



**Monterey Bay
Aquarium**

Squid 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

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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	6
Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain.....	9
Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain	10
Fishing	13
Processing and Trade.....	13
Due Diligence for Squid in South Korea.....	14
South Korea: Country-level indicators	18
South Korea: Seafood industry-level indicators	47
South Korea: Fishing indicators	68
South Korea: Processing indicators	85
References.....	90

About the Seafood Social Risk Tool

The Seafood Social Risk Tool (SSRT) is a risk assessment tool that assesses the risks of forced labor, human trafficking, and hazardous child labor associated with a seafood product and producing country. The tool includes more than 80 risk indicators that assess evidence of forced labor, human trafficking, and hazardous child labor in seafood supply chains and the underlying drivers of risk associated with these abuses. This information is used to create risk profiles to help businesses and other interested stakeholders to better understand the risk of human rights abuses in seafood supply chains and to focus businesses' due diligence efforts to improve conditions for seafood workers.

To learn more about the SSRT and access the full list of available risk profiles, visit <https://www.seafoodwatch.org/our-projects/seafood-social-risk-tool>.

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Overview

The Republic of Korea (hereafter South Korea) oversees one of the largest distant-water fishing (DWF) fleets globally, with 200 vessels flying the Korean flag and an unknown number of vessels around the world linked to Korean interests.ⁱ In 2019, 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).ⁱⁱ The DWF fleet primarily targets tuna and squid.ⁱⁱⁱ In 2023, the total production of squid in South Korea reached 66,112 metric tons.^{iv} In recent years, there has been a notable decrease in the local squid catch attributed to shifts in water temperatures, leading to a surge in demand for imported squid.^v In 2022, Korea imported 107,986 metric tons of squid to meet the demand.^{vi} The total seafood production in Korea amounted to 3.6 million metric tons in 2022, marking a 5.7% decrease from the previous year.^{vii} Korean seafood processors produced 1.3 million tons of processed seafood products in 2022, down 5.4% from 2021.^{viii}

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

Overall, the base risks of forced labor, human trafficking, and hazardous child labor in South Korea appear to be high. 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, and workers risk persecution and harassment for organizing. There have been signs of improving governance for workers, including the adoption in 2021 of key international labor standards intended to guarantee fundamental labor rights and the adoption of a new law on human trafficking, which came into effect in 2023. However, the country is currently in a period of political instability that may impede further improvements to governance and could heighten the risks of forced labor, human trafficking, and hazardous child labor.

While evidence indicates that South Korea is making efforts to enforce anti-trafficking and forced labor laws, there are some concerns about its ability to do so effectively. Inspection capacity has been highlighted as a concern, particularly in relation to the distant water fishing sector, within which the government has never prosecuted a case of human trafficking despite ongoing allegations against the sector.^{ix} In addition, there are anecdotal reports of occasional complicity in human trafficking and related crimes by local police.^x Although South Korea has implemented a new victim identification index, which includes procedures on victim identification and referral, more work is needed to improve the identification of labor trafficking victims, including the implementation of proactive screening among vulnerable populations.^{xi}

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.^{xii} There is a high demand for low-skilled foreign labor to fill labor gaps and 90% of foreign workers in South Korea are classed as low-skilled.^{xiii} Protections for foreign workers have improved since the introduction of the Employment Permit System (EPS) in 2003.^{xiv} 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.^{xv} However, foreign workers—particularly those in low-skilled jobs—remain vulnerable to labor abuses such as unpaid or underpaid wages, excessive working hours without proper overtime pay, substandard housing (including makeshift dormitories or containers), and restrictions on changing workplaces.^{xvi} There are reports of some workers having to spend months trying to prove their exploitation to the Ministry of Employment and Labor before being permitted to change employment.^{xvii} The government is working to improve the living conditions of foreign workers and provide re-entry privileges for foreign migrant workers who are employed at a single workplace for over a year.^{xviii} But less than 10% of workplaces with permits for foreign migrant workers are inspected each year by the Ministry of Employment and Labor.^{xix} This insufficient oversight overshadows the government’s efforts and leaves migrant workers susceptible to exploitation.

Workers’ rights to freedom of association and collective bargaining are recognized in law, but in practice are not well respected. According to the International Trade Union Confederation (ITUC), trade unions face persecution and harassment from the government through police raids and arbitrary arrests, the illegitimate use of public persecutors, and criminalization of union activities.^{xx,xxi} The ITUC identifies South Korea as one of several countries where employers evade collective bargaining, where strikes and social protests are met with violent repression by police, and most concerningly, as one of six countries where trade unionists died because of their activism in 2023.^{xxii,xxiii} In addition, the rate of unionization among migrant workers remains very low despite confirmation of their right to organize by the South Korean Supreme Court in 2015. Less than 0.5% of migrant workers were organized in 2022.^{xxiv}

Nevertheless, South Korea has committed to eliminating forced labor and promoting freedom of association.^{xxv} In spite of opposition from political parties and business groups over the strengthening of labor unions,^{xxvi} 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.^{xxvii} 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 eleven^{xxviii} fundamental instruments.^{xxix} Evidence regarding the application of these conventions has not yet been reported by South Korea to the

ILO.^{xxx} South Korea also enacted the Prevention of Trafficking in Persons, Etc. and Victim Protection Act (PTPV) in 2022, effective January 2023, which contains a definition of human trafficking that more closely aligns with the international definition.^{xxxi} However, the Act has been criticized for the absence of penalty provisions and conflicting definitions of human trafficking.^{xxxii} Budgetary cuts have further affected implementation of the Act and its effectiveness is unclear according to human rights organizations.^{xxxiii} South Korea's recent efforts to meet the minimum standards for the elimination of human trafficking are reflected in the US Department of State's Trafficking in Persons Report, which upgraded South Korea to a Tier 1 country (the highest ranking) in 2024.^{xxxiv}

However, South Korea is now in a period of political instability following the impeachment of former president Yoon Suk Yeol after he declared martial law in December 2024, which may impede further improvements and contribute to heightened risks for workers, with negative impacts on economic growth and employment rates already observed in 2025.^{xxxv,xxxvi}

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. Higher risks are identified in the distant water fishing fleet, which mainly fishes for tuna and squid. Evidence includes allegations from the past five years of human trafficking, forced labor, and conditions indicative of forced labor in the fishing industry, including on squid fishing vessels. Very little information was found on South Korea's squid processing industry, making it difficult to assess risks in this part of the supply chain. Regulatory changes have led to improvements in the fishing industry over time, nevertheless, concerns have been raised about whether these provide sufficient protection for fishers with some evidence to suggest that conditions for migrant fishers have not improved. Overall, 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.^{xxxvii} 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. In 2021, foreign workers, accounted for 20 percent of total workers in maritime fisheries.^{xxxviii} 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 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.^{xxxix}

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.^{xi} 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.^{xli} Some of the fishing vessels that have been linked to allegations were certified to export seafood to the UK and European Union.^{xlii} In some cases, evidence of conditions suggestive of forced labor within the DWF fleet has been explicitly linked to squid fishing vessels. For example, in interviews conducted by APIL and EJF between September 2021 and December 2022 with 74 migrant fishers working on 54 Korean-flagged and Korean-owned DWF vessels, including 15 squid jiggers, testimony given by crew members from squid vessels highlighted excessive working hours without rest, and the withholding of identity documents and charges to retrieve them. Other interviewees also reported excessive working hours and withholding of identify documents, as well as long periods of isolation at sea, the withholding of wages or wage deductions, debt bondage, and some crew also reported experiencing verbal and physical abuse.^{xliii} In spite of these ongoing reports of abuse, South Korea has never prosecuted a case of human trafficking in the DWF fleet.^{xliv}

Risk factors such as transshipment at sea and IUU fishing are also present in the DWF fleet. 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.^{xlv} 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.^{xlvi} With regard to squid fishing, a 2021 analysis of the Southeast Pacific DWF squid fleet by Global Fishing Watch found evidence of fishing vessel satellite data irregularities, which could hinder monitoring, control and surveillance. One Korean flagged squid fishing vessel was found to be using multiple Maritime Mobile Service Identity (MMSI) numbers and another vessel using three MMSI numbers connected to different flags, including South Korea.^{xlvii} The MMSI number is unique to a vessel, and therefore having more than one MMSI is irregular.^{xlviii} Allegations of IUU fishing by vessels in the DWF fleet continue to be made but there is evidence from 2023 of the Ministry of Fisheries penalizing vessels found to be in violation of South Korea's DWF legislation.^{xlix,l}

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.^{li,lii} 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.^{liii} 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.^{liv}

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.^{lv} 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.^{lvi} The Korean government has since responded to these criticisms by establishing a plan to address profound disparities and eliminate loopholes that facilitate exploitation at sea.^{lvii} In March 2024, the Ministry of Oceans and Fisheries announced the establishment of the Plan for Further Enhancement for Working Conditions of Migrant Fishers on Distant Water Fishing Vessels, developed in cooperation with APIL, EJF, and the distant water fishing industry.^{lviii} The plan focuses on preventing human rights violation, imposing stronger penalties, and improving victim protection, and covers issues such as wages, time spent at sea, rest periods, passport safekeeping, and grievance mechanisms, among others. The establishment of this plan represents a significant step toward improved conditions for migrant crew members aboard South Korea’s DWF fleet. However, some necessary policy improvements are not yet addressed by the plan and the success of the plan will depend on its effective implementation.^{lix,lx}

Very little information was found on South Korea’s squid processing industry, with no information found on worker characteristics and employment practices. This lack of transparency makes it difficult to analyze risks of forced labor, human trafficking, or hazardous child labor in squid processing and is itself, a risk. In addition, following a decline in catches of squid by South Korea, the country has increased its imports of squid.^{lxi} These imports increase the complexity of the supply chain and readers should be aware of the risks entering into South Korea’s squid supply chain from squid fishing by other countries, with risks varying by country of origin. SSRT risk profiles are available for squid produced by China, Peru, Chile, and Argentina.^{lxii}

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 (see seafood industry-level for more detail), agriculture, and salt production. Women and children are exploited in commercial sexual exploitation. 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.

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.
- The Trafficking in Persons Report states that physically and intellectually disabled South Korean men are forced to work on fishing vessels and in fish farms.
- 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 in the CWF fleet are allegedly subjected to abuses that together likely indicate forced labor, including debt bondage caused by excessive recruitment fees, the withholding of passports by recruitment agencies, verbal and physical abuse, discrimination, delayed payments, and excessive working hours.
- South Korean DWF vessels have been linked to human trafficking and forced labor, and conditions indicative of forced labor. Conditions reported by former crew during an investigation conducted from 2018 to 2020 by Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL) included excessive working hours, withholding of wages, recruitment fees, and confiscation of identity documents.
- South Korea is also a country of transit for Southeast Asian fishers who are subjected to forced labor on fishing vessels bound for Fiji and other Pacific destinations.
- No evidence was found of hazardous child labor in South Korea's seafood industry.

Fishing indicators

- South Korean DWF squid vessels have been linked to human trafficking and forced labor, as well as conditions indicative of forced labor by crew testimony.
- Reports published in 2020 and 2023 contain evidence from interviews with crew from squid fishing vessels that describe working excessive hours without adequate breaks or days off, very low wages, wage discrimination and withholding of wages, verbal and physical abuse, poor living conditions, and withholding of identify documents.

- No evidence was found linking the DWF fleet or squid vessels to hazardous child labor.

Processing indicators

- No evidence was found linking South Korea’s squid 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).
- Migrant workers may be reluctant to apply to change workplaces in cases where their labor rights are violated for fear of deportation.
- Most people convicted for trafficking-related crimes received lesser penalties that may not act as a deterrent.

Seafood industry-level indicators

- The new Plan for Further Enhancement for Working Conditions of Migrant Fishers on Distant Water Fishing Vessels is not legally binding and lacks a specific mechanism for implementation.
- International and local NGOs have raised concerns about gaps in regulations for the distant water fishing fleet that 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 among fishers.

Fishing indicators

- There are reports of illegal, unreported, and unregulated (IUU) fishing and a lack of transparency regarding transshipment by distant water fishing (DWF) vessels.
- Vessels in the DWF fleet have been recorded spending more than one year at sea without entering a port.
- 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.

Processing indicators

- South Korea mainly produces squid for domestic consumption, which reduces the potential leverage of global markets on production risks.
- Limited information was found regarding the squid processing industry in South Korea, with no information found on worker characteristics and employment practices, 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.
- The government established a new plan in March 2024 in collaboration with Advocates for Public Interest Law, Environmental Justice Foundation, and the distant water fishing industry to improve conditions for migrant crew in the DWF fleet that addresses wages, time spent at sea, and grievance mechanisms, among other issues.
- There is evidence of industry members participating in voluntary schemes. 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

- 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

- None found.

Fishing

South Korea operates the world's fourth largest distant water fishing (DWF) fleet, employing over 4,000 migrant fishers across the fleet.^{lxxiii} The DWF fleet predominantly targets tunas and cephalopods.^{lxxiv} According to a 2016 report by WWF-Korea, squid is the second most important species caught by the DWF in terms of catch volume and fishing capacity, with tuna representing about 50% of the catch, followed by squid at 18%. Other species caught by the DWF fleet include Alaska pollock and Pacific saury.^{lxxv}

The main species of squid produced by South Korea includes Jumbo Flying Squid (*Dosidicus gigas*), Common Squids Nei (*Loliginidae*), and Various Squids Nei (*Loliginidae* and *Ommastrephidae*), accounting for 96.1% of total squid fishing production.^{lxxvi} The primary region for harvesting jumbo squid is the southeast Pacific.^{lxxvii} Fisheries statistics show that in 2023 the total amount of production from squid fishing was 23,343 MT, including frozen and cold storage.^{lxxviii}

However, catches in South Korea's offshore squid fishery decreased by 35% in 2023 due to rising water temperatures and overfishing.^{lxxix} The Minister of Oceans and Fisheries, Cho Seung-hwan, highlighted the financial strain imposed on fishers due to the drastic reduction in catches, resulting in a monthly shortfall of around KRW 30 million (approximately USD 22,500) in the fishery, mainly due to fixed expenses like labor and interest payments and a decrease in the number of squid fishing boats.^{lxxx}

Processing and Trade

Information regarding the squid processing industry in South Korea is limited. South Korea produces various squid products, including frozen, seasoned, dried and fermented squid.^{lxxxi} South Korea is one of the main consumers of processed squid for domestic consumption. In response to a decline in squid catches caused by changing environmental conditions, South Korea has increased the import of squid products to meet its domestic demand.^{lxxxii} In the first half of 2023, squid imports surged by more than 40% year-on-year.^{lxxxiii} In 2023, imports and exports reached 154,406 MT and 16,178 MT, respectively, amounting to USD 471 million and USD 72 million in value.^{lxxxiv} China and Peru are the main suppliers of frozen squid.^{lxxxv} Chile and Argentina are also important suppliers of frozen squid. As of May 2022, China was the largest supplier with 73% of the total (6,225 tonnes), Peru 17% (1,482 tonnes) and Chile 8% (683 tonnes).^{lxxxvi}

Due Diligence for Squid in South Korea

Important Country-Specific Considerations

- A shortage of low-skilled labor has led to a significant increase in the number of foreign migrant workers employed in South Korea over the last decade.
- South Korea's distant water fishing (DWF) fleet has attracted significant attention internationally regarding illegal, unreported, and unregulated (IUU) fishing and the risk of transshipment, as well as human rights abuses, and poor working conditions.
- Despite efforts to improve the legal framework governing South Korea's DWF fleet and strengthen protections for workers, gaps in legislation may hinder attempts to reduce the risk of exploitation of migrant workers.
- The squid fishery has been affected by changing water temperatures resulting in a significant decrease in production.
- Limited information was found on squid processing in South Korea.

Suggested Due Diligence Priorities & Questions

Recruitment

Migrant workers in the DWF fleet are typically recruited by private agencies and intermediaries, frequently resulting in significant expenses for the workers, who suffer from significant debts through loans used to pay fees. Workers' passports are sometimes withheld with fees charged to retrieve them. 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. What procedures are in place to ensure workers have unrestricted access to their documents (such as identity documents and work agreements)? Are there clear protocols for returning documents if they have been withheld, and do workers know their rights regarding document retention?

4. Do workers receive training in a language they understand to inform them of their labor rights, contract terms, and available grievance mechanisms, and to help them safely perform their work?

Contracts and Compensation

Language barriers, deception during the recruitment process, and poorly defined or explained contract terms make it difficult for migrant workers to understand the details of contracts and compensation. Generally, labor contracts do not address working hours or compensation for overtime. Workers employed in the DWF fleet report working very long hours and experiencing wage deductions or withholding. Migrant workers on DWF vessels receive very low wages that do not match those of Korean fishers working on board.

1. Are contracts written in a language that workers understand?
2. Do contracts include clauses that define wages, payment schedule and method, working hours and rest periods, and compensation for overtime?
3. Are wages paid directly to workers?
4. Do workers receive a pay slip written in a language they understand and are they able to dispute incorrect or irregular payments or wage deductions?

Company and Supplier Policies

Very little information on the squid processing industry in South Korea was found. The squid industry has faced a challenge due to a drop in production, leading to increased imports of squid from other countries as well as factory closures.

1. Has the company conducted a supply chain mapping exercise for their supply chain to identify possible critical areas where forced labor, human trafficking and hazardous child labor can occur?
 - a. Does the exercise consider all supply chain stages (such as fishing, transshipment, port/transportation, and processing)?
 - b. Does the exercise identify possible strategies and preventative actions that could be taken to reduce the prevalence of forced labor, human trafficking, and hazardous child labor through company actions?

2. Do you know where processing companies are sourcing their squid inputs from? Is there traceability back to the fishing vessel, and does the company know what working conditions are like on the vessel?
3. Do suppliers have a policy that clearly prohibits verbal and physical abuse and sexual harassment?

Worker Demographics

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

1. What proportion of workers are foreign or internal migrant laborers? What countries or parts of the country do the workers come from?
2. What proportion of workers are ethnic minorities?
3. What proportion of workers are considered low-skilled?
4. What is the proportion of temporary and contract versus permanent workers?
5. What is the proportion of women in the workforce and in management roles?

Grievance mechanisms

While the Ministry of Oceans and Fisheries (MOF) has established call centers with multilingual support and introduced online reporting systems to expand access—particularly important for workers in remote or isolated conditions, independent investigations have revealed low awareness and utilization of these mechanisms. The Korea Overseas Fisheries Association (KOFA), representing the distant-water fishing (DWF) industry, has been tasked with managing the system, prompting concerns about impartiality and effectiveness.

1. Do workers in your operation/supply chain have access to a complaint mechanism?
2. What communication channels are provided to enable fishers to contact family, trade unions, NGOs, and other worker representatives, for example, is Wi-Fi provided onboard?
3. Are there procedures in place to deal with instances of violence and intimidation if they arise?

4. Are there procedures to document, track, and resolve workplace complaints?
5. Are workers who submit complaints protected against adverse repercussions?

South Korea: Country-level indicators

Indicator	Description	Sources
Poverty levels in a country	<p>Human Development Index</p> <p>HDI value (2023): 0.937</p> <p>HDI rank (2023): 20/193 countries and territories</p> <p>South Korea's HDI value for 2023 places it in the 'very high human development' category and positions it at 20 out of 193 countries and territories. South Korea's HDI value for 2023 is slightly above the average of 0.916 for countries in OECD. The country shows progress against each of the HDI indicators for income, health, and education from 1990 to 2023. However, when South Korea's HDI value is discounted for inequality, it falls to 0.857, a loss of 8.5% 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 11.4%.</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 (2024): South Korea is not rated.</p> <p>Neighboring countries Japan, Taiwan and Hong Kong are not rated.</p> <p>North Korea scores a 'alarming 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 (2023): 0.937 HDI rank (2023): 20 <p>South Korea ranked slightly above 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 (2023): Not rated HDI rank (2023): Not rated</p> <p>Japan HDI Value (2023): 0.925 HDI rank (2023): 23</p> <p>Taiwan HDI Value (2023): Not rated HDI rank (2023): Not rated</p> <p>Hong Kong HDI Value (2023): 0.955 HDI rank (2023): 8</p> <p>China HDI Value (2023): 0.797 HDI rank (2023): 78</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 %): 1.36 (2023)</p> <p>Neighboring countries:</p> <p>North Korea GDP Growth (annual %): no data</p> <p>Japan GDP Growth (annual %): 1.68 (2023)</p> <p>Taiwan GDP Growth (annual %): no data</p> <p>Hong Kong GDP Growth (annual %): 3.28 (2023)</p> <p>China GDP Growth (annual %): 5.25 (2023).</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 1.7 (2023).</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</p>	<p>Migration Policy Institute, 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'</p> <p>ITUC, January 2025, Implementation of</p>

Indicator	Description	Sources
	<p>controls on immigration, and seeking to attract foreign workers. As a result, the number of registered foreign nationals in South Korea 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. Migration Policy Institute, 2017</p> <p>In addition to migration for shorter term work opportunities under the EPS, an average of 67,000 foreign migrants were granted the right to stay in South Korean on a longer-term basis between 2015 to 2023. ITUC, January 2025</p>	<p>the Global Compact on Migration in South Korea: Trade union review</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. Freedom Collaborative, No date</p>	<p>Freedom Collaborative, No date, Victim Journeys Map</p> <p>US Department of State, June 2024,</p>

Indicator	Description	Sources
	<p>The US Department of State’s 2024 Trafficking in Persons (TIP) Report identifies exploitation of domestic and foreign victims in South Korean and South Korean victims abroad over the past five years. South Korea is 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. South Korea is also a transit point for fishers from Southeast Asia exploited in forced labor on fishing vessels destined for Fiji and other ports in the Pacific. Meanwhile, South Korea is also an origin country for women from South Korea exploited in sex trafficking in the United States and Australia. US Department of State, June 2024</p>	<p>2024 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: 73.53 • Political Stability and Absence of Violence: 68.25 • Government Effectiveness: 90.57 • Regulatory Quality: 84.91 • Rule of Law: 85.85 • Control of Corruption: 79.72 <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. The worst performing indicator for South Korea is Political Stability and Absence of Violence.</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>World Governance Indicators (WGI)</p>

Indicator	Description	Sources
	<p>Corruption Perception Index (2024)</p> <p>Score: 64/100</p> <p>Rank: 30/180 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 30nd out of 180 countries and territories. South Korea scores closely to Taiwan (67), Japan (71), and Hong Kong (74), while North Korea and China score less than South Korea at 15 and 43, respectively. South Korea scores greater than the regional average of 44 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>Basel Anti-Money Laundering Index (2024)</p> <p>Score: 4.42/10</p> <p>Rank: 125/ 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 (4.77/10), Taiwan (4.05/10), and Hong Kong (5.34/10) score similarly to South Korea, while China (7.27/10) has a higher risk score. North Korea is not rated.</p> <p>Note: Ranking is out of 164 jurisdictions; top possible score is 0 (low risk), lowest score is 10 (high risk).</p>	<p>Basel Anti-Money Laundering (AML) Index</p>
	<p>Global Rights Index (2025)</p> <p>Rating: 5 (No guarantee of rights)</p> <p>The ITUC Global Rights Index rates South Korea below the regional average rating of 4.08 for the</p>	<p>International Trade Union Conference (ITUC) Global Rights Index (GRI)</p>

Indicator	Description	Sources
	<p>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>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 (2022): 96.05%</p> <p>Primary completion rates, female (% of relevant age group) (2022) 95.64%</p> <p>Primary completion rates, male (% of relevant age group) (2022): 96.45%</p> <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 (2023): 86.30% 	<p>World Bank Open Data</p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> 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 (2022): 98.61%</p> <p>Lower secondary completion rates, female (% of relevant age group) (2022): 98.42%</p> <p>Lower secondary completion rates, male (% of relevant age group) (2021): 98.80%</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 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>World Bank Open Data</p>

Indicator	Description	Sources
	<p>School enrolment, tertiary (2022): 103.28% 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): 64.63% • Taiwan: no data • Hong Kong (2023): 100.46% • China (2022): 74.82% 	<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>In 2015, a South Korean Supreme Court ruling affirmed that undocumented migrant workers must be considered in the same way as any worker under Korean law and that migrant workers have the right to form and join trade unions. ITUC, January 2025</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>ITUC, January 2025, Implementation of the Global Compact on Migration in South Korea: Trade union review</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>According to Article 17, Paragraph 4 of the legislation on the Employment of Foreign Workers and Article 23, Paragraph 2 of the corresponding Enforcement Decree, it is required that the Minister of Employment and Labor create an annual guidance and inspection plan for businesses or workplaces employing foreign workers. This entails a mandatory obligation to carry out inspections in accordance with the established plan. According to Article 16 (Agency for concluding a labor contract, etc.), when an employer or Human Resources Development Service of Korea concludes a labor contract or acts on its behalf in accordance with Article 9 of the Act, it must prepare two copies of the labor contract and give one copy of them to the foreign worker. The Office of Legislation–National Law Information Center</p> <p>Foreign workers admitted under the Employment Permit System (E-9) and employed at a single workplace for over a year are entitled to special re-entry privileges. Nevertheless, while foreign workers have traditionally been allowed to switch workplaces nationwide, a recent policy change stipulates that new foreign workers can only switch employers within specific regions and sectors, effective from September. This directive aims to mitigate the concentration of labor force in urban centers. A-JU Economics, 2023</p> <p>The criteria governing employer-provided accommodation for foreign workers will undergo revision. Previously, the upper limit for accommodations fees was set at 8 to 20% of the monthly wage. In future, the local market prices will be considered in the accommodation fees and guidelines will be established based on the actual real estate transaction price system in the region, as provided by the Ministry of Land, Infrastructure, and</p>	<p>The Office of Legislation–National Law Information Center, The legislation on the Employment of Foreign Workers</p> <p>A-JU Economics, 2023, 외국인 근로자, 장기근속시 인센티브...사업장 변경도 어려워진다</p>

Indicator	Description	Sources
	<p>Transport. The government is enhancing its assistance to enhance the living conditions of foreign workers. Local authorities involved in establishing public dormitories will increase the employment limit for each workplace within their jurisdiction when granting employment permits and offer preferential treatment by awarding additional points when selecting for workplaces for employment permits. The government will also provide visual information about the accommodation to foreign workers before they enter employment contracts, while also strengthening monitoring of accommodations for newly permitted workplaces. A-JU Economics, 2023</p>	
	<p>Access to social protection, health, and education</p> <p>Under the Employment Permit System (EPS), foreign workers have the same access as South Korean workers to health insurance, industrial accident compensation, employment insurance, and national pension. Migration Policy Institute, 2017</p> <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>Migration Policy Institute, 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'</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</p>

Indicator	Description	Sources
		Stakeholders' submissions on the Republic of Korea*
	<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>	Migration Policy Institute, 2017, 'South Korea Carefully Tests the Waters on Immigration, With a Focus on Temporary Workers'
Ratification of relevant international conventions and domestication of conventions into a national legal framework (Forced labor, human trafficking, and hazardous child labor)	Convention No. 29 – Ratified 20 April 2021, In Force	Forced Labour Convention, 1930 (No. 29)
	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

Indicator	Description	Sources
		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)
	<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</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</p>

Indicator	Description	Sources
	<p>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 requiring the buying or selling of a person for exploitation. US Department of State, June 2024</p> <p>According to the 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>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 2024, 2024 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>
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)’,</p>	<p>ILO NORMLEX, ‘C181-- Private Employment Agencies Convention, 1997 (No. 181)</p> <p>US Department of State, June 2024, 2024 Trafficking in</p>

Indicator	Description	Sources
	<p>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 168 recruitment agencies in 2023. The use of debt-based coercion in the recruitment process for migrant fishers is a particular concern, with recruitment fees of up to US\$15,000 sometimes charged to fishers. US Department of State, June 2024</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>Employers who are found to have breached the Employment Permit System by engaging undocumented migrant workers are restricted from recruiting migrant labor for a specified duration. In the event of identified violations by a company, the company faces a nationwide prohibition on the recruitment of migrant workers across all project sites. Moving forward, employment restrictions will</p>	<p>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> <p>Daily Labor News, 2023, 미등록 이주노동자 고용 건설사 규제 완화</p>

Indicator	Description	Sources
	<p>be enforced on construction sites where violations have been identified. Daily Labor News, 2023</p>	
<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 some concerns about its ability to do so effectively.</p> <p>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. 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. US Department of State, July 2022</p> <p>The country remained at Tier 2 in 2023 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. The Prevention of Trafficking in Persons, Etc. and Victim Protection Act (PTPV 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 trafficking within Chapter 31 of the Criminal Act. US Department of State, June 2023</p> <p>But the US Department of State's 2024 TIP report assigned South Korea a Tier 1 TIP Ranking, upgrading the country in response to several achievements, stating "The Government of the Republic of Korea (ROK) fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore the ROK was upgraded to Tier 1. These achievements included increasing trafficking investigations, prosecuting and convicting more</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, June 2024, 2024 Trafficking in Persons Report: South Korea</p> <p>US Department of State, March 2023, 2022 Country Reports on Human Rights Practices: South Korea</p> <p>News1 Korea, 2024, [단독]이주노동자 고용허가 사업장 6 만개...정부 점검 단 9.2% 불과</p> <p>Policy Briefings, 2023, 외국인근로자</p>

Indicator	Description	Sources
	<p>traffickers, implementing the victim identification index, identifying 55 trafficking victims, initiating the prosecution of an alleged complicit official, and increasing cooperation with civil society organizations.” US Department of State, June 2024</p> <p>According to the 2024 TIP Report, while the government increased its efforts to identify and protect trafficking victims during the reporting period, NGOs criticized law enforcement for often not taking a proactive approach to identifying trafficking victims. The government began reporting full-year victim identification data for the first time in 2023 because of the PTPV Act. 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 593 cases, and the Ministry of Employment and Labor (MOEL) reported investigating 87 cases of forced labor. In addition, the Korea Coast Guard (KCG), the Ministry of Gender Equality and Family (MOGEF), and the Ministry of Oceans and Fisheries (MOF) each investigated one case. More prosecutions were initiated in 2023 than in 2022, and a greater number of trafficking related convictions were made in the same period, though fewer traffickers were 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. The TIP Report identifies anecdotal reports of occasional complicity in human trafficking and related crimes by local police, including the acceptance of bribes to facilitate sex trafficking. While a local government official was expelled from their party for alleged complicity in sex trafficking and a prosecution case was reported to be</p>	<p>주거환경 개선에 지속 노력</p> <p>Advocates for Public Interest Law (APIL) and Human Rights Now (HRN), December 2023, Tuna in the Black Box</p> <p>KBS, 2023, 외국인 노동자 처우가 열악하다는 건 과장된 사실일까 [팩트체크K]</p> <p>ITUC, January 2025, Implementation of the Global Compact on Migration in South Korea: Trade union review</p>

Indicator	Description	Sources
	<p>ongoing, the government did not provide updates on the investigation and prosecution of two local police officers for alleged complicity in trafficking-related crimes. US Department of State, June 2024</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 PTPV Act is aimed at recognizing, safeguarding, and penalizing human trafficking. However, even before its enactment, numerous concerns were raised, the most significant being the absence of penalty provisions. Notably, the PTPV Act deviated from international standards in defining human trafficking, introducing a vague category labeled "human trafficking, etc." Additionally, it failed to establish penalty provisions, hindering the imposition of appropriate sanctions for human trafficking. Moreover, although the Act mandated the development of a human trafficking identification index, its utilization was not obligatory, leading to apprehensions that practical victim identification might be neglected. The presence of conflicting definitions such as "human trafficking," "crime of human trafficking," "human trafficking, etc.," and "crimes of human trafficking, etc." has resulted in a lack of consensus among government ministries and officials regarding the true nature of human trafficking. Consequently, human trafficking identification has been notably absent in labor inspections and crackdowns on migrant workers, preventing victims from accessing remedies. Advocates for Public Interest Law (APIL) and Human Rights Now, December 2023</p> <p>Regarding enforcement of migrant worker protections:</p>	

Indicator	Description	Sources
	<p>There are approximately 50,000 to 60,000 workplaces holding employment permits for migrant workers. The Ministry of Employment and Labor declared that they have been annually inspecting 3,000 workplaces and have elevated the inspection targets to 5,500 in 2023, indicating that the Ministry's scrutiny covers less than one-tenth of the total targets. Attorney Choi Jeong-gyu, who represented Mr. A in the lawsuit, questioned whether the failure to conduct a thorough investigation through the Ministry of Employment and Labor amounted to a violation of the enforcement ordinance. The sole response received on the 27th of the previous month was, "We are expanding the scope of guidance and inspection targets." News1 Korea, 2024</p> <p>To improve the residential environment of foreign workers entering the country through the Employment Permit System (E-9, H-2 visa), new employment permits have been denied to business owners who provide temporary structures, such as containers in greenhouses, as lodging. Policy Briefings, 2023</p> <p>Many facilities lacked essential amenities such as heating/cooling systems, toilets/showers, and posed risks to privacy and fire safety. In response to these challenges, both the government and local administrations have sequentially introduced measures to deter the provision of temporary structures, such as containers and prefabricated panels in greenhouses, as accommodations. However, the living conditions of foreign workers in rural areas remain substandard in numerous locations. Despite the prevalent use of illegal temporary buildings as housing, the government's on-site enforcement actions are deemed inadequate. KBS, 2023</p>	

Indicator	Description	Sources
	<p>In 2023, South Korea reduced funding for foreign worker support centers, causing workers' origin countries to protest the risks faced by their workers. The ITUC states that seasonal workers employed through local government-level agreements lack protection and access to justice. In response to poor conditions for seasonal workers, in 2024 the Philippines government imposed a moratorium on sending seasonal workers to South Korea. Concerns have also been raised by human rights activists and the Korean Confederation of Trade Unions about the government's reported failure to regularize undocumented migrants to enable them to access legal employment. ITUC, January 2025</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, April 2024, 2023 Country Reports on Human Rights Practices: South Korea</p>
	<p>Global Slavery Index 2023 Country data for South Korea:</p> <ul style="list-style-type: none"> • Estimated number of people living in modern slavery: 180,000 • Prevalence Index Rank: 3.5 per 1,000 people • Vulnerability to Modern Slavery: 29/100 <p>Government Response Score: 38/100</p> <p>The 2023 GSI methodology states the Government Response Rating is “based on data collected on 141 indicators that are relevant to understanding how each government is tracking towards achieving 42 activities organized into five milestones. Each milestone represents an aspect of a strong government response to modern slavery; for</p>	<p>Global Slavery Index's overall ratings</p>

Indicator	Description	Sources
	<p>example, supporting survivors to exit and remain out of modern slavery”.</p> <p>Note: The GSI ranks government response rating is presented as a percentage. A higher percentage reflects more action being taken and 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 2023. Universal Periodic Review: Korea (Republic of)</p> <p>In response to the recommendations from the third cycle, <i>The Act on the Prevention of Human Trafficking and the Protection of Victims, etc.</i> has been enacted, effective January 2023. The Act defines the concepts concerning human trafficking and the group of crimes in line with international norms, while stipulating the establishment of a government-wide response system; strengthening the identification, protection of, and support for victims; and promoting the general public’s awareness-raising; etc. Under the Act, the Government is able to systematically seek policies by establishing a comprehensive plan to prevent human trafficking and reviewing the progress of each ministry. Also, the Government plans to develop and use the identification indicators of victims, determine cases, provide medical, legal and livelihood support for identified victims, etc. At present, financial support (e.g., rescue funds; medical, livelihood, tuition, funeral expenses; etc.), legal counseling and litigation and psychological support are being provided. (Recommendations 130.44-130.47, 132.112; SDG 8.7, 16.2, 16.3). Human Rights Council, 2022</p> <p>In the proceedings of the review process, the Government was enforcing the Human Trafficking</p>	<p>Universal Periodic Review: Korea (Republic of)</p> <p>Human Rights Council, 2022, National Report</p> <p>Human Rights Council, 2023, Adoption in the Plenary session</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>Prevention Act, encompassing a response plan for combating human trafficking. Also, on the social integration of foreigners, the basic plan for immigration policy had been advanced, and 20 May had been designated as Together Day. The Government supervised businesses to prevent violations of migrant workers' rights. Under an improved employment permit system, foreign workers were allowed unlimited workplace changes if they were not responsible for their employment termination. Human Rights Council, 2023</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 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</p>	

Indicator	Description	Sources
	<p>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. 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. However, 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>In some cases, active labor investigations of reported labor rights violations 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</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> <p>Direct Request (CEACR) – adopted 2023, published</p>

Indicator	Description	Sources
	<p>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. 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. 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 (CEACR)–adopted 2020, published 109th ILC session (2021) C111–</p>	<p>112nd ILC session (2024) <i>Equal Remuneration Convention, 1951 (No. 100)</i>–Republic of Korea</p> <p>Direct Request (CEACR) – adopted 2023, published 112nd ILC session (2024) <i>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</i>–Republic of Korea</p> <p>Direct Request (CEACR) - adopted 2023, published 112nd ILC session (2024) <i>Forced Labour Convention, 1930 (No. 29)</i>- Republic of Korea</p> <p>Direct Request (CEACR) - adopted 2023, published 112nd ILC session (2024) <i>Minimum Age Convention, 1973 (No. 138)</i> - Republic of Korea</p> <p>Direct Request (CEACR) – adopted 2023, published</p>

Indicator	Description	Sources
	<p data-bbox="431 163 1094 239">Discrimination (Employment and Occupation) Convention, 1958 (No. 111)–Republic of Korea</p> <p data-bbox="431 281 1198 1121">The KCTU underlines that the major causes of the wide gender pay gap are occupational gender segregation, low wages in female dominated occupations, and a concentration of women workers in non-regular jobs (e.g. part-time, temporary or dispatched workers) which offer lower wages and less promotion opportunities. The Government states that it is continuously strengthening the affirmative action (AA) system (implemented since 2006) to close the gender pay gap and achieve overall gender equality. In June 2022, it amended Article 12 of the Enforcement Regulations of the Equal Employment Opportunity and Work-family Balance Assistance Act to clarify the concept of “wage” in the reporting requirement for male and female employees wage status and exclude short-term workers from the scope of reporting. Direct Request (CEACR) – adopted 2023, published 112nd ILC session (2024) Equal Remuneration Convention, 1951 (No. 100)–Republic of Korea</p> <p data-bbox="431 1163 1198 1772">The government highlights its annual conduct of approximately 3,000 guidance and inspection visits to workplaces employing individuals under the Employment Permit System (EPS). It provides employers with labor relations education concerning the working conditions of foreign workers. Moreover, various support services are detailed for migrant workers in Korea, including interpretation services at employment centers, hotlines, and the translation of informational documents into multiple foreign languages. The government further emphasizes its commitment to addressing the accommodation needs of migrant workers, particularly within the agriculture, livestock, and fisheries sectors. In 2021, several amendments were made to the Guidelines for Improving Living Conditions to accommodate</p>	<p data-bbox="1227 163 1523 386">112nd ILC session (2024) Worst Forms of Child Labour Convention, 1999 (No.182)– Republic of Korea</p>

Indicator	Description	Sources
	<p>employers' requests for flexibility, such as allowing the use of "business or management buildings" as dormitories. Direct Request (CEACR) – adopted 2023, published 112nd ILC session (2024) <i>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)–Republic of Korea</i></p> <p>Nevertheless, according to the KCTU, migrant workers are reluctant to apply to change workplaces due to the risk of deportation, causing them to endure poor working conditions and work involuntarily. The CEAR requests the government to take steps to ensure that migrant workers are aware of their right to change work or workplace in situations where their labor rights are being violated or they are being treated unfairly, as well as the mechanisms available to them to seek redress. Direct Request (CEACR) - adopted 2023, published 112nd ILC session (2024) <i>Forced Labour Convention, 1930 (No. 29)- Republic of Korea</i></p> <p>Several provisions are in place within the legislation that prohibit forced labor or activities that could constitute forced labor, however, the penalties imposed on perpetrators may be limited to a fine, which is not considered an effective sanction. More information is needed from the government regarding investigations and prosecutions in relation to forced labor and human trafficking, and the penalties applied to perpetrators of these abuses. Direct Request (CEACR) - adopted 2023, published 112nd ILC session (2024) <i>Forced Labour Convention, 1930 (No. 29)- Republic of Korea</i></p> <p>Regarding child labor and hazardous child labor, over 600 cases were processed relating to minors in 2021, leading to administrative action in 549 cases, judicial treatment in 79 cases, and fines imposed in 6 cases. However, it is not clear how many of these cases are</p>	

Indicator	Description	Sources
	<p>related to children under the minimum age of work or to children engaged in hazardous work. Direct Request (CEACR) - adopted 2023, published 112nd ILC session (2024) Minimum Age Convention, 1973 (No. 138) - Republic of Korea</p> <p>Regarding the worst forms of child labor, the government highlighted its efforts to bolster legal safeguards for children and youth affected by sexual exploitation by amending the Act on the Protection of Children and Youth against Sex Offences in 2020 and enacting the Act on the Prevention of Human Trafficking and Protection of Victims in 2021. Moreover, it has appointed 157 specialized prosecutors tasked with combating crimes against women and children, with a particular focus on safeguarding minors under the age of 18 from commercial sexual exploitation. However, the government acknowledges the need for targeted implementation efforts to ensure that children involved in prostitution and sexual abuse are treated as victims rather than offenders. To this end, the amendments made to the Act on the Protection of Children and Youth against Sex Offences in 2020 redefine children and youth coerced into commercial sex as "victimized children and youth," rather than "targeted children and youth." Direct Request (CEACR) – adopted 2023, published 112nd ILC session (2024) Worst Forms of Child Labour Convention, 1999 (No.182)–Republic of Korea</p>	
Evidence of forced labor, human trafficking, and hazardous child labor in the country	<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 sexual exploitation. Men and women from China, Thailand, Russia, the Philippines, Vietnam, Indonesia, Morocco, and other countries in</p>	<p>US Department of State, June 2024, 2024 Trafficking in Persons Report</p> <p>KBS, 2023, 외국인 노동자 처우가</p>

Indicator	Description	Sources
	<p>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>Some disabled 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, with temporary migrant workers exploited in agriculture, manufacturing, and fishing. 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. US Department of State, June 2024</p> <p>Factors that contribute to forced labor risks for foreign workers include withheld and unpaid wages and abusive living conditions.</p> <p>Media reporting indicates that the unpaid wages of foreign workers surpassed 122.3 billion won as of 2022. This marks an increase from 100 billion won in 2019. The number of foreign workers affected by wage non-payment during the same timeframe was recorded at 28,000. Given the number of foreign workers in the country decreased from 2020 to 2022 because of COVID-19, this means the number of foreign workers being affected by nonpayment of wages has increased.</p> <p>Gyeonggi Province, home to the highest concentration of foreign workers, conducted a survey of living conditions for foreign workers in rural areas in 2021. The findings revealed that 56% were living in unregistered facilities, and 38% utilized temporary structures within greenhouses as their accommodations.</p>	<p>열악하다는 건 과장된 사실일까 [팩트체크 K]</p>

Indicator	Description	Sources
	A collaborative survey by the Ministry of Employment and Labor, the Ministry of Agriculture, Food and Rural Affairs, and the Ministry of Oceans and Fisheries conducted in the same year found that 69.6% of foreign workers and 64.5% of employers reported the use of temporary buildings as housing. The proportion of unreported facilities was 56.5%, aligning closely with the results of the Gyeonggi Province survey. KBS, 2023	

Table 1: Korea-- Country-level indicators

South Korea: Seafood industry-level indicators

Indicator	Description	Sources
Direct evidence of forced labor, human trafficking, and hazardous child labor	<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 2024 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.” South Korea is a transit point for migrant fishers from Southeast Asian countries exploited in forced labor on fishing vessels destined for Fiji and other Pacific ports. 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 up to US\$15,000 to fishers, leaving fishers vulnerable to coercion. Other abusive practices toward migrant fishers identified in the 2024 TIP Report include the retention of identity documents, withholding of wages and wage deductions, excessive working hours up to 18 hours per day and limited rest periods, physical and verbal abuse, and poor</p>	<p>US Department of State, June 2024, 2024 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>

Indicator	Description	Sources
	<p>living and working conditions. US Department of State, June 2024</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 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>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 DWF 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>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>International Labour Organization (ILO), October 2012, ILO indicators of Forced Labour</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>The Hankyoreh, 8 January 2020,</p>

Indicator	Description	Sources
	<p>As South Korea’s DWF vessels primarily fish for tuna and squid, 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 typically ranging from USD 7,200 to USD 8,800 and</p>	<p>'Migrant workers aboard S. Korean fishing boats regularly abused and exploited'</p>

Indicator	Description	Sources
	<p>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</p>	

Indicator	Description	Sources
	<p>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 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> <p>According to the 2024 Trafficking in Persons Report, some temporary migrant workers are exploited in conditions indicative of forced labor, including work in fishing. US Department of State, June 2024</p>	<p>US Department of State, June 2024, 2024 Trafficking in Persons Report: South Korea</p> <p>US Department of State, July 2022, 2022</p>

Indicator	Description	Sources
	<p>The 2022 TIP Report more explicitly states that documented and undocumented migrant worker 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</p> <p>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 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>The risk of forced labor and human trafficking is notably elevated for longline vessels in South Korea’s DWF fleet,</p>	<p>Trafficking in Persons Report: South Korea</p> <p>US Department of State, 2023, 2022 Country Reports on Human Rights Practices: South Korea</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> <p>Advocates for Public Interest Law (APIL) and Human Rights Now (HRN), December 2023,</p>

Indicator	Description	Sources
	<p>which spend longer periods at sea than other DWF vessels. Most workers on these vessels are migrant workers, who are vulnerable to labor exploitation. Migrant fishers on tuna longliners report several indicators of forced labor, including excessive working hours with no breaks and no overtime pay, physical abuse and sexual harassment, recruitment fees, and prolonged periods at sea without entering port amounting to isolation. Advocates for Public Interest Law (APIL) and Human Rights Now (HRN), December 2023</p>	<p>Tuna in the Black Box</p>
<p>Fishing, aquaculture and processing regulations and policies</p>	<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>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</p>	<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, 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</p>

Indicator	Description	Sources
	<p>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 covers no stay or a short-term stay of 1 to 2 days 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. Standards for overtime pay apply to fishers on CWF vessels but not on DWF vessels. The minimum wage for migrant crew is 85% of that for Korean nationals. US Department of State, April 2024</p> <p>In 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</p>	<p>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, April 2024, 2023 Country Reports on Human Rights Practices: South Korea</p> <p>US Department of State, June 2024, 2024 Trafficking in Persons Report: South Korea</p> <p>Korean Law Information Center</p> <p>Environmental Justice Foundation (EJF) and Advocates for Public</p>

Indicator	Description	Sources
	<p>paid holidays set out in the Seafarers Act for Korean nationals. US Department of State, June 2024</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.^[2]</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.^[2]</p> <p>50. Consumers are responsible for understanding the public interest functions of the fishery industry and 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>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> <p>Ministry of Oceans and Fisheries, 29 March 2024, Government-NGOs-Industry Unite to Improve Working Conditions for Migrant Fishers on Distant Water Fishing Vessels</p>

Indicator	Description	Sources
	<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 seafarers' 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 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. 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> • 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> <p>In March 2024, the MOF announced the establishment of a "Plan for Further Enhancement for Working Conditions of Migrant Fishers on Distant Water Fishing Vessels". The MOF collaborated with NGOs</p>	

Indicator	Description	Sources
	<p>Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL) and the distant water fishing industry to jointly establish the new Plan to update improvement efforts for migrant workers on DWF vessels. These measures, formulated through collaborative consultations involving representatives from labor, management, and governmental authorities, are slated for implementation within the current year.</p> <p>The MOF announced that in addressing the issue of wage payment to migrant crew aboard DWF vessels, companies will be strictly prohibited from withholding or deducting wages under the guise of commissions or deposits. Furthermore, there are plans underway to meticulously examine both domestic and international cases to identify ways to improve wage standards, including the provision of additional allowances and considering the experience of crew members.</p> <p>Moreover, in the context of tuna longline fishing operations, vessels are now mandated to dock at a nearby port within one year of departure, allowing for crew members to disembark. Upon disembarkation, surveys will be conducted to ensure compliance with minimum rest periods for fishers, with contractual provisions stipulating compensatory breaks for unavoidable overtime. Stringent penalties, such as reduced catch quotas, will be imposed on vessels found in violation of these regulations.</p> <p>Despite the existing legal prohibition on the proxy storage of passports, challenges remain in enforcing compliance. As a proactive measure, individual storage boxes will be installed in public areas of vessels, enabling fishers to securely hold and manage their personal keys. Penalties for noncompliance will be increased and extended to cover more parties in addition to the vessel owner.</p>	

Indicator	Description	Sources
	<p>Additionally, efforts will be made to conduct random labor status checks utilizing seafarers' social networks and establish an anonymous online reporting platform, facilitating seafarers' freedom to report grievances and seek consultation. Vessels with a history of multiple or recurring complaints will be designated as managed vessels and subjected to unannounced inspections in collaboration with non-governmental organizations. Continuous engagement and collaboration with stakeholders will persist until the International Labor Organization (ILO) Fishing Vessel Labor Convention (C.188) is effectively applied across fishing sites.</p> <p>Ministry of Oceans and Fisheries, 29 March 2024</p>	
<p>Enforcement and implementation of industry-specific regulations and policies</p>	<p>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 of vessel inspections, overlapping responsibilities between the involved authorities, and weak penalties.</p> <p>The Ministry of Oceans and Fisheries (MOF) investigated labor conditions for fishers but did not report identifying any forced labor victims. Despite ongoing reports of abuse, South Korea has never prosecuted a case of human trafficking in the DWF fleet. This absence of prosecutions has been attributed to a lack of inspection capacity. The government lacks human and technical resources to monitor forced labor in ports. Nevertheless, the government reported inspecting 732 coastal water fishing (CWF) vessel worksites and 39 distant water fishing (DWF) vessel worksites in 2023, an improvement compared to 139 CWF vessels and four DWF vessels in 2022. Paper-based inspections were also carried out on over 700 DWF vessels in 2022 but these figures were not identified in</p>	<p>US Department of State, June 2024, 2024 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, July 2022, 2022 Trafficking in Persons Report: South Korea</p> <p>The Korea Times, 29 May 2022, 'Oceans ministry</p>

Indicator	Description	Sources
	<p>the 2024 TIP Report. US Department of State, June 2023 , US Department of State, June 2024</p> <p>As in previous years, the government did not require DWF vessels to return to ports for routine labor inspections. Meanwhile, fishing vessels identified by other countries for forced labor were able to enter ports in South Korea without undergoing inspection.</p> <p>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 on DWF vessels, and in 2023, 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 , US Department of State, June 2024</p> <p>In 2021 and 2022, the MOF provided training to labor inspectors on identifying trafficking involving seafarers. However, concerns were still noted about the workload of labor inspectors and the level of training provided on forced labor indicators. US Department of State, July 2022 , US Department of State, June 2024</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 reported that law enforcement on behalf of workers on fishing vessels was limited by jurisdictional disputes between the Ministries of</p>	<p>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 Plan fails to end human rights abuses at sea, 2023 Briefing</p>

Indicator	Description	Sources
	<p>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 2023 report by EJF and APIL at a press conference, emphasizing its efforts to protect</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> <p>Advocates for public interest Law (APIL) and Human Rights Now, December 2023, Tuna in the Black Box</p> <p>Advocates for Public Interest Law (APIL), March 26, 2024, [논평] 원양 외국인 어선원 근로조건 추가 개선방안을 환영하며 [Commentary] We welcome the</p>

Indicator	Description	Sources
	<p>migrant fishers on Korean 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</p>	<p>plan to further improve working conditions for foreign offshore fishing boats [English translation]</p>

Indicator	Description	Sources
	<p>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 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>The majority of laborers aboard Korean longline vessels face exploitation in distant water fishing settings, where there are no regulations on working hours. They endure workdays exceeding 12 hours and receive only a fraction of the wages earned by their Korean counterparts. Alongside the excessively long working hours, prevalent issues include underpayment of wages, as well as instances of physical and verbal abuse. Unfortunately, these workers find themselves unable to terminate their employment due to passport confiscation and non-refundable deposits, creating conditions akin to forced labor or trafficking until their contractual obligations are met. Advocates for Public Interest Law (APIL), December 2023</p> <p>Regarding the new Plan for Further Enhancement for Working Conditions of Migrant Fishers on Distant Water Fishing Vessels, established in March 2024, NGOs Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL) welcomed the new improvements for migrant fishers, highlighting the government’s efforts to consult with civil society groups on the Plan, to recognize international definitions and indicators of human trafficking and forced labor, and to strengthen the role of government and civil society groups in monitoring the implementation of the Plan. Additional improvements include, among others, a prohibition on all forms of wage deductions and sanctions for non-compliance, a plan to install lockers</p>	

Indicator	Description	Sources
	<p>on fishing vessels to enable fishers to store and freely access their identify documents, and a plan to establish an online platform where fishers can learn about their rights and raise issues when they are violated. However, there are still several limitations to the Plan according to EJF and APIL, including no improvements to address minimum wage discrimination, and the absence of an implementation plan for cooperating with the sending countries of migrant workers. Furthermore, the new Plan is not legally binding and lacks a specific mechanism for implementation. APIL, March 26, 2024</p> <p>According to the Trafficking in Persons Report 2024, traffickers continued to exploit gaps in South Korea’s labor laws to exploit migrant fishers in forced labor. US Department of State, June 2024</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 themselves face significant risks of abuse.</p> <p>Media reporting on labor inspections led by the Ministry of Oceans and Fisheries (MOF) indicates that fisher’s unions participate in labor inspections of fishing vessels weighing over 20 tons. Inspections include written surveys and interviews 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 Seafarers Act Article 129, “Where a seafarer recognizes the existence of the fact that a shipowner or master has violated this Act, the Labor Standards Act, or an order issued under this Act, he or she may lodge a complaint with the shipowner or master, or report the fact to the competent maritime affairs and port authorities, seafarers’ labor inspector or</p>	<p>Statute of the Republic of Korea</p> <p>Ministry of Ocean and Fisheries, 2022 implementation</p>

Indicator	Description	Sources
	<p>the Seafarers Labor Relations Commission as prescribed by Presidential Decree. Statute of the Republic of Korea</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>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>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 Persons Report: South Korea</p> <p>US Department of State, June 2024, 2024 Trafficking in Persons Report: South Korea</p> <p>Advocates for Public Interest Law (APIL), March 26, 2024, [논평] 원양 외국인 어선원 근로조건 추가 개선방안을</p>

Indicator	Description	Sources
	<p>The Ministry of Oceans and Fisheries (MOF) operates two call centers to provide counseling for migrant seafarers, with interpretation provided in Indonesian, Vietnamese, Chinese, and Burmese languages. Out of nearly 3,000 calls made to the call centers in 2022, 22 cases were flagged for further investigation, mostly in relation to the non-payment of wages. In March 2023, the government established a dedicated reporting email for self-reporting abuse. And in February 2024, the MOF established an online platform for anonymous reporting for seafarers. Nevertheless, despite claims by the government that 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, US Department of State, June 2024</p> <p>Under the new Plan for Further Enhancement for Working Conditions of Migrant Fishers on Distant Water Fishing Vessels, established in March 2024, intended improvements include a plan to establish an online platform where fishers can learn about their rights and raises issues when they are violated. APIL, March 26, 2024</p>	<p>환영하며 [Commentary] We welcome the plan to further improve working conditions for foreign offshore fishing boats [English translation]</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, April 2024</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 several companies have been exposed for union busting and interference. Nevertheless, no evidence of</p>	<p>US Department of State, April 2024, 2023 Country Reports on Human Rights Practices: South Korea</p> <p>International Trade Union Conference (ITUC), No date,</p>

Indicator	Description	Sources
	<p>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>While migrant workers technically have the right to form and join unions, the level of unionization remains low. According to the KCTU, less than 0.5% of migrant workers were organized as of 2022. ITUC, January 2025</p>	<p>Survey of Violation of Trade Union Rights</p> <p>ITUC, January 2025, Implementation of the Global Compact on Migration in South Korea: Trade union review</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</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>first in 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, with some evidence directly implicating squid fishing vessels. This analysis is further supported by evidence of conditions indicative of forced labor on DWF vessels and more specifically some squid vessels, as summarized in the indicator below. No evidence was found linking the DWF fleet or squid vessels directly to hazardous child labor.</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</p>

Indicator	Description	Sources
	<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 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</p>	<p>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>Environmental Justice Foundation and Advocates for Public Interest Law, 2020, Illegal fishing and human right abuses in the Korean fishing fleet</p> <p>US Department of State, June 2024, 2024 Trafficking in Persons Report: South Korea</p> <p>Environmental Justice Foundation</p>

Indicator	Description	Sources
	<p>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>Interviews were conducted by Environmental Justice Foundation (EJF) and APIL between 2018 and 2020 with 54 crew members who worked on 40 Korean vessels between 2016 and 2019, including 12 squid jiggers (30%). A case study regarding squid jiggers contains the findings from interviews with four fishermen from Vessel D and two fishermen from Vessel E. Allegedly, both vessels demanded crew members to work exceptionally long hours, ranging from 18 to 20 hours per day. During peak catch periods, crew members were sometimes required to work continuously for two days without rest. Two fishers from Vessel D reported receiving egregiously low salaries, amounting to USD 350 and USD 360,</p>	<p>(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>Environmental Justice Foundation and Advocates for Public Interest Law, 2023, Korea's Migrant Fishers Plan fails to end human rights abuses at sea</p>

Indicator	Description	Sources
	<p>respectively. Additionally, their passports were confiscated by either the captains or the Indonesian broker. A fisher from Vessel E claimed that his broker charged USD 175 for the return of his passport. Upon nearing the port, Vessel D purportedly avoided entering the harbor by using a small boat to transport fishers to the port. On Vessel D, verbal and physical abuse appeared to be widespread. Adequate safety equipment was not provided, and the food and water provided were deemed insufficient in terms of both quality and quantity. Furthermore, the captain allegedly compelled crew members to continue working even when they were ill. Environmental Justice Foundation and Advocates for Public Interest Law, 2020</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>The US Department of State’s Trafficking in Persons Reports states that migrant fishers employed on DWF vessels often have the first 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 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, June 2024</p> <p>A 2023 briefing by EJP and APIL reports on findings from paper-based evidence analysis and interviews with 74 migrant fishers that had worked on 54 Korean-flagged and Korean-owned DWF vessels, including 15 squid jiggers, between 2021 and 2022. The investigation found that conditions for workers</p>	

Indicator	Description	Sources
	<p>have not improved since the Ministry of Oceans and Fisheries enacted the “Implementation Plan for Migrant Fishers on Distant Water Fishing Vessels”. According to the findings:</p> <ul style="list-style-type: none"> • 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. • 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. • 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). • 51% of interviewees paid recruitment fees. • 47% of interviewees were subjected to wage deductions. • 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. • All interviewees had their identify documents confiscated by the captain, foreman or manning agency and some had to pay to retrieve them. • 83% of interviewees had experienced verbal abuse, 24% reported experiencing or witnessing physical abuse, and three crew members reported being sexually abused. 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> • Crew reported having to pay more than Korean nationals for bottled water and receiving poorer quality food. • 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>Published testimonies from crew members from squid vessels describe working excessive hours without adequate breaks or days off, and having their passports confiscated.</p> <p style="padding-left: 40px;">"I worked 30 hours without stopping for more than ten times and I worked for 72 hours and rested only 2 hours, yes same after 2021." - Crew member, squid/saury vessel.</p> <p style="padding-left: 40px;">"We would wake up at 2:30 pm and work immediately until 5:00 or 6:00 am in the morning until the next day. We don't have any days off. We worked for almost 16 hours. We were not allowed to sit because the captain and seniors would scold us." - Crew member, squid jigger.</p> <p style="padding-left: 40px;">"I had to pay two million IDR (estimated US\$ 134) to retrieve my passport and I could not</p>	

Indicator	Description	Sources
	<p>afford to pay that - - now I do not have my passport." – Crew member, squid jigger.</p> <p>"The agency gave my passport to the Captain when the vessel was about to leave the port." – Crew member, squid jigger.</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 and more specifically connected to squid fishing vessels is summarized below:</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 12 squid jiggers (30%). 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. 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.</p> <p>Environmental Justice Foundation and Advocates for Public Interest Law, 2020</p> <p>Migrant workers face a significant risk of forced labor aboard South Korean fishing vessels. South Korea has been identified as a high-risk country for modern slavery conditions, according to the Global Slavery Index's 2018 Fishing report. Additionally, deficiencies in South Korea's fishing regulations exacerbate the exploitation of workers in the seafood industry.</p>	<p>Environmental Justice Foundation and Advocates for Public Interest Law, 2020, Illegal fishing and human right abuses in the Korean fishing fleet</p> <p>Seafish, 2020, South Korea</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</p>

Indicator	Description	Sources
	<p>Reports indicate that workers often work more than 15 hours per day during peak periods. Moreover, those on coastal vessels frequently find themselves performing tasks beyond their contractual obligations, such as working on ship owners' farms or spending their downtime laboring in fish processing factories. Seafish, 2020</p> <p>A 2020 report from Advocate for Public Interest Law (APIL) and the Human Rights Network for Migrant Fishermen contains testimonies indicative of forced labor from squid fishing vessel crew members recorded during interviews conducted from January to May 2019 and a survey conducted in October 2019:</p> <p>“I worked from 6 p.m. to 8 a.m. everyday. I eat, wash and go to bed at 9 in the morning. I sleep for 3 to 5 hours, then wake up, pull up the net, put the squid in the fish storage, cast the net again and sleep. I do that over and over again. So I can't sleep well.”—Vietnamese E-10 worker, Squid fishing vessel (Busan).</p> <p>“I got my first paycheck after 6 months of working in Korea.”—Indonesian worker, Squid fishing vessel (Busan).</p> <p>“Wage discrimination is very serious. Korean fishers are old and make us do all the difficult work, but their monthly salary is 3,500,000 KRW or even more than that. The Korean cook takes more than 3,000,000 KRW just for making some food, while I get only 300,000 KRW more for cooking on top of what I originally do.”— Vietnamese E-10 worker, Squid jigger vessel (Busan).</p> <p>“They curse and swear at us for eating too much, eating too little, eating too fast and eating too slow. Whether we work too much or work too little, they swear at us. But there was nothing I could do other than just putting up</p>	<p>2023, Korea's Migrant Fishers Plan fails to end human rights abuses at sea, 2023 Briefing</p>

Indicator	Description	Sources
	<p>with it.” –Vietnamese worker, Squid jigger vessel (Busan).</p> <p>Advocate for Public Interest Law (APIL) and the Human Rights Network for Migrant Fishermen, May 2020</p> <p>A 2023 briefing from EJF and APIL finds that measures introduced in 2021 to protect migrant fishers in the Korean distant water fishing (DWF) fleet have failed to uphold their basic human rights, stating that indicators of human trafficking and forced labor remain prevalent. Ongoing issues include recruitment fees, wage deductions and withholding of wages, confiscation of identity documents, excessive working hours and long periods at sea, and physical, verbal and sexual abuse. Environmental Justice Foundation and Advocates for Public Interest Law, 31 May 2023</p>	
Fishing Characteristics	<p>Thirty or more days at sea</p> <p>From 2018 to 2020, Environmental Justice Foundation (EJF) and Advocates for Public Interest Law (APIL) conducted interviews with 54 crew members who worked on 40 Korean vessels between 2016 and 2019. Among these 40 vessels were 12 squid jiggers (30%).</p> <p>According to the findings, 19% of the respondents (10 crewmembers) stated that their vessel stayed at sea without entering any port for more than 12 months. In addition, five (9%) reported that the vessels were at sea continuously for more than 18 months. It is not clear whether these cases were related to squid fishing or to other vessel types. Environmental Justice Foundation and Advocates for Public Interest Law, 2020</p>	Environmental Justice Foundation and Advocates for Public Interest Law, 2020, Illegal fishing and human right abuses in the Korean fishing fleet
	Targeting overexploited stocks	Sustainable Fisheries

Indicator	Description	Sources
	<p>Less than 20% of global squid production is considered sustainable or improving. SFP, March 2022</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> • Japanese flying squid – East China Sea, Yellow Sea, Sea of Japan and NW Pacific Ocean <ul style="list-style-type: none"> o Current Health ≥ 6 o Future Health < 6 • Argentine shortfin squid – Argentina North of 44°S (Argentinean EEZ) <ul style="list-style-type: none"> o Current Health: Data Deficient o Future Health: Data Deficient • Mitre squid – China <ul style="list-style-type: none"> o Current Health < 6 o Future Health < 6 <p>Squid caught in Japan and Argentina is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> • Argentine shortfin squid <ul style="list-style-type: none"> o Jig – AVOID • Japanese flying squid <ul style="list-style-type: none"> o Bottom trawls - AVOID o Jig – AVOID o Purse seines – AVOID o Midwater trawls – AVOID o Stationary uncovered pound nets – AVOID • Mitre squid <ul style="list-style-type: none"> o Jig – AVOID o Purse seines – AVOID o Bottom trawls – AVOID 	<p>Partnership (SFP). March 2022, Squid: 2021 Sector Sustainability Update. 17 pp.</p> <p>FishSource</p> <p>Seafood Watch, Seafood Recommendations</p>
Evidence of correlated practices	IUU fishing	European Commission, Overview of existing procedures

Indicator	Description	Sources
	<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 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>as regards third countries</p> <p>European Commission, 18 October 2018, Press Release: EU and the Republic of Korea join forces in fight against 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>

Indicator	Description	Sources
	<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 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>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 encounters occurring after fishing using AIS data from 2016 to 2017 indicates that South Korean vessels potentially transshipped nearly 20 percent of their fishing activity in coastal countries’ waters. Stimson, November 2019</p> <p>In 2021, AIS data identified a collective of 50 port visits made by carrier vessels subsequent to</p>	<p>Stimson, November 2019, Shining a Light: The Need for Transparency across Distant Water Fishing</p> <p>Global Fishing Watch, 2022, Analysis of Southeast Pacific Distant Water Squid Fleet</p> <p>Advocates for Public Interest Law</p>

Indicator	Description	Sources
	<p>interactions with a squid vessel within the designated study area. These carrier vessels docked in ports located across five countries, namely Chile, Panama, China, the Republic of Korea (4 visits), and Singapore. Global Fishing Watch, 2022</p> <p>There is a significant lack of transparency regarding transshipment activities in the high seas, as the regional fisheries management organizations (RFMOs) do not fully disclose related information, making it challenging to access data on these occurrences. APIL's Freedom of Information request to the South Korean government for reports on transshipment by species submitted to RFMOs was denied, further exacerbating this transparency issue. Additionally, the failure of RFMOs to disclose such information has faced widespread criticism, compounding the opacity in the seafood supply chain and hindering traceability efforts. Advocates for Public Interest Law (APIL) and Human Rights Now (HRN), December 2023</p>	<p>(APIL) and Human Rights Now (HRN), December 2023, Tuna in the Black Box</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>Combined IUU Vessels List</p>
	<p>AIS dark spots to conceal criminal activities</p> <p>Global Fishing Watch found evidence of one Korean flagged squid fishing vessel using multiple Maritime Mobile Service Identity (MMSI) numbers. The MMSI number is unique to a vessel, and therefore having more than one MMSI is irregular.</p>	<p>Global Fishing Watch, 2021, Analysis of the Southeast Pacific Distant Water Squid Fleet</p>

Indicator	Description	Sources
	<p>The Korean squid vessel, NO.103 KUMYANG was recorded operating close to the Peru EEZ boundary using the MMSI number 440816000. A second MMSI 440616000, appeared over the same area claiming to be KUNYANG103, but the AIS tracking data from both MMSI numbers did not match. Global Fishing Watch could not verify if MMSI 440616000 was deliberately impersonating NO.103 KUMYANG or if this was some other issue with the AIS system. Global Fishing Watch, 2021</p>	
<p>Workforce Characteristics</p>	<p>The proportion of fishers that are migrant workers</p> <p>No information was found on workers on squid fishing vessels. But the operation of the wider DWF fleet heavily depends on migrant fishers - around 77% of fishers working onboard Korean DWF vessels are migrant workers and most of them, 79%, are from Indonesia, according to data from 2021. Environmental Justice Foundation and Advocates for Public Interest Law, 2023</p> <p>The number of foreign seafarers on board in 2022 is 4,631, accounting for 77%. The number of local seafarers on board in 2022 is 1,395. Ministry of Oceans and Fisheries, 2023</p>	<p>Environmental Justice Foundation and Advocates for Public Interest Law, 2023, Korea's Migrant Fishers Plan fails to end human rights abuses at sea</p> <p>Ministry of Oceans and Fisheries, 2023, 2023 Statistical Yearbook of Oceans and Fisheries</p>
	<p>A high proportion of fishers from ethnic minority and other marginalized groups</p> <p>Unknown.</p>	
<p>Recruitment and Contracts</p>	<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 Seafarers' Act. The recruitment process is managed by the labor market and involves private</p>	<p>Advocate for Public Interest Law (APIL), July 2020, Then and Now: The repeated failure of response to the human trafficking of migrant workers in</p>

Indicator	Description	Sources
	<p>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>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> <p>Environmental Justice Foundation and Advocates for Public Interest Law, 2023, Korea's Migrant Fishers Plan fails to end</p>

Indicator	Description	Sources
	<p>International Organization for Migration Republic of Korea, December 2017</p> <p>Between 2021 and 2022, EJF and APIL carried out interviews with 74 migrant fishers who worked on Korean-flagged and Korean-owned DWF vessels to monitor the progress and effectiveness of the Ministry of Oceans and Fisheries' "Implementation Plan for Migrant Fishers on Distant Water Fishing Vessels. The vessels included 15 squid jiggers/saury vessels (26%). The investigation revealed that despite the Plan's prohibition on pre-recruitment fees, such as salary deductions, wage withholding, and guarantee money, and its mandate that all expenses be covered by employers, the practice of charging recruitment fees to foreign crew members remains prevalent. Forty-seven percent (35 crew members) reported instances where their wages were deducted under various pretexts, including recruitment fees and currency exchange rates. It is not clear to what extent these findings relate to the squid vessels.</p> <p>Environmental Justice Foundation and Advocates for Public Interest Law, 2023</p>	<p>human rights abuses at sea</p>
	<p>Contract-and compensation- related regulations and practices</p> <p>The Ministry of Fisheries (MOF) lacks established wage regulations for migrant workers, instead employing a "special provision for application" that delegates the determination of migrant fishers' salaries to the Federations of Korean Seafarers' Union (FKSU) and the fisheries companies. Consequently, these entities typically adhere to the International Transport Workers' Federation (ITF) minimum wage standards for migrant fishers on Distant Water Fishing (DWF) vessels, which notably falls below the compensation provided to Korean crew members performing equivalent tasks. It's important to highlight that ITF minimum wages are designated for seafarers working eight hours a day</p>	<p>Environmental Justice Foundation and Advocates for Public Interest Law, 2023, Korea's Migrant Fishers Plan fails to end human rights abuses at sea</p> <p>Environmental Justice Foundation and Advocates for Public Interest Law, 2022, No Fisheries without Crew: The Urgent Need for</p>

Indicator	Description	Sources
	<p>with overtime pay and paid holidays, benefits which have never been extended to those working on Korean DWF vessels. In 2021, the minimum monthly wages for crew members were set at US\$540 for new foreign crew with less than three years of experience and US\$725 for experienced foreign crew, in line with ITF standards. During the same period, Korean crew members received US\$1,965 monthly, as outlined by the Seafarers Act. An investigation by EJF and APIL revealed that 59% (43 crew members) of the respondents were paid below the minimum wage for foreign crew. Even when including those compensated above the minimum wage, the average monthly salary of all respondents remained considerably lower than that of Korean seafarers, standing at US\$694 compared to US\$6,998 (8,010,000 KRW) for the latter. Environmental Justice Foundation and Advocates for Public Interest Law, 2023</p> <p>Indonesian crew members' employment contracts frequently include clauses stipulating that they forfeit their entire salary in the event of early contract termination. Consequently, if a crew member fails to fulfill their contract, they are unable to recover the guarantee deposit or their salary and would also be liable for additional expenses such as airfare. Financial entrapment, often facilitated by labor intermediaries, results in migrant crew members being trapped in debt bondage. Environmental Justice Foundation and Advocates for Public Interest Law, 2022</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,</p>	<p>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>

Indicator	Description	Sources
	<p>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. Advocates for Public Interest Law and the International Organization for Migration Republic of Korea, December 2017</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 direct evidence was found of forced labor, human trafficking, or hazardous child labor in South Korea’s squid processing industry.	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	One instance was found of dangerous working conditions in squid processing that could be considered as evidence for the ILO indicator of forced labor “Abusive working conditions”. However, it is unclear whether this was an isolated incident or if similar concerns are present in the wider squid processing industry.	LeMond diplomatique, 2021, 우리는 일하는 기계가 아니라 사람입니다

	<p>On September 10, 2019, tragedy struck as three Thai migrant workers and one Vietnamese migrant worker died due to asphyxiation while cleaning a tank at a squid processing company in Yeongdeok-gun, Gyeongsangbuk-do. The workers were not wearing masks and were exposed to toxic gases far exceeding lethal concentrations.</p> <p>Subsequent investigations revealed that the owner of the squid processing company was unaware of the suffocation risk associated with working in enclosed spaces emitting toxic gases. Instead of adhering to occupational safety and health regulations, the judgment criterion relied on personal experience. The owner cited his own previous experiences of entering the tank without incident, believing it to be safe.</p> <p>LeMond diplomatique, 2021</p>	
<p>Processing Characteristics</p>	<p>Processing stage</p> <p>Both primary and secondary processing of squid appears to take place in South Korea, including production of frozen tuna for export and dried squid for domestic consumptions.</p> <p>In primary processing, employees rinse and sanitize the captured squid in fresh water. A portion is forwarded to the drying area, while others are packed post-cleansing, preserved in the freezer, and distributed to customers. To unfurl dried squid, one typically applies pressure with their work shoes. Given recent concerns about hygiene, it's suggested to adopt an automated device for squid spreading. Squid captured in remote oceans undergo freezing during transportation to a processing facility. After thawing, cleansing, and dehydration, they are transformed into seasoned squid, salted fish, and ground fish meat for frying and use in confectionery. National Fisheries Research & Development Institute , Daily news, 2022</p>	<p>National Fisheries Research & Development Institute</p> <p>Daily news, 2022</p>

	<p>Consolidation and vertical integration</p> <p>Unknown.</p>	
	<p>Domestic versus export</p> <p>South Korea produces squid mainly for domestic consumption. In 2021, the domestic consumption of squid and import volume amounted to 362,265 tons and 251,909 tons respectively, while the export volume is only 25,415 tons. Ministry of Oceans and Fisheries</p>	<p>Ministry of Oceans and Fisheries</p>
Workforce Characteristics	<p>Skilled versus low-skilled</p> <p>Unknown. No information was found on workers in the squid processing industry. Workers in the wider seafood processing industry are mainly low-skilled:</p> <p>Research service: 1.7% Skilled Technical service: 7.9% Low-skilled Technical service: 75.3% Office worker: 15%</p> <p>Korean Statistical Information Service (KOSIS)</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 squid processing industry. Overall, women represent more than half of the workforce in the wider seafood processing industry:</p> <p>Fishery-product processing industry: 55% (23,828/43,696) 07, 2022 Korean Statistical Information Service (KOSIS)</p> <p>In 2022, the number of women in the overseas fisheries is 1,507, accounting for 14% (total: 10,791). Among them, the number of regular workers is 1,470,</p>	<p>Korean Statistical Information Service (KOSIS)</p> <p>Ministry of Oceans and Fisheries, 2023, 2023 Statistical Yearbook of Oceans and Fisheries</p>

	and contingent and on-call workers is 37. Ministry of Oceans and Fisheries, 2023	
	<p>The proportion of migrant versus local workers</p> <p>Unknown. No information was found on workers in the squid 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) 07, 2022</p> <p>Korean Statistical Information Service (KOSIS)</p>	Ministry of Oceans and Fisheries, 2023, 2023 Statistical Yearbook of Oceans and Fisheries
	<p>The proportion of minority or indigenous workers</p> <p>Unknown. No information was found on workers in the squid processing industry.</p>	
	<p>The proportion of temporary and contract versus permanent workers</p> <p>Unknown. No information was found on workers in the squid processing industry.</p>	
	<p>Workers' origins</p> <p>Unknown. No information was found on the origin of workers in the squid 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 squid processing industry.</p>	
	GDP per capita of processing country and main worker source country	World Bank, GDP per capita (current US\$) - Korea, Rep.

	Unknown. No information was found on the origin of squid processing workers. The GDP per capita (current USD) for South Korea was nearly USD 34,998 in 2021.	
	Legal presence (regularity) of migrant workers Unknown.	
	<p>The ability of migrant workers to change jobs</p> <p>Unknown. Information specific to squid 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	Use of contractors and recruitment agents Unknown.	
	Compensation method Unknown.	

Table 4: Korea- Processing indicators

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