16 hours per day, wages below the minimum wage, and excessive recruitment fees. The source article for this evidence does not distinguish between fishers employed on CWF and DWF vessels. The Hankyoreh, 8 January 2020</p>	
<p>ILO indicators of forced labor and ILO R190 definition of hazardous child labor</p>	<p>South Korea’s seafood industry has been linked to conditions indicative of forced labor in the past five years, for example:</p> <ul style="list-style-type: none"> • According to the 2022 Trafficking in Persons Report, some of the documented and undocumented migrant workers employed under the government’s Employment Permit System, which includes work in fishing (specifically migrant workers employed on CWF vessels weighing less than 20 tons), reportedly face conditions indicative of forced labor. US Department of State, July 2022 • The US Department of State’s 2022 Country Report on Human Rights Practices for South Korea states that some migrant workers in the fishing industry faced 	<p>US Department of State, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>US Department of State, 2023, 2022 Country Reports on Human Rights Practices: South Korea</p>

Indicator	Description	Sources
	<p>conditions indicative of forced labor, including deceptive recruiting practices, confiscation of passports, and nonpayment of wages. US Department of State, 2023</p> <p>According to information shared in a press conference by civil and social organizations and reported by local media in June 2018, the captain of a CWF vessel operating from Jeju Island was alleged to have repeatedly verbally and physically assaulted Vietnamese crew and threatened to stab one of them with a tool, causing the victim to fear for their life. The captain reportedly pushed a Vietnamese migrant worker into the sea after repeatedly assaulting him. Despite reporting the abuse to the police, the workers were forced out of their accommodation and their request to change workplaces was denied by the Ministry of Employment and Labor because the police had not confirmed the assault. Labor Today, 30 June 2018</p> <p>Later reporting on the same case of the captain who pushed a Vietnamese crewmember overboard states that when the crew member tried to transfer to another job, the ship's owner demanded payment of 5,000,000 won (USD 4,150). US Department of State, 2020</p>	<p>Labor Today, 30 June 2018, 'Captain repeatedly assaulted migrant workers demand permission to change workplaces' [English translation]</p> <p>US Department of State, 2020, 2019 Country Reports on Human Rights Practices: South Korea</p>
Fishing, aquaculture and processing regulations and policies	<p>Labor-related fishing legislation</p> <p>The ILO NATLEX database lists two laws and one regulation relating to fishers. ILO NATLEX Database</p> <p>The 2018 Global Slavery Index (GSI) for fishing:</p> <ul style="list-style-type: none"> • National Fisheries Policy (catch outside EEZ, distant water fishing, and subsidies) <ul style="list-style-type: none"> ○ High Risk • Wealth and Institutional Capacity (GDP per capita, value landed per fisher, and unreported landings) <ul style="list-style-type: none"> ○ Low Risk. 	<p>ILO NATLEX Database</p> <p>Global Slavery Index (GSI) 2018 – Fishing</p> <p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea,</p>

Indicator	Description	Sources
	<p>South Korea is categorized as ‘High risk’ by the GSI’s rating of modern slavery risk in the fishing industry.</p> <p>Global Slavery Index (GSI) 2018 – Fishing</p> <p>Governing laws and authorities responsible for labor in fishing differ by vessel type. The Ministry of Oceans and Fisheries (MOF) is responsible for overseeing employment conditions on distant water fishing vessels and coastal water fishing vessels weighing over 20 tons. These vessels are governed by the Seafarers’ Act and partially by the Labor Standards Act. In contrast, CWF vessels weighing less than 20 tons are overseen by the Ministry of Employment and Labor (MOEL) and are governed by the Labor Standards Act, Minimum Wage Act and Act on the Employment, etc. of Foreign Workers. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>Migrant workers employed on DWF vessels enter under a C-3 or B-2 visa that provides for no stay or a short-term stay before boarding the fishing vessel. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>Migrant workers employed on CWF vessels weighing 20 tons or more enter under the Foreign Seafarer System and hold a ‘Vessel Crew’ E-10 visa. Workers originate from China, Vietnam, and Indonesia. Migrant workers employed on CWF vessels weighing less than 20 tons or on fish farms enter through the Employment Permit System (EPS) and receive a ‘Non-professional Employment in Fisheries’ E-9-4 visa. Sixteen countries implement this system with South Korea. Advocates for Public Interest Law and Human Rights Network for Migrant Fishermen, Republic of Korea, May 2020</p> <p>Workers in the fishing industry are not covered by regular minimum wage laws and standards for rest hours do not apply. In addition, there are differences in how pay standards are applied to fishers on CWF vessels and DWF vessels. The</p>	<p>December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p> <p>Advocates for Public Interest Law (APIL) and Human Rights Network for Migrant Fishermen, Republic of Korea, May 2020, Who Tied Them to the Sea?: Monitoring Report on the Human Rights of Migrant Workers on Korean Fishing Vessels</p> <p>US Department of State, 2023, 2022 Country Reports on Human Rights Practices: South Korea</p> <p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p> <p>Korean Law Information Center</p>

Indicator	Description	Sources
	<p>minimum wage for migrant crew is significantly lower than that for Korean nationals. US Department of State, 2023</p> <p>In January 2022, the MOF agreed to gradually increase the minimum wage for foreign migrant fishers to the same as that for Korean nationals over a three-year time frame. However, migrant fishers are still exempt from the legal working and rest hours and requirements for paid holidays set out in the Seafarers Act for Korean nationals. US Department of State, June 2023</p> <p><i>Fisheries and Fishing Village Development Act</i></p> <p><i>Article 4 (Responsibility of State/Local Governments, Fishermen/Consumers, etc.)</i></p> <p>50. The state and local governments are responsible for promoting sustainable development and public interest functions of the fishery industry and fishing villages, ensuring a stable supply of safe fishery products, nurturing manpower in the fishery industry, stabilizing the income of fishermen and fishing villagers, and improving the quality of life. To achieve this, a comprehensive policy must be established and implemented.</p> <p>50. Fishermen and fishing village residents have a responsibility to contribute to national development through the stable production and supply of safe and high-quality fishery products, improving productivity, innovating fishery management, and other related activities.</p> <p>50. Producer organizations are responsible for striving towards the sustainable development of the fishery industry and fishing villages, and enhancing the rights and interests of fishermen by stabilizing the supply and demand of fishery products, improving distribution, improving the efficiency of fishery management, and improving the public interest functions of the fishery industry and fishing villages.</p> <p>50. Consumers are responsible for understanding the public interest functions of the fishery industry and</p>	<p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023, Korea's Migrant Fishers Plan fails to end human rights abuses at sea, 2023 Briefing</p> <p>Ministry of Oceans and Fisheries, 31 May 2021, 'Korea and Indonesia unite to protect human rights of fishermen'</p>

Indicator	Description	Sources
	<p>fishing villages and actively pursuing healthy consumption of fishery products.</p> <p><i>Article 12 (Management of Fishery Product Safety in Production Stage)</i></p> <p>To ensure the safe and healthy production of aquatic products, the state and local governments are required to create and execute appropriate policies, which include establishing traceability measures for aquatic products, certifying excellent management of aquatic products, and managing hazardous elements of aquatic products closely.</p> <p><i>Fishing Vessels Act</i></p> <p><i>Article 25-2</i> Ship owners and seafarers are not allowed to use violence, threats, confinement, or any other methods that unreasonably limit the mental or physical freedom of seafarers in order to make them work against their own will.</p> <p><i>Article 31-8</i> When a fishing boat brokerage business operator brokers the sale or lease of fishing boats and equipment, they are obligated to purchase liability insurance to cover any property damage intentionally or negligently caused to a party involved in the transaction.</p> <p><i>Article 50-2</i> A shipowner shall not keep seafarer” passports or other identification documents on behalf of them.</p> <p>Korean Law Information Center</p> <p>In January 2021, the MOF enacted the “Implementation Plan for Migrant Fishers on Distant Water Fishing Vessels”. The Plan includes measures to improve conditions for migrant workers on DWF vessels by setting a minimum number of rest hours rest per day and a minimum salary and requiring</p>	

Indicator	Description	Sources
	<p>provisions such as access to clean water. The measures are outlined further below:</p> <ul style="list-style-type: none"> • Crew should have 10 hours of rest per day. • Crew employed on longline vessels can request to leave the vessel after 10 months of service. • The minimum salary should meet the standards set by the International Transport Workers Federation (ITF). • Pre-recruitment fees are banned, and recruitment expenses should be paid by the employer. • The practice of confiscating passports is banned. • Dismissal of crew responsible for verbal, physical, and sexual abuse. • The use of crew questionnaires and a call center to monitor and report grievances. <p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023</p> <p>In May 2021, the MOF signed a Memorandum of Understanding (MoU) with the Indonesian Ministry of Manpower to cooperate on employment and labor issues concerning Indonesian crew employed on Korean fishing vessels weighing over 20 tons. The MoU focuses on recruitment mechanisms, including recruitment fees, and training for Indonesian fishers. Ministry of Oceans and Fisheries, 31 May 2021</p> <p>In January 2022, the MOF agreed to gradually increase the minimum wage for foreign migrant fishers to the same as that for Korean nationals over a three-year time frame. In July 2022, the government amended the Seafarers Act to prohibit the confiscation of migrant seafarers' identity documents. US Department of State, June 2023</p>	
Enforcement and implementation of industry-specific	Evidence suggests that South Korea is making efforts to implement and enforce labor-related regulations in the fishing industry, but its efforts are hindered by an insufficient number	US Department of State, June 2023, 2023 Trafficking in

Indicator	Description	Sources
<p>regulations and policies</p>	<p>of vessel inspections, overlapping responsibilities between the involved authorities, and weak penalties.</p> <p>According to the 2023 Trafficking in Persons Report, the Ministry of Oceans and Fisheries (MOF) investigated labor conditions for coastal fishers but did not report identifying any victims. The government reported inspecting 139 coastal water fishing (CWF) vessels and four distant water fishing (DWF) vessels in 2022. Paper-based inspections were also carried out on over 700 DWF vessels. As in 2021, the government did not require DWF vessels to return to ports for routine labor inspections meaning that vessels could avoid returning to port. The MOF surveyed migrant fishers to enable workers to report abuse. While officials observed fishers on CWF vessels completing the survey, NGOs noted concerns about the potential for senior crew members onboard DWF vessels to coerce workers into not reporting exploitative conditions. The MOF distributed information on reporting human rights abuses to DWF vessels and amended the Seafarers’ Act to mandate training on labor rights and human rights for crew, vessel owners, and human resource managers. US Department of State, June 2023</p> <p>In 2021, the MOF provided training to seafarers’ labor inspectors on identifying trafficking and the government reported inspecting 177 fishing vessels in 2021 but did not require fishing vessels to return to port for routine labor inspections. NGOs alleged that the government did not implement sufficient inspections of fishing vessels during the reporting period and that vessels could avoid returning to port. US Department of State, July 2022</p> <p>Media reporting indicates that labor inspections carried out by the MOF involve both written questionnaires and interviews with foreign crew. The Korea Times, 29 May 2022</p> <p>The US Department of State’s 2022 Country Report on Human Rights Practices for South Korea states: “Stakeholders</p>	<p>Persons Report: South Korea</p> <p>US Department of State, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>The Korea Times, 29 May 2022, ‘Oceans ministry to inspect working conditions of foreign fishermen’, Updated 30 May 2023</p> <p>US Department of State, 2023, 2022 Country Reports on Human Rights Practices: South Korea</p> <p>US Department of State, 2021, 2020 Country Reports on Human Rights Practices: South Korea</p> <p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023, Korea’s Migrant Fishers</p>

Indicator	Description	Sources
	<p>reported that law enforcement on behalf of workers on fishing vessels was limited by jurisdictional disputes between the Ministries of Employment and Labor [MOEL], Ministry of Oceans and Fisheries [MOF], and the coast guard.” US Department of State, 2023</p> <p>The issue of jurisdictional disputes between the MOEL and the MOF affecting enforcement is first recorded by the US Department of State in 2021, indicating that it has been an ongoing issue that is yet to be adequately addressed. In addition, the 2021 report notes that NGOs called for stricter enforcement and penalties. US Department of State, 2021</p> <p>EJF and APIL report that implementation of the “Implementation Plan for Migrant Fishers on Distant Water Fishing Vessels”, enacted in January 2021, has been ineffective to date. According to a briefing published by the two organizations in 2023, interviews with 74 migrant fishers who worked on Korean-flagged and Korean-owned DWF vessels between 2021 and 2022 revealed that the measures outlined in the Plan had not been met for most, if not all, of the interviewed crew. The only legally binding measure in the Plan relates to the banning of the practice of confiscating workers’ passports, which is covered by the Seafarers’ Act. However, this only applies to fishing companies and not others such as captains or recruitment agents and penalties are too low to act as a deterrent. Additionally, responsibility for the measure on grievance systems has been assigned to the Korea Overseas Fisheries Association (KOFA), which represents the DWF industry, thereby limiting confidence in the system affording workers with an effective grievance mechanism. Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023</p> <p>In July 2023, the Ministry of Oceans and Fisheries responded to the May report by EJF and APIL at a press conference, emphasizing its efforts to protect migrant fishers on Korean</p>	<p>Plan fails to end human rights abuses at sea, 2023 Briefing</p> <p>The Korea Times, 12 July 2023, ‘Gov’t reaffirms efforts to protect foreign crew on Korean ships’, Updated 13 July 2023</p> <p>The Korea Times, 01 December 2023, ‘Rights activists criticize wage discrimination against migrant boat crews’, Updated 02 December 2023</p>

Indicator	Description	Sources
	<p>vessels by working with human rights activists, employers, and unionized fishers.</p> <p>Minister Cho Seung-hwan said, "To attract excellent foreign fishermen, the government will also support shipping companies that train foreign apprentices and ease regulations on long-term stay of foreign fishermen who have worked diligently,". In addition, the ministry said it planned to offer more holidays and tax benefits for Korean fishers to reduce the shortage of skilled Koreans prepared to work on fishing boats and was considering offering training migrant workers with a view to them obtaining E-7 visas and eventually acquiring Korean nationality. The Korea Times, 12 July 2023</p> <p>While the government banned the confiscation of migrant fishers' identity documents in 2022, NGOs reported that fines for violating this ban were inadequate to deter confiscation of seafarer documents. US Department of State, June 2023</p> <p>In addition, although the MOF has laid out measures that require employers to cover the cost of recruitment expenses for migrant fishers in the DWF, the outcomes of recent legal proceedings contradict this. In 2023, the Seoul High Court overturned a ruling by the Seoul Administrative Court that had ordered a local company to fairly compensate a migrant fisher for severe injuries suffered while at work. After being awarded less than half the compensation given to Korean fishers that suffer work-based accidents, the migrant fisher filed a lawsuit to which the Seoul Administrative Court ruled in his favor, which was then later overturned by the high court. According to media reporting, the high court said that migrant crew are covered by standard labor contract regulations, which allow employers to account for the costs of travel, board and lodging when calculating wages. Speaking at a press conference on December 2, 2023, the head of the Migrants' Trade Union, Udaya Rai, said "Under such circumstances, the high court ruled that paying migrant workers less than the minimum wage does not violate the</p>	

Indicator	Description	Sources
	<p>constitutional principle of equality, citing a ‘rational argument’ to justify treating foreign commercial sea vessel crews differently,”. The Korea Times, 01 December 2023</p>	
<p>Access to workplaces for third-party monitors (trade union representatives, on-board observers, etc.)</p>	<p>Information relating to access to workplaces for third-party monitors of labor conditions is limited. Although onboard observers are engaged on some fishing vessels, their role is to monitor environmental conditions and they face significant risks of abuse.</p> <p>Media reporting on labor inspections led by the Ministry of Oceans and Fisheries (MOF) indicates that fishermen’s unions participate in labor inspections of fishing vessels weighing over 20 tons. The inspections include written surveys and interviews carried out in the native languages of migrant fishers. The Korea Times, 29 May 2022</p>	<p>The Korea Times, 29 May 2022, ‘Oceans ministry to inspect working conditions of foreign fishermen’, Updated 30 May 2023</p>
<p>Worker access to a functional grievance mechanism</p>	<p>According to the Fishing Vessels Act, crew believe that if the ship owner or the captain has violated the order under the Labor Standards Act or the Labor Standards Act, or if it is a violation of the order under this Act, they can report to the Maritime Port Authority, Sailor Worker Office, or Sailor Labor Commission. Korean Law Information Center</p> <p>To address complaints from sailors, the vessel owner must make public the procedures for processing complaints, the managers responsible for handling grievances, and the individuals in charge of institutions related to human rights. For ships with foreign sailors on board, the ship owner must provide information on the complaint procedures on the ship in the national language or English language understandable by all foreign sailors boarding the ship. Korean Law Information Center. An online messaging system will be established for remote examination and counseling, which will be available even in isolated locations and during sailing, with the goal of facilitating expert mental health counseling. Ministry of Ocean and Fisheries, 2022 implementation plan of crew policy</p>	<p>Ministry of Ocean and Fisheries, 2022 implementation plan of crew policy</p> <p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023, Korea’s Migrant Fishers Plan fails to end human rights abuses at sea, 2023 Briefing</p> <p>US Department of State, June 2023, 2023 Trafficking in</p>

Indicator	Description	Sources
	<p>Responsibility for the measure on grievance systems in the MOF’s “Implementation Plan for Migrant Fishers on Distant Water Fishing Vessels” has been assigned to the Korea Overseas Fisheries Association (KOFA), which represents the DWF industry, thereby limiting confidence in the system affording workers with an effective grievance mechanism. An investigation by EJF and APIL involving interviews with 74 migrant fishers who worked on Korean-flagged and Korean-owned DWF vessels between 2021 and 2022, found that none of the interviewees had ever used the call center operated by the Korea Seafarers’ Welfare and Employment Centre to report grievances and only four interviewees were aware it existed, indicating its poor promotion to crew and therefore ineffective access. Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023</p> <p>The Ministry of Oceans and Fisheries (MOF) operated two call centers in 2022 to provide counseling for migrant seafarers. Out of the nearly 3,000 calls that year, 22 cases were flagged for further investigation, mostly in relation to non-payment of wages. In March 2023, the government also established a dedicated reporting email for self-reporting abuse. Nevertheless, despite claims by the government that 100 percent of DWF vessels are equipped with wireless internet access, NGOs reported that many fishers were unable to access their phones while onboard, preventing them from accessing these grievance mechanisms. US Department of State, June 2023</p>	<p>Persons Report: South Korea</p>
<p>Access to join a trade union</p>	<p>There do not appear to be any legal impediments for fishers or seafood processing workers to access workers’ unions. Participation in trade unions is open to most workers in South Korea. US Department of State, 2022</p> <p>However, access to unions is likely restricted in practice. Access to workers’ unions in South Korea is rated poorly overall by the Global Rights Index (see country-level indicators). Trade union leaders are subjected to arrest and</p>	<p>US Department of State, 2022, 2021 Country Reports on Human Rights Practices: South Korea International Trade Union Conference</p>

Indicator	Description	Sources
	<p>several companies have been exposed for union busting and interference. Nevertheless, no evidence of anti-union practices being used in South Korea’s seafood industry was found. Notably, the country ratified ILO Conventions 87 and 98 on freedom of association and the right to organize and collective bargaining in 2021. ITUC, No date</p> <p>Little information relating to fishers was found. A 2022 news report notably describes the opening of the ‘Foreign Seafarers Welfare Support Center’ at the Seafarers’ Hall at Tongyeong Port. The center is dedicated to protecting the welfare and labor rights of foreign seafarers and was organized due to the establishment of the Gyeongnam Labor Union. Busan, 12 May 2022</p>	<p>(ITUC), No date, Survey of Violation of Trade Union Rights</p> <p>Busan, 12 May 2022, “Seafarers know the grievances of seafarers” Korea’s first foreign seafarer welfare center in Tongyeong’ [English translation]</p>
<p>Participation in voluntary schemes and implementation of comprehensive corporate policies and strategies to combat forced labor, human trafficking, and hazardous child labor</p>	<p>South Korean seafood DongWon Enterprise was included in an assessment of the 30 largest seafood companies by the World Benchmarking Alliance’s Seafood Stewardship Index in 2019, 2021, and 2023. Overall, the group was ranked 22nd out of 30 companies, with a score of 14.3 out of 100 in 2023. The group performed most well in the human rights and working conditions measurement area in the 2019 index for its collaboration with labor unions, ranking 6th out of the 30 companies for that measure. In the 2021 index, the group performed best in the traceability measurement area for having a public commitment to the Global Dialogue on Seafood Traceability (GDST) standard through its membership of the Seafood Business for Ocean Stewardship (SeaBOS) initiative. Of the measurement areas used in the 2023 index, the group performed best in the measurement area of ecosystems but performed less well compared to its peers on social responsibility. It was noted in the 2023 index that despite committing to the GDST, the group has not yet disclosed how it traces its seafood products. World Benchmarking Alliance, No Date</p>	<p>World Benchmarking Alliance, No date, Seafood Stewardship Index: Dongwon Enterprise</p> <p>SeaBOS, No date, ‘Our Commitments’</p> <p>SeaBOS, 18 April 2023, ‘SeaBOS companies reaffirm their common purpose’</p> <p>Seafood Source, 29 October 2019, ‘Dongwon-owned tuna fishery becomes first in</p>

Indicator	Description	Sources
	<p>Dongwon participates in the Seafood Business for Ocean Stewardship (SeaBOS) initiative, which unites the largest seafood companies in the world to work toward more sustainable seafood production. The work of SeaBOS is based on 10 commitments including a commitment to eliminate modern slavery: “Engage in concerted efforts to eliminate any form of modern slavery including forced, bonded and child labour in our supply chains.” SeaBOS, No date</p> <p>As part of SeaBOS, Dongwon reaffirmed its commitments in 2023. SeaBOS, 18 April 2023</p> <p>In October 2019, a yellowfin and skipjack tuna fishery became the first South Korean fishery to achieve certification to the Marine Stewardship Council (MSC)’s fisheries standard. The Tropical Pacific yellowfin and skipjack free-school purse seine fishery is operated by 12 purse-seine freezer vessels in the Western Central Pacific Ocean (WCPO) and owned by Dongwon. Seafood Source, 29 October 2019</p>	<p>South Korea to achieve MSC certification’</p>

Table 2: Korea – Seafood industry-level indicators

South Korea: Fishing indicators

Indicator	Description	Sources
<p>Direct evidence of Forced labor, human trafficking, and hazardous child labor</p>	<p>There is evidence of human trafficking and forced labor in South Korea’s distant-water fishing (DWF) fleet, which mainly fishes for tuna and squid, suggesting that the tuna fishing industry is likely to be implicated. This analysis is further supported by evidence of conditions indicative of forced labor on DWF vessels and more specifically some tuna vessels (see SSRT indicator below). No evidence was found linking the DWF fleet or tuna vessels directly to hazardous child labor.</p> <p>Attention on the DWF fleet began with the 2011 case of the South Korean-flagged fishing vessel ‘Sajo Oyang 75’, when 32 Indonesian fishers escaped the vessel and sought help from the authorities in New Zealand, alleging to have suffered verbal and physical abuse, sexual assault, and nonpayment of wages. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>Interviews conducted between 2011 and 2014 with foreign crew on South Korean flagged vessels similarly chartered to fish in New Zealand’s waters, as well as fishing industry personnel, and government and nongovernmental representative, found evidence that included workers being recruited with false promises and deception, inadequate and unsafe living conditions, and excessive time worked under threat of violence and other coercive methods. The study concludes that the migrant fishing crew, who were mostly from Indonesia, were victims of human trafficking and forced labor. Stringer et al., 2016</p> <p>A research effort by Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea conducted from 2014 to 2016</p>	<p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p> <p>Stringer, C., Whittaker, D.H., and Simmons, G., 2016, New Zealand’s turbulent waters: the use of forced labour in the fishing industry. Global Networks 16, 1 (2016) 3–24</p> <p>International Labour Organization (ILO), October 2012, ILO indicators of Forced Labour</p> <p>US Department of State, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>US Department of State, June 2023, 2023 Trafficking in Persons Report: South Korea</p>

Indicator	Description	Sources
	<p>found evidence of human trafficking and numerous indicators of forced labor, that when combined, may be used to conclude forced labor in the DWF fleet since they fall under the ILO’s definitions of both ‘Menace of Penalty’ and ‘Involuntariness’. International Labour Organization, October 2012</p> <p>The research found that migrant workers waiting to start their employment on DWF vessels had their passports confiscated by the recruitment agencies, preventing them from moving or obtaining other employment during this period. In contrast to fishers employed on CWF vessels who reportedly receive training on Korean language and culture, safety, and the names of fish and fishing gear, migrant workers employed on DWF vessels did not report receiving training upon arrival in South Korea. This lack of training may increase the vulnerability of fishers to abuse and hazardous working conditions, which are an indicator of forced labor. This risk is exacerbated by a lack of adequate safety equipment on vessels. Work contracts lacked terms about working hours, with interviewed fishers reporting that they worked an average of 18 to 20 hours a day, and sometimes up to 22 hours a day. In addition, the withholding of wages was found to be widespread, and some migrant fishers reported being deceived during the recruitment process about wages and pay bonuses. Migrant fishers also reported being subject to verbal and physical abuse and apparent racial discrimination. Living conditions onboard DWF vessels are reported to be substandard, and some fishers described having their movement restricted when onshore. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p>	<p>Advocates for Public Interest Law (APIL) et al., June 2022, No Fisheries without Crew: The Urgent Need for Labor Standards in the WCPFC.</p> <p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023, Korea’s Migrant Fishers Plan fails to end human rights abuses at sea, 2023 Briefing</p>

Indicator	Description	Sources
	<p>The above evidence relates to cases of abuse that occurred five or more years ago. More recent evidence supporting these findings is outlined below:</p> <p>The 2022 and 2023 Trafficking in Persons Reports states that migrant fishers employed on DWF vessels often have three months of their wages withheld until they complete their contract. In addition, it states that fishers experience wage deductions, can be forced to work up to 18 to 20 hours per day, experience physical and verbal abuse from boat captains, have inadequate access to food and water, poor living and working conditions, and commonly have their passports retained by recruitment agents, vessel captains and skippers to prevent them from leaving their employment. US Department of State, July 2022 , US Department of State, June 2023</p> <p>A 2022 report by APIL and six other non-governmental organizations outlines the findings of interviews conducted by APIL and Environmental Justice Foundation (EJF) in 2021 with 13 migrant crew on 12 Korean-flagged tuna longliners registered in the WCPFC. All interviewees reported wages being deducted or withheld, debt bondage, excessive working hours without rest, and some crew also reported verbal and physical abuse. Advocates for Public Interest Law (APIL) et al., June 2022</p> <p>A 2023 briefing by EJF and APIL reports on findings from paper-based evidence analysis and interviews with 74 migrant fishers that had worked on Korean-flagged and Korean-owned DWF vessels, including 22 tuna longliners, between 2021 and 2022. The investigation found that conditions for workers have not improved since the Ministry of Oceans and Fisheries enacted the “Implementation Plan for</p>	

Indicator	Description	Sources
	<p data-bbox="423 163 1073 239">Migrant Fishers on Distant Water Fishing Vessels”.</p> <p data-bbox="423 210 756 239">According to the findings:</p> <ul data-bbox="472 283 1146 1709" style="list-style-type: none"> <li data-bbox="472 283 1146 485">• 60% of interviewees reported working more than 14 hours per day during heavy workloads, with some working for 18 hours without rest and some reporting being forced to work when injured. <li data-bbox="472 495 1146 697">• 40% of interviewees stayed at sea for more than a year. For longline crew, 84% reported staying at sea for more than a year without entering port. Five crew reported being at sea for more than two years. <li data-bbox="472 707 1146 993">• 59% of interviewees reported being paid less than the minimum wage according to ITF's standards, which were USD 540 for inexperienced foreign crew and USD 725 for experienced foreign crew in 2021 (significantly less than the rate for Korean crew of USD 1,965, set by the Seafarers Act). <li data-bbox="472 1003 1073 1033">• 51% of interviewees paid recruitment fees. <li data-bbox="472 1043 1101 1119">• 47% of interviewees were subjected to wage deductions. <li data-bbox="472 1129 1146 1289">• 39% of interviewees reported having their wages withheld by manning agencies for up to three months in an apparent effort to prevent them from ending their contracts early. <li data-bbox="472 1299 1146 1417">• All interviewees had their identify documents confiscated by the captain, foreman or manning agency and some had to pay to retrieve them. <li data-bbox="472 1428 1146 1587">• 83% of interviewees had experienced verbal abuse, 24% reported experiencing or witnessing physical abuse, and three crew members reported being sexually abused. <li data-bbox="472 1598 1146 1709">• Crew reported having to pay more than Korean nationals for bottled water and receiving poorer quality food. 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> • 32% of interviewees reported being unable to use their phones and having no access to Wi-Fi. • 92% of interviewees were unaware of an official grievance reporting system. <p>Combined, the findings are suggestive of forced labor conditions. Testimonies from crew indicate efforts to hide abusive working practices such as forcing crew to sign forms indicating longer rest periods than those taken. Meanwhile, crew report having limited ability to communicate with family or others while onboard. One crew member reported only receiving their final salary after having their passport confiscated when returning home to prevent them from moving to another company in the next recruitment period.</p> <p>Environmental Justice Foundation and Advocates for Public Interest Law, 31 May 2023</p>	
<p>ILO indicators of forced labor and ILO R190 definition of hazardous child labor</p>	<p>Evidence indicative of forced labor in the DWF fleet is summarized below:</p> <p>Attention on the DWF fleet began with the 2011 case of the South Korean-flagged fishing vessel ‘Sajo Oyang 75’, when 32 Indonesian fishers escaped the vessel and sought help from the authorities in New Zealand, alleging to have suffered from verbal and physical abuse, sexual assault, and nonpayment of wages, all of which are indicators of forced labor. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>Reporting by the Korean media indicates that prior to the more widely reported 2011 case off New Zealand, an earlier incident had occurred in which crew also reported indicators of forced labor. Survivors of the Oyang 70, a ship operating off the coast of New Zealand that sank in August 2020, testified that they had been subjected to physical and psychological abuse</p>	<p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p> <p>HanKyoReh, 24 January 2012, Korean tuna vessels called “Devil” [English translation]</p> <p>Environmental Justice Foundation (EJF), June 2020, Briefing: Illegal fishing and human rights</p>

Indicator	Description	Sources
	<p>while working onboard. These sailors were from Southeast Asia and worked on boats affiliated with the Sajo Group, including the Oyang 70 and Oyang 75. HankyoReh, 24 January 2012</p> <p>An investigation conducted from 2018 to 2020 by Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL) revealed alleged human rights abuses in South Korea’s DWF fleet. EJF and APIL interviewed crew on 40 Korean fishing vessels including 13 tuna longliners and a tuna purse seiner. The resulting briefing, published in June 2020, details evidence of conditions indicative of forced labor on Korean DWF vessels and specifically links some allegations to squid jiggers and tuna long liner vessels. Among the conditions reported by former crewmembers of three tuna longliners, all of which were authorized to export their catch to the EU, indicators of forced labor and debt bondage included working more than 15 hours per day, the withholding of several months’ salaries until completion of the contract, confiscation of identity documents, and wage deductions associated with recruitment fees. In addition, the crew reported that the vessels stayed at sea for 19 or more months without calling at port. EJF, June 2020</p> <p>Scientific modeling using remote sensing data indicates that distant water fishing fleets are associated with a higher risk of forced labor. According to McDonald et al. (2021), South Korean longline vessels are consistently among the five fisheries with the largest number of unique high-risk vessels. Others include Taiwanese, Chinese, and Japanese longliners and Chinese squid jiggers. McDonald et al., January 2021</p>	<p>abuses in the Korean fishing fleet</p> <p>McDonald, G.G., Costello, C., Bone, J., Cabral, R.B., Farabee, V., Hochberg, T., Kroodsmma, D., Mangin, T., Meng, K.C., and Zahn, O., January 2021, Satellites can reveal global extent of forced labor in the world’s fishing fleet. Proceedings of the National Academy of Sciences Jan 2021, 118 (3) e2016238117; DOI: 10.1073/pnas.2016238117</p>

Indicator	Description	Sources
Fishing Characteristics	<p>Thirty or more days at sea</p> <p>An analysis by researchers at the University of California, Santa Barbara reveals that South Korea's tuna fishing boats have the longest operating hours, voyage times, and voyage distances, leading to the worst working conditions among all countries involved in tuna fishing. HankyoReh, 2021</p> <p>Interviews with 13 migrant crew onboard 12 Korean-flagged tuna longliners registered in the WCPFC revealed that all interviewees stayed at sea for more than 12 months, with the average period found to be 18 months. Advocates for Public Interest Law (APIL) et al., June 2022</p> <p>In another research effort by APIL and IOM Republic of Korea, one former fisherman from a Korean DWF vessel revealed in an interview that they had not been onshore in 20 months. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p>	<p>HankyoReh, 2021, Stop overfishing endangered tuna</p> <p>Advocates for Public Interest Law (APIL) et al., June 2022, No Fisheries without Crew: The Urgent Need for Labor Standards in the WCPFC.</p> <p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p>
	<p>Targeting overexploited stocks</p> <p>Tropical tuna caught in the Western and Central Pacific Ocean is not considered overexploited.</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> • Skipjack tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 10 ○ Future health – 10 • Bigeye tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 9.9 ○ Future health – 8.5 • Yellowfin tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 9.5 	<p>FishSource</p> <p>International Seafood Sustainability Foundation (ISSF), November 2023, Status of the World Fisheries for Tuna</p> <p>Seafood Watch, Seafood Recommendations</p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> ○ Future health – 8.8 <p>ISSF November 2023 status report: According to the latest report, The WCPO bigeye, yellowfin, and skipjack tuna stocks are not overfished, and overfishing is not occurring.</p> <p>Seafood Watch Recommendations:</p> <p>Tropical tuna caught in the WCPO is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> ● Bigeye <ul style="list-style-type: none"> ○ Associated purse seine – AVOID ○ Drifting longlines – AVOID ○ Longline (deep-set) – GOOD ALTERNATIVE ● Yellowfin <ul style="list-style-type: none"> ○ Associated purse seine – AVOID ○ Drifting longlines – AVOID ○ Unassociated purse seine – GOOD ALTERNATIVE ○ Longline (deep-set) – GOOD ALTERNATIVE ● Skipjack <ul style="list-style-type: none"> ○ Associated purse seine – AVOID ○ Unassociated purse seine – GOOD ALTERNATIVE ○ Longline (deep-set) – GOOD ALTERNATIVE <p>Bigeye and yellowfin tuna caught in the Indian Ocean are overexploited.</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> ● Skipjack tuna – Indian Ocean <ul style="list-style-type: none"> ○ Current health – 8 ○ Future health – 9.6 ● Bigeye tuna – Indian Ocean <ul style="list-style-type: none"> ○ Current health – 8.9 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> ○ Future health – 7.2 ● Yellowfin tuna – Indian Ocean <ul style="list-style-type: none"> ○ Current health – 7.3 ○ Future health – 7.2 <p>ISSF November 2023 status report:</p> <ul style="list-style-type: none"> ● The Indian Ocean bigeye tuna and yellowfin tuna stocks are overfished and subject to overfishing. ● The Indian Ocean skipjack tuna stock is not overfished, and overfishing is not occurring. <p>Seafood Watch Recommendations:</p> <p>Tropical tuna caught in the Indian Ocean is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> ● Bigeye <ul style="list-style-type: none"> ○ Associated purse seine and Unassociated purse seine – AVOID ○ Drifting longlines – AVOID ● Yellowfin <ul style="list-style-type: none"> ○ Associated purse seine and Unassociated purse seine – AVOID ○ Drifting longlines – AVOID ● Skipjack <ul style="list-style-type: none"> ○ Associated purse seine and Unassociated purse seine – AVOID. 	
Evidence of correlated practices	<p>IUU fishing</p> <p>Illegal, Unreported, and Unregulated (IUU) fishing is a risk in South Korea’s fishing industry, although the country has taken steps to address the problem.</p> <p>South Korea was cited by the EU carding scheme for IUU fishing in November 2013. This was later revoked in April 2015 following reforms to the country’s fisheries governance with the help of the European</p>	<p>European Commission, Overview of existing procedures as regards third countries</p> <p>European Commission, 18 October 2018, Press Release: EU and the Republic of Korea join forces in fight against</p>

Indicator	Description	Sources
	<p>Commission. European Commission, Overview of existing procedures as regards third countries</p> <p>The Distant Water Fisheries Development Act was amended, stipulating that a DWF vessel must have VMS on board, obtain permission to fish in foreign country waters, and must report to the ministry about joint ventures, among other things.</p> <p>In 2018, South Korea signed a joint statement with the EU pledging to work closely together to fight IUU fishing. Under the partnership, they will share information about suspected IUU activities, work to enhance traceability of fishery products through an electronic catch documentation and certification system, support other states to fight IUU fishing, and strengthen international cooperation. European Commission, 18 October 2018</p> <p>The United States’ September 2019 Improving International Fisheries Management Report to Congress identified South Korea for reported IUU fishing activities. According to the report, South Korea was identified for failing to apply sufficient sanctions to prevent its vessels from engaging in fishing activities that violate conservation and management measures. Nonetheless, the report suggests that South Korea is taking actions to make improvements by amending its legislation. NOAA, September 2019</p> <p>Four months later, the U.S. was reported to have removed South Korea from its preliminary IUU list after South Korea revised its Distant-Water Fisheries Development Act to allow regulators to quickly sanction offending fishing vessels. SeafoodSource, 30 January 2020</p> <p>The 2019 IUU Fishing Index gives South Korea a score of 2.49 (1 being the best, and 5 the worst) and ranks it</p>	<p>Illegal, Unreported and Unregulated fishing</p> <p>NOAA, September 2019, Improving International Fisheries Management Report to Congress Pursuant to Section 403(a) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006</p> <p>SeafoodSource, 30 January 2020, “US removes South Korea from potential IUU list”</p> <p>IUU Fishing Index: South Korea</p> <p>Environmental Justice Foundation (EJF), June 2020, Briefing: Illegal fishing and human rights abuses in the Korean fishing fleet</p> <p>Environmental Justice Foundation (EJF), 25 April 2023, ‘New data reveal links between Korean vessels and illegal fishing in the Pacific’, Updated 10 May 2023</p>

Indicator	Description	Sources
	<p>37th out of 152 countries, and 13th out of 20 Asian countries. Of the three categories assessed (Vulnerability, Prevalence, and Response), South Korea scores least well against vulnerability overall (score 2.67) and under the framing of flag vulnerability (score 5.00). In comparison, the 2023 IUU Fishing Index gives South Korea a score of 2.76 out of 5 and ranks it 9th out of 152 countries, and 5th out of 20 Asian countries, indicating worsening performance in the index. The country again scores least well against vulnerability overall (score 2.33) and under the framing of flag vulnerability (score 5.00). IUU Fishing Index</p> <p>There continue to be reports of IUU fishing by vessels in the DWF fleet, including in connection to tuna fishing. The carrier vessel ‘SUN FLOWER 7’ was alleged to have retrieved fish aggregation devices (FADs) in Kiribati’s Exclusive Economic Zone without authorization. Using vessel tracking data, EJF found that ten other Korean-flagged or owned vessels had been involved in similar activities. EJF, June 2020 , EJF, 25 April 2023</p> <p>But there is evidence of the Ministry of Fisheries penalizing vessels found to be in violation of South Korea’s DWF legislation. In May 2023, the Korean Ministry of Fisheries imposed a penalty of 200 million won (USD 200,000) on the vessel ‘SUN FLOWER 7’, after concluding that the vessel was responsible for "very serious" violations of Korea's distant water fishing legislation. EJF, 25 April 2023</p>	
	<p>Transshipment</p> <p>South Korea’s distant-water fishing (DWF) fleet engages in transshipment activity. Analysis of AIS data from distant-water fishing activity found that South Korea’s DWF fleet engaged most frequently in transshipment compared to the DWF fleets of China, Taiwan, Japan, and Spain. An analysis of likely transshipment</p>	<p>Stimson, November 2019, Shining a Light: The Need for Transparency across Distant Water Fishing</p> <p>Stop Illegal Fishing, 2020, Moving Tuna: Transshipment in the</p>

Indicator	Description	Sources
	<p>encounters occurring after fishing using AIS data from 2016 to 2017 indicates that South Korean vessels potentially transhipped nearly 20 percent of their fishing activity in coastal countries' waters. Stimson, November 2019</p> <p>In the Western Indian Ocean, South Korean carrier vessels are involved in transshipping tuna. The Korean-flagged and -owned carriers transship with the Korean, Chinese, and Taiwanese longline fleets. In addition, Korean purse seine vessels transship their tuna catch by carriers or containers and transport it to South Korea for processing. Stop Illegal Fishing, 2020</p>	<p>Western Indian Ocean. Gaborone, Botswana</p>
	<p>Suspect or illegal flagging practices</p> <p>South Korea is not listed as a flag of convenience (FOC) by the IT's fair practices committee.</p>	<p>International Transport Worker's Federation (ITF) Flag of Convenience FOC countries</p>
	<p>AIS dark spots to conceal criminal activities</p> <p>Unknown.</p>	
<p>Workforce Characteristics</p>	<p>The proportion of fishers that are migrant workers</p> <p>Reported figures vary year-by-year but evidence suggests that most fishers (more than 60%) employed in the South Korean DWF fleet are migrant workers.</p> <p>A December 2017 report by the Advocate for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea states that migrant workers constitute 69.3% of fishers on DWF vessels, compared to 35.5% on coastal water fishing vessels weighing over 20 tons and 24.9% on coastal water fishing vessels weighing less than 20 tons. According to the report, migrant fishers in the DWF fleet mostly originate from China, Myanmar, Indonesia, The Philippines, and Vietnam. Advocates for Public</p>	<p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p> <p>Advocate for Public Interest Law (APIL), July 2020, Then and Now: The repeated failure of response to the human</p>

Indicator	Description	Sources
	<p>Interest Law and the International Organization for Migration Republic of Korea, December 2017</p> <p>According to a July 2020 report by the APIL, migrant workers comprised around 73.3% of the DWF work force at the end of 2018, indicating that the proportion of migrant workers in the fleet increased. When setting aside officers and captains, the proportion of crew that were migrant fishers rises to 95% of the workforce on DWF vessels. Most migrant fishers were from Indonesia (65%), Vietnam (17%), and the Philippines (14%). Advocate for Public Interest Law, July 2020</p> <p>Another 2020 report by APIL and the Human Rights Network for Migrant Fishermen, states that migrant workers constitute 65% of fishers on DWF vessels, compared to 38% on coastal water fishing vessels weighing over 20 tons. Advocate for Public Interest Law and the Human Rights Network for Migrant Fishermen, 2020</p> <p>According to data from the Korea Ministry of Oceans and Fisheries’ 2022 Korean Seafarer’s Statistical Yearbook, migrant workers constitute around 77% of fishers on DWF vessels, most of whom 79%, are from Indonesia. Environmental Justice Foundation and Advocates for Public Interest Law, 31 May 2023</p>	<p>trafficking of migrant workers in the fishing and hospitality sectors</p> <p>Advocate for Public Interest Law (APIL) and the Human Rights Network for Migrant Fishermen, May 2020, Who Tied Them to the Sea?: Monitoring Report on the Human Rights of Migrant Workers on Korean Fishing Vessels</p> <p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL), 31 May 2023, Korea’s Migrant Fishers Plan fails to end human rights abuses at sea, 2023 Briefing</p>
	<p>A high proportion of fishers from ethnic minority and other marginalized groups</p> <p>Unknown.</p>	
Recruitment and Contracts	<p>Use of recruitment agents</p> <p>The recruitment of migrant fishers employed on DWF vessels and CWF vessels weighing more than 20 tons falls under the responsibility of the Ministry of Oceans and Fisheries (MOF) and is mainly governed by the</p>	<p>Advocate for Public Interest Law (APIL), July 2020, Then and Now: The repeated failure of response to the human trafficking of migrant</p>

Indicator	Description	Sources
	<p>Seafarers’ Act. The recruitment process is managed by the labor market and involves private recruitment agencies. In contrast, the recruitment of migrant fishers employed on CWF vessels weighing less than 20 tons falls under the responsibility of the Ministry of Employment and Labor (MOEL) and is governed by the Labor Standards Act and the Minimum Wage Act. The recruitment process involves the government of the sending country. Advocate for Public Interest Law, July 2020</p> <p>When recruiting migrant fishers for DWF vessels, ship owners request workers via Korean manning agencies, who work with partner recruiting agencies in the migrant workers’ countries of origin. Applicants are recruited by the recruiting agency and a list of candidates is sent to the ship owner for consideration. Advocate for Public Interest Law and the Human Rights Network for Migrant Fishermen, May 2020</p> <p>Migrant workers employed on DWF vessels are especially vulnerable to exploitation during the recruitment process since they often have poor finances, generally low education levels, and have been unemployed or working for low pay for long periods of time. These workers often incur significant debts through loans used to pay fees to recruitment agencies. The use of intermediary brokers and agencies (licensed or unlicensed) increases the costs to workers of recruitment and makes it harder to identify who is responsible for contractual obligations and liable for any violations. The recruitment fees charged to migrant workers on DWF vessels include a security deposit, service fees, training fees, and miscellaneous fees such as charges for visa/passport applications and medical exams. Workers from Vietnam and Indonesia reported paying security deposits ranging from USD 2,000 to USD 3,000. Advocates for Public Interest Law and the</p>	<p>workers in the fishing and hospitality sectors</p> <p>Advocate for Public Interest Law (APIL) and the Human Rights Network for Migrant Fishermen, May 2020, Who Tied Them to the Sea?: Monitoring Report on the Human Rights of Migrant Workers on Korean Fishing Vessels</p> <p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p>

Indicator	Description	Sources
	International Organization for Migration Republic of Korea, December 2017	
	<p>Contract-and compensation- related regulations and practices</p> <p>Labor contracts are signed between the workers and the ship owning company. The contracts are for a period of two years. Due to the visa process, labor contracts must be signed by migrant workers before departing their country of origin. However, none of the migrant fishers interviewed by APIL and IOM Republic of Korea between 2014 and 2016 said they had signed a labor contract before departure, indicating they had either signed the contract without being aware of its contents or that someone had signed it on their behalf.</p> <p>In addition to the labor contract, migrant workers employed on DWF vessels also sign a recruitment contract with the recruiting agency. These recruitment contracts are often signed under the threat of losing the job opportunity and contain unfavorable terms for the workers who do not receive a copy of the contract. Generally, neither recruitment nor labor contracts address working hours for DWF fishers, leaving fishers vulnerable to excessive working hours.</p> <p>Migrant fishers on DWF vessels receive very low fixed wages that do not match those of Korean fishers working on board, who receive a share of the profits. Compensation for overtime is rarely covered by contracts and none of the interviewed fisheries reported receiving compensation for working overtime.</p> <p>Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</p>	<p>Advocates for Public Interest Law (APIL) and the International Organization for Migration (IOM) Republic of Korea, December 2017, Tied at Sea: Human Rights Violations Against Migrant Fishers on Korean Fishing Vessels (2014-2016)</p>

Table 3: Korea - Fishing indicators

South Korea: Processing indicators

Indicator	Description	Sources
Direct evidence of forced labor, human trafficking, and hazardous child labor	No evidence found.	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	No evidence found.	
Processing Characteristics	<p>Processing stage</p> <p>Both primary and secondary processing of tuna appears to take place in South Korea, including production of frozen tuna for export and canned tuna for domestic consumption.</p> <p>In primary processing, the fish warehouse functions as a cryogenic freezer and operates in a refrigerated environment that ranges from minus 50 to 60 degrees. Employees are required to wear winter clothing, hats, and specially designed shoes in case of emergency, to protect themselves from falling tuna fish. The stevedores who used to handle the tuna in the fishing port come out every 1-2 hours to take a break from the extreme cold.</p> <p>The frozen tuna is manually processed by workers who use saws instead of knives to dismantle hair, whorls, and belly fat. They manually remove the skins and pack each part. Due to the harsh working conditions, there is a low application rate for job seekers, despite the industry explaining that wages at food companies are not high.</p>	<p>Pacific Islands Forum Fisheries Agency (FFA), 2011, Market and Industry Dynamics in the Global Tuna Supply Chain, Part 1b</p> <p>United Nations (UN) Statistics Division, 2020, UN Comtrade Database</p>
	Consolidation and vertical integration	<p>Pacific Islands Forum Fisheries Agency</p>

	<p>Limited information was found regarding the status of the tuna processing industry in South Korea. According to a 2011 report, five major canneries operated in the southern provinces of South Korea, with additional canneries operated by two of the main Korean purse seine fishing companies. This suggests that the tuna industry is consolidated among a small number of companies, at least some of which have vertically integrated operations.</p>	<p>(FFA), 2011, Market and Industry Dynamics in the Global Tuna Supply Chain, Part 1b</p>
	<p>Domestic versus export</p> <p>Overall, South Korea is a net importer of seafood, importing US\$3.7 billion more in seafood than it exported in 2019. US Department of Agriculture, May 2020</p> <p>Nevertheless, tuna is produced for both the domestic and export markets:</p> <p>South Korea produces canned tuna mostly for domestic consumption. Pacific Islands Forum Fisheries Agency, 2011</p> <p>Tuna is one of South Korea’s most important species in seafood exports. WWF-Korea, 2016</p> <p>South Korea is an important supplier of frozen tuna to tuna processing countries. In 2019, South Korea exported more than US\$182 million in value of skipjack tuna (HS codes 160414, 030233, 030343). The top five export destinations by value for frozen skipjack were Thailand, Mexico, China, Ecuador, and Vietnam. United Nations Statistics Division, 2020</p>	<p>US Department of Agriculture, May 2020, South Korea: Korea Seafood Market Update</p> <p>Pacific Islands Forum Fisheries Agency (FFA), 2011, Market and Industry Dynamics in the Global Tuna Supply Chain, Part 1b</p> <p>WWF-Korea, 2016, Korea’s Fisheries Sector Assessment</p> <p>United Nations (UN) Statistics Division, 2020, UN Comtrade Database</p>
<p>Workforce Characteristics</p>	<p>Skilled versus low-skilled</p> <p>Unknown. No information was found on workers in the tuna processing industry. Workers in the wider seafood processing industry are mainly low-skilled:</p> <p>Research service: 1.7%</p>	<p>Korean Statistical Information Service (KOSIS)</p>

	<p>Skilled Technical service: 7.9%</p> <p>Low-skilled Technical service: 75.3%</p> <p>Office worker: 15%</p> <p>Korean Statistical Information Service (KOSIS)</p>	
	<p>The proportion of women in the workforce</p> <p>Unknown. No information was found on workers in the tuna processing industry. Overall, women represent more than half of the workforce in seafood processing:</p> <p>Fishery-product processing industry: 55% (23,828/43,696)</p> <p>07, 2022</p> <p>Korean Statistical Information Service (KOSIS)</p>	<p>Korean Statistical Information Service (KOSIS)</p>
	<p>The proportion of migrant versus local workers</p> <p>Unknown. No information was found on workers in the tuna processing industry, but overall, migrant workers represent a very small percentage of the workforce in seafood processing:</p> <p>Fishery-product processing industry: 6% (2,452/43,696)</p> <p>07, 2022</p> <p>Korean Statistical Information Service (KOSIS)</p>	<p>Korean Statistical Information Service (KOSIS)</p>
	<p>The proportion of minority or indigenous workers</p> <p>Unknown.</p>	
	<p>The proportion of temporary and contract versus permanent workers</p> <p>Unknown. No information was found on workers in the tuna processing industry. Statistics from the wider fisheries</p>	<p>Korean Statistical Information Service (KOSIS)</p>

	<p>industry indicate that workers are typically employed on contracts of 6 or more months.</p> <p>2016 Fishing contract term</p> <p>Less than 3 months:</p> <ul style="list-style-type: none"> • M: 15.1% • W: 18.7% <p>More than 3 month, less than 6 month:</p> <ul style="list-style-type: none"> • M: 32.7 % • W: 53.1 % <p>More than 6 months:</p> <ul style="list-style-type: none"> • M: 52.2% • W: 28.3% <p>Korean Statistical Information Service (KOSIS)</p>	
	<p>Workers' origins</p> <p>Unknown. No information was found on the origin of workers in the tuna processing industry.</p>	
	<p>Migrant worker language (vs. dominant language in the industry)</p> <p>Unknown. No information was found on the origin of workers in the tuna processing industry.</p>	
	<p>GDP per capita of processing country and main worker source country</p> <p>The GDP per capita (current USD) for South Korea was nearly USD 34,998 in 2021. No information was found on the origin of workers in the tuna processing industry.</p>	<p>World Bank, GDP per capita (current US\$) - Korea, Rep.</p>
	<p>Legal presence (regularity) of migrant workers</p>	

	Unknown.	
	<p>The ability of migrant workers to change jobs</p> <p>Unknown. Information specific to tuna processing was not found.</p> <p>Foreign Employment Law states that migrant workers can engage in work according to the regulations set forth in the Ministry of Employment and Labor Ordinance in several cases.</p> <p>If there are circumstances such as temporary suspension, business closure, violation of working conditions, unfair treatment by the employer, etc., and if the Minister of Employment and Labor announces that the foreign worker cannot continue to work at their current business or workplace due to reasons beyond the worker's control and not in accordance with social norms, then the worker may need to seek alternative employment. The general rule is that foreign workers are not allowed to change their workplace or business more than three times during the designated period, and no more than two times during any extended period. Korean Law Information Center</p>	Korean Law Information Center
Recruitment and Contracts	<p>Use of contractors and recruitment agents</p> <p>Unknown.</p>	
	<p>Compensation method</p> <p>Unknown.</p>	

Table 4: Korea - Processing indicators

References

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- ⁱⁱ Statistics Korea, February 2020, Preliminary Results of the Fishery Production Survey in 2019. Available at <http://kostat.go.kr/portal/eng/pressReleases/2/10/index.board?bmode=read&aSeq=382496&pageNo=&rowNum=10&amSeq=&sTarget=&sTxt=> [Accessed on 28 January 2021].
- ⁱⁱⁱ Statistics Korea, February 2020, Preliminary Results of the Fishery Production Survey in 2019. Available at <http://kostat.go.kr/portal/eng/pressReleases/2/10/index.board?bmode=read&aSeq=382496&pageNo=&rowNum=10&amSeq=&sTarget=&sTxt=> [Accessed on 28 January 2021].
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