



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Democratic People's Republic of Korea/Republic of Korea: Whether defectors from North Korea are monitored by South Korean authorities in South Korea; if so, the nature of the monitoring and whether it continues after North Koreans obtain South Korean citizenship; whether defectors who object to being monitored have recourse to government or other remedies

Publisher [Immigration and Refugee Board of Canada](#)

Publication Date 1 March 2012

Citation / Document Symbol ZZZ103989.E

Related Document [République populaire démocratique de Corée/République de Corée : information indiquant si les transfuges de la Corée du Nord sont surveillés par les autorités sud-coréennes en Corée du Sud; le cas échéant, information sur la nature des activités de surveillance et information indiquant si elles se poursuivent après l'obtention de la citoyenneté sud-coréenne par les NordCoréens; information indiquant si les transfuges qui s'opposent au fait d'être surveillés ont recours au gouvernement ou disposent d'autres voies de recours](#)

Cite as Immigration and Refugee Board of Canada, *Democratic People's Republic of Korea/Republic of Korea: Whether defectors from North Korea are monitored by South Korean authorities in South Korea; if so, the nature of the monitoring and whether it continues after North Koreans obtain South Korean citizenship; whether defectors who object to being monitored have recourse to government or other remedies*, 1 March 2012, ZZZ103989.E, available at: <http://www.refworld.org/docid/503500872.html> [accessed 26 September 2013]

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1. Monitoring of Defectors

In a telephone interview with the Research Directorate, an official at the Embassy of the Republic of Korea (South Korea) in Ottawa said that, once they have been granted South Korean citizenship, the South Korean government does not monitor defectors from the Democratic People's Republic of Korea (North Korea) (Republic of Korea 14 Feb. 2012). The official added that there are over 25,000 defectors in South Korea and that the government does not have the capacity to monitor every individual (*ibid.*). Similarly, an official at the Canadian embassy in Seoul, in correspondence with the Research Directorate, said that he was unaware of any information suggesting that defectors are monitored (Canada 14 Feb. 2012). However, several non-governmental sources consulted by the Research Directorate claim that the South Korean authorities monitor defectors from North Korea after they have obtained South Korean citizenship (Cttee. for HRNK 10 Feb. 2012; KCCA 10 Feb. 2012; International Crisis Group 5 Feb. 2012).

2. Security Screening Process

Upon their arrival in South Korea, North Korean defectors are subject to a security screening process (International Crisis Group 14 July. 2011, 22; Republic of Korea 14 Feb. 2012; *The Hankyoreh* 15 Nov. 2010). According to the International Crisis Group, the purpose of the screening is to "investigate whether they have any sensitive intelligence information and to ensure they do not represent a security risk" (14 July 2011, 22). The Korean embassy official described the screening as an "interrogation period" and said that it is intended to distinguish genuine defectors from "bogus" ones (Republic of Korea 14 Feb. 2012). The official also said that the length of this period varies (*ibid.*). The Canadian embassy official in Seoul stated that the screening process could take approximately 10 weeks (Canada 14 Feb. 2012). The English edition of the Seoul-based *Hankyoreh* newspaper reports that the interrogation period, which previously took a "little over a month," had increased to two and a half to three months in September 2010 following an amendment to the legislation governing treatment of North Korean defectors (15 Nov. 2010). According to the *Hankyoreh*, the amendment to the Act on the Protection and Settlement Support of Residents Escaping from North Korea in September 2010 increased the interrogation period from 90 to 180 days (15 Nov. 2010).

Following the screening process, defectors are relocated to the Hanawon government training centre where they receive resettlement and reintegration training (International Crisis Group 14 July 2011, 22; Republic of Korea 14 Feb. 2012; KCCA 10 Feb. 2012). The resettlement training lasts three months (Canada 14 Feb. 2012; International Crisis Group 14 July 2011, 13), after which defectors are granted South Korean citizenship (Republic of Korea 14 Feb. 2012; Cttee. for HRNK 10 Feb. 2012). The Korean embassy official added that the total time it takes for defectors to obtain South Korean citizenship, including the interrogation and the reintegration training, ranges from five to nine months after arrival (*ibid.*).

3. Duration of Monitoring

Sources consulted by the Research Directorate provided differing estimates about the length of time North Koreans are monitored after leaving the training facility (KCCA 10 Feb. 2012; Cttee. for HRNK 10 Feb. 2012). These ranged from "perhaps for two to three years" (KCCA 10 Feb. 2012) to "up to five years" (Cttee. for HRNK 10 Feb. 2012). According to a Seoul-based senior analyst with the International Crisis Group corresponding with the Research Directorate, the duration of the monitoring depends on the defector's background and experience in North Korea (5 Feb. 2012). He added that, in "sensitive" cases, defectors do not go through the regular integration program at Hanawon, and the details of their monitoring are not made public (International Crisis Group 5 Feb. 2012).

According to the Act on the Protection and Settlement Support of Residents Escaping from North Korea, within their first five years in South Korea, defectors must report, in writing, any changes in their residence, occupation, or place of work to the Ministry of Unification (Republic of Korea 1997, Art. 28).

4. Purpose of Monitoring

In correspondence with the Research Directorate, the Executive Director of the Committee for Human Rights in North Korea (HRNK), a Washington-based NGO that promotes human rights in North Korea (n.d.), said that, based on consultations with South Korean government officials and human rights NGOs in Seoul, as well as his own experience, there are two "equally important" reasons for monitoring North Korean defectors (10 Feb. 2012). First, defectors are monitored to protect their personal safety since assassination attempts on defectors are "not uncommon" (Cttee. for HRNK 10 Feb. 2012). Second, defectors are monitored after their release "to ensure that they are not North Korean intelligence agents posing as defectors" (ibid.).

In corroboration, the International Crisis Group analyst stated that the South Korean government has increased its scrutiny of defectors due to recent cases of North Korean espionage being uncovered (5 Feb. 2012). The analyst also said that the government has become more concerned about the physical protection of defectors (International Crisis Group 14 Feb. 2012). Sources indicate that high-profile defectors may be particularly at risk (Canada 14 Feb. 2012; International Crisis Group 14 Feb. 2012; Cttee. for HRNK 10 Feb. 2012). For example, in 2011, a North Korean agent posing as a defector attempted to assassinate a defector known for his anti-North activities (ibid.; *The New York Times* 17 Sept. 2011). In 2010, at least one North Korean agent disguised as a defector was arrested for plotting the assassination of Hwang Jang-yop, the highest ranking North Korean ever to defect to South Korea (Cttee. for HRNK 10 Feb. 2012; International Crisis Group 14 July 2011, 4).

5. Nature of Monitoring

According to the Committee for HRNK executive director, the "information team" at local police stations is responsible for monitoring defectors to "ensure they don't get into any kind of trouble" (10 Feb. 2012). The International Crisis Group indicates that there are more than 700 police officers who perform this role (14 July 2011, 23). Both sources indicate that the police officers also provide assistance and counselling to defectors as they integrate into South Korean society (International Crisis Group 14 July 2011, 23; Cttee. for HRNK 10 Feb. 2012).

According to the International Crisis Group analyst, in the case of most defectors, the police are familiar with their situation and "might check up on them every once in a while by telephone" (5 Feb. 2012), ostensibly to ensure their safety and protect their interests (14 Feb. 2012). The analyst suggests that monitoring may also involve phone tapping and Internet traffic monitoring, as well as physical surveillance in some cases, but adds that the extent of this type of surveillance is difficult to know and its existence difficult to prove (International Crisis Group 14 Feb. 2012). The analyst also states that it is unlikely that defectors are aware of the extent of the monitoring (ibid.).

6. Recourse

Information about recourse for North Koreans who object to monitoring could not be found among the sources consulted by the Research Directorate. The International Crisis Group analyst observed that, compared to the monitoring of citizens in North Korea, it is "probably a very minor inconvenience" (14 Feb. 2012).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Representatives of the National Committee on North Korea and HanVoice were unable to provide information within the time constraints of this Response. Attempts to contact a professor at Indiana State University and representatives of the Korean Institute for Peace and Unification Studies and the Citizens' Alliance for North Korean Human Rights were unsuccessful.

Internet sites, including: Amnesty International; *Asian Perspective*; BBC; The Brookings Institution; CanKor; *The Chosun Ilbo*; Citizens' Alliance for North Korean Human Rights; *Daily NK*; Freedom House; Human Rights Watch; International Organization for Migration; *The Korea Times*; Life Funds for North Korean Refugees; National Committee on North Korea; National Public Radio; NK News; North Korean Refugees Foundation; Seoul National University; United Kingdom Border Agency; United Nations Human Rights Council; United States Department of State; Yonhap News Agency; Yonsei University College of Medicine.

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