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Mr Ban Ki Moon
Secretary General
United Nations
New York, NY 10017
United States

11 November 2013

Request for Investigation

Dear Secretary General,

The fact of widespread and systematic forced labour in Qatar is not in any doubt. This has been confirmed by the United Nations Human Rights Council (2014 Universal Periodic Review),¹ the UN Special Rapporteur on the Human Rights of Migrants,² the International Labour Organization (ILO),³ the US Department of State,⁴ Human Rights Watch,⁵ Amnesty International⁶ and countless media outlets. Indeed, even the international law firm hired to advise the Government of Qatar suggested that the problems they identified could contribute to the exaction of forced labour.⁷ The ITUC has made the eradication of forced labour, including in Qatar, one of its central goals. However, a recent report has revealed that the forced labour situation in Qatar may be even worse.

On 7 November 2014, the UK newspaper, The Guardian, published an article entitled, *North Koreans working as 'state-sponsored slaves' in Qatar*.⁸ The article describes how the governments of North Korea (DPRK) and Qatar agreed to a programme by which thousands of North Korean workers are sent to Qatar to work on construction sites under gruelling conditions, including on World Cup related projects. During their typical three-year assignment, the workers receive little to no money – only food and shelter. They are told that the salary will be paid upon return to the DPRK; however, workers have reported being paid only a tiny fraction of the prevailing wage for construction workers. Instead, the

¹ Human Rights Council Working Group on the Universal Periodic Review, Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, February 2014.

² UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, François Crépeau, April 2014.

³ ILO Governing Body, Report of the committee set up to examine the representation alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation and the Building and Woodworkers International, March 2014.

⁴ US Department of State, Trafficking in Persons Report, Qatar (June 2013).

⁵ Human Rights Watch, Building a Better World Cup, Protecting Migrant Workers in Qatar Ahead of FIFA 2022, June 2012.

⁶ Amnesty International, Qatar: 'My Sleep Is My Break': Exploitation Of Migrant Domestic Workers In Qatar, April 2014; Amnesty International, The Dark Side Of Migration: Spotlight On Qatar's Construction Sector Ahead Of The World Cup, November 2013.

⁷ DLA Piper, Migrant Labor in the Construction Sector in the State of Qatar, April 2014.

⁸ <http://www.theguardian.com/global-development/2014/nov/07/north-koreans-working-state-sponsored-slaves-qatar>

government of the DPRK confiscates the payments in valuable foreign currency and remits roughly 10 percent of the total amount owed to the worker in North Korean currency. Indeed, the article cites one worker who explained that, “We are here to earn foreign currency for our nation.”

On human rights grounds, this is horrifying. It suggests state-sponsored human trafficking for the purpose of forced labour and must be stopped immediately. But beyond the obvious human rights concerns, this arrangement may also violate UN sanctions on North Korea. There is much that we do not yet know, but it is reasonable to believe that provisions of several Security Council Resolutions might have been violated. Therefore, we urge the UN to undertake an urgent investigation to determine whether the government of Qatar has in fact violated one or more of these resolutions.

For example, Article 11 of Security Council Resolution 2094 of 2013 prohibits all member states from providing “financial services” or the “transfer of any financial or other assets or resources, including bulk cash,” that could contribute to North Korea’s nuclear or ballistic missile programmes or other prohibited activities. We do not yet know how the migrant labour programme between the DPRK and Qatar is structured, but it is reasonable to believe that, in exchange for the labour of North Korean workers, the government of Qatar has and continues to transfer financial or other assets or resources to the DPRK. Indeed, it appears that the scheme was established for the primary purpose of facilitating the DPRK’s access to large amounts of foreign currency. Resolution 2094 does not appear to require any evidence that such funds were actually used for prohibited activity, only that they *could* be. Certainly, the DPRK could be using the influx of foreign currency for any number of purposes, including prohibited ones.

It is not yet known whether the DPRK or Qatar has undertaken any banking activity prohibited under paragraphs 12 and 13 of Resolution 2094 to facilitate the transfer of money from Qatar to the DPRK. However, it is reasonable to believe that banking services that violate Resolution 2094 may have been used.

It remains unclear as to whether Qatar has engaged with any designated person or institution listed in Annex I and II of the Security Council Resolution 2087 of 2013 in furtherance of this scheme.

Finally, Security Council Resolution 1874, paragraph 20, calls upon member states not to provide public financial support for trade with the DPRK. It is unclear whether Qatar has provided public financing for trade with the DPRK, but it is reasonable to believe that public financing may have been involved to facilitate the movement of thousands of workers in order to provide construction services (Mode 4 Trade in Services).

In our view, the information and testimony provided by North Korean workers as to the migrant labour programme raise sufficient questions as to warrant an investigation. For the purpose of both ending the state sponsored forced labour of North Korean workers, as well as to prevent the possible breach of Security Council resolutions, we urge you to mobilize

the relevant agencies to open an investigation into this programme. We will also call upon the International Labour Organization to look into this as a matter of urgency.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. B. R.' with a stylized flourish at the end.

General Secretary