

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL
COMMISSION ON THE STATUS OF WOMEN
COMMUNICATIONS PROCEDURE

The North Korea Freedom Coalition)	
Working Group on North Korean Women)	UN CSW 66 (2021)
% Jubilee Campaign ¹)	
9689-C Main St.)	Filed August 1, 2021
Fairfax, VA 22031)	

THE SITUATION OF NORTH KOREAN DEFECTORS
IN THE REPUBLIC OF KOREA

I. Introduction

In its most recent *2019 Settlement Survey of North Korean Refugees in South Korea*, the Korea Hana Foundation estimates that there are approximately 30,000 North Korean defectors living in the Republic of Korea.² While in past years there existed a relatively steady influx of individuals defecting from the North and crossing the border into the South, the COVID-19 pandemic and subsequent border closures caused 2020 and 2021 to have the lowest defection levels seen within the past twenty years. The drop in resettlement rates of North Korean refugees in the Republic of Korea was further exacerbated by the Kim regime’s anti-South Korea propaganda, as well as the fact that “as the administration of President Moon Jae-in has sought to improve relations with the North, South Korea’s traditional support for defectors has been an irritant in relations with the North and the government has been less generous in helping defectors.”³ South Korea’s Ministry of Unification reported that the first half of 2021 has seen only 31 North Korean defectors enter South Korea, and in 2020 a meager 229. Another source, Seoul’s Office for North Korean Refugee Resettlement Support – also referred to as Hanawon – reports slightly higher numbers: 57 defectors in the first six months of 2021, and 437 total defectors in 2020.⁴ Such numbers are significantly lower than the average \bar{x} 1,552 that arrived yearly between 2009 and 2019.⁵ In 2020, the majority of North Korean defectors arriving in South Korea were women (68.6%), as is consistent with previous years.⁶

As such a large proportion of North Korean defectors in South Korea are women, issues pertaining to their safety and security, assimilation into society, mental and physical health, and more should be a major point of consideration by the South Korean government. Most concerns regarding the treatment of women defectors stem from the negative social stigmas and special vulnerabilities they face when integrating into South Korean society. We call on the Commission on the Status

¹ Jubilee Campaign holds special consultative status with the Economic and Social Council.

² Korea Hana Foundation, *Who We Are*.

³ Robert R. King, “Number of North Korean Defectors Drops to Lowest Level in Two Decades”, *Center for Strategic & International Studies*, 27 January 2021.

⁴ Elizabeth Shim, “North Korean defections to South down in 2021 amid pandemic”, *United Press International*, 30 June 2021.

⁵ South Korea Ministry of Unification, *Policy on North Korean Defectors*.

⁶ Niall McCarthy, *Defections from North Korea Plummet Due to Pandemic* [Data Set], *Statista*, 22 January 2021.

of Women to recognize the fragile situation of North Korean refugee women in the Republic of Korea and encourage the South Korean government to comply with international and domestic law protecting the fair treatment and protection of these defector women.

II. Mental and Physical Health

Many North Korean defector women struggle with mental health challenges following their defection process as a result of the multitude of the abuses they faced both during their time in the DPRK and also while escaping. The Ministry of Gender Equality and Family of the Republic of Korea has reported that approximately 65.2% of female North Korean refugees suffered chronic diseases, 50% were at risk of developing depression, and over 25% suffered from post-traumatic stress disorder (PTSD).⁷ Other scientific studies have found that “exposure to cruel and inhumane treatment by authorities” in the DPRK and during defection is significantly associated with higher levels of anxiety disorders (60.1%), attention disorders, insomnia (38%), somatic symptoms, and lower social functioning among defector populations.⁸ Rates of suicidal ideation (28.3%), suicide plans (13.3%), and suicide attempts (17.3%) among North Korean defectors of both genders are also much higher than average populations in South Korea, most Asian countries, and the majority of the western world. Another 2021 study which surveyed 140 North Korean defector women in South Korea found that 46% women reported having suicidal ideations, and that 18% had attempted suicide within the past year.⁹ Other findings include that smaller – yet still noteworthy – proportions of defectors have reported experiencing alexithymia (difficulty feeling emotions), emotional regulation problems, and “negative cognitions of personal failures.”¹⁰

The Psychological issues faced by defectors as a result of the trauma they experienced in the DPRK and during the escape process are compounded by mental health issues caused by the struggle to assimilate to life in South Korean society. Defectors have reported feeling overwhelmed by the abundance of choices – choices regarding what food to eat, what to study, what jobs to choose, who to date, etc. – which were never present in the authoritarian North Korean society; this is only further exacerbated by advanced technology and a fast-paced culture in South Korea.¹¹ During the initial months following the defection process, North Korean refugees must engage in an expedited learning journey on democracy, how to find a job with limited skills and knowledge, how to start an education if desired, how to open a bank account, pay bills, obtain loans, and more. This leaves defectors with mental health issues resulting from the difficult adaptation process. Not to mention that social stigmas and economic hardships – which will be discussed in the following sections – only aggravate North Korean defectors’ fragile sense of belonging and confidence.¹²

⁷ Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea*, A/HRC/43/58, 25 February 2020.

⁸ Jin-Won Noh & So Hee Lee, “Trauma History and Mental Health of North Korean Defectors”, *Current Behavioral Neuroscience Reports*, 6 October 2020.

⁹ Boyoung Nam, Jae Yop Kim, Jordan DeVlyder, & JoonBeom Kim, “Suicidal Ideation and Attempt Among North Korean Refugee Women in South Korea: Factors that Distinguish Suicide Attempt from Suicidal Ideation”, *Suicide and Life-Threatening Behavior*, 23 April 2021.

¹⁰ Jin-Won Noh & So Hee Lee, “Trauma History and Mental Health of North Korean Defectors”, *supra note 7*.

¹¹ CBS News, “North Korean defectors sometimes struggle to adjust to new life in South Korea”, 20 June 2020.

¹² Sophie Williams, “North Korean defectors: What happens when they get to the South?”, *BBC News*, 16 February 2021.

Sokeel Park, South Korea country director of Liberty in North Korea, explains that there is much needed improvement regarding mental health awareness and services in South Korea; not only does there need to be a social change to normalize psychological problems, but there also needs to exist education on how to identify mental health problems and seek treatment.¹³ North Korean defectors have experienced problems recognizing their own psychological problems, as there is no concept of ‘depression’ (우울증) or ‘mental health’ (정신건강) in the DPRK, leaving defectors unaware of such disorders. Moreover, most disorders and mental health illnesses are considered by the North Korean regime – and by extension, by the North Korean people – as a problem with the individual’s ideology and *juche*, and lead to punishment.¹⁴ Therapy and mental health counselling do not exist in North Korea, and defectors have no know prior knowledge of these treatments upon arrival in South Korea.

It is also important to note that the population of North Korean defectors in South Korea exhibited higher rates of intimate partner violence (IPV) towards women. The rate of IPV against North Korean defector women by their partners is 57.1%, significantly higher than the rate of IPV against South Korean women by their partners (9.9%). The main determinants for this drastic difference are higher stress rates among defector populations as well as a more tolerant attitude towards using violence in general.¹⁵ Moreover, recent research has highlighted that “victims of human trafficking and sexual assault during their journey to South Korea were at a greater risk of IPV in South Korea. Male partners of NK refugee women with a history of SV [sexual violence] may shame and physically sanction NK refugee women for ‘breaching honor’.”¹⁶

III. Negative Social Stigma and Discrimination

North Korean defectors – and by extension, defector women – often have to deal with negative social stigma and perception towards them. Defectors, upon their entry into South Korea, are distinguishable by their distinctly North Korean dialect, clothing, and hairstyles; their identifiable natures have singled them out for distrust and prejudice. Such negative stigmas towards defectors could stem from the strained relationship between the two Koreas, stereotypes about North Koreans being communist sympathizers, and seemingly unreconcilable differences in lifestyles and culture.¹⁷ Korea Hana Foundation’s 2019 survey of North Korean defectors in South Korea revealed that, of the respondents who feel ‘dissatisfied’ with their new lives, 15.4% attributed their dissatisfaction to “South Korean society’s discrimination/prejudice against North Korean refugees”. Of the 17.2% of total respondents who reported experiencing discrimination in South Korea, 76.7% reported that it was due to “different communication culture of North Korean refugees”, and 43.8% said it was because of “negative perception towards the existence of North Korean refugees”.¹⁸

¹³ *Ibid.*

¹⁴ Alek Sigley, “Ask a North Korean: How do North Koreans care for their mental health?”, *NK News*, 25 July 2021.

¹⁵ Boyoung Nam, Jae Yop Kim, & Wonjung Ryu, “Intimate Partner Violence Against Women Among North Korean Refugees: A Comparison With South Koreans”, *Journal of Interpersonal Violence*, 28 April 2017.

¹⁶ Boyoung Nam, Jae Yop Kim, Yujin Lee, Lisa Fedina, “Polyvictimization Risk Among North Korean Refugee Women in South Korea”, *Journal of Interpersonal Violence*, 9 April 2021.

¹⁷ Jeea Yang, “Struggles of resettlement: North Koreans in South Korea”, *Psychology International*, September 2018.

¹⁸ Korea Hana Foundation, *2019 Settlement Survey of North Korean Refugees in South Korea*, July 2020.

Some North Korean defectors in South Korea have been reluctant to share their identities as defectors for fear that they will face negative stigma or condescension from their South Korean peers. In a 2019 survey of defectors living in South Korea, one 23-year-old woman reported “When South Koreans hear North Korea, they don’t think of me as a Korean person. Many South Koreans are good-hearted people ... [but] what I’ve slowly noticed is that I feel slightly ignored. They tend to look down on us as inferior to them and naturally feel sorry for us.”¹⁹ Other respondents reported that the most common stereotypes regarding North Korean defectors among South Koreans are that they are poor, helpless, and perpetual victims; this is despite that there are many famous defectors who have used social media platforms to share their story, gain relative celebrity, and promote personal agency for defectors. One well-known North Korean defector woman, Yeonmi Park, explained in 2018 while she was in South Korea that “I’m not welcome. I am a second-class citizen here.”²⁰ Another defector woman, Kim Ryon-hui, explained her life in South Korea:

“Living here for seven years taught me what it really is like to live here as a North Korean defector. North Korean defectors are forever strangers in this country, classified as second class citizens. I would never want my daughter to live this life. North Korean defectors are treated like cigarette ashes thrown away on the streets”.²¹

In July 2021, Associate Press published an article highlighting the success of the Seoul-based Inter-Korean Cultural Integration Center, where South Korean citizens and North Korean defectors can socialize, overcome stigma and prejudices, and participate in activities – play musical instruments, make art, learn horticulture – together to build positive relationships. Churches and civil society organizations have also undertaken similar efforts such establishing integrated choirs, going on camping trips, and even organizing sports games, in which North Koreans and South Koreans can bridge their differences and celebrate what they have in common. These are effective programs which have great potential in eradicating negative social stigma towards North Korean defectors, and they have seen North Korean-South Korean friendships flourish beyond the Center into daily life.²²

Other such initiatives to tackle the alienation between South Korean society and North Korean defectors include the myriad YouTube channels operated by defectors who share their stories of survival and acclamation to South Korean society. One channel, Jun Heo’s *Humans of North Korea*, featured a video of a social experiment in which he stood blindfolded and silent in the street, while holding a sign explaining that he is a North Korean defector and asking South Korean strangers for a hug. In another video, he places a South Korean citizen next to a North Korean defector and asks people in the street to distinguish between the two; respondents were forced to question and even abandon their own stereotypes about the physical attributes of defectors.²³

¹⁹ Jennifer Hough & Markus Bell, “North Koreans’ public narratives and conditional inclusion in South Korea”, *Critical Asian Studies*, 2020.

²⁰ Nathaniel Lee, Gene Kim, & Jennifer Osaki, “A North Korean defector’s story of escape”, *Insider*, 8 August 2018.

²¹ Benjamin Haas, “‘Forever strangers’: the North Korean defectors who want to go back”, *The Guardian*, 26 April 2018.

²² Hyung-Jin Kim, “In Seoul center, N Korean defectors find solace with locals”, *Associate Press*, 14 July 2021.

²³ Kyong Yoon, “Micro-celebrities from the North: Young North Korean defectors’ vlogging on YouTube”, *First Monday*, July 2021.

IV. Employment Obstacles and Economic Hardship

North Korean defectors often face tremendous difficulties in finding steady employment, largely due to the fact that they lack the higher education and advanced technology skills necessary for most jobs in South Korea. Already in 2020, the unemployment rate among North Korean defectors in South Korea reached a whopping 7.7%, significantly higher than the 3.6% unemployment rate for non-defector citizens.²⁴ In 2019, Korea Hana Foundation recorded that only 53.3% of North Korean defector women had jobs, and only 23.8% of defectors were receiving government benefits. This disparity highlights that there exists a substantial portion of North Korean defectors – and defector women – in South Korea that are simultaneously unemployed and unassisted by the government.²⁵ Some of the stigmas and stereotypes mentioned in the above section also affect the ability of North Korean defectors to find jobs. In a June 2020 survey of South Korean respondents, only 50% responded that they would be willing to hire a North Korean “settler”. The researchers emphasize that misperceptions of North Koreans being inclined to participate in organized crime and theft – both of which occur at relatively high frequencies in the DPRK – may contribute to the fact that only half of respondents would consider hiring a defector.²⁶

The 2019 Korea Hana Foundation survey also finds that 91.4% of North Korean defectors believe that “women should get a job”, and that 64.9% believed women should be in the workforce “always, regardless of housework”. 16.8% of respondents said that women should work “both before childbirth and after raising the children”; ironically, however, 61.1% cited the main obstacle to women’s employment being the “burden of childcare”.²⁷ North Korean defector women struggle to meet these expectations to work full-time and to be present mothers, and sometimes this has deadly results. In 2019, one defector mother, Ms. Lim, explained how after nearly a decade living in South Korea, she is still unable to find a steady job, though she is able to work temporarily as a waitress in order to pay her bills: “at first, she took odd jobs, but with no one to help look after her daughter, Ms. Lim was forced at one point to put her into care, and contemplated suicide, tormented by the guilt of not being able to provide fully for her child or her family in the North.”²⁸

Another heart-wrenching example of the economic struggles North Korean defector mothers face in South Korea is the story of defector woman Han Sung-ok, who was trafficked into marriage before escaping to South Korea in 2009. Although to her neighbors she seemed well adjusted to her life in the new country, she and her young special needs son were found dead in her Seoul apartment in July 2019. Autopsy examinations revealed, however, that the two had passed away about two months prior to the discovery of their bodies, and that they likely died of starvation. Prior to the tragedy, Ms. Han was unable to maintain steady employment while raising her special needs son who required supervision and continual care; she also received scant financial assistance from the South Korean government. The untimely deaths of Han Sung-ok and her son have raised awareness about the fragility and multiple vulnerabilities faced by North Korean defector women

²⁴ Won-Gi Jung, “Defector unemployment rates doubled in 2020. Now, a new bill is trying to help.”, *NK News*, 5 January 2021.

²⁵ Korea Hana Foundation, *2019 Settlement Survey of North Korean Refugees in South Korea*, *supra* note 17.

²⁶ Madelynn Einhorn, Isabel Eliassen, Ben Hanson, Carolyn Brueggemann, & Timothy S. Rich, “Opinion – Would You Hire a North Korean? South Korean Public Opinion is Mixed”, *E-International Relations*, 9 June 2020.

²⁷ Korea Hana Foundation, *2019 Settlement Survey of North Korean Refugees in South Korea*, *supra* note 17.

²⁸ The Strait Times, “North Korean defector mothers struggle in South Korea”, 4 September 2019.

in South Korea.²⁹ University of North Korean Studies Professor Kim Sung-kyung explains that “when they [single mothers] have to take care of a child, they end up seeking part-time, unstable jobs. This starts a vicious circle that holds them back from adjusting financially or finding stability”.³⁰

It is also important to note that, while only 7.1% of North Korean defector men were paid less than 1.5 million won a month (\approx USD \$1300), 30.6% of defector women made such an income. 14.1% of North Korean defector women earned less than 1 million won (\approx USD \$866) per month; their average wage is just the bare minimum at 8,350 won per hour (\approx USD \$7.23). Moreover, a labor researcher explained that many defectors and defector women are paid much less than these numbers, meaning they were employed as “part-timers or temporary workers with nonregular job status”; even those who were employed as full-time workers were “treated poorly”.³¹

V. Human Trafficking and Exploitation

Regrettably, even while North Korean defector women and girls are in the process of defecting from the DPRK or escaping human trafficking in China, they still fall victim to sexual exploitation in South Korea or outside of the nation by South Korean civilians. Numerous survivors have reported being prostituted by traveling South Korean businessmen in third countries, such as in China. One defector woman explained that “[t]here are many South Koreans ... We put advertising cards under their doors ... The cards are in the Korean-language and advertise what we offer ... We are mostly taken to bars. South Korean companies want [prostitutes] for their businessmen ... Prostitution was my first experience of meeting a South Korean person.”³² Although this exploitation is occurring in a third country, because it is at the behest of South Korean male customers and companies, it is the responsibility of the South Korean government to take measures to eradicate it and prosecute perpetrators.

Even upon reaching South Korea after escaping the DPRK and China, defector women and girls have faced sexual exploitation at the hands of South Korean authorities. In fact, a 2017 survey by South Korea’s ministry on gender equality found that over a quarter of North Korean defector women resettled in South Korea have experienced sexual violence, yet less than 10% have reported such cases.³³ In September 2020, two officers of the South Korean Armed Force Intelligence Command were convicted on sexual assault charges for repeatedly raping and sexually abusing a North Korean defector woman named Lee for over a year and a half; Lee was forced to undergo two abortions to terminate pregnancies caused by her abuse, and she reported being suicidal. Months earlier, in July 2020, South Korea’s National Police Agency announced it would be

²⁹ Laura Bicker, “Han Sung-ok: Was this North Korean defector failed by the South?”, *BBC News*, 23 August 2019.

³⁰ The Strait Times, “North Korean defector mothers struggle in South Korea”, *supra* note 28.

³¹ Kim Yon-se, “[News Focus] 1 in 3 N. Korean refugees wants to be self-employed”, *The Korea Herald*, 18 March 2021.

³² Yoon Hee-soon, *Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean Women & Girls in China*, Korea Future Initiative, 2019.

³³ Nicola Smith, “Defector rape case highlights widespread abuse of North Korean women”, *Telegraph*, 1 October 2020.

investigating a case involving a local police officer who was accused of raping a defector woman at least 12 times over the course of 2 years.³⁴

Sexual exploitation of North Korean defector women and girls through cybersex should also be a major point of concern for the South Korean government, as a large portion of the cybersex industry's paying customers are South Korean men who have shown preference for illicit content featuring trafficked North Korean girls and women.³⁵ The number of these women who are exploited through cyber-trafficking is likely underreported as many are reluctant to share their cases for fear that they will be recognized by their 'clients' and perpetrators upon arrival in South Korea. Some of these defectors have reported that they were able to identify that their clients were South Korean because of their distinct accents, and because some of the websites advertising their 'services' were South Korean.³⁶ South Korea is signatory to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, and it is therefore incumbent upon the government to take measures to prosecute South Korean citizens and businesses that benefit from the cybersex trafficking of North Korean women and girls.³⁷

It is important to note that the sexual exploitation of North Korean defector women and girls via cyber-trafficking for illegal consumption by South Korean customers occurs as just a portion of the much larger issue of digital sex crimes taking place in South Korea. In 2021, Human Rights Watch released a report highlighting the widespread scheme in which South Korean civilians – predominantly men – take nonconsensual sexually explicit photos of women and share them virtually to a network of other individuals. Victim women and girls, despite evidence of being subjected to such crimes – are rarely able to seek justice because “police often refuse to accept their complaints and behave in abusive ways, minimizing harm, blaming them, treating images insensitively, and engaging in inappropriate interrogation.”³⁸ Moreover, prosecutors dropped 43.5 percent of digital sex crime cases, and low sentences were imposed for the few convictions made; even “civil remedies such as a court order compelling the guilty party to delete images or pay damages to a victim are not easily available.”³⁹ It would be reasonable to deduce that North Korean defector women who have been victims of cyber-trafficking involving South Korean clients and companies would face similar obstacles to legal redress.

Another potential barrier to justice for North Korean defector victims of trafficking and exploitation could be the negative stigma associated with being a survivor, as well as a culture of victim-blaming. In September 2020, *NK News* published a story including remarks by two defector women – both of whom were victims of sexual violence and trafficking themselves – denying that defector women are ever subjected to sexual violence at the hands of South Korean authorities and even blaming the victims for what happened to them. One claimed, “I just don't buy it. Do you have any idea how caring and devoted these officers are to us defectors? It's probably those women's fault – those who don't try diligently enough to resettle here after defecting, those who

³⁴ Elizabeth Shim, “South Korea to investigate case of defector raped by police”, *United Press International*, 29 July 2020.

³⁵ Su-Min Hwang, “The North Korean women who had to escape twice”, *BBC News*, 18 January 2019.

³⁶ Subin Kim, “Operators of webcam site exploiting defector women indicted”, *NK News*, 24 February 2015.

³⁷ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000.

³⁸ Human Rights Watch, “South Korea: Internet Sexual Images Ruin Women's Lives”, 15 June 2021.

³⁹ *Ibid.*

give up their bodies here and there so easily.” Another defector made similar disparaging comments: “[The victim] was an adult. Unlike back in North Korea, she would have known that she could say no here. She could have just chosen not to open the door for him.”⁴⁰

VI. Crackdown on Defector Organizations

The South Korean government in recent years has decreased its funding and support for North Korean defector-run organizations, and has become especially restrictive towards organizations and activists that have been openly critical of the DPRK. In July 2020 following complaints from Kim Jong-un’s regime, South Korea’s Unification Ministry revoked the operation license of two defector NGOs for sending anti-Pyongyang leaflets into North Korea. These leaflets have for years been one of the primary methods for sending information to North Korean civilians about their government’s corruption, the concept of human rights, and the condition of the rest of the world. The balloons used to send the leaflets also are typically filled with food, medicine, money, radios, USB sticks containing global news and television, and more recently, protective equipment for COVID-19.⁴¹ The same month, the Unification Ministry also announced it would be investigating 25 other defector organizations to see if they had the necessary documentation for continued operation; if their licenses were to be revoked, they would be unable to raise funding or receive tax exemptions, and therefore they would face difficulties continuing their work on helping North Koreans escape and providing shelter and guidance during their defection journeys.⁴² In response to the announcement, United Nations Special Rapporteur on the situation of human rights in North Korea, Tomás Ojea Quintana, expressed concern about the possible detrimental effects of investigations on the humanitarian operations of defector organizations, and explained that the UN would be seeking explanation from the South Korean government.⁴³ Uncoincidentally, South Korea’s crackdown on defector groups has occurred in light of President Moon’s administration’s attempts to reinstate dialogue and economic cooperation with North Korea.

In December 2020, the South Korean government officially amended the Development of Inter-Korean Relations Act and effectively criminalized the practice of sending anti-North Korea leaflets and other goods across the border; those convicted of this new crime could face a maximum sentence of three years’ imprisonment and/or a fine of 30 million won (\approx USD \$26,200).⁴⁴ Shin Hee-seok of the Transitional Justice Working Group emphasized that “it [new amendment] criminalises sending remittances to families in North Korea and denies their rights to outside information.”⁴⁵ In May 2021, noteworthy North Korean defector and director of Fighters for a Free North Korea, Park Sang-hak, was arrested for sending 10 balloons containing 500,000 leaflets,

⁴⁰ Jeongmin Kim, “The violence won’t stop: North Korean women relive sexual assault in South Korea”, *NK News*, 9 September 2020.

⁴¹ Tom Lantos Human Rights Commission [Hearing], “Civil and Political Rights in the Republic of Korea: Implications for Human Rights on the Peninsula”, 15 April 2021.

⁴² Hyonhee Shin, “Defectors say S.Korea investigations threaten N.Korean ‘Underground Railroad’”, *Reuters*, 11 August 2020.

⁴³ Sarah Kim, “UN rapporteur concerned with Seoul’s actions against defector groups”, *Korea JoongAng Daily*, 22 July 2020.

⁴⁴ Hyonhee Shin, “South Korea bans anti-North leaflets; defector says he won’t stop”, *Reuters*, 14 December 2020.

⁴⁵ *Ibid.*

USD \$5,000, and 500 books on South Korean economy across the border into North Korea between 25 and 29 April 2021.⁴⁶

In July 2021, the South Korean government published a response to multiple concerns from the United Nations regarding how anti-leaflet law could encroach upon “the enjoyment of the right to freedom of expression” and “legitimate activities” of defector organizations. The government claimed that the leaflet ban was enacted “to protect public safety” and that the practice of sending balloons and leaflets across the border “endangered the lives of residents living in border areas by possibly provoking armed retaliation by North Korea.”⁴⁷ In April 2021, however, North Korean defector and activist Lee Min-bok expressed frustration at the anti-leaflet law and explained that residents along the border have applauded his balloon launches, and that he sends leaflets via the wind in order to ensure that they land in isolated areas in the DPRK where civilians retrieving the messages would not be spotted by authorities.⁴⁸

It is important to note that, while much of President Moon’s clampdown on defector activism in South Korea has occurred within the past two years, 2017 and 2018 budget decisions and bills marked a tremendous decline in funding for these North Korean defectors and their respective organizations. Under a 2018 bill, financial assistance to resettled North Korean defectors was reduced 31% from 57.8 billion won (\approx USD \$50.5 million) to 39.9 billion won (\approx USD \$35 million).⁴⁹ In December 2017, the government withdrew all financial assistance from the Association of North Korean Defectors, which forced the organization to cease most of its programs, relocate to a significantly smaller office, and lay off numerous staff personnel.⁵⁰ Concurrently, the South Korean government has offered little security to defectors who have vocally criticized the DPRK but have been threatened by South Korean citizens, such as Thae Young-ho, who had to cancel a public event when he received verbal threats from a progressive student community who complained that his advocacy was “hindering” peninsular unification.⁵¹

VII. COVID-19 and Defector Women

In December 2020, due to the COVID-19 pandemic, the rate of unemployment among North Korean defectors, and specifically defector women, significantly increased. In fact, the unemployment rate among South Korean-born men (3.7%) and women (4.6%) also increased, however at a much smaller increment. The unemployment rate for North Korean defector women, however, increased from 7.7% in 2019 to an astounding 11.4%. Moreover, “the employment rate for women from the North dipped below the 50 percent mark for the first time in 2020, posting 49.3 percent, in contrast with the 70.6 percent employment rate for male defectors.” Defector women, who mainly work in service industry jobs – restaurants, cafes, pubs – were heavily affected

⁴⁶ Harshit Sabarwal, “South Korean police summon activist over anti- North Korean propaganda leaflets”, *Hindustan Times*, 10 May 2021.

⁴⁷ Michael Lee, “Gov’t responds to UN’s concerns about leaflet ban”, *Korea JoongAng Daily*, 12 July 2021.

⁴⁸ Yeh Young-june, “The leaflets conundrum”, *Korea JoongAng Daily*, 20 April 2021.

⁴⁹ Julian Ryall, “South Korea slashes North Korea human rights budget, raises regime aid”, *DW News*, 3 September 2018.

⁵⁰ Jeongmin Kim, “As North and South Korea cosy up, human rights groups struggle for cash”, *Reuters*, 27 June 2018.

⁵¹ Olivia Shieber, “Why is South Korea making life hard on defectors from the North?”, *American Enterprise Institute*, 17 May 2019.

by the COVID-19 pandemic and subsequent lockdown measures which caused temporary and permanent business closures.⁵²

In March 2021, the Associated Press published the story of North Korean defector Choi Bok-hwa who has not been able to contact or send money to her mother in North Korea; for the first time in many years, her mother did not make the trip to a remote mountain in the DPRK to use a smuggled cellphone to call her daughter in South Korea and wish her a happy birthday. Throughout 2020, Ms. Choi earned much less money than usual as a singer due to canceled performances amidst COVID-19, however she still wanted to send her mother some much-needed money. Having not hearing from her mother since May 2020, she believes that the pandemic and strict border control has made it unsafe for her mother to travel and acquire a cellphone to call her. Ms. Choi's sadness and emotional distress is faced by thousands of other North Korean defector men and women; "the disconnection between defectors and their families in the North is shutting down an important emotional and financial link between the rival Koreas, whose citizens are banned from contacting each other."⁵³

VIII. Threat of Repatriation

In September 2019, the government of South Korea concluded their three-year investigation of a group of twelve North Korean waitresses who defected together in 2016. Because this was an alarmingly large defection compared to those that occur regularly, there were suspicions that these women were not defectors but instead were forcefully sent as North Korean spies.⁵⁴ The South Korean government broke its usual protocol with regards to this case, and the group of twelve was clandestinely detained and interrogated by government intelligence agents; investigators concluded that there was no evidence that the defectors were spies.⁵⁵ The South Korean government's decision to make the defection case public was inconsistent with the usual practice of withholding the identities of the defectors from the public eye in order to ensure their and their families' safety. In November 2019, the South Korean government repatriated two men who had sought to defect to South Korea. The two North Korean fishermen had killed 16 other men on their ship before attempting to defect; seven days later, they were repatriated without due process, investigation regarding their case, or consideration that they would be sent back to imminent execution in the DPRK.⁵⁶

These cases of doubting defectors' sincerity and releasing sensitive information to the public are particularly concerning when it comes to the status of North Korean men and women in South Korea. In addition to potentially perpetuating negative stigmas and stereotypes of North Korean refugees, instances of repatriation are an indication of South Korea's wavering stance on protecting and assisting defectors. South Korea is party to both the 1951 Convention Relating to the Status

⁵² Kim Yon-se, "[News Focus] Jobless rate for female NK defectors surges to record high", *The Korea Herald*, 25 May 2021.

⁵³ Hyung-Jin Kim, "N Korean defectors struggle to send money home amid pandemic", *Associated Press*, 11 March 2021.

⁵⁴ Patrick Winn, "Why North Korean peace talks may hinge on 12 singing waitresses", *The World*, 15 September 2017.

⁵⁵ Hyonhee Shin, "South Korean watchdog finds no foul play in defection of North Korean waitresses", *Reuters*, 10 September 2019.

⁵⁶ Choe Sang-Hun, "2 North Koreans Tried to Defect. Did Seoul Send Them to Their Deaths?", *The New York Times*, 18 December 2019.

of Refugees⁵⁷ as well as the UN Convention against Torture⁵⁸ and is therefore violating the non-refoulement clause with regards to the fishermen's case, as the government is prohibited from repatriating any refugee "to the frontiers of territories where his life or freedom would be threatened".


IX. Conclusion

The government of South Korea, while having taken tremendous steps to offer protections for North Korean defector men and women, must consider women's special vulnerabilities to trafficking and exploitation both within South Korea and outside by South Korean civilians; intimate partner violence; economic hardship; and more. For the majority of defectors, South Korea is their final destination; however, unfortunately many women have been left in a state of insecurity, lack of representation and legal agency, and some have even felt abandoned or ignored by the government. We urge the Republic of Korea to take measures to empower and protect North Korean defector women, and we renew our call on the Commission on the Status of Women to incorporate consideration for these marginalized women into its programme of work.

Respectfully Submitted:



Ann Buwalda, Esq.
President, Jubilee Campaign



Jason West, Esq.
Vice Chairman, North Korea Freedom Coalition

⁵⁷ UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189.

⁵⁸ UN General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465.