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THE SITUATION OF NORTH KOREAN DEFECTORS IN THE REPUBLIC OF KOREA

**I. Introduction**

This report serves to inform the United Nations Economic and Social Council Commission on the Status of Women of the current conditions faced by North Korean defector women in the Republic of Korea. Between the years of 2001 and 2021, South Korea accepted 32,868 North Korean defectors.<sup>2</sup> According to South Korea’s Ministry of Unification, only 63 North Korean defectors entered South Korea in 2021<sup>3</sup>, a staggering drop from the 229 North Korean defectors recorded in 2020 and numbers as high as 1,047 pre-COVID in 2019. By mid-2022, South Korea had only welcomed 3 male and 15 female defectors.

The majority of North Korean defectors are women, as “it is much easier for them to flee, because they are not usually enrolled in formal employment at a factory or a state firm where any absence would be immediately reported.”<sup>4</sup> In line with this trend, males account for roughly 23.9% of North Korean refugees whereas females represent 76.1% of the group.<sup>5</sup> Given that 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 negative social stigmas and the special vulnerabilities they face when integrating into South Korean society. We call on the Commission on the Status 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.

To summarize some of the most common issues faced by North Korean defectors – including women – during and after their defection from the DPRK and resettlement to South Korea – a 2020 survey of 212 defectors revealed that 89.2 had faced familial separation, 60.4% verbal abuse

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<sup>1</sup> Jubilee Campaign holds special consultative status with the Economic and Social Council.

<sup>2</sup> South Korea’s Ministry on Unification, Number of North Korean Defectors Entering South Korea,

<sup>3</sup> *Id.*

<sup>4</sup> Isabel G. Skomro, North Korean Escapees Discuss Human Rights at HKS Event, 21 Apr 2021.

<sup>5</sup> Korea Hana Foundation, 2020 Settlement Survey of North Korean Refugees in South Korea, 2020.

and discrimination, 50.9% “life-threatening and extreme difficulties”, 41% domestic violence, 33% physical violence, and 25% sexual violence.<sup>6</sup>

## II. Backdrop of North & South Korean Relations

In addition to the COVID-19 pandemic and subsequent border closures that caused 2020 and 2021 to record the lowest defection levels of the past twenty years, relations between North and South Korea have further diminished resettlement. While the Kim regime espouses anti-South Korea propaganda, “the administration of President Moon Jae-in has sought to improve relations with the North.”<sup>7</sup> As such, if the South Korean government supports North Korean defectors—like it traditionally has—it faces the risk of exacerbating tensions between the two nations. The South Korean government has chosen to be less involved with refugee and defector assistance, as evidenced by its restriction on anti-DPRK speech and activities and decreased support for defector-run organizations.

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. The 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. In addition to the leaflets, balloons also are typically filled with food, medicine, money, radios, USB drives containing global news and television, and more recently, protective equipment from COVID-19.<sup>8</sup>

Five months later—by 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 (~ USD \$26,200).<sup>9</sup> In May 2021, a noteworthy North Korean defector and director of Fighters for a Free North Korea was arrested for sending 10 balloons containing 500,000 leaflets, USD \$5,000, and 500 books on South Korean economy across the border into North Korea between 25 and 29 April 2021.<sup>10</sup>

The Unification Ministry also previously announced in July 2020 that 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

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<sup>6</sup> Mi Kyung Lee, Ocksim Kim, Kyoung-A Kim, & Sang Hui Chu, Factors associated with posttraumatic growth among North Korean defectors in South Korea, *Scientific Reports*, 7 March 2022.

<sup>7</sup> Robert R. King, “Number of North Korean Defectors Drops to Lowest Level in Two Decades”, *Center for Strategic & International Studies*, 27 January 2021.

<sup>8</sup> 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.

<sup>9</sup> Hyonhee Shin, “South Korea bans anti-North leaflets; defector says he won’t stop”, *Reuters*, 14 December 2020.

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

Koreans escape and providing shelter and guidance during their defection journeys.<sup>11</sup> 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.<sup>12</sup>

Curiously, at least 28 North Korean defectors have mysteriously resurfaced in North Korea. The “returnees” are used for propaganda; they remark how “lucky they were to escape the ‘living hell’ they found in the South to return to the ‘bosom of the fatherland.’”<sup>13</sup>

### III. Human Trafficking and Exploitation

According to a 2017 survey by South Korea’s Ministry on Gender Equality, over twenty-five percent of North Korean defector women resettled in South Korea have experienced sexual violence, but less than 10% have reported such cases.<sup>14</sup> The U.S. Department of State has reported on the continuation of a five-year trend: “human traffickers exploit domestic and foreign victims in South Korea, and traffickers exploit victims from South Korea abroad.”<sup>15</sup> In 2021, the South Korean government reported investigating at least 64 potential cases of trafficking. From those investigations, 297 suspects were prosecuted and 226 offenders were convicted; 258 of the 297 prosecutions and 212 of 226 convictions were of traffickers who purchased commercial sex acts from children.<sup>16</sup>

#### a. Cyber crimes

A large portion of the cybersex industry’s customers are South Korean men who have shown preference for illicit content featuring trafficked North Korean girls and women.<sup>17</sup> Some 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.<sup>18</sup>

Human Rights Watch exposed a widespread phenomenon in 2021: South Korean civilians—predominately men—take nonconsensual sexually explicit photos of women and share them virtually to a network of other individuals. In addition, South Korea has a high demand for child pornography; the country housed the largest known child porn website by volume of content, Welcome to Video. It also hosted a site that sold thousands of videos “containing sexual acts and forced self-mutilation”, Nth Room. A joint governmental operation seized and shutdown both of

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

<sup>12</sup> Sarah Kim, “UN rapporteur concerned with Seoul’s actions against defector groups”, *Korea JoongAng Daily*, 22 July 2020.

<sup>13</sup> Choe Sang-Hun, *She Fled North Korea for Freedom. Then She Was Arrested*, *The New York Times*, 29 Nov 2021.

<sup>14</sup> Nicola Smith, “Defector rape case highlights widespread abuse of North Korean women”, *Telegraph*, 1 October 2020.

<sup>15</sup> United States Department of State, *Trafficking in Persons Report*, July 2022.

<sup>16</sup> *Id.*

<sup>17</sup> Su-Min Hwang, “The North Korean women who had to escape twice”, *BBC News*, 18 January 2019.

<sup>18</sup> Subin Kim, “Operators of webcam site exploiting defector women indicted”, *NK News*, 24 February 2015.

the sites.<sup>19</sup> Regardless, the frequency of “spycam” crimes are rising within the country. Human Rights Watch reported that “total prosecutions of sex crimes involving “spycam” victims rose from 4 percent of sex crime cases in 2008 to 20 percent in 2017.<sup>20</sup> In 2019, prosecutors dropped 43.5 percent of digital sex crime cases, and for the few convictions made, only imposed low sentences; “in 2020, 79 percent of those convicted of capturing intimate images without consent received a suspended sentence, a fine, or a combination of the two. Fifty-two percent received only a suspended sentence.”<sup>21</sup>

South Korea’s Article 14, Section 2 of the Act on Special Cases Concerning the Punishment of Sexual Crimes states that if sex crimes are committed through electronic devices or cameras, the perpetrator can only face a maximum prison sentence of five years.<sup>22</sup> Despite this inadequate punishment, a perpetrator can further circumvent full responsibility for his or her actions, as exemplified in a 2020 case in Seoul. There was a massive outcry from the public when “Cho Doo-soon, a then-57-year old man who brutally raped an 8-year old girl inside a church bathroom, was released from prison after his sentence was reduced from 15 to 12 years.”<sup>23</sup> Cho was able to circumvent a harsher penalty due to his defense that used a controversial interpretation of Article 10, Section 2 of the Criminal Act; courts in South Korea have permitted a construal of that Section to equate intoxication via alcohol as succumbing to a mentally impaired state. As a result, Cho and other rapists are able to claim they were intoxicated during the time of the assault and can achieve a reduction in their punishment despite the gravity of their crimes.

South Korea is a signatory to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children. 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.<sup>24</sup> More must be done so perpetrators cannot morph the law to suit their needs. In addition, banning pornography websites could only go so far; it would likely encourage the activity into “unregulated mediums, such as simply using a virtual private network (VPN) to circumvent country-specific restrictions or access the off-the-grid network of the dark web.”<sup>25</sup>

#### *b. Sexual Assault by Government Employees*

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 investigating a case

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<sup>19</sup> Jason Bartlett, South Korea’s Constant Struggle with Digital Sex Crimes, 26 Jan 2022.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> 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.

<sup>25</sup> Jason Bartlett, South Korea’s Constant Struggle with Digital Sex Crimes, 26 Jan 2022.

involving a local police officer who was accused of raping a defector woman at least 12 times over 2 years.<sup>26</sup>

### *c. Prostitution*

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.”<sup>27</sup> 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.

### *d. Domestic Violence*

It is noteworthy 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%).<sup>28</sup> More recent statistics further reveal that 30.9% of North Korean defector women are victims of IPV from their current partners in South Korea, and that 25% were victims of both IPV and more generalized gender-based violence (GBV); these women exhibit higher rates of depressive disorders and suicidal ideation compared to refugee women who are not victims of such violence.<sup>29</sup>

There exist many risk factors that contribute to the disproportionately high prevalence of IPV and domestic violence among North Korean defector populations within South Korea. As witnessing spousal abuse as a child and then experiencing spousal abuse as an adult are both commonplace within North Korea, adult defectors are often conditioned to believe that “the use of violence to resolve conflict is acceptable” and exhibit “greater tolerance of victimization”.<sup>30</sup> Additionally,

*“low adaptation [society integration] levels may limit a migrant woman’s language acquisition, education, and occupational opportunities and reduce her access to social capital and social networks, which may increase her dependency on her husband, who in turn may exert more control over his wife.”<sup>31</sup>*

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<sup>26</sup> Elizabeth Shim, “South Korea to investigate case of defector raped by police”, *United Press International*, 29 July 2020.

<sup>27</sup> Yoon Hee-soon, *Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean Women & Girls in China*, Korea Future Initiative, 2019.

<sup>28</sup> 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.

<sup>29</sup> Boyoung Nam, Yujin Lee, Charlotte Bright, & Nalini Negi, “Polyvictimization and Psychological Outcomes Among North Korean Refugee Women”, *Violence Against Women*, 28 June 2022.

<sup>30</sup> Mee Young Um, Lawrence A Palinkas, & Hee Jin Kim, “Correlates of Domestic Violence Victimization Among North Korean Refugee Women in South Korea”, *Journal of Interpersonal Violence*, July 2018.

<sup>31</sup> *Id.*

#### *e. Lack of Reporting*

Women and girls who are survivors, 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.”<sup>32</sup> In addition to victim-blaming, a negative stigma commonly attaches to those who have been trafficked.

In September 2020, NK News published a story including remarks by two defector women, both of whom were victims of sexual violence and trafficking – Lee Soon-sil, 53, and Jeong Jin-hwa, 55 – 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. Lee 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 give up their bodies here and there so easily.” Jeong 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.”<sup>33</sup>

Additionally, there have even been inadequate responses to domestic abuse and spousal murder cases of South Korean civilians; it is no wonder that North Korean and South Korean victims of such violence alike are disinclined to report cases, as they are unlikely to receive protection for themselves or prosecution of their abusers. For example, in July 2021, South Korean woman Hwang Ye-Jin was beaten to death by her boyfriend in Mapo-gu, Seoul; despite that much of the assault and subsequent displays of Hwang’s injuries were captured on elevator CCTV footage, and despite that her cause of death – subarachnoid hemorrhage from blunt force trauma – was tied to the assault, her boyfriend’s claims that her death was accidental were accepted and he was only sentenced to seven years’ imprisonment.<sup>34</sup> Earlier, in April 2021, an unnamed South Korean woman in her 50s was killed by her husband in their apartment; the perpetrator had reportedly been physically abusing his wife for the past 30 years of their marriage.<sup>35</sup>

#### **IV. Mental and Physical Health**

When asked why they were motivated to escape North Korea, among defectors’ answers were: “food shortage” (22.8%), “I hated being monitored and controlled by the North Korean regime” (20.5%), and “in order to provide my family with a better living environment” (13.1%).<sup>36</sup> Upon arriving in South Korea though, there is a huge adjustment process for North Korean refugees; they must figure out how to find a job with limited skills and knowledge, open a bank account, pay bills, obtain loans, or start an education if they desire. Within the adjustment period, many defectors experience mental health issues.

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<sup>32</sup> Human Rights Watch, South Korea: Internet Sexual Images Ruin Women’s Lives, 15 June 2021.

<sup>33</sup> Jeongmin Kim, The violence won’t stop: North Korean women relive sexual assault in South Korea, *NK News*, 9 September 2020.

<sup>34</sup> Yonhap, 32-yr-old Man Given 7-yr Prison Term in Deadly Dating Violence Case, *Korea Herald*, 6 January 2022.

<sup>35</sup> Um Ji-won, 500 femicides: The epidemic of violence against women in Korea, *Hankyoreh*, 20 December 2021.

<sup>36</sup> Korea Hana Foundation, 2020 Settlement Survey of North Korean Refugees in South Korea, 2020.

The Ministry of Gender Equality and Family of the Republic of Korea has reported that approximately 65.2% of female refugees suffered chronic diseases, 50% were at risk of developing depression, and over 25% suffered with post-traumatic stress disorder (PTSD).<sup>37</sup> 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 depression, PTSD, and also anxiety disorders (60.1%), attention disorders, insomnia (38%), somatic symptoms, and lower social functioning among defector populations.<sup>38</sup> 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, Asian countries, and the western world. Another 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.<sup>39</sup>

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, and therefore defectors have no awareness 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.<sup>40</sup>

## V. Social Stigma and Economic Hardship

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 unreconcilable differences in lifestyles and culture.<sup>41</sup>

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.”<sup>42</sup> Another defector woman, Kim Ryon-hui, explained of 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*

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<sup>37</sup> 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.

<sup>38</sup> Jin-Won Noh & So Hee Lee, Trauma History and Mental Health of North Korean Defectors, *Current Behavioral Neuroscience Reports*, 6 October 2020.

<sup>39</sup> Boyoung Nam, Jae Yop Kim, Jordan DeVyllder, & 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.

<sup>40</sup> Alek Sigley, Ask a North Korean: How do North Koreans care for their mental health?, *NK News*, 25 July 2021.

<sup>41</sup> Jeea Yang, Struggles of resettlement: North Koreans in South Korea, *Psychology International*, September 2018.

<sup>42</sup> Nathaniel Lee, Gene Kim, & Jennifer Osaki, A North Korean defector’s story of escape, *Insider*, 8 August 2018.

*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”.*<sup>43</sup>

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.<sup>44</sup>

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 their rates did not decrease as dramatically, nor did they reach as high. 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.”

North Korean defectors in the South earned around \$1,902 (2.28 million won) per month on average in 2021, about \$100 more per month compared to 2020.<sup>45</sup> Among working North Korean defectors, more than half were employed full-time, 14% held temporary jobs and 10% were day workers.<sup>46</sup> According to the Organization for Economic Cooperation and Development, South Korea has the highest gender wage gap in the developed world, with the average woman’s salary 31.5% less than the average man’s; this is keenly pronounced within the defector community where defector women, if they are able to get work, mainly work in service industry jobs.

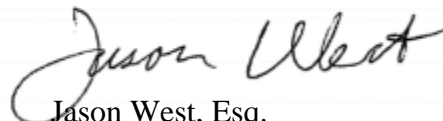
## **VI. Conclusion**

For the majority of defectors, South Korea is their final destination; however, even there, many women have been left in a state of insecurity and isolation. 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 program of work.

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<sup>43</sup> Benjamin Haas, ‘Forever strangers’: the North Korean defectors who want to go back, *The Guardian*, 26 April 2018.

<sup>44</sup> 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.

<sup>45</sup> Jeongmin Kim, North Korean defectors continue to close the wage gap in South Korea, *NK News*, 08 Feb 2022.

<sup>46</sup> *Id.*