



**JUBILEE CAMPAIGN
ECOSOC Special Consultative Status (2003)**

**Submission to the United Nations Human Rights Committee regarding
The Republic of Korea
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STATES PARTIES REPORTS**

Submission by
Jubilee Campaign

Jubilee Campaign is a non-governmental organization in consultative status with the Economic and Social Council since 2003. Our work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children - to protect them from bodily harm and exploitation.

I. Introduction

Jubilee Campaign, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Republic of Korea as a contribution to the States Parties Reports in advance of the Human Rights Committee's 139th Session in October and November 2023.

II. International Covenant on Civil and Political Rights - Articles relevant to present submission

Article 2(1)

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

The Human Rights Committee in its General Comment No. 20 (1992)¹ further elaborates:

The aim of the provisions of article 7 of the International Covenant on Civil and Political Rights is to protect both the dignity and physical and mental integrity of the individual. It is the duty of the State party to afford everyone protection through legislative and other measures as may be necessary against the acts prohibited by article 7, whether inflicted by people acting in their official capacity, outside their official capacity, or in a private capacity.

The Covenant does not contain any definition of the concepts covered by article 7, nor does the Committee consider it necessary to draw up a list of prohibited acts or to establish sharp distinctions between the different kinds of punishment or treatment; the distinctions depend on the nature, purpose and severity of the treatment applied.

The prohibition in article 7 relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim.

In the view of the Committee, States parties must not expose individuals to the danger of torture or cruel, inhuman or degrading treatment or punishment upon return to another country by way of their extradition, expulsion or refoulement.

Article 12(1)

Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

Article 19

¹ UN Human Rights Committee, *General Comment No. 20*, [HRI/GEN/1/Rev.9 \(Vol. I\)](#), 10 March 1992.

Everyone shall have the right to hold opinions without interference.

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

The Human Rights Committee in its General Comment No. 34 (2011)² further explains:

States parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Paragraph 3 [protecting freedom of expression] may never be invoked as a justification for the muzzling of any advocacy of multi-party democracy, democratic tenets and human rights.

Article 20

Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

The Human Rights Committee in its General Comment No. 11 (1983)³ refines:

Article 20 of the Covenant states that any propaganda for war and any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.[...] The provisions of article 20, paragraph 1, do not prohibit advocacy of the sovereign right of self-defence or the right of peoples to self-determination and independence in accordance with the Charter of the United Nations.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

The Human Rights Committee in its General Comment No. 37 (2020)⁴ makes the following clarifications:

Everyone has the right of peaceful assembly: citizens and non-citizens alike. It may be exercised by, for example, foreign nationals, migrants (documented or undocumented), asylum seekers, refugees and stateless persons.

States must leave it to the participants to determine freely the purpose or any expressive content of an assembly. The approach of the authorities to peaceful assemblies and any restrictions imposed must thus in principle be neutral, and must not be based on the identity of the participants or their relationship with the authorities.

Any restrictions on participation in peaceful assemblies should be based on a differentiated or individualized assessment of the conduct of the participants and the

² UN Human Rights Committee, *General Comment No. 34*, [CCPR/C/GC/34](#), 12 September 2011.

³ UN Human Rights Committee, *General Comment No. 11*, [CCPR/C/GC/11](#), 29 July 1983.

⁴ UN Human Rights Committee, *General Comment No. 37*, [CCPR/C/GC/37](#), 17 September 2020.

assembly concerned. Blanket restrictions on peaceful assemblies are presumptively disproportionate.

III. Discrimination against North Korean defectors

The legal protections afforded to North Korean defectors are codified in the 1997 Protection of Defecting North Korean Residents and Support of Their Settlement Act, which requires the government of the ROK to (1) "provide protected persons with special care on the basis of humanitarianism"; (2) consider the age, gender, and health conditions of defectors when providing care and assistance; (3) guarantee legitimate defectors national identification documentation and citizenship; and (4) provide defectors with vocational training, reduced-cost accommodations, and equitable access to health care and education.⁵

Regrettably, however, over the past few years, we have witnessed the South Korean government become less tolerant of defectors' activism against the DPRK and, as such, make concessions to appease the North Korean government. In July 2020, following complaints from Kim Jong-un's regime, the ROK Unification Ministry revoked the operation licenses of two defector organizations for sending anti-Pyongyang leaflets into the DPRK and announced it would be investigating another 25 defector organizations to determine if they had the necessary documentation for continued operation. 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 are often launched which contain food, medicine, money, radios, USB drives containing global news and television, and more recently, protective equipment from COVID-19.⁶ 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.⁷

One month earlier in June, South Korean authorities restricted Christian organization Voice of the Martyrs Korea from conducting a rice bottle launch to the DPRK. In December 2020, the South Korean government passed an amendment to the Development of the Inter-Korean Relations Act which prohibits the use of propaganda speakers and the display of posters and other visual materials criticizing North Korea while in or near the DMZ, on the grounds that these legitimate activities may "cause harm or serious danger to Korean citizens' lives and bodies". The criminal punishment for violation of the amendment is up to 3 years' imprisonment or a fine of 30 million Korean won (≈ USD \$21,000).⁸ These observations are disconcerting in light of the South Korean government's claims to the Committee

The SPO (Supreme Prosecutor's Office) guarantees a peaceful assembly and only addresses unlawful and violent collective behavior. It listens to the general public even when investigating unlawful and violent actions by heeding to the Citizen Prosecutorial Committee comprised of local citizens. Meanwhile, the KPNA (Korean National Police Agency) shifted its paradigm of police administration from 'crowd control' to 'guaranteeing the right to assembly' and is deeming a demonstration of which registration or progress has a minor flaw to be a peaceful one.⁹

⁵ [Republic of Korea] [Republic of Korea: Protection of Defecting North Korean Residents and Support of Their Resettlement Act, 1997](#), 14 July 1997.

⁶ 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. ; Hyonhee Shin, ["Defectors say S.Korea investigations threaten N.Korean 'Underground Railroad'"](#), *Reuters*, 11 August 2020.

⁷ *Ibid.*

⁸ William Gallo, ["South Korea Blocks NGO From Sending Bibles, Rice to North"](#), *Voice of America*, 5 June 2020.

⁹ UN Human Rights Committee [Republic of Korea], *Fifth periodic report submitted by the Republic of Korea under article 40 of the Covenant pursuant to the optional reporting procedure*, [CCPR/C/KOR/5](#), 17 September 2020.

We would like to reiterate the following statements by the Human Rights Committee in its General Comments:

*Everyone has the right of peaceful assembly: citizens and non-citizens alike. It may be exercised by, for example, foreign nationals, migrants (documented or undocumented), asylum seekers, refugees and stateless persons. Any restrictions on participation in peaceful assemblies should be based on a differentiated or individualized assessment of the conduct of the participants and the assembly concerned. Blanket restrictions on peaceful assemblies are presumptively disproportionate.*¹⁰

*Article 20 of the Covenant states that any propaganda for war and any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.[...] The provisions of article 20, paragraph 1, do not prohibit advocacy of the sovereign right of self-defence or the right of peoples to self-determination and independence in accordance with the Charter of the United Nations.*¹¹

The North Korean Refugee Protection Center has been criticized for engaging in human rights violations during interrogations of defectors. In 2013, a North Korean defector was improperly charged with espionage as a result of a false testimony that his defector sister was coerced into providing by South Korean authorities.¹² In October 2022, a Seoul court ruled against a North Korean defector woman and her husband who had previously sued the National Intelligence Service for alleged illegal detention and torture, including being interrogated for 165 days and 176 days respectively. The couple also reported that they had been forced to run laps around a field and were subjected to isolation and abusive language.¹³ In June 2021, it was reported that the NIS underwent improvements to address violations of the rights of defectors, including abbreviating prolonged interrogation lengths, removing CCTV cameras from residential areas, requiring consent from defectors' to record their testimonies, and providing human rights attorneys during questioning.¹⁴

The government of South Korea in its September 2020 report to the Committee notes that measures have been taken to prevent human rights violations committed upon North Korean refugees in the Centre for Protection of DPRK Defectors, such as the recruitment of attorneys to inspect defectors' living conditions and treatment:

Since October 2014, the Centre has appointed external lawyers recommended by the Korean Bar Association as human rights protection officers (hereinafter 'the officers'). With independence, they give advice on human rights protection activities of North Korean applicants for protection, and engage in human rights protection activities for North Korean defectors, including human rights education for employees of the Centre. To be specific, the officers inspect the investigation and living rooms in the Centre and deal with petitions related to human rights raised by North Korean defectors. They also have the authority to meet with North Korean defectors after checking the suggestion box which can be opened only by them and to regularly talk with the defectors who applied for counseling. The authority and duties of human rights protection officers are stipulated

¹⁰ *Supra* note 4.

¹¹ *Supra* note 3.

¹² Ahn Sung-mi, "[A look inside the revamped North Korean defector debriefing center](#)", *The Korea Herald*, 24 June 2021.

¹³ Ifang Bremer, "[Seoul court rules against North Korean defectors who accused spy agency of abuse](#)", *NK News*, 12 October 2022.

¹⁴ *Supra* note 12.

*in the Enforcement Decree of the North Korean Refugees Protection and Settlement Support Act.*¹⁵

While these are noteworthy steps towards safeguarding North Korean refugees' rights and security during their transition to South Korea residency, the aforementioned reports from defectors call into question the efficacy of these efforts. Ethan Hee-Seok Shin of the Transitional Justice Working Group (TJWG) has implored South Korean agencies to treat defectors foremost as legitimate migrants rather than as potential spies, as the interrogation and resettlement process exposes defectors to human rights violations.¹⁶ Additionally, Database Center of North Korean Human Rights (NKDB) Director of International Cooperation, Hanna Song, reported that although "the threat [of espionage] that comes from Pyongyang is very real", "from a human rights perspective, it's important that psychological counselors and other experts should be part of the process to ensure that the rights of North Koreans are protected before their status is decided."¹⁷

IV. Obstacles to assimilation

Even though North Korean citizens defect in order to find a better life in a third country, a large portion experience major difficulties in socially adapting to and establishing sustainable lives in the ROK. In July 2019, 42-year-old defector Han Sung-ok and her 6-year-old son Kim Dong-jin were found deceased in their apartment having likely succumbed to starvation. Sung-ok had initially entered the ROK in 2009 alone and worked to earn money to fund her husband's and son's defections from the DPRK. After eight years of living in the ROK and having a second son, the family moved to a third country as Sung-ok's husband suffered from the decline in the shipbuilding industry. In 2018, after divorcing her husband, Sung-ok returned to the ROK with her youngest son, Dong-jin, though she realized it would be difficult to work as she couldn't find a childcare facility that would accept her epileptic son. Sung-ok could not afford a cellphone, was unable to make friends, and never entered the workforce. She lived in an extremely cheap apartment and relied on government-provided child support that had been reduced after Dong-jin turned six. Upon the discovery of Sung-ok's and Dong-jin's remains, forensic scientists noticed that the only food in the apartment was a small container of chili powder and determined they had likely died two months prior of starvation; around that time, Sung-ok had withdrawn all remaining money from her bank account. Despite living just yards from a district government office and being eligible for disability support due to her son's medical condition, she never accessed these lines of help. "She either didn't know how to navigate the South Korean system and find the help that was available, or just felt so hopeless about her situation that she gave up trying."¹⁸

More recently, in late October 2022, authorities from the Seoul Housing and Communities Corporation followed up on a defector woman who had failed to pay rent for a few months. They found the 49-year-old woman deceased in her apartment, decomposed to nearly just her skeletal remains, and an autopsy revealed that she had died an entire year earlier, likely from starvation. The defector woman, who arrived in the ROK in 2002, worked for fifteen years as a counselor for other North Korean defectors and had actually been praised as a North Korean defector resettlement success story. Even though Seoul officials periodically check up on defectors, the woman requested authorities to cease their protection and assistance services for her in 2019.¹⁹

¹⁵ UN Human Rights Committee [Republic of Korea], *Fifth periodic report submitted by the Republic of Korea under article 40 of the Covenant pursuant to the optional reporting procedure*, [CCPR/C/KOR/5](#), 17 September 2020.

¹⁶ *Supra* note 9.

¹⁷ *Supra* note 13.

¹⁸ Choe Sang-Hun, "[She Fled Famine in North Korea. Then Died Poor in a Prosperous Land](#)", *The New York Times*, 21 September 2019.

¹⁹ Julian Ryall, "[Defector's death puts focus on anti-North bias in S. Korea](#)", *Deutsche Welle*, 1 November 2022. ; Jessie Yeung & Yoonjung Seo, "[North Korean defector's decomposing remains found by Seoul police](#)", *CNN*, 26 October 2022.

Defectors, many of whom did not benefit from higher education and instead worked primarily in manual labor industries in North Korea, face difficulties participating in the competitive and highly specialized employment sector in a new society. The South Korean government has promoted the Settlement Support Center for North Korean Refugees (Hanawon) which offers resettlement and assimilation assistance to defectors:

For North Korean refugees to integrate into the society without being discriminated against, the Government helps them join the Settlement Support Center for North Korean Refugees (Hanawon) and settle down by providing basic social adaptation education and money to encourage settlement from when they arrive in South Korea. The central and local governments and the private sector closely coordinate to support them after they move into their residences. Specifically, the Foundation of Support for Residents Escaping from North Korea and Local Adaptation Centers operated by the Ministry of Unification (hereinafter “MU”) support the settlement, improve the awareness of North Korean refugees, and provide psychological and legal counseling. North Korean refugees are given equal social security benefits, and the Government operates the system giving the refugees vocational training, employment support payment, and special administration to colleges.²⁰

A 2018 study found that only 43% of defectors who attended vocational training classes at the Settlement Support Center for North Korean Refugees (‘Hanawon’) had actually found such instruction and assistance to be helpful in securing a job, and a substantial 30.6% of those who completed this employment training program were still inactive in the labor market.²¹ In July 2023, Hanawon’s Vocational Training Center - which offers classes such as sewing, cooking, and cosmetology to female defectors - indicated its intention to increase the variety of career training classes; however, skills alone are often insufficient in finding jobs, as many positions require certifications and educational achievements. Numerous experts have reiterated that 12 weeks is insufficient time for defectors - who have spent their entire lives isolated in the technological obsolescence of the DPRK - to adjust to the extremely fast-paced South Korean society.²² Korea Hana Foundation’s 2021 Settlement Survey of North Korean Refugees in South Korea reveals that the employment rate of female defectors is 52.3% in comparison with the male defector employment rate of 70.7%. Furthermore, the average three-month wage of male defectors amounts to nearly ₩3.07 million Korean won (≈ \$2,150), whereas female defectors’ average three-month wage is ₩1.96 million (≈ \$1,370).²³

V. Violence against defectors

There have been a few noteworthy cases in which North Korean women and girls have been subjected to sexual violence by South Korean authorities during the transition process to life in a new country and society. 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 described being suicidal. Months earlier, in July 2020, the ROK National Police Agency announced it would be 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.²⁴ South Korea reports the following:

²⁰ *Supra note 9.*

²¹ Yun Kyung Kim, Jin Young Jun, In Han Song, & Philip Young P. Hong, [Factors Associated with Employment Hope among North Korean Defectors in South Korea, International Migration](#), 10 October 2020.

²² Boyoung Nam, PhD., JoonBeom Kim, MSW., Wonjung Ryu, PhD., Dam I Kim, MCWS., Jodi J. Frey, PhD., & Jordan DeVlyder, PhD., [Perceived social stigma, self-concealment, and suicide risk among North Korean refugee women exposed to traumatic events](#), 2021.

²³ Korea Hana Foundation, [2021 Settlement Survey of North Korean Refugees in South Korea](#), 2021.

²⁴ Elizabeth Shim, [“South Korea to investigate case of defector raped by police”](#), *United Press International*, 29 July 2020.

The Human Rights Bureau of the MOJ is operating the Human Rights Violation Reporting Center as mentioned in the last Periodic Report (CCPR/C/KOR/4, para.124). It conducts an independent investigation when a human rights violation, including torture and ill-treatment, is suspected throughout information collection activities, including a survey, on-site inspection, and intelligence collection, on various detention and protection facilities under the MOJ (prison, detention center, immigration detention center, immigration office, juvenile detention center, the Institute of Forensic Psychiatry, etc.); and may take remedy measures, including requests for criminal investigation, disciplinary action, guiding the victims to state compensation and legal aid, and recommendations to improve institutions, when an act of human rights violation is acknowledged.

For more stringent punishment against sexual crimes taking advantage of being in a superior position, the statutory punishment against the crimes of sexual intercourse and an indecent act through occupational fraudulent means or by a threat of force and against rape was strengthened in 2018 and 2020.²⁵

Regrettably, in January 2023, the Ministry of Justice Advisory Body formally suspended the activities of the Special Subcommittee for Revision of the Punishment of Gender Violence Act only one year after the entity - which was tasked with improving and expanding pre-existing legislation on gender violence - had been established.²⁶ Fortunately, however, the Stalking Victims Protection Act was passed in June 2023 after some hurdles in late 2022.²⁷

In February 2018, the Government disclosed the Comprehensive Countermeasures to Prevent Damage from Stalking and Dating Abuse and prepared the legislation of the Act on Punishment of Criminal Stalking, etc. (hereinafter "APCS") in November 2020. The legislation of the APCS specifies the 'definition' and the 'type' of criminal stalking and has the perpetrator face the enhanced punishment. Under the Act, the police may take emergency measures including separation of the alleged offender from the victim, while the court, when a possible repetition of the crime is acknowledged, may take a tentative measure including a restraining order and a ban on communicating with the victim. The Government will complete its effort to legislate the bill in the 21st National Assembly which started its term in 2020.

Especially for persons victimized by sex offenses, domestic violence, and prostitution, the Government operates the Comprehensive Support Center for Sexual Violence Victims (Sunflower Center) providing a one-stop service including counseling, treatment, legal aid, and investigation support 24 hours a day and seven days a week. As of the end of 2019, 39 Sunflower Centers are in operation and received 26,585 cases. The total number of services provided was 413,177, a 3.6% increase from the previous year.²⁸

The Hankyoreh in April 2023 was granted exclusive access to a research report commissioned by The Ministry of Gender Equality and Family which had surveyed 109 North Korean defector women about their experiences of sexual violence in the ROK. 22.9% of respondents answered that they had been subjected to sexual violence/harassment; however, only 16% of such victims had reported incidents to the

²⁵ *Supra note 9.*

²⁶ Oh Se-jin, "[\[Exclusive\] Without discussion of stalking, Ministry of Justice Gender Violence Special Committee 'End of Activity'](#)", *The Hankyoreh*, 7 February 2023.

²⁷ The Korea Times, "['Long overdue': South Korea revises law to make it easier to punish stalkers](#)", 22 June 2023. ; *Ibid.*

²⁸ *Supra note 9.*

authorities or reached out to women's organizations. Many stated that "they did not know how to respond [to violence] or endured fear of retaliation or rumors". Article 20 of the Act on Protection and Settlement Support for North Korean Refugees permits relocation of defectors outside of their designated residences if "the residence of a person subject to protection has been exposed and there is a clear risk of serious harm to life or body". However, "it is difficult for victims to consider moving because it is necessary to determine whether it [the act of violence] is 'significant harm to life and body', and 'support necessary for relocation' does not mean that they [the government] will directly support other rental housing."²⁹

Ordinary South Korean male citizens also play a horrific role in the online sexual exploitation of North Korean women and girls. Approximately 60% of female North Korean refugees in a third country were trafficked into the sex trade, 50% of whom were then forced into prostitution, 30% sold into fraudulent marriages, and 15% pushed into cybersex activities against their wills.³⁰ Numerous North Korean women and girls who have survived the abuses of the cybersex industry - in which they are forced to perform sexual acts on camera to a paying audience - have determined that the dialect of the majority of their viewers indicated that they were male South Koreans, and that South Korean websites hosted these illegal "services".³¹ Additionally, other defector women disclose that, while working in the forced prostitution industry in other countries, a large portion of the clientele were wealthy South Korean businessmen and elites; one defector woman recalled that "prostitution was my first experience of meeting a South Korean person".³²

We are encouraged by the South Korean government's commitment of endeavors to crack down on this inhumane practice:

In the first half of 2018, all the District Police Agencies across the nation launched the Investigation Team on Crimes against Women. It also mounted an intensive crackdown on malignant crimes against women, including sex offenses, domestic violence, etc. in the first half of 2018. In the second half of 2018, with the Special Crackdown on Criminals of Cyber Sex Offenses, a total of 3,847 criminals who distributed illegal pornography were arrested, 15 DNSs were blocked, and 92 webpages were shut down. In 2019, the Intensive Crackdown on Webhard-Cartels was also carried out. The Government will continue an intensive crackdown along with expanding personnel providing training on gender sensitivity.

The MOJ, to prevent and eradicate trafficking against immigrants, not only with E-6 visa but under the Visa Exemption Agreement, operates the regular crackdown period on unlawful entertainment and massage businesses and illegal employment mediators.... The Government supports foreign victims of sex trafficking to receive counseling, medical and legal services, residence, etc. Victims who meet the requirements under the CVPA may receive financial support, including medical expenses, psychological treatment at the Smile Center, and legal aid from the KLAC (Korea Legal Aid Corporation).³³

VI. Mental and physical health of defectors

²⁹ Lee Ju-bin, "[Exclusive] A North Korean defector who was 'stalked' endured fear of retaliation because it was difficult to move", *The Hankyoreh*, 20 April 2023.

³⁰ Yoon Hee-soon, *Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean Women & Girls in China*, Korea Future Initiative, 2019.

³¹ Choe Sang-Hun, "After Fleeing North Korea, Women Get Trapped as Cybersex Slaves in China", *The New York Times*, 13 September 2019. ; Subin Kim, "Operators of webcam site exploiting defector women indicted", *NK News*, 24 February 2015.

³² *Supra* note 30.

³³ *Supra* note 9.

Medical studies and surveys of defectors have consistently illustrated that “exposure to cruel and inhumane treatment by authorities” during defection is significantly associated with higher levels of depression, post-traumatic stress disorder PTSD, anxiety disorders (60.1%), attention disorders, insomnia (38%), somatic symptoms, and lower social functioning among defector populations.³⁴ In consideration of recent findings that 30% of Hanawon residents suffered from PTSD and that 20% need further assistance following discharge, the facility in summer 2023 divulged its plans to expand mental health support to defectors beyond the rudimentary health checkups upon arrival and counseling services provided exclusively to adolescents.³⁵

*The Government has formulated a five-year basic plan to prevent suicides since 2004. The Government drafted the Master Plan for the Prevention of Suicides in 2018 with the participation of 19 ministries. The Plan includes 62 tasks in six areas as of 2019. The Plan was based on five years of thorough research on 70,000 persons who died by suicide. It is mainly about the following: i) to nurture ‘life guardians against suicides’ in local communities in identifying the persons at high risk, ii) to strengthen the connection between social security services and mental health services, iii) to intensify examination on depression within the national health examination, iv) to ensure access to mental health services, including a hotline devoted to suicide prevention, v) to prohibit the online distribution of harmful information about suicide, vi) to expand post-management on persons who attempted suicide, and vii) to take measures to prevent suicides by groups at high risk for suicides.*³⁶

Unfortunately, the South Korean government’s most recent statistics regarding Suicide Rate and Number of Deaths in Suicide by Gender and Age in 2018 only recorded data based on gender (male/female) and age groups and fail to explain whether such statistics included North Korean defectors which experience particular vulnerability to suicidal ideation and attempts, especially women, who make up the vast majority of the defector population. The Ministry of Gender Equality and Family of the Republic of Korea has reported that approximately 50% of North Korean refugee women were at risk of developing depression, and over 25% suffered with PTSD.³⁷ An October 2020 survey of 140 North Korean defector women in the ROK found that 60% had either contemplated or attempted suicide within the past 12 months. Interestingly, depression, harmful alcohol use, and trauma exposure did not play as large of an expected role in suicidal ideation and attempts among North Korean defector women. Rather, “negative life events” – such as unemployment, interpersonal disputes, somatic illnesses, and acculturation difficulties – were more strongly associated with suicidal ideation and attempt.³⁸ Two defector women - who chose to remain anonymous for security purposes - in early 2023 expressed the mental suffering they face daily in the ROK. One woman lamented that “I am so lonely. I want to go back and die there - South Korea is as suffocating as the North”.³⁹

VII. Suggested questions for the Republic of Korea

1. Please provide information on what steps are being taken to protect the rights of defector-run organizations to conduct legitimate advocacy regarding liberating the Democratic People’s Republic of Korea (North Korea).

³⁴ Jin-Won Noh & So Hee Lee, [Trauma History and Mental Health of North Korean Defectors](#), Current Behavioral Neuroscience Reports, 6 October 2020.

³⁵ Shreyas Reddy, [“Life at Hanawon: A center for North Korean refugees adapts to pandemic changes”](#), NK News, 11 July 2023.

³⁶ *Supra note 9.*

³⁷ 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.

³⁸ *Ibid.*

³⁹ Matthew Loh, [“A North Korean defector says she and others like her are struggling to survive in the South: ‘I want to go back and die there - South Korea is as suffocating as the North’”](#), Insider, 28 March 2023.

2. Please clarify what efforts are undertaken to improve the status of North Korean defectors by state actors at the National Intelligence and the North Korean Refugee Protection Center, specifically with regards to treating defectors as legitimate refugees in need of assistance rather than as North Korean spies, unless there is evidence of the latter.
3. Please explain what steps are being taken to ensure that defector women do not become victims of sexual violence by North Korean state actors due to power imbalances.
4. Please provide information on what is being done to improve the relevance and usefulness of classes at Hanawon, specifically with regards to providing sustainable and modern education - or access to thereof - as well as whether opportunities exist for defectors to collaborate and establish partnerships which offer security and community following their departure from the facility.
5. Please clarify what steps are being taken to expand health literacy and health care to the especially vulnerable defector population, many of whom are unaware of the importance of medical care or otherwise find such care inaccessible due to language barriers or troublesome due to negative stigma surrounding mental illness and sexual health