

2015-07-09

Fråga-svar

Sydkorea. Situationen för nordkoreaner

Fråga

- Hur ser situationen ut för nordkoreaner i Sydkorea vad gäller diskriminering och möjligheter att leva och försörja sig?
- Finns det någon information om nordkoreansk spionverksamhet i Sydkorea?
- Hur ser man på och behandlar gatubarn i Sydkorea?

Svar

Nedan följer en sammanställning av information kring situationen för nordkoreaner i Sydkorea. Sammanställningen gör inte anspråk på att vara uttömmande. Refererade dokument bör alltid läsas i sitt sammanhang.

Situationen för nordkoreaner i Sydkorea

Ett flertal källor har rapporterat kring nordkoreaners situation i Sydkorea vad gäller diskriminering, försörjningsmöjligheter etc:

US Department of State (2015):

Access to Basic Services: The government continued its longstanding policy of accepting refugees or defectors from North Korea, who by law are entitled to South Korean citizenship. The government resettled approximately 730 such persons during the first half of the year, raising the total to slightly more than 26,800 since the end of the Korean War. Cultural and social differences posed adjustment difficulties, and many refugees from North Korea alleged societal discrimination. In a 2014 survey of 200 North Korean defectors, many complained prejudice and discrimination against North Koreans could make them feel like second-class citizens. The government provided adjustment assistance services to recently settled defectors, including rental aid, exemption from education fees for middle- and high-school students, medical assistance, business loans, and employment assistance. The government also operated Hana Centers, or Centers to Adjust to Regions, which educated refugees about adapting to specific

geographic areas, provided counseling services, and aided social adjustment.

The Hankyoreh (2015):

One in four North Korean refugees in South Korea experienced discrimination or disregard in the past year because of their refugee status, a survey shows.

Refugees were also found to earn roughly two-thirds the income of other South Koreans despite working more hours.

The findings released on Feb. 9 were part of a 2014 refugee survey by the Ministry of Unification and Korea Hana Foundation. The results were based on surveys conducted between July and September 2014 with 12,777 refugees aged 15 and older who had entered South Korea as of December 2013.

KAS (2014):

People who successfully flee to South Korea have to submit to a hearing. Depending on their status and background, this can take as long as 180 days.⁴⁵ It is followed by a comprehensive program of social familiarisation (revised in April 2012). This lasts for over twelve weeks and involves more than 400 hours of instruction. All refugees are placed on a central register and complete this program in Anseong, a city 80 kilometers south of Seoul. The Hanawon, a facility run by the Ministry of Unification, is designed to help refugees settle into South Korean society. Upon completion of the program, they receive a family register and become citizens of South Korea.

UK Upper Tribunal (2014):

(3) All North Korean citizens are also citizens of South Korea. While absence from the Korean Peninsula for more than 10 years may entail fuller enquiries as to whether a person has acquired another nationality or right of residence before a travel document is issued, upon return to South Korea all persons from the Korean Peninsula are treated as returning South Korean citizens.
(s. 1)

28. Professor Bluth explained that there had been a change in the type of North Korean applicant for protection in South Korea. Early defectors had been highstatus individuals, bringing both intelligence and propaganda value, but now North Korean migrants were not high-status individuals and the increasing numbers of such migrants had led to a tougher approach by the South Korean government. The South Korean authorities would make their own decisions about nationality: a status or nationality determination by a third country was of no relevance in this respect.

29. There was a perception in South Korea that should large numbers of North Koreans be admitted, they would be a security risk, since they might be North Korean intelligence agents, or intelligence targets. Also, there was resentment among native South Koreans of the cost to the public purse in providing for North

Korean migrants; they were a financial burden on the South Korean state, albeit an affordable one. Poor integration of former North Koreans into South Korean society was perceived as threatening social cohesion.

(s. 10)

34. New South Koreans of North Korean origin receive full South Korean citizenship, indistinguishable in law and rights from that of other South Koreans. They are given 'settlement money' of about £5650: they usually owed that amount of money, or slightly less (about \$6000) to the brokers who had organised their departure from North Korea. New South Koreans are allocated housing, often outside Seoul for a short time; thereafter they were required to find their own accommodation. A further £5650 was available for a deposit on a flat if required. Monthly support of about £113 a month was available for vocational training and a further £1150 was paid at the end of a six- or twelve-month course. Another grant of £1150 was available when they were appointed to an employment position.

(s. 11)

IRB Canada (2013):

The Director of Research and Strategy at LiNK explained that in order for North Koreans to be accepted as citizens of South Korea, they have to be established as in fact coming from North Korea (and not for instance being ethnic-Korean Chinese), and be established as freely expressing a desire to go to South Korea, which requires an investigation by ROK [Republic of Korea] government officials.

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Sources consulted by the Research Directorate agree that living in a third country does not officially affect eligibility for South Korean citizenship provided that the person did not obtain citizenship in the third country (Republic of Korea 16 July 2013; Professor 10 July 2013; HanVoice 19 July 2013; LiNK 7 July 2013). According to the HanVoice Executive Director, South Korean authorities interviewing North Korean defectors in Thailand and at Hanawon ask about the activities and location of the claimant from the time of defection until the time of the claim (19 July 2013). The same source indicated that the duration North Korean defectors spend in transit countries varies; some spend less than six months, while many spend more than three years (HanVoice 19 July 2013).

Deutsche Welle (2013):

According to Seoul's Ministry of Unification, the government agency that handles refugee resettlement policy, the unemployment rate within the defector community is 7.5 percent, roughly twice the national average. The jobs they do find are generally low paid and ones that most South Koreans would not want to do.

Sydkoreas Ministry of Unification (MOU) har på sin webbplats information om processen för vidarebosättning av nordkoreanska flyktingar, bland annat en manual (2014) där följande information publicerats:

C. Actual Conditions of Resettlement of North Korean Refugees

◦ A survey on North Korean refugees conducted in 2013 (2,355 respondents) showed that more than 74.5 percent of North Korean refugees are satisfied with life in the South (* 9.1 percent unsatisfied)

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◦ Key Indicators Concerning Resettlement of North Korean Refugees

Classification	NK Refugees for 2007	NK Refugees for 2012	NK Refugees for 2013	All people for 2013
Employment ratio	36.9%	50.0%	51.4%	60.4%
Unemployment ratio	22.9%	7.5%	9.7%	2.7%
Livelihood benefit receipt ratio	63.5%	40.8%	35.0%	2.6%
Average monthly income	1.064 million won	1.377 million won	1.414 million won	

* Source: Database Center for North Korean Human Rights (2007); Korea Hana Foundation (2012 to 2013)

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◦ Social perceptions of North Korean refugees are mostly negative.
- Only 42 percent of respondents answered they feel “closeness” with North Korean refugees.

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◦ North Korean refugees also find themselves facing serious discrimination in society.
- A great number of North Korean refugees indicated social prejudice and discrimination as a reason for dissatisfaction with life in the South.

* North Korean refugees found themselves dissatisfied with life in the South because of:

① economic difficulties (70.6%) ② discrimination against North Korean refugees (33.6%) ③ gap between what they can do and what they want to do (30.9%) ④ difficulties with cultural adaptation (28.8%) ⑤ conflict with family members (5.7%) (2013 survey conducted by the Korea Hana Foundation)

- Prejudice and discrimination cause them serious emotional trauma.

* **How are you hurt by South Koreans?** ① Condescending attitude (35.4%) ② Prejudice and preconceived notions (30.8%) ③ Seeing North Koreans as people of a different nationality (24.6%) (The Institute of the Humanities for Unification, Konkuk University, 2012)

(s. 6-7)

På MOU:s webbplats framgår att stödpaketet till nordkoreaner är tidsbegränsat till fem år. Där finns även följande information (Overview; odaterad):

The ROK government recognizes North Korean refugees as dislocated people who also suffer as a result of national division. It has steadfastly adhered to the principle of accommodating all those who, by their own free will, choose to receive protection and support from the South Korean government. Upon their arrival in

South Korea, the government provides them with a variety of basic benefits to help them enjoy the freedom and human rights of South Korean society.

Korea JoongAng Daily rapporterar om en nyare undersökning (2014) som MOU och Korea Hana Foundation genomfört i syfte att kartlägga situationen för nordkoreaner i Sydkorea:

The head of one organization that helps defectors said some defectors have had success in finding good working conditions, and even in going into business themselves. Those who work longer hours for less pay are largely the less educated, he said.

Improvements in their living conditions, he said, could largely be attributed to increased attention to defectors' troubles, including from the media, NGOs and the South Korean government.

"South Korean society is trying to make less discrimination for defectors," said Nam Bada, director of People for Successful Corean Reunification (PSCORE).

Nordkoreansk spionverksamhet i Sydkorea

De sydkoreanska myndigheterna genomför utredningar av nyanlända nordkoreaner i syfte att identifiera nordkoreanska spioner som försöker ta sig in i Sydkorea förklädda till avhoppare:

KAS (2014):

Since 2010, a government ruling means that refugees from the North can now be held in detention centers during their hearing for twice as long as before – 180 instead of 90 days. This is due to the growing number of arrests of alleged spies. During their hearings, refugees are kept under constant surveillance (video cameras in their cells) and are also questioned at night without a lawyer in attendance. Activists have criticised these practices as being a legal grey zone.⁵³

IRB Canada (2013):

On arrival in South Korea, they undergo an investigation by the ROK National Intelligence Service designed to identify North Korean spies who are trying to enter South Korea disguised as defectors. After the ROK government is satisfied that the person is actually from North Korea and is not a spy, and after they pass through the Hanawon resettlement education facility for three months of readjustment education and training, defectors are free to live in South Korean society as citizens of the ROK. (LiNK 7 July 2013)

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...the Executive Director of HRNK said that "[i]f, after the debriefing conducted by relevant ROK government agencies, it is established that the respective North Korean defector is not an agent of the DPRK [Democratic People's Republic of Korea] trying to pose as a refugee to infiltrate the ROK, it is certain that ROK citizenship will be granted" (11 July 2013)

Enligt en rapport från US Department of Defense (2014) beskriver Nordkoreas underrättelsetjänst:

Intelligence Services. North Korea leverages information collected by four intelligence organizations to plan and formulate internal policy and to undermine the political stability of South Korea. North Korean intelligence and security services collect political, military, economic, and technical information through open-source, human intelligence, and signals intelligence capabilities. North Korea's primary intelligence collection targets are South Korea, the United States, and Japan.

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The 225th Bureau is responsible for training agents, infiltrating South Korea, and establishing underground political parties focused on fomenting unrest and revolution.
(s. 13-14)

I en respons från australiensiska Refugee Review Tribunal (2007) finns följande information:

North Korean agents in South Korea

To contextualise the security laws and treatment of suspected spies this section provides information on the number and activities of North Korean agents in South Korea.

A US government report on North Korean provocations from 1950 to 2003 indicates that agents from North Korea have been very active in South Korea.

(s. 2)

A 2004 news report states that "[d]espite a secret pact to stop subversive activities directed against each other, North Korean agents in South Korea are apparently busier than ever"

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The arrests and subsequent convictions of a number of suspected spies, some quite high-profile (including a senior official of the Democratic Labor Party (DLP)), have made the issue of espionage front page news over recent months in South Korea.

Synsätt på och behandling av gatubarn

En artikel i BBS News (2015) rörande föräldralösa barn i Sydkorea beskriver svårigheter som dessa barn kan möta i det sydkoreanska samhället:

The taboo arises because the importance of blood-lines in Korea is ancient and deep-rooted. Korean Confucianism places great emphasis on ancestors.

Hollee McGinnis, a Korean-American who was herself adopted and who now researches how adoption affects personality in later life, told the BBC: "Family is everything in Korea. Who you are and your character is based on your family so if you do not have information about your family, you might find yourself having barriers in life."

She said these barriers can even extend to a block on employment.

"In Korea, your potential employer can ask for your family registry. Your family registry has all the information about your relatives. If you cannot produce a family registry that might be a reason for them not to hire you.

"When you write a letter applying for a job, in your cover letter in the West we talk about education, our skills, our experiences. In Korea, they talk about your family - what your dad did; what your mum did - so your character is based on your family."

This means that orphans - who cannot explain their familial past - have a hard time of it.

En rapport av UN Committee on the Rights of the Child - CRC (2011) beskriver förutsättningar för nordkoreanska flyktingbarns:

(b) Displaced North Korean children (see CRC/C/OPAC/KOR/CO/1, para. 18)

592. The Government, by principle, accepts displaced North Koreans who wish to enter the Republic of Korea of their own free will. Close cooperation with related countries and international organizations is in place for the admission of such refugees. The Korean Government also makes requests to other countries to protect these refugees and prevent them from being transported back to DPRK against their own will.

På MOU:s webbplats finns bl a följande information om stöd för nordkoreanska flyktingbarn (Support system; odaterad):

B.Social Orientation Program for North Korean Refugees 03. Education for Children and Teenagers

Hanawon's Hanadul School offers educational programs for North Korean refugee children and teenagers up to 19 years of age.

F.Education Support for Youth

The government also strived to afford North Korean refugee youths in difficult circumstances practical opportunities to gain an education. It has offered financial assistance to those who, due to their age, must study outside the regular educational system. It granted KRW 800 million to eight private alternative educational facilities and about KRW 1.1 billion to 24 after-school learning centers in various regions.

I MOU:s manual rörande vidarebosättningsstöd för nordkoreanska flyktingar står att:

** Teenagers without family become eligible for application for housing through the North Korean Refugees Foundation when they reach 20 (considering their self-support capabilities, etc.).*

** Teenagers without family can postpone housing arrangement up to age 24, and those with serious illness requiring nursing can postpone for up to one year.*
(s. 19)

Enligt National Human Rights Commission of Korea (NHRCK), är det olagligt att diskriminera en person på grund av bl a social status och familjeförhållanden:

3. The term "discriminatory act violating the right to equality" means any of the following acts committed without reasonable cause based on gender, religion, disability, age, social status, region of birth (including place of birth, first-registered domicile, one's legal domicile, and major residential district where a minor lives until he/she becomes an adult), national origin, ethnic origin, appearance, marital status (i.e., married, single, separated, divorced, widowed, and de facto married), race, skin color, thoughts or political opinions, family type or family status, pregnancy or birth, criminal record of which effective term of the punishment has expired, sexual orientation, academic background or medical history, etc.
(Ch. 1, Art.2)

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

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