



Addressing the situation of the North Korean refugees

Introduction

The situation in Democratic People's Republic of Korea remains observed with grave concern by international community. Beside reports about probable nuclear tests, abuse of human rights as well as serious economic problems have not stopped being discussed. Because of the desperate situation in the country, thousands of people try to leave their homeland and seek refuge.

North Korea is among the states with the most strict and cruel punishment of citizens who try to cross the borderline. While in democratic countries it is regarded as one of basic human rights, in North Korea it is believed to be an act of treason. Even if North Koreans manage to flee the country and obtain asylum or citizenship in South Korea, they still have to face further problems. It is therefore necessary for the UN to address this issue.

Refugee status and principle of "non-refoulement"

According to the Geneva Convention (1951), a refugee is *"A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.."*

It is also important to remind that the Convention states that refugees should not be punished for illegally entering or being present in a country where they have fled to. Of particular importance with regard to North Korean refugees is the principle of non-refoulement. It is guaranteed by article 33 of the Convention, which reads: *"No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social or political opinion"*. This principle is violated mainly by China as will be described below.

North Korean refugees are often referred to as defectors. This is due to the fact that DPRK is formally still in state of war with Republic of Korea and regards emigration as treachery. (Only armistice has been signed, no peace-treaty exists.) However, this does not mean that refugee status does not apply to them.

Reasons for fleeing DPRK

There are about 25,000 North Koreans residing in South Korea and an unknown number of them in China (probably tens of thousands), which are the two most common destinations that North Koreans run away to. There is little data on North Koreans in China, because the refugees are forced to hide in fear of repatriation. According to South Korean government data and research conducted in 2002 by Human Rights Watch, majority of the refugees emigrated because of economic reasons, mainly food shortage. Among other causes, there was political persecution, lack of opportunities or desire to reunite with family. Those economic reasons need to be described more.

In the 1950's, the government nationalized all economic assets, abolished markets, and started central planning. The economy was able to function thanks to external aid from the Soviet Union and China. However, after the collapse of USSR, North Korea could no more provide its own citizens with basic goods, including food. In the mid-1990's between 600,000 and 1 million people died because of famine. This is when large numbers of North Koreans started fleeing their country. Despite foreign support (primarily provided by the UN World Food Program), approximately 80% of North Koreans suffer from malnutrition. There have been numerous reports of cannibalism in some regions of DPRK.

Discrimination on the basis of family background is an omnipresent reality in the North Korea. The population is divided into a class of reliable supporters, the basic masses and the "impure class". The first one mentioned has better educational and employment opportunities as well as access to food. On the other hand, people regarded as disloyal usually live in the worst localities, they are assigned to the worst jobs and sometimes even whole families are sent to labor camps. According to interviews with North Korean refugees in China conducted in 2004-2005, nearly 10% of the respondents have had been sent to a prison or a labor camp. Approximately 85% of the refugees belonged to the two disadvantaged classes.

Characteristics of the refugees

Having the reasons of emigration in mind, it is not surprising that in the survey mentioned above, 62% of respondents described their occupation as a laborer and 35% as a farmer. Unfortunately, the lack of qualification causes high unemployment rates of North Koreans in South Korea. Majority of the refugees are young adults in their 20s and 30s. Interestingly, women prevail among the refugees, in 2013 about 69% of North Koreans in South Korea were women and the ratio is still increasing.

It is probably due to easier mobility of women in North Korea. Men are supposed to participate in the organizational structure of the state and when they do not come to their work, the authorities start searching for them. Women are responsible for feeding their family and ensuring other daily necessities, so they leave mainly for economic reasons, while it is more usual among men to escape

because of political persecution. Regrettably, many women become victims of human trafficking, subjugation, and sexual abuse - mostly in China. It is very difficult for them to protect themselves as they are regarded as illegal economic migrants there and must hide from Chinese authorities.

Most refugees come from the northeast part of the country bordering China. There are two reasons for the fact. Obviously, it is the proximity of the frontier which means less travelling. As internal travel is controlled in North Korea, it means a smaller risk of suspicion and arrest. Secondly, these regions were most affected by the famine as they are unsuitable for agriculture and distant from the center of the country. In 1994, government even stopped sending food supplies to the region.

Route from North Korea

As the border between the two Koreas is heavily guarded, the usual way out of North Korea leads through China by crossing the Tumen River. Most refugees then head towards South Korea. There are few cases of defectors sailing to South Korea or Japan, which is, of course, extremely dangerous. However, the route to South Korea from China is by no means short or tranquil. Refugees have to travel long distance (approximately 3,000 miles) in concealment to a place from which they can be safely transferred to South Korea (or elsewhere where it is possible to obtain asylum). Commonly, this means they have to reach Thailand. There, the defectors report themselves to the authorities. Thailand regards North Koreans as illegal migrants, but after serving a short prison sentence, they are deported to South Korea. Some of them are also able to apply for asylum at the South Korean embassy in Bangkok.

Nevertheless, Thailand can be reached through Laos or Vietnam (or sometimes Burma), whose attitude is not very predictable. In July 2013, the international community was outraged by case of nine young defectors who were sent back from Laos to China. China then forcibly repatriated them to North Korea and the UN were not able to ascertain their destiny. Punishment could consist of imprisonment in a labor camp or even execution. Some refugees make their way



to Mongolia whose authorities send them to South Korea. However, this route means travelling through the Gobi Desert.

It is very rare that the refugees are able to make the journey on their own. Some of them (presumably less than 10%) used help of NGOs or missionaries, others were provided aid from their relatives or friends. However, majority of North Koreans receive assistance from brokers and/or bribe some officials. The price of assistance from brokers is rather high – from 2,500 to 15,000 USD. Sometimes the relatives living in South Korea pay the fee, sometimes refugees make agreement with the brokers to pay after having found a job in the new country, which causes them problems later. Women are often “helped” by human traffickers who sell them as brides to Chinese families in rural areas. There is lack of young women, because of the one-baby policy. Also, forced prostitution is frequent.

As already mentioned, China does not accept North Koreans as refugees and does not grant them asylum, even though it is among the signatory countries of the Geneva Convention. The government does not uphold the non-refoulement principle and repatriates the defectors despite international pressure. Refugees often hide in Korean community in China and are often dependent on help of other people, because it is enormously difficult for them to find a job. They often spend a few years in China before reaching their final destination.

Final destinations

Over 24,000 North Koreans managed to reach South Korea, the most common goal of the refugees. There, the Ministry of Unification is responsible for resettlement of the defectors and has a program of support aiming to facilitate the integration in the South Korean society. Until the 1990s, when the mass immigration started, only few North Koreans defected to the South. Moreover, the refugees were often a part of the North Korean elite and brought strategic information. South Korean government was therefore able and willing to provide them with huge financial support (and other benefits), which was often sufficient for the rest of their lives.

In past decades the situation had to change. It is understandable that with hundreds of refugees coming every year, the government has no more financial means to provide every single defector with a munificent sum. Also, it is necessary to admit that South Korea becomes less enthusiastic about the defectors, since majority of them are workers, who are not sufficiently qualified for the competitive labor market. Nevertheless, the country still dedicates a lot of attention to the refugees and donates them financial support to enable them to engage in the society.

The defectors are at first interrogated in order to find out whether they are not spies. Then they come to Hanawon – a resettlement center, where they are taught necessary skills and knowledge they will need in their everyday life. The differences between the two countries are immense, so the North Koreans need to be familiarized e.g. with computers, the Roman alphabet and life in capitalism in general. The defectors are granted South Korean citizenship. Apart from the support of state, there also several non-governmental organizations aiming to help

North Koreans surmount the gap, for example PSCORE (People for Successful Korean Reunification).

Unfortunately, this is not where difficulties for the defectors end. They struggle with many kinds of economic, social, and psychological problems. They are not used to living in a market economy so they usually experience a shock. Moreover, they often lack skills necessary for a satisfactory work performance. Almost 10% of them are unemployed and many have to do jobs with low salaries. Some South Koreans regard them as second-class citizens, so they are often exposed to hidden discrimination. Most of the defectors suffer from depression and post-traumatic stress disorder because of their experience from North Korea and the journey from there.

Some North Koreans are not satisfied with their lives in the South and emigrate to other countries, mostly Canada and Western Europe. Nowadays, over 1,000 of them live there. However, there are sometimes problems with the refugee status, since they are South Korean citizens. According to the 1951 Refugee Convention, an asylum seeker with dual nationality must fear persecution in both of their home countries. Despite the discrimination against the former refugees in South Korea, the country demurs to be accused of persecuting North Koreans.

What needs to be addressed?

To conclude, I will sum up the main problems North Korean refugees face. Firstly, it is the position of DPRK itself, who regards emigration as illegal and threatens the defectors with death penalty, which can even be executed on their relatives staying in the country. However, it seems that this is also unlikely to be solved.

The second problem is very much connected with the first one and lies in the policy of China towards the escapees. Violation of the principle of non-refoulement forces the refugees to hide and makes them vulnerable to human trafficking and various forms of abuse.

The refugees have to overcome many obstacles in South Korea as well. In order to avoid economic problems, they need to get qualification and it is also essential to overcome stereotypes between South and North Koreans. Solving these problems requires both time and financial resources. Finally, resettlement of North Koreans in other countries could be simplified by creating a common policy towards them.

Further reading

http://works.bepress.com/cgi/viewcontent.cgi?article=1005&context=marcus_noland - an in-depth analysis of the problems

<http://www.nknews.org/> - articles and analysis on various aspects of the issue

<https://www.libertyinnorthkorea.org/blog/category/refugee-stories/> - news brief and stories of the refugees

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<http://www.nknews.org/2012/09/north-korean-refugees-and-the-challenges-of-failed-assimilation/>

<http://www.dailymail.co.uk/news/article-2269094/North-Korean-parents-eat-children-driven-mad-hunger-famine-hit-pariah-state.html>