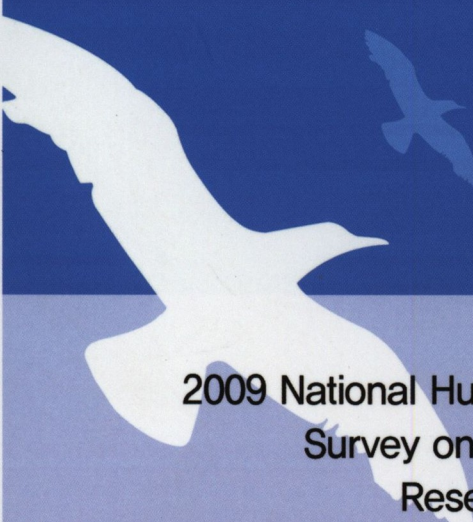


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2009 National Human Rights Commission of Korea
Survey on Human Rights Conditions
Research Service Report

**Fact-Finding Study on Human Rights Violations
against North Korea Refugee Women
in the Process of Flight and Settlement**

국가인권위원회



EM028698



National Human Rights Commission of Korea

I. Introduction

This research project primarily aims at examining and systematizing the reality of human rights violations faced by North Korean refugee women during their flight and resettlement. With the deterioration of economic conditions in the mid-1990s, many North Koreans crossed the Korean-Chinese border and went into China. Amongst these, some returned to North Korea after procuring food or daily necessities for the livelihood of their families left behind in North Korea, at times moving back and forth across the North Korean-Chinese border. Others remained and settled in China, while yet others migrated to third countries or came to the Republic of Korea. During these processes, many North Koreans had to endure serious human rights violations. Having more actively crossed the North Korean-Chinese border to secure their families' survival, women in particular have suffered more severe human rights violations than their male counterparts not only because of their physical but also their social vulnerability. By researching the situation of these North Korean refugee women with regard to human rights violations and by systematizing the findings we wanted to make a contribution, however little, to the improvement of their human rights situation.

On the issue of human rights violations against North Korean refugee women, numerous fact-finding studies as well as policy-oriented and academic research have already been conducted. They address infringements of refugee women's human rights in the course of their flight from North Korea; in the course of their arrest in China and 'repatriation' to North Korea, and during their detention subsequent to their 'repatriation'; during their migration to third countries and/or settlement there; in the course of their entry to South Korea including the processes of investigation and education that follow their entry, and, finally, during their lives in South Korea. This body of research has, using methods such as survey research and in-depth interviews, collated and systematized numerous cases of human rights violations that North Korean refugee women face, and, on this basis, political proposals for the

improvement of the human rights situation of refugee women are currently being put forward.¹

While the existing studies and research have borne and continue to bear considerable fruits with regard to the collection and systematization of cases of human rights violations against North Korean refugee women and the proposal of related policies, there are, nevertheless, two major reasons and aims that inspired this research and our wish to inquire afresh into violations of refugee women's human rights.

Firstly, by studying and categorizing the situation of human rights violations against North Korean refugee women according to their spatial context, this research tried to gain a three-dimensional perspective: Human rights violations that North Korean refugee women encounter in North Korea, in China and third countries as well as in South Korea not only differ depending on the specificities of the above places, but past experiences of human rights violations, once inscribed in the bodies and minds of the victims, made these refugee women even more vulnerable to new infringements of their human rights. Attentiveness to the space(s) of human rights violations allowed us to develop a more systematic understanding of the social structure of human rights violations and of the psychological injuries suffered by the victims. Thus, this study has – although the realities of human rights violations that North Korean women face during their flight and their resettlement in South Korea are the primary object of study – also analyzed the human rights situation that women are confronted with in North Korea in order to understand the continual process of human rights violations (cf. Chapter IV).

Furthermore, by grasping the human rights situation of North Korean refugee women from the perspective of their oral life histories, this research endeavoured to comprehend the evaluations that North Korean refugee women themselves make about their lives and to suggest, through these, more systematic and realistic ways to improve their human rights situation. The majority of existing studies inquire into and classify cases of human rights violations faced by North Korean refugee women on the

¹ For an introduction and review of existing research and fact-finding studies cf. Chapter II.

basis of legal criteria, more particularly, by aligning them according to provisions of international human rights treaties. While such studies have their merits, the vivid and human suffering that North Korean refugee women have to cope with as a result of human rights violations vanishes when subsumed under legal concepts or the articles of human rights conventions. This research, on the other hand, tried to approach and understand violations of North Korean refugee women's human rights through the lively narrations of these women themselves, through their bodies and minds. By unearthing the injuries human rights violations have left on the bodies and minds of these refugee women, we attempted to show that human rights issues are not only social problems of law and systems but constitute an existential issue for living human beings.

In the course of reconstructing, with regard to the temporal and spatial continuity of human rights violations, the lives of North Korean refugee women who have experienced human rights abuses, we were able to grasp the various structural and psychological factors that inflict human rights violations on these women. Not only did the experience of severe human rights conditions in North Korea drive them out of the country, but, moreover, it did not allow these women to develop a self that would have enabled them to counter the human rights violations they were confronted with in China and third countries. Furthermore, North Korean refugee women, having been marginalised as 'illegal migrants' in China and third countries, could not turn to any law or system to seek protection. Under such conditions, these women were to suffer even more severe human rights violations which eventually left deep wounds on their bodies and minds. It is precisely this 'trauma' that turns North Korean refugee women into beings vulnerable to human rights violations. Even when North Korean refugee women have made their way to South Korea, the human rights violations they face here are, in many cases, connected to the wounds previously inscribed in their bodies and minds.

Once we turn our attention to the traumas experienced by North Korean refugee women, human rights cannot be reduced merely to an issue of the laws or system of state or society. Rather, human rights emerge as an issue pertaining to the body and

mind of actors who live their own lives. Considering this perspective, this research did not categorize human rights violations that North Korean refugee women encountered according to legal concepts or the provisions of human rights agreements, but expressed and organised experiences of human rights violations in the 'words of North Korean refugee women' as they naturally welled up in the course of their narrations. Such an endeavour involved the 'task of giving names' to experiences of human rights violations in the 'words' of North Korean refugee women themselves. These 'acts of naming' entailed work to reveal injuries hidden deep inside their bodies and minds as well as to expand human rights into all, even covert aspects of life. Certainly, the task of promoting and furthering the human rights of North Korean refugee women who have come to and currently live in South Korea does not constitute a duty assigned to the state alone, but, as we live together with North Korean refugee women, becomes a task for all members of society.

The following report is organised in eight parts. Chapter 2 reviews existing fact-finding studies and research on the human rights situation in North Korea and on human rights violations encountered by North Korean refugee women, and suggests focal points relevant for this study on the reality of violations of North Korean refugee women's human rights. Chapter 3 provides a description of the issues addressed and methods used in this research, its problem awareness, research process, etc. Chapter 4 deals with the human rights situation of women in North Korea, Chapter 5 explores the human rights situation of North Korean refugee women in China and third countries, and Chapter 6 refers to the human rights situation of North Korean refugee women in South Korea. Chapter 7 presents the findings by systematizing patterns of human rights violations faced by North Korean refugee women and considers political implications relating to the advancement of their human rights situation. The report concludes with an Appendix containing the essential materials of this study, inter alia, biographical data of the respondents who consented to in-depth interviews, the contents of the in-depth interviews organised by cases of human rights violations, and finally, the findings of the Hanawon survey research are systematized and supplemented.

In the course of conducting this research the researchers have received much support and encouragement. First of all, we are greatly indebted to the National Human Rights Commission of Korea, in particular, to Standing Commissioner Yu Namyong, Standing Commissioner Mun Kyeongran, to Yi Seonghun, Director of Human Rights Policy and Education, and Deputy Director Jo Yeongguk for conferring great trust on the researchers and sparing neither support nor interest in this project. We also want to thank Prof. Cho Hyoje of Sungkonghoe University, Prof. Yi Uyeong and Prof. Yi Sujeong of the University of North Korean Studies, Prof. Yi Wonung of Kwangdong University, Prof. Lee Mikyeong of the Education Center for Unification, the Representative of North Korea Intellectuals Solidarity Kim Heungkwang, No Okjae, Head of Research at The Peace Foundation, Bak Myeongkyu, Director of the Institute for Peace and Unification Studies at Seoul National University, and all the members of the National Human Rights Commission's Human Rights in North Korea Forum for their advice and suggestions offered throughout the research process. We want to extend our thankfulness to Kim Gangil, Director of the Institute of Northeast Asian Studies at Yanbian University, Prof. Hyeon Dongil of the College of Economy and Management at Yanbian University, and to Kim Sangwon, Director of the Welfare Hospital at Yanbian University, who have provided help and support during our field research. For organising the contents of the in-depth interviews in the course of this research we want to thank Kim Guntae, Jeon Miso, Gwon Youngtae, Kim Jeongmi, Bak Areum (Master student, 3rd semester), Bak Areum (PhD student, 2nd semester), Kim Deokwu, Kim Seongsun, and Yun Sera of Dongguk University.

Most importantly, this research would not have been possible without the vivid testimonies given by North Korean refugee women and their willingness to participate in the survey research. We also want to thank everyone at Hanawon and the Sungy Association who have helped us to conduct the survey and the in-depth interviews. Especially to the women who have overcome the despair and the wounds inflicted on them through their experiences of human rights violations, who strive to live a new life amidst a difficult environment, and who have readily agreed to participate in both survey research and in-depth interviews in order to contribute to the improvement of human rights for the benefit of many other North Korean refugee women; to these,

our new neighbours, we are profoundly indebted. In spite of the insufficiencies of this report, we wish that this research will provide some help, however little, in advancing the human rights of North Korean refugee women.

II. Review of existing fact-finding studies and research

This chapter reviews principal Korean research on the reality of human rights violations faced by North Korean refugee women within North Korea, during their flight and in the course of resettlement. Research existing in Korea includes, inter alia, fact-finding studies and research reports produced by organizations and research institutes, as well as research dissertations by individual researchers. Amongst research conducted outside Korea, the report of the UN Special Rapporteur on Human Rights in the Democratic People's Republic of Korea will be specifically examined.

In the following, existing research will be assessed with a focus on three major issues. Firstly, what have existing studies mainly researched? More specifically, how have human rights violations against North Korean refugee women been classified and studied? Secondly, what are the political proposals or implications put forward by existing fact-finding studies, research reports, research dissertations, etc.? Thirdly, what are the general characteristics of existing fact-finding studies, research reports, and dissertations?

1. Classifications and contents of existing research on human rights violations

1) Fact-finding studies and research conducted by organizations and research institutes

Although, overall, reports on fact-finding studies and research carried out so far by research institutes and organizations deal with the whole nexus of North Korea and human rights, they address, on the level of specific subject matter, various sub-themes from slightly differing angles.

The most general research pattern adopted in these reports sets the scope of international human rights treaties ratified by North Korea as the standard, and classifies and analyzes infringements of human rights accordingly. North Korea joined the International Covenant on Economic, Social, and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) in 1981; in 1990 it ratified the International Convention on the Rights of the Child (CRC) and the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Hence, the Korea Institute for National Unification (1996-2009)², the University of North Korean Studies (2008)³, the Institute for North Korean Studies at Dongguk University (2004)⁴, etc. carried out fact-finding studies and research by following a scheme of classification differentiating between, for example, civil (civil and political rights) and social rights (economic, social, and cultural rights), and by categorizing instances of human rights violations accordingly.

Human rights abuses encountered by North Korean refugees in the course of their flight from North Korea and after entering South Korea have been studied, inter alia, by the Research Institute of Peace Studies (2005)⁵ and the Institute for North Korean Studies at Dongguk University (2004). The former inquired, in consecutive order, into human rights issues arising at the Governmental Joint Investigation Organization where these refugees undergo investigations upon entry to South Korea, human rights problems occurring at Hanawon where they receive adaptation education to facilitate their resettlement in South Korea, and human rights issues that come about when North Korean refugees actually take up a new life in their new place of residence. The

² Korea Institute for National Unification. 2009. *White Paper on Human Rights in North Korea*. Seoul: Korea Institute for National Unification. In December 1994, the Korea Institute for National Unification established the Center for North Korean Human Rights Studies to professionalize and systematize material on human rights in North Korea. Since 1996 it has annually published the "White Paper on Human Rights in North Korea".

³ University of North Korean Studies. 2008. *The Human Rights Situation of North Korean People*. Seoul: National Human Rights Commission of Korea.

⁴ Institute for North Korean Studies at Dongguk University. 2004. *Study on the Human Rights Situation in North Korea based on North Korean Refugees' Testimonies*. Seoul: National Human Rights Commission of Korea.

⁵ Research Institute of Peace Studies. 2005. *Research on the Advancement of the Human Rights Situation of North Korean Refugees in South Korea*. Seoul: National Human Rights Commission of Korea.

Institute for North Korean Studies at Dongguk University focused on human rights violations arising in the course of refugees' escape from North Korea.

On the other hand, the Database Center for North Korean Human Rights (2009)⁶, the Korean Bar Association (2008)⁷, and Good Friends (2007)⁸ have further specified instances of human rights violations in their research. The Database Center for North Korean Human Rights, in its study of the human rights situation in North Korea, analyzed instances of human rights violations by extending its scope to and specifying 16 areas, e.g. the right to life, the dignity of the human person and the right to liberty, the right to existence, the right to health, the right to leave any country and the right to freedom of residence, the right to freedom of conscience and expression, and the right to reproduce. The Korean Bar Association classified and analyzed human rights abuses under sub-themes such as the right to food, torture and degrading treatment, the right to freedom of religion and conscience, arbitrary detention, camps for political prisoners, and involuntary disappearances. The organization Good Friends employed seven areas as categories, including the right to food, the right to livelihood activities, the right to health care, women's rights, children's rights, etc., and carried out analysis of these.

Although the majority of situation studies and research on North Korea and human rights that were conducted by institutions and groups dealt with the human rights of North Korean women, so far no research has studied the human rights of women as an independent research topic. Furthermore, most research – the Research Institute of Peace Studies (2005) constitutes an exception among the studies introduced above – only looks at human rights abuses occurring within North Korea. Therefore, the problem of human rights violations that arise while fleeing from North Korea, subsequent to this flight, and when taking up residence in third countries, as well as when finally settling down in South Korea, presents a topic that requires future research.

⁶ Database Center for North Korean Human Rights. 2009. *White Paper on Human Rights in North Korea*. Seoul: Database Center for North Korean Human Rights.

⁷ Bar Association. 2008. *White Paper on Human Rights in North Korea*. Seoul: Bar Association.

⁸ Good Friends. 2007. *Changes in North Korean Society and Human Rights*. Seoul: Good Friends.

<Table 2-1> Topics and categorizations of human rights violations classified by research organization

Research Organization (Year)	Topic	Categorizations of human rights violations
Korea Institute for National Unification (2009)	White Paper on Human Rights in North Korea	<ul style="list-style-type: none"> • Civil and political rights • Economic, social, cultural rights • Minority rights • Human Rights classified by important issues
Database Center for North Korean Human Rights (2009)	White Paper on Human Rights in North Korea	<ul style="list-style-type: none"> • Right to life • Dignity of the human person and right to liberty • Right to existence • Right to health • Right to work • Right to leave any country and right to freedom of residence • Rights of criminal suspects and detainees • Reproductive rights • Other rights (16 categories altogether)
University of North Korean Studies (2008) *commissioned by the National Human Rights Commission of Korea	The Human Rights Situation of North Korean People	<ul style="list-style-type: none"> • Civil and political rights • Economic, social, cultural rights • Right to existence (right to food) • Minority rights
Research Institute of Peace Studies (2005) *commissioned by the National Human Rights Commission of Korea	Research on the Advancement of the Human Rights Situation of North Korean Refugees in South Korea	Human rights issues arising <ul style="list-style-type: none"> • at the Governmental Joint Investigation Organization • at Hanawon • in everyday life in the place of resettlement
Institute for North Korean Studies at Dongguk University (2004) *commissioned by the National Human Rights Commission of Korea	Study on the Human Rights Situation in North Korea based on North Korean Refugees' Testimonies	<ul style="list-style-type: none"> • Human rights during the flight from North Korea • Economic, social rights • Civil and political rights
Korean Bar Association (2008)	White Paper on Human Rights in North Korea	<ul style="list-style-type: none"> • Right to food • Torture and other cruel, inhumane or degrading treatment • Right to freedom of religion and conscience • Arbitrary detention • Right to freedom of opinion and expression • Involuntary disappearances • Camps for political prisoners • Refugees • Human rights arising in the context of North-South relations, etc.

Good Friends (2007)	Changes in North Korean Society and Human Rights	<ul style="list-style-type: none"> • Right to food • Right to livelihood activities • Right to health care • Right to freedom of thought • Right to personal liberty • Women's rights • Children's rights, etc. (7 areas altogether)
UN Special Rapporteur on Human Rights in the Democratic People's Republic of Korea (2008)	Muntarbhorn Report	<ul style="list-style-type: none"> • Human Rights and the development process • Access to food and other necessities • Rights and freedoms • Flight and asylum • Concerns regarding vulnerable groups • Violence and human rights violations, etc. (6 areas altogether)

2) Research conducted by individual researchers

Since we cannot introduce here all the studies and research that have been carried out by individual researchers up to now, we will analyze and review only those studies that are relevant for the topical area of this report, i.e. the human rights situation of North Korean women and North Korean refugee women. First of all, when compared with research conducted by institutions and groups, the most distinctive feature of research carried out by individual researchers consists in the latter's far more detailed descriptions of the analysis and their more precise composition of categories of human rights violations.

Let us first take a look at research that inquires into issues of human rights abuses faced by North Korean women after their escape from North Korea and throughout their stay in a third country, particularly China.

The study by Paek Youngok (2002)⁹ examined the situation of North Korean refugee women living in China and ways to support them. She analyzed, more specifically, the reality of refugee women's sexual exploitation and their wage exploitation in China, as well as cases of forced repatriation to North Korea.

⁹ Baek, Yeongok. 2002. *Research on the Situation of North Korean Refugee Women in China and Measures to Support Them*. Journal of North Korean Studies, Vol. 6, No. 1. Association of North Korean Studies.

Kim Taehyeon and Roh Chiyeong (2003)¹⁰, employing a methodology called hermeneutic phenomenology, conducted in-depth interviews with North Korean refugee women. Hermeneutic phenomenology constitutes one form of qualitative research that seeks to inquire into subjective experiences in people's daily life worlds; its primary aim lies in gaining an understanding for the lived experiences that people undergo in their everyday life worlds and for the meanings they attribute to their experiences. These scholars observed and described, from an ontological viewpoint and in great depth and complexity, the environment faced by North Korean refugee women. Key issues they established are despair over the unattainability of goals that women originally sought to accomplish through their flight, risks of exposure, getting married as a means to negotiate security, feeling discriminated as North Korean women, rediscovering the meaning of life in China, disguising themselves as Chinese women, hiding emotions, postponing pregnancy, being vigilant against the people around them, finding yet other ways to escape, etc.

Moon Sookjae, Kim Jihee, and Lee Myunggeun (2000)¹¹ also studied the situation of North Korean refugee women residing in China. These authors provided a description of North Korean refugee women's motives and life conditions, analyzing, more specifically, what kind of lives North Korean refugee women lead in China and what human rights abuse situations they face.

Min Jiwon (2003)¹² conceptualised North Korean women from a gender perspective and dealt with the gendered oppression of women. Her study found gender oppression particularly in the criteria for decision-making on refugee status. Examples of gender oppression exercised by North Korean society against women that Min suggests in her study include, for example, the daily control of the private sphere,

¹⁰ Kim, Taehyeon; Roh, Chiyeong. 2003. *Life stories of North Korean Female Defectors (1,2): Hermeneutic Analysis of Daily Life Experiences in China*. Journal of the Korean Home Economics Association, Vol. 41, Nos. 8 and 11. Korean Home Economics Association.

¹¹ Moon, Sookjae; Kim, Jihee; Lee, Myunggeun, 2000. *Motives for Escape and Life Conditions of North Korean Women: On North Korean Refugee Women in the Yanbian Region of China*. Journal of the Korean Home Economics Association, Vol. 38, No. 5. Korean Home Economics Association.

¹² Min, Jiwon, 2003. *Gender Oppression Exercised through Criteria for Decision-making on Refugee Status: On North Korean Refugee Women's Possibilities to Attain Refugee Status*. Women's Studies Review, No. 20. Korean Women's Institute, Ewha Women's University.

sexual torture and forced abortions in imprisonment camps for political prisoners, and additional punishment for women who cross the North Korean-Chinese border, etc.

Cho Younga and Jeon Wootae (2005)¹³ traced problems arising in the adaptation process of North Korean refugee women to South Korean society; however, their study, conducted through the method of in-depths interviews, focused on married women only. Their research addresses, roughly speaking, three main issues: Firstly, problems between married partners in terms of conflicts over the roles of man and woman and changing power relations, problems relating to bigamy or cohabitation, difficulties in everyday married life with a South Korean man, worries about children's education and lack of understanding of the South Korean education system, psychological and economical concerns about supporting parents and the 'right' nurture for infants and children, etc. Secondly, difficulties with regard to employment training, working life, etc. are examined. Thirdly, the study dealt with mental shocks or after-effects of psychological difficulties or distress suffered during the women's escape from North Korea, anxieties over family left behind in North Korea, a sense of devaluation in everyday life in South Korea, etc.

Shim Younghee (2006)¹⁴ attempted to elaborate a concept of 'women's rights'. According to her, the existing human rights concept is defined with a focus on men; she thus stressed the need to determine and apply a human rights concept for women and, consequently, to safeguard women's human rights based on the distinctiveness of women. To this end, she inquired into the North Korean famines of the 1990s and women's right to existence, their right to economic activity, their rights relating to family, and rights pertaining to the female body and sex. In the findings, for example on the right to existence, she argued that women are discriminated against by the distribution system and that their right to health is threatened, thus making women the greatest victims of famines. With regard to the right to economic activity, she asserted that, although women were responsible for the livelihood of their families,

¹³ Cho, Younga; Jeon, Wootae. 2005. *Problems of North Korean Refugee Women regarding their Adaptation to South Korean Society with a Focus on Married Women*. Woman, Vol. 10, No.1. Korean Society for Woman Psychology.

¹⁴ Shim, Younghee. 2006. *Human Rights of North Korean Women: Conditions and Main Factors*. Asian Women, Vol. 45, No. 2. Asian Women Research Institute, Sookmyung Women's University.

they were paid less than their male counterparts. Concerning rights relating to marriage and family, she argued that the protection of motherhood and women's rights had been weakened, hence allowing sexual discrimination. Moreover, regarding rights relating to the body and sex, her analysis shows that women lived in a void of human rights due to sexual exploitation etc.

<Table 2-2> Topics and categorizations of human rights violations classified by individual researcher

Researcher and research topic	Categorizations of human rights violations
Paek Youngok (2002) "Research on the Situation of North Korean Refugee Women in China and Measures to Support Them"	<ul style="list-style-type: none"> • Sexual exploitation • Wage exploitation • Forced repatriation to North Korea
Kim Taehyeon; Roh Chiyeong (2003) "Life stories of North Korean Female Defectors (1,2): Hermeneutic Analysis of Daily Life Experiences in China"	<ul style="list-style-type: none"> • Despair over unattainability of goals • Risks of exposure • Getting married to negotiate security • Feeling discriminated as North Korean women • Rediscovering the meaning of life in China • Disguising oneself as a Chinese woman • Hiding emotions • Getting married/postponing pregnancy, etc.
Moon Sookjae; Kim Jihee; Lee Myunggeun (2000) "Motives for Escape and Life Conditions of North Korean Women: On North Korean Refugee Women in the Yanbian Region of China"	<ul style="list-style-type: none"> • Motives for escape, including conditions of flight from North Korea • Living Conditions of North Korean refugee women in China
Min Jiwon (2003) "Gender Oppression Exercised through Criteria for Decision-making on Refugee Status: On North Korean Refugee Women's Possibilities to Attain Refugee Status"	<ul style="list-style-type: none"> • Gender oppression within North Korean society • Daily oppression within the private sphere • Sexual torture, forced abortions in camps for political prisoners • Additional punishment for women's illegal border-crossing
Cho Younga; Jeon Wootae (2005) "Problems of North Korean Refugee Women regarding their Adaptation to South Korean Society with a Focus on Married Women"	<ul style="list-style-type: none"> • Problems between married partners • Problems relating to bigamy or cohabitation • Daily married life with South Korean men • Problems regarding children's education • Supporting parents, nurturing infants and children • Difficulties in employment training and working life • Health and psychological difficulties • Anxieties over family left behind in North Korea
Shim Younghee (2006) "Human Rights of North Korean Women: Conditions and Main Factors"	<ul style="list-style-type: none"> • Right to existence: discrimination against women in distribution system • Right to economic activity: wage discrimination against women • Rights relating to marriage and family: sexual discrimination

	<ul style="list-style-type: none"> • Rights relating to body and sex: sexual exploitation
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3) Categorizations of human rights violations based on the spatial movements of North Korean refugee women

Women who have fled North Korea, entered South Korea, and resettled here moved across at least three distinguishable spaces. The first space refers to the area in North Korea where they were born and grew up. The area where these women took up temporary settlement (China, Mongolia, Thailand, etc.) after having risked escape from North Korea and before entering South Korea constitutes the second space. Eventually, South Korea becomes the final destination of their long itinerary, i.e. their flight from North Korea.¹⁵

<Table 2-3> presents the various categories of human rights violations found in the above research reports rearranged by space: from human rights abuses arising in North Korea, those occurring in China and other countries, to those materialising during resettlement in South Korea

<Table 2-3> Categorizations of human rights violations based on the spatial movement of North Korean refugee women

Space	Categorization of human rights violations
North Korea	<ul style="list-style-type: none"> • Gender oppression within North Korean society • Daily oppression with regard to the private sphere • Sexual torture, forced abortions in camps for political prisoners • Additional punishment for women's illegal border-crossing • Right to existence: discrimination against women in the distribution system • Right to economic activity: wage discrimination against women • Rights concerning marriage and family: sexual discrimination • Rights pertaining to body and sex: sexual exploitation

¹⁵ Currently, there are also cases of onward migration to third countries after a period of stay in South Korea. This research does not deal with this specific aspect.

China and other countries of temporary stay	<ul style="list-style-type: none"> • Sexual exploitation • Wage exploitation • Despair over unattainability of goals • Risks of exposure • Getting married as a means to negotiate security • Feeling discriminated as North Korean women • Reconstructing the meaning of a life in China • Disguising oneself as a Chinese woman • Hiding emotions • Getting married/postponing pregnancy
South Korea	<ul style="list-style-type: none"> • Problems between married partners • Problems relating to bigamy or cohabitation • Daily married life with South Korean men • Problems regarding children's education • Supporting parents and raising infants and children • Problems relating to job training and working life • Health and psychological difficulties • Anxieties over family left behind in North Korea

Firstly, in North Korea, women live in an environment of extreme human rights abuses due to the systems properties of North Korea, the country's economic difficulties, etc. With 'systems properties' we refer to characteristics immanent in the paternalistic socialist system as represented by the North Korean 'Suryeong'¹⁶ system, etc. These properties fundamentally violate the human rights of women in North Korea. Such conditions operate as a 'force of expulsion' pushing women to flee the country.

Secondly, in China and other countries of sojourn, North Korean refugee women become stateless persons and, thus, enter a human rights void. This position in itself brings about many situations of human rights abuses by forcing women to live hidden lives in covert spaces if they are to avoid the chain of arrest - forced repatriation - punishment. In these places, North Korean women are coerced into situations even more atrocious than in North Korea, e.g. prostitution, slave labour, etc.

¹⁶ The term 'Suryeong' can be traced back to the Koryo and Chosun periods when it referred to a regional official; in North Korea, however, the term means 'Great Leader'. Kim Il-sung is the only person who has been granted the title of 'Suryeong' until now; while Kim Il-sung is commonly referred to as 'Suryeong Comrade Kim Il-sung', his son Kim Jong-il is merely called 'Comrade Kim Jong-il' or 'General Kim Jong-il'. Accordingly, the term 'Suryeong' denotes the absolute supremacy and power of a single person, namely of Kim Il-sung. In the academic literature, however, the term is often used in a less restrictive sense and generally refers to the highest North Korean leader including Kim Jong-il. The 'Suryeong system' thus signifies a rigid system in which the 'Suryeong' stands above the party and the state, exercising supreme authority.

Thirdly, although North Korean refugee women experience, for the first time, a minimal amount of human rights protection once they have made their way out of China or other countries of sojourn and they enter the space of South Korea, problems with a human rights dimension are still bound to arise. Even though these women receive some adaptation education to facilitate their resettlement through a resettlement support system at Hanawon and other institutions, adapting to life in South Korean society is not an easy task. Thus, throughout their adaptation process and in their daily lives in South Korea, it remains difficult for North Korean refugee women to fully escape experiences of human rights violations.

None of the existing research referred to above has, until now, studied these three spaces in sequential order. Research that deals with all these three spaces, as has been attempted in this report, will be able to produce more systematic research findings on the social structure of human rights abuses and the kind of interpersonal relationships North Korean refugee women experience when sequentially moving through changing spaces of human rights violations; what psychological traumas they suffer as a consequence of these experiences, and how they develop a psychological constitution rendering them vulnerable to human rights violations; and what support is required to prevent human rights violations against women who have resettled in South Korean society and to overcome their psychological traumas, etc.

2. Policy proposals or means analysis in existing research

Existing research on human rights issues relating to North Korean refugees shows a proclivity to put forward political measures as part of their analysis of the reality of human rights abuses. Certainly, there are also many studies that do not proceed to the level of political propositions given the overall focus on fact-finding. In the following, however, we concentrate on research that includes political proposals and inquire into the direction of these.

1) Policy proposals or means analysis in research by organizations and groups

The proposals made in the research report by the Institute for North Korean Studies at Dongguk University (2004) can be roughly summarised as comprising three main points: Firstly, as a means to prevent human rights abuses arising in the process of flight from North Korea, the research called on the South Korean government to actively provide measures against human rights violations encountered by North Korean refugees during their escape and until they enter South Korea. The report requested, secondly, that both the South Korean government and civil society ensure that human rights problems with regard to North Korea are approached on a political level, and that they lead, discuss and provide support for the improvement of the North Korean human rights situation. Thirdly, they suggested that, while 'strategic thinking' was needed to eradicate the causes of North Korean human rights problems, it was possible to pursue an alleviation of North Korea's financial difficulties and to seek democratization of North Korea by peacefully resolving the North Korean nuclear weapons issue and building an environment for the reform and opening up of North Korea.

<Table 2-4> Policy proposals of the Institute for North Korean Studies at Dongguk University

Research Organization (year)	Policy proposals
Institute for North Korean Studies at Dongguk University (2004) *commissioned by the National Human Rights Commission of Korea	<ul style="list-style-type: none"> • Means of improvement by area <ul style="list-style-type: none"> – Regarding the process of flight: active provision of measures tackling situations of human rights abuses encountered in the course of escape from North Korea and coming to South Korea – Regarding protection of the right to existence: continual interest and support of the international community necessary for advancement of human rights situation within North Korea • Means of improvement by actor <ul style="list-style-type: none"> – South Korean government and civil society: ensure that North Korean human rights issues are addressed on political level; leadership, debates and support for advancement of human rights – International community: efforts to improve human rights of North Korean refugees, continuation of humanitarian aid to North Korean people, call on North Korean government for non-discriminatory food distribution and enhancement of transparency

	<ul style="list-style-type: none"> • Means of improvement by phase <ul style="list-style-type: none"> – South Korean government should conceive a plan as to when it must publicly announce its position on North Korean human rights issues – ‘Strategic thinking’ to solve North Korean human rights problems at their roots: build an environment for reform and opening up of North Korea, alleviate economic difficulties, pursue democratisation
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Good Friends, in the report on their fact-finding study on the “North Korean Famines and Human Rights in North Korea” published in 2004, suggested measures to resolve human rights problems classified by actors. Proposals to the North Korean government included, inter alia, ► to publicise the conditions of food shortages and guarantee the transparency of distributions, ► to safeguard the economic and social rights of its residents, ► to advance civil and political rights, ► and to strive for the improvement of human rights on the humanitarian level.

The policies that Good Friends proposed to the South Korean government entailed ► an expression of will to promote human rights in North Korea, ► the expansion of humanitarian aid provision of food and medicines, ► increasing economic cooperation between South and North Korea, ► the holding of disarmament talks between North and South Korea, ► the exchange of information with groups and organizations working in the fields of aid and human rights in North Korea, as well as a adopting an approach that moves beyond politics, etc.

Proposals addressing the UN and the international community involved ► removing North Korea from the US state sponsors of terrorism list (this suggestion was fulfilled in August 2008), ► providing large-scale humanitarian aid and lifting economic sanctions against North Korea, ► establishing diplomatic relations between the USA and North Korea, ► easing military tensions on the Korean peninsula, etc.

The Korean Bar Association (2008) suggested means of improving the North Korean human rights situation by differentiating between the right to food and the right to liberty. With regard to the right to food, the report proposed ► collaboration between North Korea and the international community to rebuild a basis for agricultural

production, ► humanitarian support based on enhanced frequency and validity of investigations into food distribution, etc.

Concerning the right to liberty, the report called for ► monitoring activities and criticism by the international community, ► the establishment of a human rights archive, ► the systematic collection, organization, and archiving of detailed cases and evidence of human rights violations as a prerequisite for the criminal prosecution of human rights perpetrators, etc.

The “Report on Human Rights in North Korea” by the UN Special Rapporteur on Human Rights in the Democratic People’s Republic of Korea (2008)¹⁷ offered policy recommendations to both the North Korean government and the international community.

<Table 2-5> Policy proposals of the UN Special Rapporteur on Human Rights in the Democratic People’s Republic of Korea

Research Organization (year)	Policy proposal
UN Special Rapporteur on Human Rights in the Democratic People’s Republic of Korea “Muntarbhorn Report” (2008)	<ul style="list-style-type: none"> • North Korean government <ul style="list-style-type: none"> – Push towards a more uniform development, implement human rights effectively and inclusively, transfer resources from the military domain to the domain of societal development – Rectify unequal access of the public to food and other necessities, procure food security through sustainable agricultural development – Modernise the judicial and correctional system to safeguard security of the individual, observe the rule of law by providing credible investigative findings to resolve problems of abducted or missing persons, protect persons charged with a crime, grant fair trials and independence of courts, etc. – Cease all punishment for persons who left the country without governmental permission – Join the International Labour Organization • International community <ul style="list-style-type: none"> – Insist on necessity of participatory and sustainable development in North Korea, provide humanitarian aid while simultaneously emphasizing strategies for human security – Respect rights of refugees, especially observe the principal prohibition of forced repatriation and the rights of migrants, reduce crackdowns on persons seeking to migrate or flee – Revitalize dialogues with the North Korean government to

¹⁷ Vitit Muntarbhorn presented his “Report of the UN Special Rapporteur on Human Rights in the Democratic People’s Republic of Korea” (2008) to the UN Human Rights Council in February 2008.

	further conflict resolution, strive for the development of a human rights discourse and for concrete human rights practice
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2) Policy proposals or means analysis in research by individual researchers

Paek Youngok (2002) inquired into the situation of North Korean refugee women in China, using categories of sexual exploitation, wage exploitation, forced repatriation, etc. On this basis she formulated the following means to support North Korean refugee women.

<Table 2-6> Paek Youngok's (2002) policy proposals and means

Human Rights situation of North Korean refugee women in China	Policy proposals and means
<ul style="list-style-type: none"> • Sexual exploitation • Wage exploitation • Forced repatriation to North Korea 	<ul style="list-style-type: none"> ▶ Efforts to secure refugee status for persons fleeing North Korea ▶ Efforts to stop forced repatriation to North Korea ▶ International public debates to stop punishment of North Korean refugees, humanitarian aid to North Korea ▶ Elimination of human trafficking and recognition of lawfulness of marriage ▶ Support for provisional shelters ▶ Collaborative activities with national women's associations and international organizations

Kim Taehyeon and Roh Chiyeong (2003) analyzed the lives of North Korean refugee women employing an approach of hermeneutic phenomenology; with regard to North Korean refugee women sojourning in China they suggested the following support measures:

<Table 2-7> Kim Taehyeon's and Roh Chiyeong's (2003) measures to support North Korean refugee women

Lives of North Korean refugee women in China	Support measures
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<ul style="list-style-type: none"> • Despair over unattainability of goals • Risks of exposure • Getting married to negotiate security • Feeling discriminated as North Korean women • Rediscovering the meaning of life in China • Disguising oneself as a Chinese woman • Hiding emotions • Getting married/postponing pregnancy, etc. 	<ul style="list-style-type: none"> ▶ Devise ways to safeguard basic human rights on a more humane level ▶ Change of attitude by China towards North Korean refugee women ▶ Design a support system that can provide protection until refugee status is gained ▶ Conceive a system that can prevent ex ante the need to flee North Korea
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Moon Sookjae, Kim Jihee, and Lee Myunggeun (2000) also carried out research with a focus on North Korean refugee women residing in the Chinese region of Yanbian; their study mainly addressed motives for fleeing North Korea, the conditions of flight, and living conditions in China (Yanbian). On this basis, the following political proposals were suggested:

<Table 2-8> Moon Sookjae's, Kim Jihee's, and Lee Myunggeun's policy proposals and means

Motives for escape and life conditions of North Korean refugee women	Policy proposals and means
<ul style="list-style-type: none"> • Motives for escape • Conditions of flight from North Korea • Living conditions of North Korean refugee women in China (Yanbian) 	<ul style="list-style-type: none"> ▶ Improvement of support measures for activities protecting North Korean refugee women residing in third countries ▶ Establishment of resettlement support facilities in third countries similar to Hanawon in South Korea ▶ Improvement of support programmes for North Korean refugees

Cho Younga and Jeon Wootae (2005) analyzed problems faced by North Korean refugee women that arise after they enter South Korea and throughout their adaptation process to South Korean society with a specific focus on women with experiences of marriage. The authors suggested several means to advance the human rights of these women as set out below.

<Table 2-9> Cho Younga's and Jeon Wootae's policy proposals and means

Problems of North Korean refugee women regarding their adaptation to South Korean society	Policy proposals and means
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<ul style="list-style-type: none"> • Problems between married partners • Problems relating to bigamy or cohabitation • Daily married life with South Korean men • Problems regarding children's education • Supporting parents and nurturing infants and children • Difficulties in employment training and working life • Health and psychological difficulties • Anxieties over family left behind in North Korea • Sense of devaluation in everyday life in South Korea 	<ul style="list-style-type: none"> ▶ Consolidate counselling programmes for North Korean refugee women ▶ Counselling programme on children's education ▶ Programme to help North Korean refugee women overcome psychological after-effects of the flight process ▶ Support North Korean refugee women to find employment ▶ Support for North Korean refugee women must be differentiated and implemented with view to various family forms
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Shim Younghee (2006) tried to propose a human rights concept that is in line with the distinctiveness of women and inquired into the human rights situation of women living in North Korea. Although she provided a relatively radical analysis of women's rights from a feminist perspective, her research did not put many policy proposals forward.

<Table 2-10> Shim Younghee's policy proposals

North Korean women's human rights	Policy proposals
<ul style="list-style-type: none"> • Right to livelihood: discrimination against women in distribution system • Right to economic activity: wage discrimination against women • Rights relating to marriage and family: sexual discrimination • Rights relating to body and sex: sexual exploitation 	<ul style="list-style-type: none"> ▶ Overcome famines and reconstruct the system ▶ Establish a feminist human rights concept <ol style="list-style-type: none"> 1. Existing human rights as men's human rights 2. Safeguard women's human rights

3. Characteristics and tasks of existing fact-finding studies

Since the primary aim of this research is to study the situation of North Korean refugee women, it is deemed necessary to examine the characteristics of existing fact-finding studies and to consider tasks suggested for conducting situation studies on North Korean refugee women's human rights.

To begin with, the characteristics of existing situation studies can be summarized in five points.

Firstly, there is a tendency in existing research to base the examination and study of human rights violations mainly on legal criteria. Certainly, problems of human rights abuses can be analyzed on the legal level. However, it is an essential property of human rights problems that they cannot be reduced to the legal dimension. In fact, the laws and systems relating to human rights are in themselves limited by a weakness: not only do they have difficulties in fully including marginal people who live in human rights blind spots, but socially disadvantaged persons and minorities also find it hard to uncover human rights abuses in a detailed manner. Therefore, research that inquires both into human rights abuses encountered by North Korean refugee women and into human rights problems relating to the female subject has to be carried out in a way that thoroughly understands and reflects the ontological conditions of women; this makes it necessary to adopt a different, a new perspective, methodology, and epistemology.

Secondly, the most frequent and serious problem posed by existing fact-finding studies on the nexus of human rights and North Korea is that of securing the 'objectivity' of research findings. The question of whether the contents of fact-finding studies on North Korean human rights are objective or not is one which has been raised continuously. Thus, in order to overcome such disputes over objectivity, it is essential to develop an epistemological approach, empirical research method, etc. that can objectively illuminate the conditions of North Korean human rights.

The question of objectivity involves another problem, i.e. 'fact-finding'. In existing situation studies on North Korean human rights, 'facts' which can by no means be verified/falsified are mixed together with 'facts' that have not been directly experienced by the narrator or researcher but are based on hearsay, thus rendering the validation of the material impossible.

This point leads to yet another problem. Instead of concentrating their efforts on 'talking facts', some existing studies of North Korean human rights display a tendency to transform 'selective material' into 'highly representative facts', thus making the whole fact-finding study more or less exemplary; this problematic trend has been constantly pointed out in the literature. In such cases, researchers' 'calculated

questions', tailored to ascertain selective facts, may severely jeopardise the objectivity and balance of the situation study.

Thirdly, existing research on North Korean human rights tends to show little consideration for the question of 'time' in which human rights issues manifest themselves. What emerges as problematic is, for example, that human rights issues which occurred in North Korea in the 1950s and 1960s are, by transcending time, depicted as current issues; or the respective contexts in which human rights issues developed in the 1990s and in the first decade of the 21st century are arbitrarily jumbled and described without differentiating between these time periods.

When employing an approach that is not attentive to different temporal frames, it becomes very difficult to draw on and analyze qualitative differences between environments that cause human rights problems in respective time periods. It is therefore advisable for future research to arrange and analyze cases of human rights violations against North Korean refugee women in terms of their appearance in and over time.

Fourthly, the currently existing research shows an inclination to overlook the structural causes of the development of human rights problems in North Korea. Apart from a few studies (such as the research conducted by the Korea Institute for National Unification), most research does not trace the various factors leading, in multiple ways, to problematic human rights situations.

To be more precise, North Korean human rights violations concerning rights to freedom tend to be influenced by the nature of the North Korean system (characteristics of a socialist system of the 20th century combined with the characteristics of North Korea's patriarchal system), while infringements of social rights tend to appear in connection with the post-1990s economic conditions in North Korea (food shortages, economic difficulties and severe famines). The various cause-and-effect relationships evolving between such systematic and structural factors and the reality of human rights violations should therefore be closely examined and analyzed. Failure to do so will decisively impede our search for the factors causing the

development of human rights problems, eventually making it also difficult to examine clues for tackling these problems.

Fifthly and finally, the methodology and forms of description used in existing fact-finding studies on North Korean human rights tend to be of little value for capturing and considering the micro-structure and the 'fine grains' of human rights problems encountered by North Korean refugee women.

In fact, most of the research on human rights violations against North Korean women conducted until now has focused only on discovering and conveying 'incidents' of human rights abuses. Research that concentrates only on incidents as such ignores the structure and developmental dynamics of human rights abuses as well as the question of actors (perpetrators/victims/witnesses/informants), thus increasing the risk of referring to human rights problems as existing independent of human beings. As a result it becomes difficult to move away from a perspective that 'victimises' women.

Bearing in mind that limitations and violations of human rights have become structuralized as 'enculturated forms' within the incessant continuation of everyday life, it seems thus necessary to understand, first of all, the deep structures of everyday life in which incidents and situations of human rights infringements are constructed. To accomplish this, we need to develop a specific methodology which suits the task.

The systematization of existing fact-finding studies allows us to propose several epistemological tasks for conducting fact-finding studies on human rights problems of North Korean refugee women.

Firstly, it is deemed of great importance to carefully and appropriately trace 'human rights problems specific to North Korean refugee women' (i.e. human rights issues arising specifically for North Korean women only). Due to the fact that human rights issues constitute universal problems applicable to all mankind, it is not easy to isolate human rights problems that concern only North Korean refugee women in particular.

Hence, it is necessary to extract human rights problems that specifically and solely arise from a position or status that is called 'North Korean refugee woman'.

Furthermore, to further focus our observations on the reality of human rights violations against North Korean refugee women by means of relativization, it is also very important to compare North Korean refugee women with persons living in their vicinity. For example, when conducting a fact-finding study on North Korean refugee women sojourning in China, it may be very fruitful to compare their human rights situation with that of the Chinese 'underclass' they find themselves living with.

Secondly, even if the analysis of recent refugees' inclination to flee North Korea has not been considered the object of a full-scale fact-finding study, we deem it an important topic that should be borne in mind by the researchers conducting this fact-finding study. Research on the causes that lately lead North Koreans to flee their country is currently progressing to some degree. This is probably due to the fact that an understanding of this matter is highly important for those who are involved in providing resettlement support, employment training, and livelihood support activities vis-à-vis North Korean refugees on a practical level.

With a growing recognition of the fact that the causes prompting North Korean refugees to leave their country in recent years are not grounded in unvarying structural factors but are diversifying to some degree, the view is being held that a perspective that traces the act of fleeing North Korea back to a single cause is limited. According to the causes and reasons that have been suggested lately, there are three typifications of flight from North Korea.

- Ideological type: aversion to the North Korean system becomes a reason to attempt to flee North Korea
- Livelihood type: food shortages and other economic reasons lead to an attempt to flee North Korea together with family members
- Well-being type: attempt to flee North Korea in pursuit of a better life

A research approach that grasps the diversity of types of flight from North Korea can, in our opinion, provide an answer to the question “North Korean refugees (or North Korean refugee women): who are they?”; this essential question can be understood as a kind of epistemological problem formulation intended to guide our search for the direction of analysis which the fact-finding study of this research should adopt.

III. Contents and methods of research

1. Contents and scope of this study

1) Structural characteristics of human rights violations by spaces of North Korean refugee women's stay and settlement

The fundamental goal of this fact-finding study report is to scrutinise the reality of human rights abuses against North Korean refugee women based on a differentiation between spaces. The main contents of this report involve the systematic examination of (1) North Korean women's perception of their status and rights in North Korea and their situation concerning violations, (2) North Korean refugee women's understanding of rights and their situation with regard to violations in China and other third countries where they take up temporary settlement after escaping from North Korea, (3) North Korean refugee women's understanding of rights during their resettlement process in South Korea and their situation concerning infringements of rights. Our examination pays attention to the specificities of the political, economic, and socio-cultural structures in which human rights situations encountered by North Korean women and North Korean refugee women within the respective spaces are embedded; this will allow us to understand modes of human rights violations as they emerge and as they adopt specific patterns throughout women's continued flight from North Korea.

2) Case study on human rights violations against North Korean refugee women during the flight and resettlement process

As key contents of the case study, we looked into (1) women's perceptions of human rights in North Korea as well as their situation with regard to civil and political rights, social and economic rights, sexual discrimination concerning livelihood activities etc., sexual harassment and sexual violence, measures to protect motherhood, and cases of systems and institutions which facilitate human rights violations etc. Furthermore, we

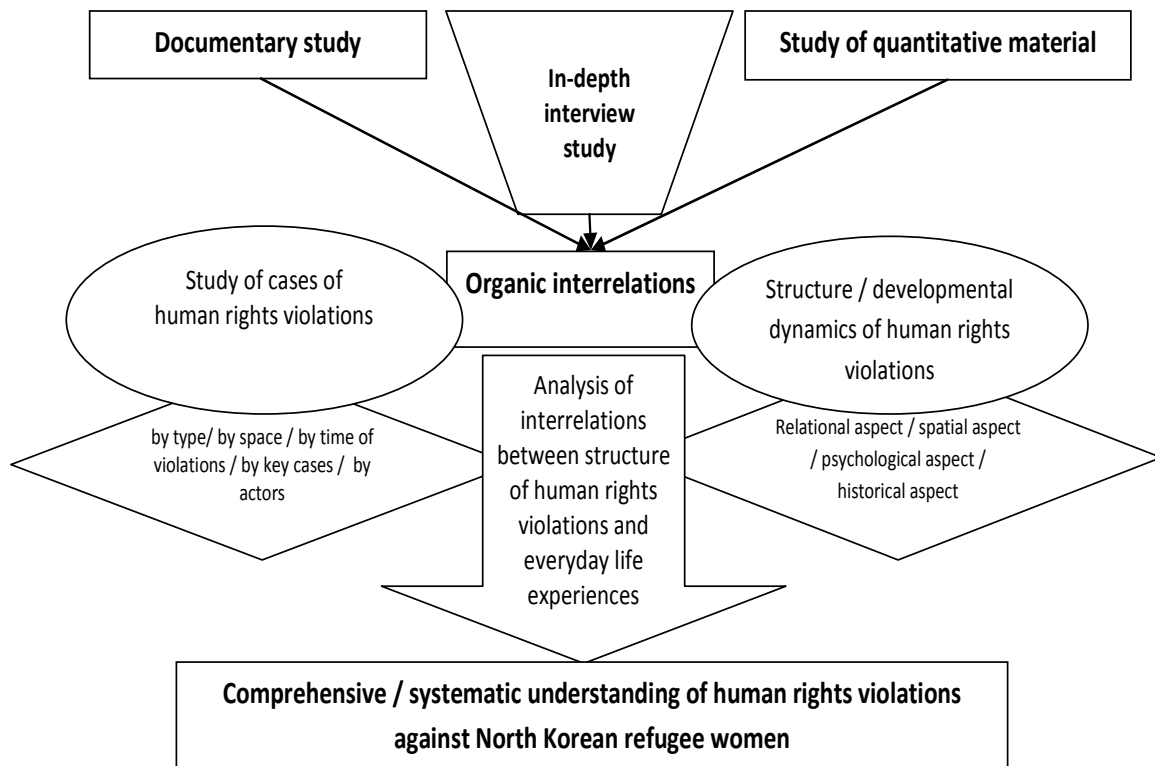
inquired into (2) North Korean refugee women's understanding of human rights during the period of sojourn in China and other third countries as well as their situation regarding human rights abuses arising in the course of migration subsequent to their flight from North Korea, sexual harassment and sexual violence brought about by human trafficking, sexual exploitation, coercive crackdowns and punishment, investigations and punishment following forced repatriation, treatment of pregnant women, human rights violations committed by 'brokers' and other related organizations, etc. Moreover, we (3) studied as cases of human rights violations in South Korea the investigations and resettlement education upon entry, infringements of human rights in the course of providing resettlement support, social and sexual discrimination in the context of employment and labour, etc., sexual harassment and sexual violence, domestic violence, etc.

3) Understanding the structure and developmental dynamics of human rights violations against North Korean refugee women

We inquired into the structure and the developmental dynamics of human rights violations in their political, economic, social, and cultural contexts and undertook to analyze what interrelations exist between these contexts and the cases of human rights violations we studied. To this end, we examined (1) how human rights violations emerge in daily life, in what ways they are dealt with (punishment, concealment, acquiescence, collusion) and appear as injuries. (2) We analyzed the main contents of human rights violations arising in North Korea, in China and other third countries, in South Korea, and in the course of women's other movements as well as their differences and similarities distinguished by type, specificity, and space. We also tried to grasp the insecure legal and institutional position that North Korean refugee women find themselves in as well as the relative sense of social exclusion and marginalization experienced by these women. Finally, (3) we aimed at understanding, on a psychological level, North Korean refugee women's psychological responses to human rights violations, the depth and durability of psychological injuries subsequent to

human rights abuses, problems relating to their social appreciation and the system of support afforded to them.

<Illustration 3-1> Research design and system of research in this report



2. Methods and conduct of the research

1) Fundamental direction of the research

(1) Creating research material that draws on the subjective worlds of experience

Infringements of human rights do not merely appear under special circumstances but also in everyday life. Human rights violations that North Korean refugee women encounter particularly resemble phenomena persistently arising in everyday life. However, because the everyday life-world is shared with others and thus possesses an intersubjective nature, it is distinct from the private life of the individual. It is thus necessary to adopt a research method which can make everyday life as such, i.e.

everyday life as constructed by the mutually oriented actions of individuals, an object of research.

In this study, we moved beyond approaching the topic through the basic categories usually employed to study the reality of human rights violations; instead, we made experiences of everyday life the object of research. While interviews constitute, from this perspective, one very valuable research method amongst others, this research has used the research method of ‘open narrative interviews’ to get even closer to human rights violations as experienced by North Korean refugee women in their past everyday lives. By inviting interviewees to freely compose their narrations, the ‘open narrative interview’ is a research method that aims at overcoming the limitations of involuntary accounts induced by the researchers’ questions.

(2) Developing a sound understanding of reality based on organic interrelations between research materials

This study strived to produce a sound understanding of the reality of human rights violations against North Korean refugee women by organically combining literature, narrative material, and quantitative data. We read and discussed in depth the existing body of research and studies on North Korean human rights and the human rights of North Korean refugee women, examined the contents of each research paper with regard to the respective time periods covered, their research methods and analytical findings, and compared the results with the contents of this research in an effort to deduce similarities and differences. Furthermore, we aimed for a sound understanding of the human rights situation by comparing and reviewing the contents of the narrative material created through the in-depth interviews, quantitative indicators produced through the survey study, and the contents of existing research and studies.

2) Conduct of study and research

<Table 3-1> Study and research process

Research Forum (5 sessions)

15 April	• Discussion of the overall research process and distribution of work (place: Dongguk University)
15 May	• Discussion of problematic points in existing fact-finding studies on North Korean human rights and tasks for problem-solving (place: Dongguk University)
12 June	• Discussion of human rights concepts and ways to approach human rights of North Korean women (place: Dongguk University)
10 July	• Discussion of the procedure for interviews with North Korean women (place: Dongguk University)
21 August	• Intermediary examination of the interview study and analysis of survey contents (place: Dongguk University)
Round-table with invited experts (2 sessions)	
12 June	• Round-table with Prof. Cho Hyoje of Sungkonghoe University (place: Dongguk University) – ‘How to view North Korean human rights: Perspectives and Approaches’
17 June	• Round-table with a North Korean refugee examiner, National Intelligence Service (place: Dongguk University) – ‘North Korean refugee women’s flight process, conditions of sojourn in third countries, and screening experiences’
Interview research with North Korean refugee women (25 persons)	
16 June – 2 July	• 1st phase: 16 interviewees
20 July – 12 August	• 2nd phase: 9 interviewees
Hanawon survey on Saeteomin women and study of the current state of educational measures	
4 August	• Survey with 248 respondents • Briefing on management of Hanawon and its education programme, round-table with education managers
Research excursion to study the situation of North Korean refugee women (5 days)	
10 August -14 August	• Excursion sites: Yanji, Tumen City, Longjing (China) • Contents of study – On-site study in Tumen City, North Korean-Chinese border, Tumen River – On-site study in the marsh-land village of Yueqingzhen in the North Korean-Chinese border area – Round-table with Prof. Kim Gangil, Prof. Hyeon Dongil of Yanji University – ‘Current flight conditions of North Korean women and North Korean-Chinese relations’ – Round-table with Han Deoksu, Director of Tumen Technical School – ‘Current situation of North Korea support work’ – Round-table with Jeong Okdong, Director of the Welfare Hospital, University of Yanbian – ‘Current situation regarding illnesses and health of North Korean refugees’ – Talks with Song Giyun, Director of Daeseong-Sueon Limited Company in Yanbian – ‘Current situation of Chinese investment enterprises in North Korea’
Analysis meetings on narrative texts of North Korean refugee women (2 sessions)	
19 September	• 1 st text analysis meeting (place: Dongguk University)
26 September	• 2 nd text analysis meeting (place: Dongguk University)
Group workshop for collaborative production of final report (2 sessions)	
6 November	• Review of drafts and alteration/corroboratorion of contents (place: Dongguk University)
21 November	• Review of drafts and alteration/corroboratorion of contents (place: Dongguk University)
Debate Forum on intermediary and final report (2 sessions)	
27 August	Intermediary presentations (place: National Human Rights Commission)
27 November	Summary presentations of final report (place: Dongguk University)

3) Research and analysis

(1) Documentary study

The research team conducted a study of literature and documents with regard to four main dimensions. It examined (1) research papers on human rights concepts and approaches of human rights studies, (2) pieces of research that theoretically explored feminist perspectives and interpretations of human rights, (3) existing studies and research reports on North Korean human rights, North Korean women, and North Korean refugee women as well as research papers on North Korean women in general, (4) memoirs and recorded oral accounts of North Korean refugees as well as various newsletters etc. relating to the everyday life of North Korean people and their situation.

(2) In-depth interview study

□ Selection process of in-depth interview participants

Since it is, in practice, very difficult to study women in North Korea directly, we carried out an in-depth interview study with North Korean refugees residing in South Korea.

<Stage 1>

Although, ideally, an evenly balanced distribution of demographic and sociological characteristics (area, occupation, age, education, material status, party member status, etc.) should be represented in the sample, from a quantitative perspective, the deviations with regard to area, age, and occupation found in the population of North Korean refugee women residing in South Korea cannot be easily overcome; moreover, finding possible interviewees proved difficult in a practical sense. The research team therefore asked the Sungy Association, an organization affiliated with the National Police Agency supervising North Korean refugees, to cooperate in the selection of interviewees. The Sungy Association helped the research team to produce an appropriate distribution of interviewees with regard to areas and age groups in the sample by contacting persons by phone to establish two lists for interview phase 1 and 2 and by asking possible interviewees for their consent to participate in the interview study. As a result of this process, the research team received a list of 74 persons for

the first interview phase and a list of 50 persons for the second interview phase from the Sungy Association.

<Stage2>

On the basis of these two lists, the research team contacted the possible interviewees by phone, informed them about the purpose of the interview study, and inquired whether they would be willing to participate. Persons who expressed their intent to participate were asked, at the same time, to provide basic personal data such as age, place of birth, place of main residence, time of crossing the North Korean-Chinese border and entry to South Korea, route of entry to South Korea, occupation, marital status, etc.

<Stage 3>

Through this process 25 interview participants were selected. The interviews were conducted with 16 persons in phase 1 (16th June – 2nd July 2009) and with 9 persons in phase 2 (20th July – 12th August 2009).

<Table 3-2> List of participants in interview study

Pseudonym	Year of birth	Work experience	Year of border-crossing	Year of entry to South Korea	Researcher
Hwang Sunjeong	1942	Office worker in trade sector	1999	2002	Lee Imha
Kim Jaeok	1966	1983-1985 Weaver (engineer, rank 1) 1986-1989 Farm labourer	1998	2006	Lee Imha
Yi Myeongsun	1962	1980 Arts activities in propaganda unit 1982 Member of farm cooperative	2002	2005	Lee Imha
Kim Jinsun	1961	1977-1992 Labourer in pottery factory	2002	2007	Lee Imha
Kim Yeonghui	1966	1985-1990 Office worker in fisheries business	2003	2008	Lee Imha
Yi Chunhui	1961	Gokgu Elementary school teacher	2002	2008	Lee Imha
Gil Gyeonghui	1980	Secondary school student	1998	2008	Lee Imha
Han Junhui	1967	1984-1992 Member of Hongsan farm cooperative in Hoeryeong City 1992-2001 Housewife	2001	2006	Yi Heeyoung
Jang Sukhui	1970	1990-1995 Labourer in Jeongpyeong clothes factory	2007	2008	Yi Heeyoung

Bak Yongsu	1969	2002-2003 Labourer in materials business	2007	2007	Yi Heeyoung
Ham Nanhui	1981	2002-2004 Trader	2004	2007	Yi Heeyoung
Yun Huijeong	1962	1984-1986 Secretary at unit 5 management office 1986-2000 Storage manager at factory no. 1779	2004	2008	Yi Heeyoung
Hyeon Changhui	1958	1975-1995 Vendor at Changhyo store, trade management office in Hoeryeong City	1999	2002	Yi Heeyoung
Mun Gyeongsun	1951	1974-1986 Labourer in farm cooperative 1986-2008 Labourer at the Musan Mine recreational facility	1998	2003	Yi Heeyoung
Ha Gyeongjin	1957	1983-2005 Carer, caterer in emergency hospital in Cheongjin City	2005	2005	Yi Heeyoung
Yi Hyeokje	1966	1982 Military service 2004 Staff member of the Oncheon County People's Committee, Department for Local Industries	2008	2008	Jeon Miyeong
Kim Geumyeong	1965	1981 Labourer in chemical factory for child products	2007	2008	Jeon Miyeong
Kim Myeonghui	1969	1998-2002 Labourer in Cheongjin cosmetics factory	2007	2008	Jeon Miyeong
Son Yeongju	1968	Teacher Head of labour at textile factory	2002	2007	Jeon Miyeong
Kim Gyeongjin	1948	1978-1994 Bookkeeper at the Musan Mine	1998	2005	Hong Min
Yun Okhui	1955	1980-1990 Labourer in heating factory 5 years military service Labourer in children's chemicals factory	2007	2008	Hong Min
An Mungil	1969	1985-1994 Military service in Gosung, Gangwon Province 1994-1998 Equipment Bureau, Logistics Department, Ministry of the People's Armed Forces 1998-2004 worked at contact office	2004	2007	Hong Min
U Wonjae	1965	1981 Labourer in pottery factory in Jeongpyeong District 1986 Tailor at Food and Clothing Management Office in Jeongpyeong District 1987 Lead worker at the Shinsang workers precinct, Jeongpyeong District 1996 Labourer in Shinsang export clothes factory	2000	2007	Hong Min
Go Yeongsun	1964	1981-1989 Propaganda unit, Ryeongbuk Coalmining United Enterprise 1990-1998 Propaganda activities for the Chosun Democratic Women's Union	1998	2005	Hong Min
Bak Cheolsu	1945	Labourer in ship repair factory Regional materials officer and office worker in People's Committee	2004	2008	Hong Min

□ Implementation of in-depth interviews

The interviews with the 25 interviewees (16 persons in phase 1 and 9 persons in phase 2) were conducted either at the interviewees' home or in the research project office, depending on the interviewees' respective wishes.

- ① As a principle, the interviews were carried out in a one-to-one situation between researcher and interviewee; however, if specifically requested, a research assistant provided help with the technical procedure. As the interviews were designed as 'open narrative interviews', they did not follow previously prepared and pre-structured questions, but were conducted in a way as unstructured as possible. Through the technique of unstructured interviews, we tried to invite the interviewees to narrate their experiences as freely as possible. The interviews were thus conducted in a way that should allow for an interpretation of the mutual relationship between narrative structure and factual structure, the flow of narration with regard to how the interviewees talk about and reconstruct their experiences of reality, and the conditions that make this possible.
- ② Before commencing the interviews, the research purpose, aim, and the principle of confidentiality of interview data were explained in detail. The interviewees were also asked for their consent to the interviews being audio-recorded; those who expressed their approval were then asked to sign both an interview consent and authorization of use form. After the conclusion of the interviews, interviewers filled in an 'identity card' for each interviewee and completed an interview log. (cf. <Annex 1>)
- ③ Each recorded interview was transcribed under specific protective precautions by the research assistants respectively responsible. Furthermore, to warrant the transparency of interview situations during interview phases 1 and 2, drafts of transcripts were, in the order of their completion, internally disseminated to allow all researchers to read them. This enabled the research team to mutually verify, compare, and examine the adequacy of questions asked.

- ④ Subsequent to the completion of interview phases 1 and 2 and on the basis of the draft transcripts, two analysis meetings on the transcribed texts were held in which all researchers participated.

(3) Survey research

The research team conducted a survey to remedy the difficulty of studying the reality of human rights violations faced by women in North Korea, China and other countries of sojourn directly in the field, as well as to examine and compare the survey data with the contents of the qualitative in-depth interview study. For the survey, the research team visited Hanawon on the 4th of April 2009 and collated data from 248 female trainees. The organising sections and contents of the standardised questionnaires, as well as the distribution of respondents with regard to specific items, are provided below.

<Table 3-3> Organising sections and contents of survey questionnaires

Section	Content
Basic personal information	Date of birth, place of birth, place of main residence, final level of education, occupation of parents, work experience, marital status (single, divorced, remarried, single after divorce), reason for divorce, party membership (yes or no), time of flight from North Korea, location of border-crossing, country of sojourn after flight and length of sojourn, time of entry to South Korea
Human rights situation of women in North Korea	Human rights situation with regard to livelihood activities (16 items) Unfair treatment relating to civil and political rights (11 items) Measures to protect motherhood (8 items) Social discrimination (6 items) Legal and institutional system (7 items) Domestic violence (3 items) Sexual violence in society (10 items)
North Korean refugee women's human rights in China and other third countries	Motive for flight from North Korea (3 items) Flight process and route (5 items) Experiences of stay in China (6 items) Experiences of forced repatriation (3 items) Experiences of stay in third countries and of camps (4 items)
Human rights situation during screening process in South Korea	Human rights situation during screening process (9 items) Unfair treatment and discrimination during education process at Hanawon (3 items)

When we look at the distribution of survey respondents regarding year of birth (cf. <Table 3-4>), persons born in the 70s make up almost half of the sample (42.9%), while those born in the 60s and 80s make up 25.3% and 24% respectively, comprising the other half.

<Table 3-4> Distribution of survey respondents with regard to year of birth

Year of birth	Number of persons	Percentage (%)
1940s	4	1.6
1950s	11	4.0
1960s	63	25.3
1970s	107	42.9
1980s	60	24.0
1990s	2	0.8
Sum	247	99.6
No answer	1	0.4
Total	248	100

<Table 3-5> Distribution of survey respondents by age group

Age group	Number of persons	Percentage (%)
Under 20	3	1.2
20s	53	21.4
30s	102	41.1
40s	70	28.2
50s	16	6.5
60s	4	1.6
Total	248	100.0

As confirmed by the age group distribution shown in <Table 3-5>, North Korean refugee women in their 30s constitute the largest age group in the sample; combined with those in their 20s and 40s, the stratum of young adults and middle-aged women make up 90.7%. This phenomenon can be thought to reflect the biological age at which something as dangerous as the process of flight from North Korea can be physically endured and achieved. Furthermore, women in their young adulthood and middle-aged women constitute the socially most active stratum and are age groups which still

have many expectations towards the future. Because their high expectations towards the future can, in comparison with other age groups, outweigh the apprehension of dangers attributed to flight, they can be considered to take a more active stance in developing motives and deciding on escape than other generational groups.

As the distribution with regard to place of origin shows in <Table 3-6>, persons coming from North Hamgyeong Province constitute the largest group amongst the survey respondents with 67.7%. This resembles the average regional distribution of North Korean refugees found in other studies. Since persons coming from Yanggang Province and South Hamgyeong Province form the second and third largest groups, it confirms that North Koreans from areas adjacent to the border are highly represented amongst North Korean refugees. This is an indicator for a pattern which has been structuralized to some degree subsequent to the economic difficulties of North Korea in the mid-1990s.

<Table 3-6> Distribution of survey respondents by main area of origin

Main area of residence	Number of persons	Percentage (%)
North Hamgyeong Province	168	67.7
South Hamgyeong Province	25	10.1
North Pyeongan Province	3	1.2
South Pyeongan Province	4	1.6
Yanggang Province	26	10.5
North Hwanghae Province	5	2.0
South Hwanghae Province	1	0.4
Jagang Province	1	0.4
Gangwon Province	9	3.6
Sum	242	97.6
No answer	6	2.4
Total	248	100.0

This structuralized pattern can be explained less by the fact that fleeing North Korea from areas close to the border is easier, but by considering that these areas rely on agricultural production only to a minor extent as they have a relatively low agricultural

output, that they mainly depend on distributions from urban industrial areas, and are characterized by a relatively high mobility of residents, as livelihood activities based on markets are rather vibrant. Although the above distribution is not well-balanced and, therefore, does not refer to the human rights situation in all areas across North Korea, the high deviation in numbers of North Koreans with regard to area of origin actually reflects the inadequacy of the human rights environment in these areas.

<Table 3-7> Distribution of survey respondents by formal occupation at place of origin

Formal occupation	Number of persons	Percentage (%)
Labourer	129	52.0
Member of agricultural cooperative	31	12.5
Office worker	20	8.1
Student	13	5.2
Army member	3	1.2
Executive in the cadre or bureau	3	1.2
Other	33	13.3
Sum	232	93.5
No answer	16	6.5
Total	248	100.0

In the distribution of respondents with regard to formal occupation at the place of origin (cf. <Table 3-7>) an overwhelming half is made up by the mode of labourer. This mirrors the weight of the industrial sector in the North Korean production structure. Moreover, it refers to the fact that labourers, who fully relied on the distribution system and were confronted with very harsh life circumstances as distribution was not sufficiently carried out during the long period of economic plight, are the occupational group whose right to existence is most severely threatened.

<Table 3-8> Distribution of survey respondents by time of flight from North Korea

Time of flight	Number of persons	Percentage (%)
1990-1995	4	1.6
1996	2	0.8
1997	11	4.4

1998	20	8.1
1999	16	6.5
2000	13	5.2
2001	15	6.0
2002	11	4.4
2003	18	7.3
2004	26	10.5
2005	23	9.3
2006	18	7.3
2007	15	6.0
2008	32	12.9
2009	23	9.3
Sum	247	99.6
No answer	1	0.4
Total	248	100.0

The distribution regarding time of flight shows a quite balanced distribution from the mid-1990s, a period of extreme economic difficulties, until today; this provides an indicator for understanding, in the middle and long term, the changing human rights situation of women in North Korea.

<Table 3-9> Distribution of survey respondents by length of sojourn in China and other third countries

Total length of sojourn	Number of persons	Percentage (%)
Less than 1 year	51	20.6
1 year	18	7.3
2 years	16	6.5
3 years	17	6.9
4 years	22	8.9
5 years	22	8.9
6 years	16	6.5
7 years	8	3.2
8 years	18	7.3
9 years	18	7.3
10 years	20	8.1
11 years	9	3.6
12 years	7	2.8

13 years	2	0.8
14 years	3	1.2
Sum	247	99.6
No answer	1	0.4
Total	248	100.0

Moreover, as can be seen in the distribution with regard to the length of sojourn in China and other third countries in <Table 3-9> above, within a length of 10 years the weight is evenly distributed across categories (with the exception of the category 'less than 1 year' which makes up a fifth of the total sample). This provides a meaningful statistical value for grasping, in the middle and long term, the changing human rights reality during the time of settlement in China and other third countries.

(4) Study of North Korean refugee women's situation abroad

The research team went on a research excursion from the 10th of August 2009 until the 14th of August 2009 (5 days) to study on-site the situation of North Korean refugee women living in China. From the excursion bases in Yanji, Tumen City, and Longjing, on-site research was carried out at (1) the North Korean-Chinese border city of Tumen, (2) Musan and Hoeryeong City at the North Korean-Chinese border, and (3) in the marsh-land village of Yueqingzhen in the North Korean-Chinese border area. These sites are known as the places where river and border-crossings of North Koreans have most frequently taken place from the mid-1990s until now. Through the on-site studies, the research team had the important opportunity to develop a direct sense of the difficulties of flight from North Korea, the psychological state of intimidation that refugees might face at these sites, etc.

On the other hand, the research team engaged in round-table talks and dialogues with scholars and experts in the field, with an entrepreneur who frequently visits North Korea, with a hospital employee who has experience in providing medical treatment and surgeries for North Korean refugees, etc.

- ① Through a round-table with Prof. Kim Gangil and Prof. Hyeon Dongil of Yanji University, we had the opportunity to hear their views on the present conditions of North Korean women's flight from North Korea and on the political and diplomatic position of China regarding North Korean refugee women's status and human rights.
- ② Through a round-table with Han Deoksu, Director of Tumen Technical School, we received up-to-date information on the current situation of North Korea aid and on the social situation in North Korea.
- ③ A round-table with Kim Sangwon, Chief Executive of the University of Yanbian's Welfare Hospital allowed us to listen to a vivid account of his experiences in dealing with the current health conditions and illnesses of North Korean refugees. Through his recollections and accounts on human trafficking and physical violence against North Korean refugees, conditions of tuberculosis and other chronic diseases, abortions and other issues related to women's health, we could more deeply understand the human rights situation of these women.
- ④ Through talks with Ki-Yoon Song, Director of Daesong-Sueon Limited Company and other businessmen who run economic cooperation enterprises in North Korea and frequently visit the country, the research team gained meaningful information about the current conditions in North Korea.

(5) Process of consultations with experts and round-tables

The research team organised consultations and round-tables with experts to further our understanding of North Korean women's and North Korean refugee women's human rights; three such meetings were held.

- ① We invited Prof. Cho Hyoje of Sungkonghoe University, who is working on and producing excellent research results on human rights problems through historical and theoretical research, to a round-table titled 'How to view North Korean human rights' (12 June 2009). The round-table allowed the research team to theoretically

examine epistemological perspectives and ways to approach North Korean human rights.

- ② On 17th of June 2009 a round-table was held with North Korean refugee examiner Kim XX of the National Intelligence Service on 'North Korean refugee women's flight process, conditions of sojourn in third countries, and screening experiences'. In the round-table talk the research team was given deep insights into the main routes and means of women's flight from North Korea via China and other third countries, the level of risk, problems arising in the course of settlement, diplomatic treatment of these issues, etc. The research team also learned about the psychological state of North Korean refugees etc. as perceived through the experiences of a long-standing examiner.
- ③ When the research team visited Hanawon for conducting the survey study, a round-table talk with teachers directly responsible for the education of North Korean refugees was held. The meeting allowed us to learn about North Korean refugee women's mentality and attitude towards life, about their difficulties, etc. through the experiences the teachers gained in the course of the education programme. We heard various views especially on the need for psychological treatment of the traumas North Korean refugee women had suffered in the flight process, as well as on the life experiences and psychological conflicts North Korean refugee women encounter in the course of their resettlement in South Korea.

(6) Research forums

After the start of the research project, the research team held monthly research forums (5 altogether) in which all researchers participated.

- ① Discussion of the overall research process and distribution of work (15th April)
- ② Discussion of problematic points in existing fact-finding studies on North Korean human rights and tasks for problem-solving (15th May)

- ③ Discussion of human rights concepts and ways to approach human rights of North Korean women (12th June)
- ④ Discussion of the procedure for interviews with North Korean refugee women (10th July)
- ⑤ Intermediary examination of the interview study and analysis of survey contents (21st August)

IV. The human rights situation of women in North Korea

1. Societal change and the human rights environment in North Korea in the 1990s

Since the 1990s, North Korean society has been undergoing social changes on various levels. In a country centred on a system of distributions, the breakdown of this redistribution system can be considered as probably the main driving force for fundamental changes in the forms and substance of life, due to the latter's dependence on the state. Such transformations of life forms and contents manifest themselves in the economic life which revolves around livelihood activities, in the working and employment life which previously took place primarily in factories and farms, in the political life which was structuralized by ideological learning and education, and in the cultural life which was practised with a strong focus on official organizations and groups, etc.; i.e. changes materialize on both the level of environment and the level of consciousness.

These changes originate in structural problems inherent in the North Korean political and economic system, as well as in the 'experiential truth' that people learnt amid social and economic changes in which the 'Gonanui Haenggun' (the 'March of Tribulation'), i.e. both experiences of and a daily life with severe famines, was embedded. The rise of market-dependent livelihood activities, the revitalisation of official and unofficial social networks and information exchange, a deepening of the divide between haves and have-nots and increasing social stratification, the disintegration of families and changes in family structure, the qualitative decline of educational services and their polarisation, change of inter-generational values, the increase in 'illegal' population movements and livelihood activities, etc., are all developments related to peoples' hardship and difficulties in everyday life and are, in particular, directly connected to the human rights environment of women.

To gain a sound and comprehensive understanding of the human rights situation of North Korean women, it is thus of foremost importance to consider simultaneously the social and economic conditions in which the everyday life of women is embedded as well as the resulting transformations in the structure of consciousness. More specifically, there is a need to grasp the ways in which North Korean women understand and negotiate the conditions of life as encountered by them. To this end, it is necessary to inquire, from a structural perspective, into the composition of continuity and change regarding the politico-economic system and socio-cultural conditions in North Korean society. This is important because the human rights situation experienced by women in their everyday lives cannot be entirely understood without considering the structural conditions that constrain and violate women's human rights.

Based on this problem awareness, the next sub-chapter focuses on four aspects relating to the structure of human rights violations against North Korean women. Firstly, we paid attention as to how the stabilization of refugee numbers correlates with the human rights environment in North Korea and how this environment of human rights violations is structuralized. Secondly, we examined the politico-economic governance in North Korea and tried to understand by what kind of reproductive mechanism the structure of human rights violations against women that derives from such governance operates. Thirdly, we explored how the social distribution mechanism in North Korea works and how it has been changing; we also looked at how women have been excluded, discriminated, and marginalized in its operation. Fourthly, we scrutinized the functioning of North Korean official discourse and ideology and the mundane logic of socio-cultural conventions, norms, and everyday life ethics in order to understand the structure which reproduces situations of human rights infringements that women are confronted with on a daily basis.

2. The structure of human rights violations against North Korean women

1) Continued flight from North Korea and structuralization of human rights violations against women

From the mid 1990s until today, there has been a persistent flow of North Koreans fleeing the country. When considering the 17,134 North Korean émigrés who have entered South Korea until now (September 2009), adding the number of North Korean refugees residing in China, the annual numbers of people who are forcibly repatriated to North Korea, and the number of North Korean refugees who have sought asylum or are currently undergoing asylum procedures in the USA, Germany, and other third countries, the total number of North Korean refugees can be estimated to be of considerable size.¹⁸ As all these figures show a gradual trend of stabilization and growth and considering the invisible number of North Koreans who live ‘illegally’ in China and other third countries for some time, they can be considered as showing that escapes from North Korea are becoming structurally persistent.

Although this phenomenon of continued flight from North Korea can be explained by various factors, it provides circumstantial evidence of the fact that the internal political and socio-economic situation in North Korea fundamentally lacks the capacity for the improvements needed to significantly lower the number of persons fleeing the country.

¹⁸ According to estimates, the number of North Korean refugees living in China amounts to approximately 500,000-100,000. Moreover, in 2007 Dr. Jeong Sinjeon of the Chinese Academy of Social Sciences elaborated in his article “Effects of the situation on the Korean peninsula on the development and security of ethnic Korean areas”, contributing to the current issue of the academic university journal ‘Central and Southern Nation’ (中南民族) and based on an on-site fact-finding study, that the number of North Korean refugees who were forcibly repatriated to North Korea in 2002 reached 4,809. This statistical figure resembles estimates of US-American and Korean human rights NGOs which suggested a number of 5,000 persons annually. In the paper, Dr. Jeong revealed that in 2002 3,732 illegal border-crossers were arrested and deported to North Korea by the Yanbian Korean Autonomous Prefecture: 2,040 North Korean refugees plus 1,692 North Korean refugees who were caught before. On this basis, it is estimated that the number of North Korean refugees who are forcibly deported to North Korea every year reaches around 5,000. At the same time, the numbers of North Koreans seeking asylum in the USA, Germany, and other third countries is reported to be increasing steadily. In a paper titled “Changes in the situation of North Korean Refugees internally and abroad and future problems” which was published in May 2009 by Yi Yeonghwan, Senior Researcher of the Citizens’ Alliance for North Korean Human Rights, the number of North Korean refugees who were officially granted refugee status and leave to remain according to the UN Convention Relating to the Status of Refugees in the USA, Canada as well as in Germany and the UK, (among 7 European countries) was stated to have totalled 522 persons. Yi explained in his article that “because states regard small numbers or dozens of persons as of little weight, presented reports would often omit these from the report material; in fact, there will be more cases in which refugee status is recognized.”

This fact also means that human rights violations within North Korea are expanding in multiple and continued forms.

Certainly, there are also views that emphasize the diversity of motives for fleeing North Korea, e.g. supported by the interpretation that, in recent years, many refugees of the 'well-being type' have left North Korea in pursuit of a better life. But such a suggestion cannot override the view that the North Korean system is not yet able to implement the improvements required to consistently provide basic protection of human rights and address the life conditions of its residents. The fact that women still make up the majority of North Korean refugees evidences that North Korea has failed so far to sufficiently ameliorate the human rights situation and life conditions of women who constitute one vulnerable social stratum in North Korean society. From this point of view, it is not unreasonable to consider the development of the figures of North Korean women fleeing the country as a 'barometer' which directly and indirectly indicates the state of human rights in North Korea.

The reason for explaining the actual human rights environment of women in North Korea through the aspect of 'structuralization' is as follows: The current human rights environment of North Korean women cannot be simply and entirely explained as a phenomenon resulting from the economic crisis of the 1990s. Rather, and when considering the bigger picture, it has to be understood as a phenomenon that arises from a combination of the structure of human rights violations retained from before the 1990s and the worsened socio-economic reality following the economic crisis of the 1990s; and the intensity of this combination appeared in a more structuralized form in the first decade of the 21st century. In other words, patterns of human rights violations have diversified, the scale of infringements has expanded, and modes of violations have become more systematic.

This structuralization and diversification of human rights violations emerges due to a structure of systematic human rights violations that has persisted from before the 1990s in combination with the 'routinization of economic plight' which has now continued for almost 15 years. From a socio-economic perspective, the 'routinization of economic plight' refers to the fact that the state has not been able to normalize the

distribution system vis-à-vis its residents. On the other hand, from a human rights perspective, the 'routinization of economic plight' grants the state room for intervening in livelihood activities centring on markets through forms of control, physical violence, and exploitation. Thus, in the course of state interventions, the patterns, scale, and modes of human rights violations are diversifying and are becoming structuralized.

As women, in particular, have been at the centre of market-related livelihood activities, it can be asserted that the inadequacy of the human rights situation of women has been turned into a structural feature over the long-term. This configuration of human rights violations can be viewed as having been constructed through the interweaving of human rights violations retained from the past within an authoritarian, oppressive, and discriminatory societal structure and human rights violations emerging with regard to market-orientated livelihood activities. From this point of view and at this point in time more than ever before, we need to closely observe and analyze how the marketization in North Korea impacts on the human rights environment.

The seriousness of the problem stems from the fact that this structuralization of human rights violations involves regular and widespread violence, exploitation, and victimization of North Korean women. Throughout the 'routinization of economic plight' North Korean women have been exposed to the existing patriarchal order centring on men and the use of authoritarian power, to a discriminatory order of social stratification, and within it, to an intermediate structure of discrimination and exploitation as they are faced with a situation in which they have to bear the responsibility for securing their livelihoods through markets. Therefore, although various reasons for the continuously high proportion of women amongst North Korean refugees can be contemplated, it is important to specifically look into the fact that the human rights situation faced by North Korean women has been structuralized in a more exploitative and repressive form after the economic crisis of the 1990s.

2) The political structure of domination and women's human rights

North Korea has stipulated in its constitution that “as citizens, everyone holds the same rights in all spheres of national and social life (Art. 65 Socialist Constitution of the Democratic People's Republic of Korea)”¹⁹ and has thus claimed the equality of its residents free from discrimination and exclusion. Furthermore, in its second periodic report to the ICCPR treaty body North Korea asserted that citizens of the Democratic People's Republic of Korea are not discriminated against on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status and are guaranteed equal rights in accordance with the provisions of the international convention.²⁰

Contrary to these claims, however, it is a widely known fact that following liberation from Japanese colonial rule, North Korea has carried out a series of political examinations through which residents have been rigorously classified according to family background and social origin, thus unfolding highly discriminatory policies. What is important is that such discriminatory policies are in a fundamental way the product of the political structure of domination within the North Korean system and constitute the principal mechanism for sustaining and reproducing this system. These policies provide the basis for a hierarchization of society through an authoritarian order in which the ‘Suryeong’ stands at the top, and they are founded on a dominant culture centred on the power of men.

Thus, women can be conceived as persons exposed not only to the political and social, origin-based discrimination which applies to all residents but also to discrimination deriving from the dominant culture centred on male power. This means that North Korean women are restricted in two ways: they are confined by the political structure of domination based on a vertical, hierarchical structure with a divide between dominating and dominated, and by an intersecting, subordinate structure based on a hierarchy of the sexes. As a result, North Korean women are faced with discrimination

¹⁹ National Intelligence Service. 2008. *North Korean Law Collection*. Seoul: National Intelligence Service, p. 13.

²⁰ Korea Institute for National Unification. 2008. *White Paper on Human Rights in North Korea*. Seoul: Korea Institute for National Unification, p. 123.

on grounds of citizens' status represented by a strong androcentrism as well as with discrimination based on a hierarchy of the sexes; from this perspective, they can be said to actually be in a position of 'second class people'.

Since the establishment of political government, North Korea has defined itself officially as a nation of the working class and as truly belonging to the masses. However, authority was seized by workers and the people not through the actual abolition of classes but through the upward mobility of a small fraction of the working class and the people while the structure of inequality was fully retained. Only the latter, recruited as bureaucrats, became the dominating class by permanently departing from the sites of labour, but for the mass the chances of attaining higher social positions were restricted to moving merely within the confines of a class structure which remained unaltered from the past. The ruling power of the former group retains a clear class character. If capitalist society can be considered as having realised the symbol of class on the basis of ownership, in North Korean society this has been substituted by so-called 'privileges', i.e. the appropriation and utilization of resources based on status.

In other words, as privileges constitute the means to preserve social status, they have been used as tools to continuously reproduce classes. The privileges of the ruling class have been maintained by using 'political capital'²¹ as a fundamental means and by monopolising other forms of capital (cultural capital, social capital, symbolic capital) through hereditary transmission. Therefore, if we want to understand the emergence and reproduction of both the structure of inequality in North Korea and the 'structure of human rights violations'²², we have to focus on this system of 'privileges' which operates through the medium of political capital as well as on discriminatory policies and the structural hierarchy between the sexes which intersect with the former.

²¹ In socialist systems which disallow private property, political capital designates the power and capacity that grant its proprietors special rights to appropriate and use public assets and services through political privilege or status. For example, this can include special appropriation rights regarding public assets (factory and farm produce, materials and other commodities) and public services (distribution, health, education, housing, etc.).

²² A 'structure of human rights violations' can be said to exist when a particular society lacks the capacity to construct a concept of universal human rights with regard to political, social, economic, and cultural dimensions and to acknowledge and protect such rights in practice.

The process through which the ruling class was established and structuralized in North Korea shows an irrational and patrimonial character. First of all, let us concentrate on the aspect of how historical experiences were politically instrumentalized. Experiences of colonialism, the Korean War, and of the country's division have provided the pretext and environment in which political hegemony could be seized through a rule of differentiation between those who are 'with us' and those who are 'against us'. Its materialization in North Korea was representatively effected through a 'classificatory system based on origin and status', that is on the basis of 'familial origin'. Furthermore, the examination of every citizen with regard to their 'inclination for revolution' or 'inclination to the party' is also a product of such politicization of historical experiences. Thus, the unequal origin and class categorization as well as the 'social stigmatization' resulting from an arbitrary assessment of one's proclivity towards revolution and the party were justified on the basis of morally vested rights in the name of a revolutionary tradition.

In addition, education has been used as an instrument to reproduce the political structure of domination. Certainly, the fact that education serves as a means to reproduce the ruling class can be used very persuasively to explain capitalist society; however, education has operated as an important hereditary system to reproduce the ruling class in North Korea as well. The only difference is that in capitalist societies the tendency to reproduce the dominant class centres on the level of ownership with regard to material wealth, while in North Korean society political capital, in other words privileges, have operated as the key criterion.

Political capital signifies political status and authority through a mechanism that rewards loyalty to the 'Suryeong' and to the party. Although in North Korea this reward of loyalty can be considered a direct source for the acquisition of political capital, more specifically, a lineage with an 'outstanding' inclination to the party and the revolution or being a member of a family 'of high origin' are also important criteria. The structure of loyalty rewards thus is not the result of a condition in which everyone is given equal opportunities. Instead, the chance of having one's loyalty rewarded is in itself hierarchized through origin and class categorization. If we consider the so-called

‘heroes’ who dramatically rose from the social substratum as people having been symbolically chosen to instigate loyalty, the privileged class which possesses political capital refers to people who are in a position to acquire such esteem in a mundane way, even without a sensational ‘hero’-scheme.

The hereditary appropriation of privileges via political capital constitutes a way to accumulate, expand, and reproduce other forms of capital by using the familial political capital as a ‘seed’ to acquire, on the basis of birth origin, the chance of receiving special educational benefits, to access channels through which upward mobility within the bureaucracy can be achieved more easily, and to gain status and authority through one’s connections and background.²³ Although North Korean society is a society established through a discourse of the ‘revolutionary class’, paradoxically, the historical reality shows that it has been maintained through an extremely irrational ‘transmission’ of hereditary classes. Ultimately, the unequal reproduction of classes in North Korean society is accomplished through ownership and inheritance of different levels of access to state power, namely of political capital.

From this perspective, it can be asserted that North Korean society has been constructed as a two-class structure comprising the privileged class possessing and inheriting political capital on the one hand and the common people on the other; at the same time, women – who are in fact further discriminated against compared to the ordinary ‘citizen’ as they are represented by men as the ‘heads of the household’ – have continuously been allocated to a status of ‘second class people’. As much as the history of a revolutionary tradition has been monopolized by men, a society constructed on such moral foundations can easily be based on an androcentric hierarchical structure; such a society attains a fundamental structure in which political capital is inherited through androcentric lineages.

²³ In North Korea, officials and leaders marry their children only to children of other leaders and executives. Marriages across classes rarely occur. Within the ruling class people are mutually connected and supportive of each other, thus establishing a closed structure. Therefore, North Koreans share a commonsensical belief that all leaders come from a leading family. The latter’s living standards and thought patterns also diverge greatly from those of other North Korean residents.

As 'second-class people, North Korean women can thus be considered as being reproduced through the general characteristics of the socialist political system and revolutionary tradition which provide the moral basis for the absolute authority of the 'Suryeong', through a social class categorization built on the latter, and through a mechanism of inheriting privileges via political capital.

3) The social distribution system and women's human rights

North Korea has operated a privilege-centred distribution system within a fully hierarchized society. For example, party leaders' rations are distributed by supply bureau no. 65, North Korean People's Army generals are supplied by bureau no. 9, directors and vice-directors of public administration by bureau no. 10, section chiefs in public administration and bereaved families of 'champions of the revolution' by bureau no. 4, etc.; by assigning these people privileged supply grades North Korea has maintained a hierarchized structure of redistributions.²⁴

The recipients of the privileged distribution system are the chairpersons and deputy chairpersons of the Party's Central Committee, those specifically authorized by the Party's Secretariat, and supply recipients selected by the Finance and Accounting Department, i.e. the so-called privileged class of North Korea. Special organizations such as the Integrity Department, the People's Safety Agency, and the Ministry of the People's Armed Forces also have their own respective supply bureaus. The supply bureaus for this privileged class run exclusive farms and food factories to produce their own supply goods. Due to this process an arbitrary and organization-centred appropriation and usage of assets arises rather naturally.

²⁴ Supply bureau no. 65 is also called 'Leaders' supply bureau'. This office distinguishes between four types of supply recipients: The head secretary in charge of the District Party and the chairperson of the District Administration Committee belong to the highest grade, while the second highest grade comprises organizing secretaries and propaganda secretaries of the District Party, as well as the vice-chair ranks of the District Administration Committee. According to the witness account of one North Korean refugee, supplies to stores delivering to officials and leaders were fully upheld throughout the severely difficult times of economic crisis. For example, with regard to the daily distribution of pork meat, 70% of it was distributed as state rewards, while 30% had to be paid for individually. Maintaining this system even in times of famines and economic plight allegedly aimed at keeping the officials as a neutral class.

This redistribution system, which operates unfairly as it adheres to privileges and class, is made possible – and that is the other side of the coin – by the exclusion and suffering of the subordinate class, as well as women. The distribution system and related inequalities are reproduced within a nexus of political, material, regional, and sex-based inequalities interlinking with each other. Political inequality refers to a system which categorizes all residents into fixed status groups and affords preferential treatment to the elite as a privileged minority in order to preserve their power. Material inequality, a direct result of political inequality, divides the whole population through static class symbols, and allocates and manages all residents through a hierarchized material redistribution system. Regional inequality operates by singling out specific areas to be politically excluded or by isolating certain strata of society based on geographical areas. These excluded or isolated areas or strata can be considered as making up the lowest end with regard to material redistributions.

On the other hand, sex-based inequality has been effected by a discriminatory method of redistribution, i.e. by determining men as the ‘heads of household’ and by treating women as their subordinate, dependent family members when allocating jobs and distributing food. This means that the North Korean redistribution system operates within a thoroughly androcentric system. And because sex inequality, which disfavours women through the redistribution system, is a complex product of the intermediate structure of political, material, and regional inequalities and plays out on the ‘question of food’, it can be said to correspond to the most fundamental and severe human rights violations.

The unequal redistribution system which is grounded on such sex-based discrimination has invariably shifted the devastating consequences of food shortages to women. After the 1990s, the onus of securing one’s livelihood was transferred to women. When the allocation of jobs which had centred on the ‘heads of household’ was terminated and men refused to participate in markets, women became responsible for the livelihood of their families. Especially in the case of housewives, women have had to deal with an excessive burden following the decline of state schemes supporting domestic work and the rearing of children. In order to do business, they had to put up with travelling long

distances to buy and sell goods; and work spent on cultivating wasteland or fallow land in order to farm food on little patches of land or raising beds has come to be considered mainly a duty of women as well.

Due to this heavy work and burdensome livelihood responsibilities, problems are also arising with regard to women's health conditions. With cases becoming more frequent in which women abstain from scarce food in favour of their families, women are at high risk of developing malnutrition and various consequential diseases. Furthermore, because the famines have coincided with a qualitative decline of the medical distribution system, problems relating to pregnancy, childbirth, and childcare are also emerging.

4) Discursive and ideological mechanisms and women's human rights

The relationship between the North Korean state and the people has been veiled as a reciprocal relation of gift and counter-gift: the state affords the people its care (social security) as a gift which the people compensate with a counter-gift (loyalty, work). This process of offering care and 'compensation' has been propagated by the patriarchal socialist ideology as a just exchange relation. The relationship between the dominating and the dominated was thus concealed as a reciprocal exchange relation, masking the logic of the dominating class. This masking was possible because the relation of care and compensation was conveyed at once through a logic and sense of 'morality'. Morality disguised the relation of care and reward as 'something honourable' and through a metaphor of blood relations, but the political logic of the dominant class had been built into this relation.

Following the postulation that the relation between the state and the people was one of 'blood ties', with the relation between the 'Suryeong' and the people one between 'blood-related family members', the raising of any doubts about this relation would immediately be regarded as an 'immoral' betrayal of one's blood and family. Reducing social relations in this way to morality amounts to a kind of 'quasi-religious moral system'. The injustice implied in the sacrifices of the people was concealed in this

entire discursive process, and the unequal social structure became naturalized as the moral order. As the relation between the 'Suryeong' and the people, between the state and the people, was based on this extremely personality-centred morality, it actually subdued any sense of citizens' legal status, equality, and freedom.

Furthermore, assessments of this morality have been carried out using arbitrary criteria such as 'proclivity towards the party' or 'inclination for the revolution'. This specific notion of morality was structuralized through extensive policies of 'birth origin' vis-à-vis the entire population and by categorizing all residents into classes. Status-based discrimination and repression operated on this basis. The right to equality and the right to freedom as well as the freedom of the body have been severely violated. But since this unequal structure of society was considered a result of a 'just' moral assessment (inclination to the party, to revolution), no one could raise any objections. Eventually, the 'morality' propagated by the state became a mechanism which rationalized the unequal societal structure and the unfair distribution of political power as well as various forms of violence against the individual as an outcome of 'just' social relations.

A society in which the 'Suryeong's benevolence and care' constitute morality is a society constructed in a hierarchical order which is – as symbolized by the figure of the 'Suryeong' – androcentric and patriarchal. While the family, as a manifestation and miniature of the family-centred concept of the state expressed in the metaphors of 'blood ties' and 'blood-related family', has been constructed and established around men as the 'heads of household', women, as beneficiaries and receivers, have naturally been forced into obedience. This way, women became fixed as beings subsumed beneath the patriarchal 'exchange logic' and 'blood logic' of the state and were thus deprived of the language and logic of an independent self-awareness as women.

Moreover, women have also been entirely excluded from national history since the latter was constructed as a revolutionary tradition centred on men deriving from the physically intensive, armed independence movement against Japanese colonialism.

The special glorification of Kang Banseok²⁵ or Kim Jongsuk²⁶ was based on Kim Il-sung's 'History of Anti-Japanese Revolution' only insofar as their names were mentioned in Kim Il-sung's book. In this way, however, the image of women as wives devoted, committed, and dutiful to their husbands was only further enforced. As much as the 'Suryeong' was considered a figure beyond the law, men, likewise, were regarded as extra-legal beings within the family, thus enabling their rule. Such a political logic of domination constituted an ideal background for an environment in which violence within the family was tolerated. Ultimately, women had to 'revere the head of the household', raise their children into the revolutionary working class, 'proletarianize' themselves, and participate in highly intensive societal work.²⁷

The economic downturn in the 1990s resulted in a militarization of the material basis of the state's 'care' and 'benevolence'. As the state lost its capacity to support the people, policies which had previously socialized housework and child rearing were reduced or weakened. North Korean women were now increasingly confronted with multiple pressures and suffered under the burden of societal work and work to secure their livelihoods on top of domestic chores and child rearing responsibilities. Nevertheless, with regard to the division of livelihood responsibilities within the family, men resolutely 'hid' under the existing patriarchal hierarchy and displayed an attitude which passed the entire livelihood question on to women.

From this perspective, a more detailed understanding of the traditional concept of patriarchy in North Korea is necessary. North Korean men have developed not so much an awareness of responsibility for their families' livelihoods, but a strong authoritarian and political character related to notions of 'honour' and 'rule'. This means that the patriarchal, hierarchical order of North Korean society is characterized by a political

²⁵ Kang Banseok (11th April 1892- 31st July 1932) is the mother of Kim Il-sung. Her first name reflects the fact that she was a devout Christian, 'Banseok' referring to the biblical 'spring that never runs dry'. In North Korea she is construed as an activist for women, communism, and independence during the time of the Japanese colonization.

²⁶ Kim Jongsuk was Kim Il-sung's first wife and Kim Jong-il's birth mother. She was born in Hoeryeong, North Hamgyeong Province, in 1917 and died in 1949. She is said to have fought alongside Kim Il-sung in the armed resistance against Japan.

²⁷ Yun, Miryang, 2006. *North Korean women's status and role. North Korean Society and Culture*. Seoul: Hanul Academy Press, p. 468.

relation between the dominant and the dominated which is reproduced less through paternal authority in form of responsibilities, but rather through ruling over and exploiting women and other vulnerable groups, i.e. through the latter's suffering. Hence, the economic crisis in North Korea can also be seen as a momentum which further aggravates inequality with regard to gender roles and labour division between men and women within the family and society.

3. Case analysis of North Korean women's human rights situation

1) The hidden side of equality and rights: mobilization and exploitation

When we consider the currently existing laws and institutions relating to women in North Korea, North Korean women can be said to enjoy equal civil and political rights to their male counterparts. However, a huge discrepancy exists between these laws and institutions and the life of women. In fact, when we take a closer look at the historical development of legal and institutional guarantees of equality, we can assert that they have been prompted more by economic and political reasons rather than being characterized by measures to secure genuine equality.

In the 1950s-1960s, i.e. in the process of rebuilding the country and establishing a socialist economy in the post-war years, North Korea suffered from a labour force shortage and introduced various legal and social measures to draw women into the economical arena. These measures seemingly acknowledged women's work capacities and promised women's participation in society on equal terms with men, but in reality they rather aimed at accelerating their enforced introduction to the economy by activating and mobilizing women's labour power. Although the state implemented measures to support child rearing and childcare, women were, in fact, incessantly confronted with multiple responsibilities: occupational work, social mobilization, and domestic work.

Up to the 1990s, there was a strong tendency of women being used as work-machines, birth-machines, and childcare-machines obeying and conforming to the political and economic objectives of the state, i.e. women being instrumentalized for social mobilization and exploitation. The intention to perceive and utilize the female 'body' as a means to reproduce the patriarchal order of male domination and as an industrial production tool was particularly strong. The use of the female body as an industrial means in the 1950s-1960s, the semi-coercive pressure on women's contraception as a means of birth and population control in the 1970s-1980s²⁸, the promotion of childbirth after the mid-1990s to secure a new, future workforce substituting the existing workforce diminished through widespread starvation due to the famines, etc.; all these measures extensively instrumentalized the female body for social mobilization and exploitation, albeit under the cover of patriarchal 'protection'. From this perspective, the legally stipulated equality and rights provisions appear as mere formalities concealing the shadows of mobilization and exploitation.

On the other hand, it is important to ask whether this legal equality manifested itself in women's daily life experiences and whether it has been inscribed into the individual's identity and thus been internalized. This includes an experience-based assessment as to whether the laws and institutions provided by the state aimed, in practice, at 'granting' rights by making women safeguard their rights themselves or whether laws and institutions have made real efforts to protect women's rights. Certainly, differences can be assumed to exist with regard to peoples' awareness and evaluation of equality between men and women across time. However, our research found that, with regard to women's experiences of the 1990s and the following decade, equality and rights granted by the state have, in practice, not been inscribed into women's experiences or identity and are incongruous with their everyday life and reality.

²⁸ From the early and mid-1970s onwards, a situation in which food production in North Korea could not match population growth started to develop. At that time, North Korea began to implement measures to curb childbirth. A crude contraceptive tool nicknamed 'Gori' (loop) was supplied to every regional and village health centre, and surgical procedures and educational measures took place. Infections and physical pain caused by the low-quality contraception device swiftly followed (Gim, Gyeongjin, 2009, 4-1; Yun Okhui, 2009, 4-2; An Mungil, 2009, 4-3; U Wonjae, 2009, 4-4). In North Korea, the prevention of conception was entirely passed onto women as their sole responsibility (cf. Hanawon Survey, item no. 34). This way, the female body can be said to have been continuously violated in North Korea by the extremely androcentric, patriarchal, hierarchical order in line with economic objectives and concepts.

Especially after the economic crisis of the 1990s, a wide gap existed between legally stipulated equality and rights and the daily lives of women who were confronted with multiple forms of discrimination and violence exerted by the state and men.

Contrary to the 'festival of efficacious rights' directed by the state on the legal stage, the backstage that is everyday life is rather characterized by irregularities. This mismatch between the legally staged appearance and reality is best represented in the field of civil and political rights. Although the ratio of women amongst delegates to the North Korean Supreme People's Assembly seems to formally indicate a high political participation of women, their participation in the party, the cabinet, and the military, i.e. in the bodies that in reality exercise power, is insignificant. Women's entry into public affairs is not only strongly limited through the ranking of 'birth status', but often women's status is also determined according to their parents' lineage and the social position of their married spouse (Mun Gyeongsun, 2009, 2-7). Thus, a life which is dependent on or subordinated to male-centred power is imposed upon women.

2) The unequal provision of opportunities and cross-generational transmission of class: Being born into a predetermined occupation

Even though the classificatory policies of North Korea which discriminate on grounds of birth origin also control the societal participation of the basic masses, it is the people attributed to the 'impure masses' who suffer directly from the classification policies. Individuals categorized as the 'impure masses' are discriminated against with regard to employment, education, housing, medical care, etc., which means in all areas of social life. Overall, these persons are engaged in difficult and harmful labour, and they are singled out and managed as targets for isolated accommodation through forced resettlements and as objects of authoritarian rule, as isolated objects whose movements are watched at all times, as objects in need of persuasion and 'refinement' towards conformity with the system through concentrated refinement education, etc.

With regard to the field of education, there is a strong indication that education has been utilized as a means to reproduce the ruling class despite North Korea's claims of

providing equal educational opportunities. Undoubtedly, the argument that education serves the reproduction of the ruling class yields more explanatory power in relation to capitalist societies, but it cannot be repudiated that in socialist societies as well education has equally been a major route to reproduce the ruling class.²⁹ Until now, 'birth origin' remains the most important criterion for access to a first-class university. Especially in the case of women who want to go to university, the scope of choice is rather limited as their options are constricted by prejudices regarding which social domains women should enter: business school, light industry school, nursing school, teachers' school, etc. are their predetermined options.

In the same way as in the field of education, an unequal class structure and a structure of inequality between men and women has operated in the field of labour, rendering the latter an area typically characterized by labour rights violations. It is not individual autonomy, but unilateral assignment by the state which still remains the absolute determinant when it comes to 'choosing' one's occupation. Again, this unilateral placement is decided through arbitrary assessments of one's birth origin, the outstanding character of one's family lineage, the position of one's parents, and their inclination to the party and the revolution. Irrespective of individual efforts or skills, one is to live as a labourer if one's parents are labourers, as a farm worker if one's parents are farm workers, etc.; thus, classes are passed on from one generation to the next. Since the economic crisis, moreover, cases have become even more frequent in which people are forced to give up their dreams due to the state discourse of 'sacrifice' which enforces group placements immediately after people graduate from secondary school or finish military service.

Instinctively, [I thought] 'Because my father is in the coal mines I also have to go to the coal mines'; as I've been educated in this way from an early age it's not even depressing. Although the same amount [of work] was done, men – because they're men – get a different pay. They're all men. When women do something it's something like being responsible for a restaurant, a warehouse, that's what women do, but other

²⁹ Although one's political conviction and status are widely regarded as important factors determining social selection such as in the selection of party members or university entrance, in reality, personal connections and family background are masked as status and conviction. For example, the father's background operates as the most important variable for children's university entrance. The son of an official can thus be guaranteed social success. Under the name of 'ideological status' family background is legally used as the basis of preferential and discriminatory treatment.

big things are all done by men. Men's wages are of course higher, even if you work the same hours, because the man is the head of the household. We think that's only natural. We don't see it as discrimination. (Go Yeongsun, 2009, 4-5)

It has been reported that, in special areas, women face sex-based violations of human rights in the process of entering an occupation as well. In one woman's testimony it is reported that in the recruitment process selecting candidates for nursing jobs at the People's Safety Agency Hospital, physical examinations are necessarily carried out as part of the identity checks, but they include even a gynaecological examination to ascertain one's virginity without which one cannot take the job.³⁰

Marriage also constitutes an area in which such class boundaries are difficult to overcome as birth origin impacts on marriages as well. Because a person's 'development potential' is perceived as low or non-existent if she or he does not have a 'good birth origin', getting married to a woman who cannot show such a good background actually becomes problematic for peoples' success in life. At the same time, the Integrity Department or other control organs also systematically interfere if someone's birth origin is classed as inadequate.³¹

Although there are cases of women moving up in the origin-based class hierarchy through marriage, generally, these cases are very rare. Because an inadequate birth origin also influences marriage as it impacts on the advancement of one's spouse, we can find quite many cases in which married life does not go smoothly. Especially for those whose birth origin or parental lineages are politically stigmatized, choosing a partner involves serious political, cultural, and psychological constraints. Birth origin and class categorization thus severely violate the free choice of partner.

In North Korea, when a person with a bad background gets married to a person with a good background, even if they've chosen married life because they've loved each other no matter how much, married life brings destruction. That is because, for example, when a woman is like me but the man is something like a military official or a university student, the future of this man is then blocked. Because the wife's family side is inferior you cannot develop. Even if you got married because you loved each other no matter how much, when a man says 'I love this woman so much that I can't leave her', this man has to give up on his future. From becoming a member of the

³⁰ Han, Mangil (Ed). 1999. *What is education like in North Korea*. Seoul: Our Education, p. 23.

³¹ Korea Institute for National Unification. 2008. *White Paper on Human Rights in North Korea*. Seoul: Korea Institute for National Unification, p. 134.

party to the promotion of officials, all this then becomes impossible. (Mun Gyeongsun, 2009, 2-7)

With regard to residents of cities, people have not been able to work and receive wages – although they were placed in jobs – since the mid-1990s because factories and state-run enterprises ceased operation; since that time, a situation has persisted in which the state in fact lacked the capability to grant the right to work. In this situation young women have become a target of human traffickers or sex traffickers who move back and forth between North Korea and China, and there have been many cases in which women were sold to the latter (Go Yeongsun, 2009, 4-5); this development still continues today. Amid circumstances in which women, in fact, are not given the right to work, these women's lives are sacrificed and sold off, lured by the prospect of securing their families survival.

3) Living off women's livelihood activities: the state and men

In North Korea, there has traditionally been a strong tendency to regard trading as 'something that makes your face blush', i.e. as work generally considered shameful or lowly (Go Yeongsun, 2009, 4-5). When trading became an important means of livelihood activities in the 1990s, this negative evaluation has reportedly lessened; nevertheless, it still persists within the patriarchal social order. The patriarchal North Korean society displays a strong tendency to think of fields of activity for men and women as radically differentiated and separate: the public world of occupations as belonging to men, the private sphere such as the family and the marketplace as belonging to women.

Men's inclination to settle in the patriarchal male sphere emerged even more clearly when men no longer went to work due to the economic crisis and when markets sprung up in the years following the 1990s. Since trading was perceived as damaging men's 'honour', as something shameful, livelihood activities involving trading have been entirely left to women. Thus, women can be said to be forced – against their will (socially) – into a very inadequate work environment due to this androcentric occupational hierarchy and family structure. Certainly, the intensity of such livelihood

activity is also greatly influenced by the social position and occupation of one's husband.

In this sense, the interpretation that in the years following the famines North Korean women's economic power was vitalized due to their market activities and that, within the family, their 'right to speak out' was strengthened and their roles and status improved is an aspect that needs to be re-examined in various ways. Although there are cases in which women have to some extent acquired economic power through their market activities, this, however, does not directly translate into an improvement of role and status. It must rather be seen as an extremely limited phenomenon arising in the low and middle classes who struggle, day by day, to secure their livelihoods, and it is difficult to generalize this interrelation and render it a common phenomenon. Hence, the economic crisis can be said to have loosened up the rigid gender division of labour of the past only to a degree that does not amount to a collapse of the patriarchal order.³²

Furthermore, it can be argued that the public-private divide between men's and women's spheres and spaces has in fact been consolidated. Because the marketplace, the market, and spaces related to market activities have been not public but private and dishonourable spaces, the assertion that women took the lead in market-related activities does not mean that the market sphere is now accepted as a public space. Instead, it is rendered the private sphere of women even more forcefully than in the past. For example, the authorities exert pressure on women who trade on the general market by demanding that they 'must wear skirts'; this shows that social prejudice which clearly identifies the space called market as a female sphere is effectively at work here. Therefore, neither women's market activities nor their livelihood activities have been able to significantly reverse the patriarchal family order.

Furthermore, market activities are currently not granted the same social guarantees that are generally afforded to public occupations, and thus attain a character of

³² Lee Mikyeong, 2006. *A View on the Change of North Korean Women's Status Following the Economic Crisis Construed through In-Depth Interviews with North Korean Women*. Family and Culture, Vol. 18, No. 1, Korean Family Studies Association, p. 45.

unprotected livelihood labour. Even when trading officially on the markets, one is forced, on top of the market work, not only to participate in the workplace or in the political life of the social organization one is officially allocated to but also to carry out domestic work (U Wonjae, 2009, 4-4); in this regard, trade activities amount to 'unprotected livelihood work' and attain an exploitative nature.

In addition, women's trade activities involve a process in which women are confronted with various forms of social violence. Cases in which women are subjected to psychological harassment, verbal abuse, and physical violence by men in the process of trading on markets and travelling between areas in order to buy and sell goods are continuously reported. In general, women have testified that they were most severely harassed by the People's Safety Agency (the police) and have disclosed that they suffered various forms of violence by persons working at market management offices, by officials of party organizations, by men related to official or unofficial forms of transportation, by soldiers, etc.

These humiliations experienced by women show that their market activities are met by state-sponsored and male violence. In contradiction to the fact that market activities are mainly upheld by women, market control is exercised by male power. This also means that a structure of **'market = object of supervision and control = female space'** and **'state = supervising and controlling agent = male space'** is enforced. In certain respects, it is a structure in which the state, bureaucrats and men live off women's livelihood and related market activities, a structure that violates human rights through exploitation.

We had travel permissions and nothing to be caught with, but they tell us to come in one by one. Without reason they pick on us having Chinese goods. Chinese goods, that's what everyone carries around in small amounts, but they pick on that. That woman goes in and after some 30 minutes comes out crying heavily. Crying [she says] that she won't try to get the goods and insists that we should just leave. So we didn't get the goods and just left, but that women had suffered. She was crying because she had suffered very badly. Although she wasn't a single woman but a middle-aged woman. When you trade on the train, there is a saying that 'a women's lower parts belong to the policemen'. There is a lot of this in reality. Because even though they do this, nobody is going to bring it up. That is, women with a pretty face can stroll around as they want even without a travel permission. (Go Yeongsun, 2009, 4-5)

4) Inadequate maternity protection measures: From unwanted pregnancies to 'livelihood-type' abortions

In cases of pregnancy or childbirth, having a sufficient period of rest before and after giving birth is a condition difficult to realize due to women's livelihood activities. State support of free health services relating to pregnancy and childbirth continue to be in a poor state. According to the testimonies of North Korean refugee women, medical drugs have already been scarce since the 1990s, so that people have no choice but to buy medicine at markets for money or bribe the doctor, or to obtain medical drugs and then go to hospital. With regard to illnesses related to women, many have had the experience of receiving only an examination at hospital and having to obtain medicines themselves or of dealing with illness by themselves without any medical examination.

At the same time, due to the aggravation of the economic crisis in the 1990s and livelihood activities becoming more urgent, abortions (curettage) are carried out openly yet unofficially as the state turns a blind eye. Reasons for these abortions are complex: from unmarried women's unwanted pregnancies (caused by premarital sexual relations, sexual violence, 'sexual bribery') to abortions motivated by livelihood considerations. What is important is that these abortions occur mostly because of violence induced by the social structure, because of sexual violence carried out by men, because of sexual bribery as abuse of power, economic difficulties to sustain livelihoods, husbands evading livelihood responsibility, state inactivity, etc.; which means that abortions are carried out not based on individual choice but rather within a structural dynamic.

Furthermore, the point that requires attention is not whether abortions do really happen but, rather, that the physical and psychological wounds inflicted through abortions are becoming increasingly generalized to women. This point refers to men's avoidance of responsibility in the decision-making process leading up to the abortion, the physical after-effects of abortion, 'feelings of guilt' about the abortion, etc., i.e. to the fact that abortions leave deep wounds on women's lives. Consider the experience of a woman who had an abortion after bribing a doctor with 10 kg of red beans and

10kg of tofu beans once she had decided to have an abortion because her livelihood was at stake:

I'm sorry, but when I went to hospital because - after giving birth to two sons - I had no menstruation and my body felt heavy, they told me that I was in my 4th month. When it's the 4th month, you cannot do the curettage, you know. But I mustn't have a child. It's already difficult for me to earn and get food. They told me I should let it grow for another 2 months and then have a mid-term abortion. You let it grow for 6 months, and then they inject a medical fluid below your belly button. After the injection I gave birth within 24 hours just as you normally give birth. It was already dead. But it was a girl, you know. My mother wrapped the baby in a straw mat and buried it. But after 2 months my mother slipped on the ice and fractured [her bone]. A baby's ghost is terrifying, it's a short life but it's a life. I always feel guilty. (Go Yeongsun, 2009, 4-5)

The reality is that the use of contraceptive tools, responsibility for pregnancy, childbirth and childcare are all rendered women's sole responsibility. The statement of one North Korean refugee woman, "I was told not to insert [the contraceptive Gori (Loop)] but I went [to do it] because life was so difficult", exemplifies how women are filled with fear and live with anxieties about the burden of pregnancy and childcare amid difficulties to survive. Research findings suggest that in North Korea, contraception is entirely left to women, and that there are many women who suffer from pain caused by low quality contraceptives or surgical procedures, infections, etc. This reality indicates that there is an extreme lack of schemes, means, and interest to protect maternity within the state, society, and family.

V. The human rights situation of North Korean refugee women in China and other third countries

– Women moving across state borders

1. The North Korean- Chinese border and North Korean refugee women

North Koreans and specifically women started to escape to China from the mid-1990s onwards when North Korea was severely struck by famines. Cross-border movements of North Korean residents which previously had raised little attention emerged as a national problem only when their numbers increased drastically in the aftermath of the famines. North Korean residents crossed the Tumen River and Abrok River, which follow the border line between North Korea and China, and now reside in Heilongjiang, Jilin, and Liaoning, three north-eastern provinces of China. The reason for North Korean women's concentration in these three north-eastern provinces lies in the fact that the latter are adjacent to the border with North Korea. Both the Abrok River and Tumen River which form the North Korean-Chinese border become narrower and have many shallow areas the more you go upstream, and since these river areas freeze over in winter North Koreans could easily move back and forth between China and North Korea.

Apart from this geographical advantage, these three north-eastern border regions have a population of around 1.8 million 'Chosun-jok'³³; around 97% of ethnic Koreans in China live in this area. The 'Chosun-jok' received economic support from their friends in North Korea during the Chinese Cultural Revolution, and some of them migrated to North Korea. This historical background attracted North Korean residents

³³ The Korean term 'Chosun-jok' refers to Korean people who live in China and hold the Chinese citizenship. China officially recognizes 56 ethnic groups among which ethnic Koreans are categorized as 'Chosun-jok'. While this group partly consists of Koreans who left the Korean peninsula and migrated to Manchuria due to the difficult living conditions during the period of Japanese colonialism, the majority of the 'Chosun-jok' settled in Manchuria in line with Japanese imperialist resettlement policies vis-à-vis the colonized aiming at establishing Manchukuo, a puppet state of Imperial Japan.

to China. The majority of North Koreans who left their country after the famines went to China to seek help from their relatives there.

In most cases, North Korean refugee women crossed the state borders to obtain food or to raise seed capital for trading activities. Because North Korean and Chinese villages situated along the border are like neighbouring villages separated by rivers, North Korean refugee women did not worry much about crossing the borders. North Koreans living in areas close to China and the Tumen River secretly went into Chinese farm villages, equipped with goods to obtain food, and returned with food stock in exchange for their goods. Yi Myeongsun (2009, 1-3) also crossed the river at night together with her son and went to a Chinese rural village thinking, "My mum's house is next to the Tumen River. Even if we die, let's at least get some rice in China to eat."

Although they didn't know us, when we went there they treated us so well. Because I was so pitiful, because we were so miserable, the next time the whole family came out. The family. Yes, they put gloves on our hands and gave us clothes, and then after three days we went back again, went back again, then, the next time when we went they told us to bring a yarn spinning machine, you know, there is this yarn spinning machine. Went to the market and bought it for 10Won, for 10Won North Korean money, went to China, [got] cigarettes called 'Dart' for them, 10 cigarettes, at that time one cigarette was 40Won. 10 cigarettes, that made already 4,000Won... I received probably 6 of those packs. That means they made 24,000 Won. So you become a totally rich person. (Yi Myeongsun, 2009, 1-3)

Subsequently to the famines, movements both ways between North Korea and the three north-eastern regions of China became frequent, facilitated by historical relations and upheld through exchanges of goods which made use of the geographical advantage; however, a new element was introduced to this nexus when the number of North Korean refugees increased. People who regularly went in and out of China began to take North Korean women to unmarried Chinese villagers and to receive money in return. Once Chinese cities started to develop and service enterprises began to thrive after the market economy was introduced in China, Chinese village women migrated to the cities. In this process, even married women moved to the cities to support their family's economy, and there was a drastic rise in the number of women living away from their families. Naturally, this led to a rising number of male widowers, unmarried men, or men who had not been able to get married until late in the villages. This way a gender imbalance among marriage-aged people emerged in the Chinese countryside,

and it was North Korean women who filled this gap. When Hyeon Changhui (2009, 2-6) arrived at an unknown house after crossing the Tumen River and walking over the mountains, the male owner suggested: “He said that now we are in China, and there are two sons in this house who have not been able to get married, one son who has reached his 40s and one son aged 38, so if possible I should stay with them”. Soon, North Korean women were sold off to Chinese single men or widowers or were offered to adult entertainment establishments for money.³⁴

Thus, for many North Korean women migration to China was caused by a ‘demand’ for them in Chinese society. In other words, the three north-eastern provinces of China exert a strong ‘pull force’ on North Korean women who are confronted with difficulties to survive in North Korea.

Nevertheless, from a migration perspective, much bigger than the pull force applied by the Chinese and other external societies to North Korean women was the ‘push force’ exerted by the North Korean system. This force ‘pushing North Korean women out’ is closely related to prescribed ‘gender roles’ in North Korea which regard the provision of food and responsibilities relating to the livelihood of families as falling into the domain of women. Although in the years immediately following the Korean war when the male workforce was diminished the North Korean leadership propagated men and women as the ‘two cart wheels moving society forward’, sparked women’s societal participation and efficiently used the female workforce, at all times women were abandoned by the state when it came to changing the order of gender roles within the family. Hence, in socialist North Korea the traditionally prescribed gender roles did not change greatly. As long as they were single, North Korean women went out into society and worked, but as married women their responsibilities as ‘housewives’ were prioritized, so that it was not regarded as much of a problem if they did not go to work.

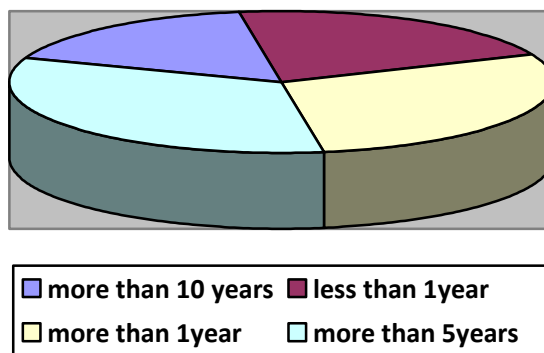
³⁴ In 1999 women were traded for 3000 Chinese Yuan per person. As this price increased the more you went inland, there were also cases of women being traded for 15,000 Chinese Yuan per person. This constitutes a sum which is higher than the annual income that Chinese villagers could raise from their farming activities. Cases of villagers giving up farming and taking up human trafficking as a side-job increased (Gang, Sujin. *Past and Present of the Problem of Human Trafficking of North Korean Refugee Women Residing in China and the Role of North Korean Refugee Women in South Korea*. Lives for Sale. Committee for Human Rights in North Korea.)

Kim Jinsun (2009, 1-4) started trading in 1994 for her family's survival because "We received no distribution, no wages, both my husband and me were going to work. We both were involved in employment, but when they wouldn't give us any wages, when they wouldn't give us any distributions, how were we supposed to live? You can't." Generally, North Korean refugee women have been involved in trading before migrating to China because "Women can quit their job but men cannot do so. Because he is the head of household and because that person has to make a living, he cannot do so, and he has to go to work even if they don't give you a ration and don't give you your wages." As Yi Myeongsun (2009, 1-3) also states, "Men must go to work. If they don't go, they are arrested. Because they put them in these forced labour camps", men, differently from women, cannot avoid their workplace even if they receive neither distributions nor wages. Because men are regarded as both the heads of household and citizens they are rounded up as political criminals when they desert their work. In this sense, if men were 'first-class people', women were in a position of 'second-class people'. Such a structure operated as a force that pushed women out; and this mechanism developed into a practice of women crossing state borders.

In general, North Korean refugee women who now reside in South Korea have come via China and other third countries. They have lived in China for 1 year in cases of short sojourn and for up to 10 years in cases of long settlement. In the Hanawon survey carried out in August 2009, North Korean women who had resided in China or third countries for more than 1 year made up 79% of the total sample. Among the survey respondents 51 (21%) North Korean refugee women had stayed in China for less than a year, 73 (29%) women between 1-4 years, 82 (33%) women between 5-9 years, and 41 (17%) women for more than 10 years.

<Illustration 5-1> Length of North Korean refugee women's stay in China

Length of stay



※ Source: Authors' own survey (Hanawon North Korean refugee women, 4th Aug. 2009, personal data item no. 12)

What position did North Korean refugee women have when living in China? Similar to international migrant women, North Korean refugee women residing in China departed their country with the ambition of providing for their families' livelihoods and the wish to live a different life; however, they show some special characteristics.

Firstly, China does not legally recognize North Korean refugee women as refugees and regards them as illegal residents who have entered Chinese territory unlawfully on economic grounds. As China considers North Korean refugees as illegal immigrants who left North Korea and came to China for economic reasons, i.e. for the procurement of food, the Chinese administration takes the view that they constitute an issue of bilateral relations between North Korea and China, not a matter in which third countries or international organizations can interfere.³⁵ Because this position is based on the estimation that if North Korean refugee women were granted refugee status, a situation of mass flights from North Korea would ensue and cause economic damage as well as social chaos, it is likely that China will not grant North Korean refugee women official refugee status in the future either.

³⁵ Kang, Hyobaek. *Chinese Laws Regarding Relationships of Factual Marriage of North Korean Refugee Women Living in China and Their Children's Status*. Lives for Sale. Committee for Human Rights in North Korea.

The construction of a barbed-wire fence along the state border by China in 2008 can be seen as an expression of will to strongly curb the influx from North Korea.³⁶ But not only a fence was built to impede peoples' easy access to China; in various places actions of cutting down weeds to raise the visibility of border crossings were also witnessed. In 2009, scenes such as in the first half of 2008 when around 10 persons per day crossed the border could no longer be observed. This means that only those North Koreans who prepare their flight using professional 'brokers' can now approach the border. It is expected that this situation will persist for some time in the future.

Secondly, crackdowns on North Korean refugees and forced repatriations of detained North Koreans are resolutely enforced in China, and North Korea punishes repatriated citizens and illegal border-crossers severely. Forced repatriations are carried out according to the "Mutual Agreement on Extraditions of North Korean-Chinese Defectors and Criminals (1966)" and the "Agreement on Joint Management of Border Areas between North Korea and China" (1986) which were followed by the two countries signing the "Agreement on Duties Relating to Border Areas" (1998) once the numbers of North Korean refugees increased; the latter agreement sped up the extradition procedure and expanded the concept of illegal border crossing. In 2003 North Korea also signed the "Treaty on Mutual Legal Assistance in Criminal Matters between the Chinese and North Korean people", thus laying the ground for cooperation regarding investigations on North Korean defectors and their extradition from China.

Repatriations constitute a route through which North Korean refugee women are turned into criminals, and forced returns have severe implications not only for these women themselves but also for their families. These women are thus subjected to a situation in which they would do anything to avoid forced repatriation under any circumstances.

Thirdly, North Korean refugee women living in China have not thoroughly thought through and prepared for migration. They have not only made hardly any preparations

³⁶ China provided the funds, North Korea the workforce to erect the wire fence.

before going to China, but they were also in no position to know what might happen in the future. Because these women thought of returning to North Korea after a few days, they were not greatly concerned about crossing the border and could not make informed choices.

Ten years ago, in 1998, I came from North Korea to China. That means, at that time I had graduated from secondary school and was living with my older brother, my older brother was living in Cheongjin. ... [I met a] person I knew, we were so happy to meet and while we talked this person asked 'Don't you want to earn money in China?' That's why I came. It wasn't long after I had finished school and the North Korean economy was in difficulties. That is, because this person said I could go to China and make some money and come back, that is why my heart wavered. (Gil Gyeonghui, 2009, 1-7)

With this kind of thought people go in the beginning to make money. Actually I also went because of that. I didn't come to stay for good but thinking 'When I come back after earning money for just 3 months, I will be able to keep up my family's living.' And if I go to a farm village with the rest and buy goods and exchange them for other goods and come back with them, that may somehow sort out [the problem of] food to eat, and when I come back with money earned I can start a trade with that money, I went with this kind of thoughts. (Han Junhui, 2009, 2-1)

The goods, I was told they would be here in around 5 days, so I went and worked for 10 days and got the money and came. 'With the money from selling the goods I can go home, or I sell them and go to my mum's house, something like this I thought... Then, at that time, I didn't think at all about things like 'I'm going to another country, it's scary'. I just silently followed others who left. (Sun Yeongsu, 2009, 3-4)

Certainly, there were also women who knew about the situation in China in advance, but the thought of earning money and returning to North Korea was more prevalent. Contrary to migrant women in all parts of the world, North Korean refugee women, in general, crossed the North Korean-Chinese border illegally without any further plan, and as a result had to remain and live in China as illegal residents. Thus, North Korean refugee women living in China had no alternative but to live in the worlds' most vulnerable position.

2. Life without citizenship

1) Living without a chance to obtain identity documents

Since North Korean refugee women could not obtain official refugee status in China and were considered illegal residents, they themselves describe their lives as ‘a life worse than that of a stray dog’. What is the life without citizenship like that North Korean refugee women speak of?

When I lived in North Korea we were busy scraping a living but there wasn't anything like this. 'This is my country, my nationality', these kinds of things existed, but while I was living in China, although you somehow eke out an existence, but because you live without citizenship, again this wasn't like a life for human beings. Even when you suffer [an injustice], there is nowhere to go to do something legally about it. When I lived like that for 1 year, 2 years, living here also was worse than dying. (Kim Jinsun, 2009,1-4)

A life without citizenship means that people cannot appeal to the law even if they are subjected to injustice, and that they have to change their workplace just because the police calls in to ask whether someone is a North Korean; it is a life that is unworthy of being ‘lived by a human being’. As the account ‘When I lived in North Korea we were busy scraping a living but there wasn't anything like this’ exemplifies, it is a vulnerable situation even when compared to women's status in North Korea. To live without a citizenship means to be outside all political and civil rights and to be unable to get even the most minimal amount of legal rights protection.

In modern nation states, the freedom of movement between areas and states, as well as the rights granted to ‘citizens as members of community’ and ‘national citizens’ generally derive from political and civil rights. In nation states, it is identity documents that signify being a ‘national citizen’.

How important identity documents are, that's something we really learnt on Chinese soil in very harsh ways. We do not speak the same language. Because we don't have identity documents we never know whether the security police are going to approach us one day and arrest us. To leave the house was the most scary thing, and fellow Chosun-jok were the most frightening. Fellow Chosun-jok would again and again report North Koreans to the police, and while these people get money, we get arrested. That's why the most frightening were the Chosun-jok. (Hwang Sunjeong 2009, 1-1)

When we first agreed, when you work the farm for 1 year, they make several 100,000Won. And putting you on the family registry normally costs around 40,000 Won, you can do it with that amount. It's around that level, but you get a fake family registration for around 20,000Won. If I do everything as told, they promised to get

that done for me... Then they said that it didn't work out this time, that they're sorry, that we should do it next time again, so I worked on the farm for another year but at that time the rice prices hit the bottom, at that time in 2002. So the rice wasn't sold but some hundred rice bags were left untouched in the stores. (Mun Gyeongsun, 2009, 2-7)

When Hwang Sunjeong (2009, 1-1) describes her life without identity documents, i.e. her fears caused by the impossibility of obtaining recognition as a 'national citizen' and a life full of anxieties, she states that for North Korean refugee women the most emotional moment in South Korea is the moment when they receive their 'Residents' Registration Card'. That is also why Mun Gyeongsun (2009: 2-7) worked assiduously, raising ducks and chicken and helping with farm work on almost 30,000m² of land, in the hope of 'producing' identity documents; however, when the farmers she worked for and lived with did not put her on the family registry, she eventually left.

Even though in North Korea women were in a position of 'second-class nationals', there they at least had access to legal procedures and possessed a social status which provided them with channels for dealing with any problems which occurred. On the other hand, in China, because they were not even afforded a status, "when you look at some mothers, one woman's daughter was killed with a knife, one woman's son was shot with a gun and died, there are more than just one or two people whose stories are heartbreaking. ... She couldn't even get close to the place where her daughter's body was. Because the security police were standing right in the way, because if she went over, she would be arrested, so she couldn't go over to her even though she could see her daughter's body." Because she could not assure her own safety, she could do nothing but walk past.

2) Chased by the security police and vigilant against strangers

In China, as a consequence of a life without citizenship, North Korean refugee women cannot keep living or working in the same place for long and are forced to move frequently as they are incessantly chased by the security police.

In the case of women, because they went into families by getting married and because they have become a part of them, the family protects them. For example, when a

police station is going to come for a raid, you are contacted in advance from somewhere. So you hide in someone else's house. When they come to an empty house and see nobody's there, they leave again. But, apparently, once they've received a report they cannot disregard it but must go to arrest people. Because otherwise they themselves get into trouble. ... When there's talk about a raid coming up, they hide you in this house, and you have children and carry on with your life, but only my oldest daughter hasn't been caught yet. That is, recently, the people in this neighbourhood, people from these houses that brought in North Korean women to live with them, have wildly filed complaints protesting that it's all the same North Koreans, but why are they not arrested and taken away from others' houses but only from theirs. (Mun Gyeongsun 2009, 1-1)

In a month [you change] houses around 5 times, around once every week, you live in this house and then again in another house. Another house. It had become a situation in which you cannot live if you don't move and live like this. ... When you make the mistake of leaving the house and going outside at the wrong time, many were arrested. People in Cheongdo or other places seem not to have experienced this. But for us, when we were living in Jangchun, to live in hiding really was too difficult. (Hwang Sunjeong 2009, 1-1)

In just one night, at that time there were around 100 North Korean women who were arrested, I believe. That is, they said they arrested everyone. In our village when I heard the news later I was told that they were all sent back, in our village it was me and another woman who were arrested, but all [the others] were sent back. You know, that woman's child and my child were both [three] months old. But let's say, for example, if I arrived in this house, the police came and said that North Korean women have to pay a fine, and we paid the fine, because of the fine they said they let you get away with it. Other North Korean women who weren't well off and couldn't pay the fine were not let off, those who paid were let off, that's how they did it. ... All the time [you hear] news about North Korean women being arrested, how they arrested them in one village, and when you wake up the next day [you hear] how things went in yet another village, because you hear such stories you are always afraid. You can't stay at home. That's why from then on I followed my husband around. (Gil Gyeonghui 2009, 1-7)

Since Hwang Sunjeong (2009, 1-1) lived together with her family, she was not sold off to a farm village like other North Korean refugee women who had come to China alone. In return, she had to move house with her family once every week. On the other hand, North Korean refugee women living in farm villages repeatedly went into hiding in other places whenever there was news of crackdowns, and returned home afterwards. But once these means of repeated escapes were also reported to the police, they could not remain in these places any longer.

Women who had relatives in China were forced to move from one relative's home to another, in times of severe crackdowns sometimes hiding for several months and restarting work afterwards; this became their repetitive everyday life. But, when

staying and living with one's relatives became prolonged, it also became a growing burden for the latter. Kim Jinsun (2009, 1-4) expresses this kind of situation as follows: "A people without a country are worse off than a stray dog. You know, there's nothing like 'China is my country'. North Korea is also different, and China, too, doesn't accept you because you are not one of its people. People like us, where on earth can we go?"

Also during work, when, for example, I do something a little different than them during work, they twist this against you. There are cases when they harass you, yeah, harass you and get you caught, and then there are also some people who want to make money, the Chinese police [tells them], 'We will give you a certain amount of money, so go and find us North Korean women.' When this happens, these people get the money and get us caught. (Yun Huijeong, 2009, 2-5)

Once, I was working at the restaurant, someone came to collect the taxes, but I thought he was a policeman because he was wearing a uniform. I went into the toilet for a while and couldn't come out. ... When I came out that person [who'd come to collect the taxes was] still sitting there. Didn't know that this person had come to collect taxes, thought he was a policeman... Th-then, I went into the store, carried cucumbers around, carried eggplants around, there was nothing to do. While the others were all sitting down [having a rest] because there were no customers. ... [One of my workmates said] that we could do this later together, that I should come out and have a rest. But this wasn't the point, [I was anxious] I would be arrested. Now, if this guy comes in suddenly, if he starts talking to me, where can I jump out? I was considering these things at that moment. ... So I couldn't tell the others and did things like that. (Son Yeongju, 2009, 3-4)

Although I previously had a social life, without citizenship, I had lots of hard times. No matter how much Chinese I learnt and no matter how well I spoke it, the intonation, the way the Chosun-jok in China, the Gyopo³⁷, and the Chinese speak is different, you know. Even though I went around pretending to be a Gyopo. When Chinese people sometimes jokingly said, 'Aren't you North Korean?', I thought they didn't really mean it, but there's this horror, you know. Shall I say I was really born in the wrong country, or I was born into the wrong era? You can't blame anyone, and there are more than just one or two times when it hits you. (Gil Gyeonghui, 2009, 1-7)

North Korean refugee women continue to have feelings of apprehension: initially, because they cannot speak Chinese, and later, after they have slowly learnt the language, because of their accent. Experiences of not being able to come out of the toilet because one mistook the tax collector for a policeman, or of having to think about how to get away in an emergency situation during work, as well as experiences

³⁷ The Korean term 'Gyopo' refers to people of ethnic Korean ancestry who live abroad and hold the citizenship of countries other than South or North Korea.

of having to deny one's background, they all hint at the fact that North Korean refugee women have to live in China as 'figures who are not me'. Moreover, they had to be incessantly vigilant against others and thus lived a strained life. Apprehension and nervousness that were continuously sustained in their everyday life eventually led to symptoms such as heart diseases, depression, and anxiety. One of the things North Korean women complained of when they settled in South Korea was their bodies aching 'without a reason'. Life without a citizenship manifested itself not only in psychological symptoms such as lethargy, anxiety, and impatience, but also in a painful body. As is pointed out by Hyeon Changhui (2009, 2-6), "When you look at North Korean refugees, people getting treated for depression, people getting psychological treatment, at the time when I went for treatment, it was around 70% of people. They are all treated for depression", such experiences become manifest in an aching body and persist as a trauma.

3) Deprived of the right to work

Since North Korean refugee women, in general, go to China to earn money, they look for work wherever they are. The fact that it is mainly women with the capability to work who cross the border is well substantiated by the age group ratio. <Table 5-1> shows the situation regarding entries to South Korea by age group as of January 2009. <Table 5-2> presents the current state of entries to South Korea by age group of those North Korean refugee women who participated in the Hanawon survey conducted on the 4th of August 2009. According to <Table 5-1>, women in their economically active years (between 20 to 40 years old) constitute the biggest group amongst the female population who entered South Korea (7,962 persons, 78.7%). In the Hanawon survey, 225 persons, i.e. 90.7% belonged to this age group. These women worked to return from China to North Korea or to send remittances to their families left behind in North Korea.

<Table 5-1> Age groups (as of January 2009)

Category	0-9yrs	10-19yrs	20-29yrs	30-39yrs	40-49yrs	50-59yrs	Older than	Sum
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							60yrs	
No. of women	288	923	2,805	3,699	1,458	424	511	10,108
Percentage (%)	2.8	9.1	27.8	36.6	14.4	4.2	5.1	100.0

※ Source: Ministry of Unification (cited in Kim Yeonghui, *Current Situation of Resettlement Support for Female North Korean Defectors and Improvement Measures*, [The Number of Female North Korean Defectors Hits 10,000- Their Life Situation as Directly Told by Them], p. 13)

<Table 5-2> Age groups in the Hanawon North Korean refugee women survey (4th Aug. 2009)

Category	Under 20yrs	20-29yrs	30-39yrs	40-49yrs	50-59yrs	Older than 60yrs	Sum
No. of women	3	53	102	70	16	4	248
Percentage (%)	1.2	21.4	41.1	28.2	6.5	1.6	100.0

※Source: Authors' own survey research

In the Hanawon survey, 175 women (70.6%) answered the question, 'Have you worked in China', with 'yes', 73 women (29.4%) with 'no'. The question 'In case you have worked in China did you receive proper wages?' was answered with 'yes' by 76 women, amounting to 30.6% of the sample. 65 women answered 'I received less' or 'I didn't receive wages', and 107 women did not reply to this question. Thus, it was shown that apart from 30% of interviewed women, 70% of respondents did not receive fair payment for their work. Although North Korean refugee women, overall, work in difficult jobs that are rejected by the natives and work long hours as carers, care mothers, domestic workers, etc., their work is low-paid, sometimes not even compensated by proper wages at all due to their lack of identity documents. Even though half of the respondents did not answer the question, there are reasons to assume that while many of these women did work in farm villages their work did not take the form of paid employment. In cases of women who have worked in China, 80 women (42.1%) worked on farms, 55 persons (28.9%) in service enterprises, 55 persons (28.9%) in other industries, and 73 persons did not give an answer.

<Table 5-3> Question regarding whether or not proper wages were received

Whether or not proper wages were received	No. of persons	Percentage(%)
Yes	76	30.6
I received wages but less	50	20.2
I did not receive any wages	15	6.0

Sum	141	56.9
No answer	107	43.1
Total	248	100.0

※Source: Authors' own survey research (Hanawon North Korean refugee women, 4th Aug. 2009)

Some North Korean refugee women who lodged in farm villages lived in conditions similar to that of 'physical detention', just eating and wearing what they were given.

A girl who really is to me like a younger sister is in Busan right now. For 1 year she has been living in a house with no man around. In that house she was made to do nothing but farm work, so she went to weed the fields by herself, and when it was time to plant she planted. But since they gave her enough food to be full, at that time, she said she didn't realize. After almost a year had passed, the man who had gone somewhere to make some money called them but just said 'I'm coming, I'm coming', so she thought he would come and just waited. That's why I said, 'You idiot'. Since that is what they said, she just thought that's how things are. Just [thought that] this is how one lives. Because they were providing her well with food. ... So she just lived like that, she said. Kids who live like that, they make up almost half of them. And as things are going like this, what kind of human rights do these kids have? They are subjected to exploitation as much as these people want to exploit them. When they are told to go and work, they work, and in spite of this they don't give them any pocket money. Because they could run away. If they give them anything, it's 10Won, 15Won at most. This kid said she ran away with just 10Won. (Han Chunhui, 2009, 2-1)

There were rice paddies of [around] 30,000m² and a field, so I raised ducks, and I raised chicken, and I raised pigs, there was an awful lot of work. I took care of all this while I lived there. So I lived like this and when you do everything, the pigs, ducks, chicken, the farming of around 30,000m², they would hardly look to employ someone, and when you do the farm work for a whole year, they make several 10,000 Won. (Mun Gyeongsun, 2009, 2-7)

The former example constitutes a case in which the refugee only received food and was made to work as a labourer. In the case of the latter interviewee, instead of looking to employ someone, the farmers cohabited with this North Korean refugee woman while ordering her to work like a labourer. Even though they made things look like having a familial relationship, a formal family relation was never established, and this woman did nothing but work for them without pay.

North Korean refugee women in China were involved in work as care mothers, domestic workers, or worked in service enterprises but they could not remain in regular jobs for long. They had to move around all the time. As the following

description shows, “When I settled in China I went around working as a care mother in families, but living like this was also very troublesome because I didn’t have a citizenship. When I go somewhere and work, because I don’t know Chinese, again the question comes up whether I’m a North Korean, the police station makes a phone call to my workplace [to inquire] whether I’m a North Korean. Then you have to leave that workplace.” (Kim Jinsun, 2009, 1-4), these movements are not prompted by one’s own choice but always by others.

There are also cases in which earnings from work were claimed by people abusing the circumstances of North Korean refugee women under the pretext of collecting ‘penalties’. Kim Yeonghui (2009, 1-5) had acquired the skills of producing liquor in North Korea; after she came to China she ran a liquor factory in the suburbs of a Chinese city for almost 9 years. However, “because I was from North Korea, all the time people came from the police stations in the neighbourhood, smashing things up regularly, demanding that we pay the penalty. If we don’t pay they are going to return us to North Korea, [they said]. Because we die if they send us back, that’s why my husband [had to pay] the penalty of 2000 Yuan every day.”

In China, North Korean refugee women had no means to demand their right to work and – due to the fact that they were forced to move frequently, that they could send remittances home only in obscure ways, and that they could uphold only insecure links with their families, i.e. due to their condition as North Korean refugee women – experienced their own psychological and physical destruction.

4) Stripped of human rights by ‘brokers’ abusing women’s status as illegal residents

From North Korean refugee women’s departure from North Korea, during their sojourn in China, until their arrival in South Korea via third countries, the person who facilitates women’s movements and operates as a mediator is the ‘broker’. When these women finally enter South Korea, they undergo a 2 month-long education at Hanawon; and the first persons who ‘receive’ North Korean refugee women on their

way out of Hanawon are, again, brokers. Even though the existence of brokers gives rise to various social problems, governmental organizations regard them as a 'necessary evil', and North Korean refugee women, too, say that the existence of brokers is something of great necessity to them. It seems that, prior to 2000, brokers operating in North Korea, China, third countries, and in South Korea did not form a unitary organization nor a connected chain.

Before flights from North Korea appeared en masse, the majority of North Korean refugee women crossed the border without the help of 'brokers', finding routes and walking through or across the Tumen River by themselves. However, many more North Korean women began to cross the state borders once they listened to women who went in and out of China to trade, as well as to people in their neighbourhoods who they were familiar with; it is these North Korean refugee women among whom cases of being sold off to Chinese brokers started to emerge.

There is a lawn in front of the train station. I was on this lawn in front of the train station, and on the other side there were all these middle-aged women sitting together and talking. Back then, at that time, I wasn't good at all at going somewhere and socializing with people who I was seeing for the first time. So I was sitting there quietly when some woman came over to me and said, 'You're not from here.' 'Ah, yes, I'm not from here', I told her, and that I just found my way here. To this she replies, 'There is a place to earn money, don't you want to go? When there's a place to work and get money, you should go', that's what she said. 'When you go to China and work, they give you 300,000Won or 500,000Won a month.' (Son Yeongju, 2009, 3-4)

There are people who you pay money to and who then get you over there. So we gave them money and bought these people. Because we really had to come to China. In China, there are soldiers guarding the Tumen River, you know. All these soldiers also need to be bribed. Yeah, by giving the soldiers money, as it were. (Yun Huijeong, 2009, 2-5)

There was this kid who went in and out of our house when he learnt the guitar and other things from my uncles, there was this young man who came to our house frequently. His in-laws had escaped to China. They fled to China, went over there, so he went over to China to find them, couldn't find them, went again, didn't find them, and while doing this, while he moved back and forth a couple of times he got to know these things. That when you take single women there one by one, it's like, 'You will get this much in Chinese money', because he got to know this kind of thing, he got involved in this work. But us, we didn't know that. So just like that he talked my daughter into this. (Mun Gyeongsun, 2009, 2-7)

While brokers in North Korea helped North Korean refugee women across the border, brokers in China sold them to either Chinese or ethnic Korean men or to brothels. Brokers also assumed a role in arranging contacts with family members remaining in North Korea and in bringing them over to China.

The next day, it was already 9 o'clock in the morning but they [i.e. the broker and my son] didn't come, and it turned evening but they didn't arrive, from that moment on I lost my mind. Whenever I saw someone walking outside hand in hand with a child... From that moment on I completely lost my mind. One month passed but they didn't come and there was no word of them. I said, 'Let's report this somewhere', but as we are North Korean defectors who have come from North Korea, where are you going to report this? You can't report it. But I was sure that they had come over to China, that's why I stayed in that restaurant for 3 months. Stayed with my cousin, because we might get contacted by chance. But no word of them, and this guy [i.e. the broker] didn't have a mobile phone, so there was no way of finding [my son]. I just lost him. After we had spoken on the 29th of April 2000 and on the 3rd of May on the phone, there was still no word of him. Although they had made it to China, for sure. That is, when I talked to my child back then, when he asked me, [I should have said,] 'I'm in Tumen right now.' If we had told him this at least, if I had only told him that I'm in Tumen and had given him the phone number of the restaurant, but the [broker] told me not to say this and I was too inflexible, [I thought], 'Yeah, my child is here and he will bring him to me'. That he would take my child somewhere else, that is something I could never have imagined, not even in my worst dreams. In this process, at that time, I lost my child. And until now there has been no news of him. (Hyeon Changhui, 2009, 2-6)

After Hyeon Changhui (2009, 2-6) fled North Korea to China in 1999, she lived together with her husband and her eldest son who had arrived in China shortly afterwards and worked in a restaurant. Through her cousin she heard about a Chinese man who went in and out of North Korea selling goods and who could bring children over from there; on the 29th of April 2000, she asked him to bring her youngest son over the border. On the 3rd of May, she received word from that Chinese man that he had brought her son over to China, and spoke with her son briefly on the phone. After this, they lost contact. The Chinese man who had promised to bring this interviewee her son just took the money she had sent him and disappeared together with her child.

As North Korean refugee women cannot freely cross the border, they rely on help from third persons to contact members of family and close friends left behind in North Korea, as well as for transporting goods back and forth. In the above case, a Chinese man who went in and out of North Korea legally to do business assumed the role of a so-called broker. The problem is that the contractual relationship between North

Korean refugees who ask for help and brokers who do the job and receive money in return is completely dependent on the mere words of the latter; thus, the agreement cannot be modified or controlled by North Korean refugees. This interviewee who lived in China as an illegal resident could not seek any kind of support. Due to her position as an illegal resident, she could not turn to the state authorities for help. People like this Chinese man convince North Korean refugee women – who do not enjoy the right to demand legal protection in the country concerned – to enter exploitative deals.

However, human rights violations by brokers do not only refer to exploitative deals; brokers also expose North Korean refugee women to life threatening dangers.

When I was in Yanbian there was another thing that happened to me. Because I wanted to move to Cheongdo, [I was told] that there is this boss, Mr. Nam, and if I met him I would be introduced to someone coming here, [I was told] he would make me meet a Korean boss, and as I was told this kind of things I went to meet him, but then he said I should come to some hotel. So we both went there together. When we went there and went into the room with that room number, there were two people, two beds were there and two people, and there were tubes looking like experimental devices lying around. When I saw these things [I instantly thought], ‘We shouldn’t have come here’. My legs were shaking terribly and how my heart was bumping with fear, at that time I was in my early 30s, but the girl who’d come with me was in her early 20s. Thinking that because of me everything could go wrong for this girl, too, [I thought] whatever it takes we have to get out of here. When I thought of it again later on, these people, I think it was drugs. It was something that looked like a round test casket, something that looked similar to a fish tank, there were tubes connected to it like straws, and they were sucking on it like this. At that time I didn’t know that that was drugs but I thought that this was a place we definitely shouldn’t have come to. (Han Junhui, 2009, 2-1)

Han Junhui (2009, 2-1) went to this place believing someone’s words that she would be introduced to a new job but saw that this was not the place she had expected and barely escaped a dangerous situation by saying she ‘will come back tomorrow’. She was confronted with such a situation because brokers abused her position as a North Korean refugee woman who lacked even minimal rights or means to protect herself.

For North Korean refugee women living in China, information constituted an important link between their isolated islands and the world. In general, information could be obtained only through brokers, and connections with family members in North Korea, too, were only possible through the latter. Thus, North Korean refugee women have to

maintain contacts with brokers all the time. This point distinguishes North Korean refugee women from other international migrant women. Although other migrant women, too, go through difficult processes and live in countries illegally, they can send remittances home and keep in touch with their families as they wish, allowing them to avoid endless forms of exploitation at the hands of brokers. In the case of North Korean refugee women, however, transferring remittances and contacting family members is impossible if not through brokers; what is worse, these brokers can decide on the life and death of North Korean refugee women. As will be mentioned later, North Korean refugee women who have, after their escape from North Korea, come to South Korea through the connection lines and networks of brokers and settled here, face difficulties in their settlement process because of brokers' charges.

5) Breaking away from a life without citizenship and leaving in the pursuit of a better life

While North Korean refugee women could hardly get a proper meal a day in North Korea due to the famines, in China, they did not encounter difficulties at least with regard to food. And those North Korean refugee women who had received secondary education in North Korea could sometimes earn more money by working more efficiently or demonstrating a greater trading ability, as they possessed a higher educational background than the Chinese or the 'Chosun-jok'. Even though there were also North Korean refugee women who managed to establish a foothold in China, a part of them chose to abandon this footing and move to South Korea where they had to start anew. These decisions mostly originated in the wish to break away from the status of an illegal resident and from police crackdowns, as well as to pursue a better life.

Due to the fact that Kim Jinsun (2009, 1-4) faced an everyday life of being chased by the police she decided to 'go, even if I die on the way' to a place which would grant her a citizenship. This change of mind came about naturally in the course of her watching South Korean soap operas while working as a care mother in China.

When I watched TV, because it's a soap opera it is certainly filmed a little bit with a projection of the future, but the cultural standard was high and right and considerate, when I saw that [I thought], really, these South Koreans, when we looked at South Koreans [before] we disliked them, [thought of] hitting and kicking them because it's an enemy country, [thought] that they carried pistols and fought like us, I was thinking only this kind of thing, I thought that they did not have the smell of human beings [i.e. that they were not human beings], that they wouldn't be considerate of others, well, stuff like this I thought, but when I saw their life through the soap operas, it was all human stories, and the love stories, too, were full of emotions and tears, [and I thought], 'They are human beings just like us', and when someone was crying in the soap opera, it also made me cry. 'South Koreans and us, we belong to the same people', [I thought], when I watched South Korean soap operas, they also made me cry, and so little by little my perceptions started to change. (Kim Jinsun, 2009, 1-4)

When I watched that movie they showed some department store and the appearance of that department store, there were also these escalators and, first of all, the floor of that department store was made from marble. ... What is more, the goods were laid out and people would choose whatever they liked without anyone cracking down on them, they would choose whatever they liked, [and I thought], 'Oh, what's gonna come of it when one just take these things as one pleases?', because we didn't have this kind of thing [I thought], 'How can they do this?', at these points my mind started to change. ... Anyway, in the course of watching South Korean soap operas I could see things like, 'This is how much South Korean society has developed now', and through all this I came to make my decision. (Kim Myeonghui, 2009, 3-3)

Through TV soap operas, these North Korean refugee women began to think of South Korea as a 'country full of emotions and tears where people like us live', and it was this kind of magnetism that eventually changed Kim Jinsun (2009, 1-4) and produced her determination to 'go there and have a look even if I die'. A part of the North Korean refugee women in China drew closer to South Korea through South Korean soap operas or movies before they actually entered South Korea. Just as South Koreans' longing for the USA in the 1950s was produced and channelled through American movies, the South Korea that was shown in the movies was presented in a positive light as an advanced country and was transformed into a place where one would want to be.

However, the decision to move to South Korea was not reached on the basis of the illusionary South Korea presented in the soap operas alone. When Yun Huijeong (2009, 2-5) narrated that 'I entrusted my life to heaven, and if [my journey to South Korea] doesn't work out, then I'll die here, so I [made up my mind] about suicide and even took a knife with me when I departed', she also expressed that coming to South Korea 'really was a road that puts your life on a line'; moving to South Korea means taking a

road being prepared for death. While North Korean refugee women did not realize in North Korea that their unequal position was one of 'second-class people', during their lives in China they came to understand that their situation in China was even worse than that of second-class people as they did not have any legal or social rights. This new awareness developed into thoughts like 'They accept people like us', 'As we are fellow Koreans, it is a place that allows you to breathe', 'I want to live the rest of my life by trying my best and by working as much as I can'.

When you go to South Korea, places to make money are totally great, I thought. And even though you have a life for the time being [in China], people are uneasy without a citizenship. Because you don't know when, at what moment you will be caught, first of all, you don't feel at ease. I couldn't live like that, not because I didn't like people but because I didn't have a citizenship. From a human perspective, it is bad of me that I even had a child and still came like this. But I also had to live without a citizenship in the country of another people. ... There, because unconditionally, when you are a North Korean, everyone gets arrested, I couldn't breathe. So I couldn't help but think I have to go even if it's just in order to have a citizenship. In this country, as they give you a citizenship, [I thought] let me have a new family in this country and start anew. (Ham Nanhui, 2009, 2-4)

People like us, where on earth can we go? But there was this hill called South Korea, if I put my life on the line and go there, if I go there without dying on the way, they will accept me, also give me a citizenship, and I will be able to live. Instead of living like this, let's go, even if I die on the way, let's go and see. Instead of living as less than a human being, I thought it's better to go and with this thought I left. ... I can't live on Chinese soil, I can't go to North Korea, so I will go to South Korea even if I die on the way. You have to leave when you've reached this kind of determination, otherwise you will regret it later. (Kim Jinsun, 2009, 1-4)

No matter how good my life in China was, I always felt uneasy. You can't feel relaxed. Because I didn't know at what moment I would be arrested. But if only I could openly say that I'm a Korean, I could have said at least some more words! But when you are in China you can't say a single word and you are always weary. I thought if I come to South Korea, as I am a South Korean national I will be a little honourable and feel a little relaxed, and then afterwards, even though I lived in hiding every day [on my way] through third countries, but still, how can I say this, [I thought] now I'm also a South Korean national, I have this kind of sense of honour, I have self-esteem, I have had hard times but came to South Korea as a North Korean defector, I should now live a worthwhile, a good life. (Son Yeongju, 2009, 3-4)

My first thought was 'I should go to South Korea and get a citizenship. At first, this thought. You know, living in China, even in China, even there working, eating, and living is alright, to be honest, even better than living in South Korea. ... If it's just about living, China was good, that's what I think. ... I want to really live the rest of my life by trying my best and by working as much as I can in the Republic of Korea, this kind of thought made me come to the Republic of Korea. (Yun Huijeong, 2009, 2-5)

3. Denial of identity in everyday life and deprivation of human rights

1) Being denied a self-identity in everyday life – A worthless body

As a result of a life without nationality, North Korean refugee women led a life in China in which they always had to surrender themselves to others even when they suffered an injustice for fear of being reported to the authorities. They could never express their own views and thoughts in their daily lives but, first of all, had to duck and lower themselves; this form of life did not apply only to their relations with strangers. Also in marital relations and in family relationships brought about by purchased marriages this life of 'surrendering oneself to others' continued. Being ignored and treated as subhuman within family relations made these women think of 'themselves as worthless bodies'.

In people's lives, how could there be only good days everyday. Even if we wanted to argue with others we couldn't argue. Because, if your relationship gets bad in the course of an argument, these people would go and report you. When you're reported, then what? We get always arrested. So you have to surrender to others. To live like that was ... really very difficult. You keep doing this, no matter what these people say. Because we are worthless bodies. Even in the family I lived with, they treated me like something worthless, treated me with harsh contempt. Even if you give birth to a child and live with them, they don't treat you like a human being at all. This is very much a pain that not only me but all North Koreans experience. (Kim Myeonghui, 2009, 3-3)

They think if they just give us North Koreans food and clothes even really young people can keep living with them. If you express your opinion just a little, there are endless numbers of people who say [sarcastically] 'If you don't like it, leave it.' (Mun Gyeongsun, 2009, 2-7)

When I was in China, [I had to tell] lies, which is a thing I really hate to do, because I particularly hate to lie. ... Because my heart was always like this, it got all bad. If someone comes and knocks on the door, you are just in a state of shock and, first of all, have to find a hole to hide, and when you talk to people, sometimes these things came out of my mouth even without me knowing it. So you are shocked by that, too, and again, because you don't know the Chinese language very well, people [say] 'You don't even know the language of your country', this, too, is such a big stress, there were also things like that. (Han Junhui, 2009, 2-1)

North Korean refugee women in China choose to disguise themselves as 'Chosun-jok' women as a means of survival. In the case of Kim Jinsun (2009, 1-4), this narrator did

not live as a North Korean but tried to pass as a 'Chosun-jok' for fear of raising suspicions as is exemplified in the following: "When I was in China I worked in a family home, but in this house, too, they would say anything about North Koreans. When there was a murder case, [they said] it's because North Koreans are here. Even when that wasn't true, they talked like that. No matter how bad I felt listening to this, I had to suppress it inside and keep going. What is more, as I was working in a family home, when, for example, the owners would go on holiday all together, then how would they trust me with the house if they knew I was a North Korean? They wouldn't know what to do fearing that this little thing from North Korea is stealing everything from the house".

Being forced to negate one's nature and one's home country, this 'habit' of self-denial also played out during the resettlement process in South Korea. The interviewees explain that whenever they start a job or when people ask, they reply, 'Yes, I'm a Gyopo.' "When we go somewhere and one of my husband's friends says 'I'm also a Gyopo, tell me more', this really troubles me. That I could say something wrong and that they'd think, 'This person definitely isn't a Gyopo'. Back then I was worried that I would get caught when I'm doing things outside, and when I was at home, that I would get caught at home. Outside, I lived with my nerves on alert at all times fearing I would make a mistake. (Gil Gyeonghui, 2009, 1-7)" Whereas in China, North Korean refugee women pretended to be 'Chosun-jok' because of their lack of Chinese language skills, in South Korea they purport to be 'Chosun-jok' as a result of South Koreans' hostility towards North Korea.

2) Deprived of the fundamental right to existence in third countries

There are various ways for North Korean refugee women to come to South Korea: they try to enter foreign embassies, consulates or Chinese diplomatic service offices, or they forge documents and come directly from China by plane, or arrive on boats from North Korea, or come via third countries. As flying directly from China to South Korea costs a considerable amount of money, most women enter South Korea via third countries such as Thailand, Cambodia, and Mongolia. These women single out their experiences

of staying in refugee camps, immigration offices or 'hideouts' during their time in third countries as something that was very difficult to live through and something they do not want to remember.

They are soldiers, so if you make a mistake they also beat women. Even if you didn't do anything wrong, but because you don't understand their language, they beat you and kick you. ... During the day they open the door once in a while and tell you to go to the toilet, but sometimes when someone suddenly has to go to the toilet and knocks at the door, they swear very badly. ... Because [the toilet] is inside but on the other side of the corridor, you know. Not in our room. You open the door and go out into the hallway and then it's next to the hallway, you know. But what's really bad is that they don't open the door for you at night. But you have to go to the toilet in the night. But they don't open the door at all. At night, in the evenings at 10 o'clock they do the last lockup. They open it in the morning, but there are people who want to go to the toilet in the night. That means they have to pee in the corner, into the bin. In the mornings, they go and throw it secretly into the toilet, clean it up and come back in but, for example, when we were there, someone got into big trouble with the soldiers for that. You know, I saw that a woman secretly went and disposed of it. For that [she got into big trouble]. But this is something human beings can't help doing, how can you not pee if you need to? Shall we pee into our blankets? This is something natural. Because they don't open the door. I saw her coming back in after throwing it away. For doing that, he beats this woman in the face, you don't get treated like a human being. And we thought because this is a camp, their behaviour is natural. (Kim Jinsun, 2009, 1-4)

As I was abandoned in Thailand I roamed around, I wandered around looking for that office. Really, I was as exhausted as one can get but when I came in here, even the food didn't suit our taste. In cases like mine, I couldn't live in China and I had left my home in North Korea, but when I came here, 380 women were sitting in here just in their panties and underwear because of the heat, and on top of that, in there, because life in there was tedious, everyone's nerves were strained and they were always arguing. (Kim Myeonghui, 2009, 3-3)

So we bought ourselves a little space, but as travelling with my whole family had cost an enormous amount of money, what money would we have left? So the three of us, we were sitting on this tiny bit of space which was actually meant for one, couldn't lie down, couldn't eat. We kept swapping positions and stayed like this from when we went in on the 20th until the 22nd. ... You have to buy a space but how could you have enough money for three people? That's why we bought one space and sat there all three of us, couldn't even lie down, my kid getting all stressed. (Kim Geumyeong, 2009, 3-2)

When I was trying to buy a space, there was no room at all, so I had to stand with one leg up. It was so tiring, so I stood on one leg and then on the other in turn. After three days I managed to finally buy a space. When you lie down in your little space, you can't stretch your arm out. You have to keep it bent. I stayed there for three months. It was really hard. (Jang Sukhui, 2009, 2-7)

Brokers guide North Korean refugees only to the Chinese state borders with third countries but are not concerned at all with what happens after their border-crossing. Due to a lack of information and because they do not speak the languages of these third countries, North Korean refugee women arrive at immigration offices, refugee camps, or at border posts in these countries after experiencing all kinds of hardship. Having 'embarked on the road prepared for death', they experience, however, a more sinister situation in the camps than in the process of getting there.

Life in the camps meant to be subjected to unprovoked violence and involved interferences even in matters of 'physical excretions'. As the doors were locked after 10 o'clock pm and women had to urinate into the bin at night because they were not allowed to go to the toilet across the hallway, there were cases of women being beaten for cleaning up these excrements. They were also beaten for not understanding the language. Whereas, in Mongolia, women faced difficulties due to the humidity and cold, in Thailand, Laos, Cambodia, etc. they also got skin diseases during their stay in the camps due to the heat. The camps were built for fewer than 100 people but accommodated 300 to 400 persons, so that there was no space to move; it was only natural that North Korean refugee women developed skin diseases. They reported that due to these conditions they lived in the camps only wearing their underwear in order to cope with the heat. Although one could say that North Korean refugee women's life in the camps was similar to that of other detainees, experiencing interferences with and infringements of basic life activities such as eating, wearing clothes and using the toilet did not only cause them shame but also resulted in the loss of their self-worth.

The painful experience that women lived through in the camps reached its climax with the actions of acquiring and selling a place in the camp, as well as with waiting for a place. Although these places were so small that these women could not stretch out their arms and had to lie down with their bodies in a straight line, the first thing they had to do when arriving in the camps was to buy themselves a place. If one could not do so, one had to either stay in the toilets or wait standing on one leg until a place became available. Yi Chunhui (2009, 1-6) had to live in the toilets until she could get a place, and Jang Sukhui (2009, 2-2) explains that she had to wait in a standing position,

alternating between legs. Kim Geumyeong (2009, 3-2) also narrated how she bought a place meant for one person and how the three of them lived on this little space being neither able to lie down nor to eat. North Korean refugee women recall their life in third countries as 'the most terrible time', as a time when 'everyday seemed like a thousand years'. Being exposed to violations of their basic human rights constituted a painful experience which North Korean refugee women could not easily forget.

3) Verbal abuse – 'You people, being nothing but North Korean defectors'

When the number of North Korean refugee women coming to South Korea increased, broker organizations established an internationally operating chain linking North Korea – China – South Korea. In this chain, North Korean refugees, Chinese as well as South Koreans are connected, and remittances to North Korea are also sent and organized through these brokers. However, brokers offer their guidance only until one reaches the state borders, so that North Korean refugee women, once they crossed the borders, have to manage on their own.

Kim Yeonghui (2009, 1-5), too, took a bus to the border, crossed Vietnam and arrived in a hideout in Cambodia. Here, she lived through an experience that she 'won't be able to forget until I die'.

There is a refugee camp where North Korean refugees are accommodated. That one was directly managed by a pastor and was called Our Church. In that church I spent around three and a half months, but there were around 200 people crammed together in that small space. At that time, we almost died in there because it was too hard to endure. That time was so tough that I won't be able to forget it until I die. That time. There is this pastor who runs the centre and another Gyopo man. But even these people don't treat us like human beings. ... First of all, [you can't imagine how] rude their language is, really, towards us; anyway, we have, well, because North Korea as a country was poor we've come after suffering endless humiliation in China, but we are still human beings. But still, these people [said] 'Pah, North Korea so-and-so, you people'. 'You people, being nothing but North Korean defectors...' Every single day they continually talked like this. (Kim Yeonghui, 2009, 1-5)

In this place, North Korean refugee women were not treated as human beings. Continuously, they had to hear insulting comments such as 'You people, being nothing but North Korean defectors', 'North Korea so-and-so, you people' from the managers.

The remark 'You people, being nothing but North Korean defectors' constitutes an insult and a contemptuous comment entailing various meanings. A person speaking in this way expresses that 'since you came over because of poverty', North Korean refugees have to show submissive obedience and, simultaneously, implies his or her contempt for 'traitors'. Kim Yeonghui (2009, 1-5) refers to such a situation by talking about a friend's case.

I have a friend who lives quite close to me. Her husband, he beats up his woman all the time. And he does that although he's Chinese, whenever I go he beats her [saying], 'Since you came from North Korea because there was no food, since you came through China, you have to live in complete obedience. Why do you argue with me?' (Kim Yeonghui, 2009, 1-5)

In these places, the food rations were small and thus needed to be supplemented by other nourishment which could, once again, only be obtained with money and was thus available only to those who possessed money. "With money you could buy something like bread or dried cuttlefish, but we couldn't leave [the camp], you know. There was this man, this Gyopo man. He would get money from us and get us these kind of things but he would demand a price around five times more expensive [than the usual price]." Whenever a fight broke out in the reception camps, forms of physical punishment were applied, for example, women were not allowed to exercise in the yard or the ventilators were switched off. The interviewees emphasized that not being treated as human beings in these refugee centres did not differ from but equalled their experiences in China. The contemptuous remark 'You people, being nothing but North Korean defectors' was something they still had to endure in a place they had arrived at in their pursuit of a better life, i.e. on their journey to South Korea.

These kind of demeaning comments, which North Korean refugee women can respond to only by negating both their own experiences and their existence, are likely to trigger a sense of humiliation and to send North Korean refugee women into a self-contradictory psychological state.

4) Living with hope

Even though North Korean refugee women were constantly chased by the police and had to cope with being treated like a 'worthless body' in their neighbourhoods and within familial relationships throughout their life without citizenship, in general, they still had hopes and dreamt of a better future. 'Living with hope' meant that they still tried to work and do more than their share within the family, to save some money on the side for themselves and to live a self-determined life.

Yi Chunhui (2009, 1-6) left 'without telling my family that I'm going, I just told my children that I will go in order to earn some money and return'. She crossed the Tumen River and asked a Chinese woman to introduce her to a good workplace, but when she arrived after a 20 hour-drive she found herself at an isolated house. The place this woman was sold to was a shabby farmhouse where a mother who could not leave the house due to back problems lived together with her undersized son who was 145cm of height and weighed around 45kg. This interviewee cried for a long time but then settled her mind.

Then [I thought], 'Now you've made it here, so let's earn some money and return'. As I couldn't communicate with that person I used gestures and body language and imitated him. After around 6 months had passed I thought I should work and went to a workplace. So, where did I work, well, you know these rice bags, right? You collect these rice bags and then put them all together. You dust them, wash them in water, rip them apart, then you make a coal fire in a roller drum with a heat of around 1700 degrees, put them in the roller and melt them, and then you pull them out in threads. You pull them out and then cut everything again. With that material you press boxes. You know, I worked in a place that produced the raw material for plastic boxes. So, if you dust these all day, when you go in the morning and come back in the evening you face is so black that your eyes glitter. The daily wage is 8 Won. In the currency here, it's 1600 Won. I was working getting these 8 Won [but then thought] saving this will not be good enough. So I started to handle the machines. People like us, when we first go and don't know anything, they don't make us work on the machines, they make only men work on the machines. But we know at least the general things. When I looked at the machine, [I thought] 'Ah, this works like this'. Because I know the principles. [I said], I want to work on the machines. They say, there's no such thing as women working on the machines. [I say] even if there's no such thing, I'll do it. You work 12 hours. You rotate in 12 hour shifts. I earn according to what our team has produced. So I thought I have to earn a lot of money and went 30min. earlier than anyone else and started the coal fire. ... I worked there 12 hours, lost my consciousness but worked and worked. And our team beat the men's team and I was always number 1. Our team got 25 Won, 20 Won on very good days. That is, when you compare it to 8 Won this is an enormous amount. ... In that year I did all I could

and earned around 7,000 Won. Having earned that money I said, 'Now I can go home'. (Yi Chunhui, 2009, 1-6)

Despite having ended up in this remote place and without even knowing the language, Yi Chunhui (2009, 1-6) did not give in to resignation but started to work in a factory which recycled vinyl into plastic boxes. She went to work earlier than her colleagues and worked for 12 hours a day. Once she had saved up a considerable amount of money she handed 3,000 Won over to the Chinese man who had bought her and set off for North Korea.

Kim Yeonghui (2009, 1-5), too, was introduced by her friend's relatives to a place where she could work as a housekeeper for one month once she had arrived in Yanji. She worked as a housemaid for an elderly couple who lived by selling sunflower seeds on the streets, but was eventually deceived by someone who claimed to be able to help her escape from this place and was sold to a Chinese man living in Dunhua, in Jilin Province. Kim Yeonghui (2009, 1-5) mentions that "He was someone who had never been married before and one year younger than me. But, at that time, when I observed him, really, there are certain kinds of people, you know. He was broad-minded, didn't speak loudly, really nice, knew nothing but work. But because it was such a lonely mountain village, what kind of woman would readily get married and come to this place? So I lived with this man for around 10 years." As Kim Yeonghui (2009, 1-5) was a woman who had graduated from a vocational college in North Korea and who had run a business producing and selling liquor in North Korea, she suggested making for the city instead of staying on the farm.

When I lived in North Korea I was active in the liquor business and earned money, so [I said], 'Let's go somewhere and build up a liquor factory. And this husband of mine, he agreed straight away! So we sold the house and bought a house with some money we had, not in the city but somewhere in the outskirts, and established a liquor factory. In the beginning we didn't have enough seed capital, so my sisters-in-law lent us a lot, but we paid the money back for a year, and then, [until I left] I lived doing that liquor business. For around 9 years. ... I plucked up a lot of courage and took around 20,000 Won. These 20,000 Won wasn't money my husband had given me, but you know, I was producing and selling alcohol. We sold alcohol but we sold it in refills. When people came with their casks, we filled their containers. It was money I had saved up over 5 years by selling alcohol without my husband knowing of it. (Kim Yeonghui, 2009, 1-5)

This narrator did not settle for the environment that was destined for her but led a self-determined life to an extent that she ran an alcohol factory, paid back in a year what she had borrowed and even saved up some money. However, this did not change her position as an illegal resident. Even when she ran the factory, the police demanded her to pay 'penalties'; this also led to a deepening conflict with her husband.

4. Gender and trauma

What women have to endure for the reason of being a woman includes violations of their rights to motherhood protection, domestic violence and sexual violence, as well as human trafficking. Human rights violations suffered because one is a woman constitute the most severe problem of North Korean refugee women in China. These women in particular are confronted with sexual violence and human trafficking.

1) The violation of rights to motherhood and resulting traumas

Among North Korean refugee women in their 30s to 40s, there are many cases of women having left their young children behind in North Korea. The reason for leaving their children behind is that these women departed with the intention of returning after working in China for three to four days or a couple of months. They did not think of the possibility that their departure could lead to a permanent separation from their children. Thus, the main factor that helped North Korean refugee women bear the hard times they lived through in China was the thought of "my child, the guilty conscience that I wasn't able to bring up my child and to put him in a good place." Sleeping only two to three hours a day in order to work, "I got 2,600 Won while the Chosun-jok would get only 800 Won." Working "for the company and, separately, at someone's house as a care mother" was only tolerable "thinking of my child both when I was awake or asleep".

Whereas some North Korean refugee women went back to North Korea to take their children with them to China, in general, they became reunited with their children by

sending brokers to bring them over the border. However, even the latter constituted an insecure and uncertain way. Furthermore, irrespective of how difficult it was to bring their children to China, if the person that the North Korean refugee women were living with in China refused the child, they could not live together with their children.

For that reason, me and my child could not stay there together any longer. ... 'Please, make my child eat here and give her some work,' [I asked some people]. I entrusted my child to them and returned. I had brought my child over [to China] because I really wanted to live with her but [that man] kept tormenting me about me being happy with my child. ... That man's younger sister came one day and said, 'I heard your child came but where is she?' – 'Your brother acted so harshly to me that we are now separated from each other.' – 'In that case I can take your child in. I will take her to live with me, I'll teach her Chinese and I'll teach her writing.' That woman was living by herself, you know. ... But from the day that this woman took my child to her house, for my daughter a life as a slave began. Everything; she wouldn't allow her to talk to me on the phone or to meet, she made her clean that big house, made her give her massages every single day, made her get water and medicine and raise the glass to her lips, and when that woman came back from outside, she would just take her clothes off and then my child would wash them. That's a servant, really. [I thought,] 'Alright, so be it. Up to being a servant, that's bearable. She has promised to teach her writing.' But one day this happens. When I phoned them that day, my daughter says, 'Mum, ... she punctured my ear with a needle, I can't hear.' Oh, you know. I got so angry and I said to that woman, 'I don't care if she doesn't know how to write or whether she knows the language but bring my daughter back to me.' But she didn't. My child. She just didn't give her to me. Didn't give her to me. ... My child had lived in that house as a servant for 5 years. ... And I really wanted to see my child but she wouldn't let me, telling my daughter, 'Don't follow your mum but follow our Wang family.' And, 'Forget your mother.' She talked to her like this. That's why, really, I gave birth to her but couldn't even meet her, I brought her over but couldn't even speak to her ... (Yi Chunhui, 2009, 1-6)

In the beginning, after I had lost my child in China, I walked around like a mad person mistaking every child I was passing for my child. For six months I went to every place that called itself a school to look for him. [Asking] whether they have a boy of his name. Thinking 'If he was taken by a house without children they might send him to school' and thinking I should first search for him at schools, so I went to all these schools. They probably have changed his name. Everyone tells me that they don't have him. After I wandered the roads for six months I became sick. And I had to lie down. I was so upset, it killed me. Well, being in China, thinking of my daughter in North Korea troubled me and I seemed to hear my lost child crying somewhere, so although I was sick I couldn't even get treated. My head was aching, it felt like exploding, my head was so painful. On top of that, I couldn't eat and so it went, but after ten years, when it turned the eleventh year it got better slowly. Before, I had to cry whenever I saw a school on TV. Stress is something that humans cannot express. In the past I didn't know what it meant when parents said 'You only know when you've lost a child what it means to be called father or mother'. When your parents die you think something like 'Ah, now they're old, I think they will pass away', but when you don't hear word of a person who's still alive! I couldn't breathe. It's beyond words. But now, also because much time has passed, the thought slowly,

slowly vanishes, but because it is your child how could you really forget. (Hyeon Changhui, 2009, 2-6)

“But then, in the middle of the city centre, that car with my two daughters went towards Heilongjiang while mine went around the city, it was like in the movies, while I was going this way, they suddenly caught my eye, my daughters screaming ‘Mother, mother!’, while I was like this. The city centre in Yanji was so congested that people were walking alongside the cars, you know. The car, people were looking into the car, what’s going on inside? Then the car moved towards me but they had them under control, so that they couldn’t scream, so, well, I had stubbornly gone [to China] in order to find my daughter but then lost my other two daughters, I totally-, I got back to that house and got totally unconscious. Crying all the time, not drinking even a drop of water.” (Mun Gyeongsun, 2009, 2-7)

Thinking of the situation of her son having lost his parents and being handed over to strangers, Hyeon Changhui (2009, 2-6) could not but experience heartbreaking pain. At the same time, this narrator had to worry about the daughter she had left behind in North Korea. The narrator expressed this pain as ‘My head was aching, it felt like exploding’, and this symptom persisted for the next ten years. Mun Gyeongsun (2009, 2-7) who had come to China together with two of her daughters to look for her oldest daughter, vividly described how she saw her two daughters disappear in a car in the middle of Yanji and the pain she felt, left by herself and losing consciousness.

2) Sexual violence

Persecution of women is often carried out through forms of sexual violence. Sexual violence includes all forms of sexual intimidation, assault, interference, and exploitation. Among the North Korean refugee women who were sold to farm villages there were many cases of women being confronted with violence within the private space of the family. After escaping from North Korea, Yi Chunhui (2009, 1-6) returned to the area where she had previously lived but as the family she had lived with prohibited her from bringing her child, she could not return to that house, and so she ended up working in another house in the neighbouring village. For the reason that she had brought her child with her, the violence directed at Yi Chunhui (2009, 1-6) greatly increased.

I was beaten every day. Without a reason, just because my child and I were talking to each other. That’s why my child and I, after some months, after 5 months we

separated. I just couldn't take it anymore, he was beating me so, so much. He didn't give me money for the work [I did], just gave us food, that's all. Because of that I went out but couldn't get any trading business and there was also nobody I knew. So I couldn't but stay, but that man, his wife wasn't there as she was in prison, and he was raising chickens. He was treating me like a slave, it's not right he was calling me his wife. He was a sexual harasser treating me as he pleased, I was treated like that, he abused me and looked down on me. When I resisted he said, 'Something like you, even if I killed you and buried you in that puddle, not even a dog is gonna dig you up and eat you', and every single day, whenever I didn't obey to him he hit me and beat me up. One day, when I opened the front door and wanted to step outside, there was a big stone this size on top of the door. If I swung the door open like this, that stone would drop on me like this, so I asked him to remove that stone. I had to step outside the door, but he said 'Why should I remove that stone?' So I took a shovel, and with the end I pushed the stone over the edge like this. But then he said that I demolished his house wall, and he took the shovel and hit me with it here, with a single stroke it swelled like this. When that swelling slowly, slowly decreased, everything somehow concentrated here. Because both my eyes turned black he made fun of me, immediately made fun of me calling me a bear. (Yi Chunhui, 2009, 1-6)

I was so afraid that I couldn't even think about making money and after I'd been working in the restaurant for a month, a man in the restaurant was constantly harassing me, I did not listen but people like us, we don't have identity documents, you know. We don't have the guts to openly stand up to things like that. Because my status was like this, I always had to hide and was always busy trying to hide myself, and while doing all this I had to tell lies in spite of myself, that's something I really dislike, and really, even though now I speak of this easily, at that time it was so tough. It was so difficult that my head felt like spinning. ... The restaurant owner was a woman, and he was the husband of her sister. That man tried to rape me, but when it didn't work out he reported me to the police, but someone informed me when the police had just mobilized and told me to run away. So, again, I worked in that restaurant for only one month and was once again chased out, so I went to Harbin and worked there. (Han Junhui, 2009, 2-1)

Beatings, verbal abuse, and sexual violence repeatedly occurred in everyday life. More specifically, violence was carried out with the words "Something like you, even if I killed you and buried you in that puddle, not even a dog is gonna dig you up and eat you". Sexual violence is always accompanied by verbal violence bringing about physical abuse and humiliation. Verbal abuse made the victims shrink even more and led to their surrender. The latter narrator was faced with violence in the form of sexual assaults because she was lacking identity documents while working in a restaurant; when she resisted, she was reported to the police and had to go on the run again.

3) Purchased marriages and human trafficking

In the process of crossing the border, North Korean refugee women who had no relatives in China often became victims of human trafficking. As a consequence of human trafficking or quasi-coercive match-making, these women live in marital relations with Chinese men. In cases that did not involve human trafficking, there are also women who asked to be introduced to men due to their insecure status and who then started living with these men. Examples of human trafficking can be found in the cases which follow.

Kim Yeonghui (2009, 1-5) crossed the North Korean- Chinese border in 1998 together with people from her village. The people they met in the farm village on the other side of the border received them “saying how much we must have suffered in North Korea, and they even woke up in the night and boiled rice for us. But when I calmly looked at all the signs, they had thoughts of how to sell us and make money”. Having grasped the situation, she started to work as a cleaner for an elderly couple in the neighbouring house, and with the money she had earned there, she made for Yanji. Once she arrived in Yanji, a friend’s relatives referred her to a place where she could work as a housekeeper for one month.

I was introduced to this place by these relatives and worked as a housekeeper in that neighbourhood. It was the house of an old man and old woman. That grandfather was about 80 years of age, the granny over 70. But what kind of work did that granny do? I mean, this woman, even though she was past her 70s, she went to a farm out there, you know these sunflower seeds. She would bring a lot of these sunflower seeds and peel them all at home, and put something like this little amount into bags and trade it on the streets, it was a house of this kind of granny. So I went with her to the farm, returned with the seeds, washed them together with that old granny, put them in bags and went with her to sell them. I did that for around 10 days but one day, their daughter also lives in that city... Their daughter ... said that in Yanji right now there are North Korean police engaged in some action, around 80 policemen came from North Korea and spread out and are hunting down North Koreans, she said, they are doing this kind of action. So this daughter told them to send me somewhere quickly. (Kim Yeonghui, 2009, 1-5)

As was mentioned before, Kim Yeonghui (2009, 1-5) was eventually sold off and made to marry a man living in an isolated mountain village. However, her narration “I couldn’t go out for around three, four months because they were watching me, this really irritated me. When I said ‘Let me go out once, let me go out once’, I made it

outside but my sister-in-law accompanied me, my husband accompanied me, that way they kept watching me”, shows that, even there, living under surveillance continued. Only when she gave birth to a daughter one year later, this constant observation lessened.

After Yi Chunhui (2009, 1-6) had crossed the Tumen river and after a 20 hour-long drive, she arrived at an isolated house.

She dropped me off in front of some house, she talked to these people and then told me to wait there, that she was going somewhere and would come back, but this woman didn't turn up, and because the sun was going down and I had no idea what to do I entered that house. But that place, it was around 2.5 hours to 3 hours away from Beijing, it's called Hebei. It's a place without any Chosun-jok. Because I couldn't speak the language and didn't know the letters I couldn't go anywhere. When it turned evening, the son came in. 1.45m small, weighing 45kg, this kind of small, undersized person, this kind of person came in. He reached me up until here so he looked like a son. In such a house, with this kind of person and his mother who couldn't even leave the house because her back was bent, to such a house she had sold me and gone off. (Yi Chunhui, 2009, 1-6)

It was the same as when I was sold to China. I was sold to that house for 7,000 Won, but they traded me on to another house for 8,000 Won. So when they moved me to another house, when I thought about it, I realized that if I said I don't want to stay here, it wouldn't mean I was returning to North Korea but I'd be sold off to somewhere else, and if I didn't want to stay in that other place, again, I would be sold to some other place, so I decided to settle in any case. If they sent me back to North Korea because of my complaints, that would be a good thing, but since it didn't work like that, I couldn't live forever as a tramp, and because things were happening like this, I ended up living in that house, I ended up living in China for 10 years. (Gil Gyeonghui, 2009, 1-7)

Women who live by themselves in North Korea like me and, next, women who move around as traders, these men talk them into this. Then, these people take them to China and sell them for money. Yeah, these people get this and that amount of money and sell them. Then, Chinese people take the women and go from house to house, these Chinese village men, there are many who haven't been able to get married. ... And then, when they take these women around, they make men stand in front of them. 'Pay me this amount of money, I've brought you a woman.' Then, whoever matches [the man], whoever is of similar age [is sold]. (Yun Huijeong, 2009, 2-5)

When women cross the border they are immediately taken to the place of a (potential) customer without being told about the final destination. In some cases, first purchasers do not 'like' the woman and sell her to another place for a profit. Even though some North Korean refugee women are sold to geographical areas which possess some economic power in regional society, most women, however, are

purchased by the underclass of Chinese society. These North Korean refugee women, mostly in their 30s and 40s, have a higher educational background than Chinese men. This kind of environment is described in the following extract: “In my case, as I had graduated from a vocational college in North Korea, I had lived with some level of education, but when I came to China and had to live with someone’s son who had no education, who was raised carelessly in that mountain village, that was very annoying and irritating.” Eventually, women decided to make for South Korea because of their precarious social status and their self-regard.

There are also cases when North Korean refugee women knew, prior to their migration to China, that they had been or would be sold off, but agreed to this in order to settle debts or to support their families in North Korea.

Because the debt collectors kept coming. In fact, I myself have not even seen that money, and although I didn’t have anything to do with that money, [I said] ‘I, at least, will go over there and repay this money for you’. In Chinese money at that time it would be around 3,000 Won. With just 3,000 Won, the whole debt would be settled. ‘Even if I have to go to a place far away, I will earn the 3,000 Won and come back. ... Because of my oldest sister’s debts, my mum, my father, seeing how they were suffering, and next to that, if it is just to help my mum, my father survive, I will go down that road, I will do whatever I can. ‘Even if I have to sell my body, even if I have to live as a servant, I will settle that debt for you at any cost.’, I told them and left. (Ham Nanhui, 2009, 1-4)

There are cases of daughters being sold for the survival of the family once escapes from North Korea occurred on a large scale. As <Table 5-4> shows, the question ‘Do you know of North Korean refugee women being subjected to human trafficking or sex trafficking in China?’ was answered with ‘Yes’ by 128 respondents, amounting to 51.6% of the sample. Although this interpretation is limited by the fact that 15.3% of respondents did not give an answer, it can be assumed that a considerable number of North Korean refugee women were to some extent aware of such situation.

<Table 5-4> Awareness of the fact of human trafficking or sex trafficking in China

Awareness of sex trafficking of North Korean refugee women in China	Number of persons	Percentage (%)
Yes	128	51.6
No	82	33.1
Sum	210	84.7

No answer	38	15.3
Total	248	100.0

※Source: Own survey research (Hanawon North Korean refugee women survey, 4th Aug. 2009,)

Human trafficking and sexual violence are also a past that women want to erase from their memories. Mun Gyeongsun's (2009, 2-7) daughter does not want to talk about the past even in family gatherings. "This daughter of mine, really, nothing, it's a past that she really wants to forget. It must have been moments that she really wants to erase. So when all the siblings come together here and talk about their experiences from there, she never says anything about there. For her, it is a wound. Because she got married at the age of 18, knowing nothing. Her life at that time, that's something she absolutely doesn't want to remember, even now. (Mun Gyeongsun, 2009, 2-7)

5. Policy implications

A considerable number of North Korean refugee women who have no relatives in China live in married relationships with 'Chosun-jok' or Chinese men. Marriages are arranged through human trafficking or quasi-coercive match-making, even though a part of women are also sold to drinking establishments. There are also many women who, rather than being subjected to human trafficking, ask to be introduced to a man and cohabitate with him as a consequence of their insecure status. Sold to China without speaking the language, these women contend against their situation for some days but eventually accept the reality, reclaim hope and keep on living. Although Kim Yeonghui (2009, 1-5) was also sold off to a Chinese man in Dunhua City, Jilin Province, she did not give up and resign. Instead, she set out to create work with the skills she had and prepared for her return to North Korea. This exemplifies an aspect of North Korean refugee women who overcame the reality of human trafficking, rose up and managed to live a self-determined life.

However, in China North Korean refugee women always remain in an insecure situation because of their status as illegal residents. Consequently, they live in a

position in which they cannot claim political and civil rights nor social rights. That means, even if they suffer injustice, North Korean refugee women can neither turn to the law nor to the people around them. Under these circumstances, the power to decide over the life and death of North Korean refugee women is in the hands of brokers. Brokers constitute the one and only connection line between North Korean refugee women and their family members left behind in North Korea, and, furthermore, links between North Korean refugee women are also maintained through the connections of brokers. Therefore, brokers who take advantage of the position of North Korean refugee women recklessly deprive them of their human rights, for example, by pocketing the honorarium without bringing a mother her son as promised.

Because North Korean refugee women in their 30s and 40s left their young children behind in North Korea, during their lives in China they suffer from feelings of guilt such as, 'I have abandoned my child', 'I couldn't care for my child'. In order to end this suffering, some bring their children to China or give birth again, but nevertheless, there are many cases of women being unable to claim their rights to motherhood. As they cannot live with their children brought over from North Korea, they have to live separated from each other, and as their children born in China cannot be entered in the family registry, they are deprived of their right to education, etc. For North Korean refugee women living in China it is the violations of their rights to motherhood which they encounter because they are women that are most difficult to bear; however, they express the feeling that it is because of their children that they keep on living.

North Korean refugee women remember their life in third countries as 'the most terrible time', as a time when 'everyday seemed like a thousand years'. Experiences of being denied even the most basic rights pertaining to human beings and verbal abuses in the manner of 'You people, being nothing but North Korean defectors' give rise to the possibility that North Korean refugee women will regard similar experiences during their resettlement in South Korea as normal.

North Korean refugee women who lived an everyday life as illegal residents in China and third countries had to continuously negate 'their existence' and lived through experiences which forced them to consider this denial as natural. These experiences

expressed themselves in psychological conditions such as depression, anxiety, psychological self-devaluation and vigilance against others, and produced a body entirely afflicted with physical pain. It is therefore necessary to set up and maintain programmes aiming at inducing self-worth, psychological treatment programmes, as well as human rights education for a long time.

The group that can provide the most effective support to North Korean refugee women are North Korean refugee women themselves. Based on their own experiences, they can guide and lead other, late-arriving North Korean refugee women, publicize and share their knowledge with regard to the resettlement process and information on various areas such as employment, thus supporting each other in a highly effective way. Preparing these women for the future by empowering them and by increasing their ability to stand on their own two feet is of prime importance.

VI. The human rights situation of North Korean refugee women in South Korea

– ‘Making citizens’ and living as minority women

As detailed above, North Korean refugee women who moved across the Chinese border in order to flee hunger, the dissolution of their families, as well as other difficulties in various spheres of life in North Korea often experience human trafficking, sexual violence, and various forms of physical detention when they pass through China and other third countries. Living through situations which oscillate between their own and their families' life and death because of their status as 'non-citizens' in China and third countries probably renders the notion of a society which affords them 'recognition' the most important factor for their decision to come to South Korea. When North Korean refugee women end their difficult times in third country refugee centres and arrive at Incheon Airport in South Korea, they hope not only for material support securing their existence but also for equal civil rights.

Once North Korean refugee women enter South Korean society and complete the prescribed procedures, they receive legal status as citizens of the Republic of Korea. As this differs greatly from North Korean refugee women's position as illegal residents in China and third countries, it constitutes a significant change in their social status. However, the commonsensical attitude held by members of South Korean society and state authorities towards North Korean refugee women settling in South Korea is characterized by the unilateral demand 'to adapt well to South Korean society'. In other words, it is an attitude which perceives North Korean refugee women as 'people who have come from North Korea, a country marked by inhumane social conditions and terrible material circumstances, to a new world called the Republic of Korea.' This kind of attitude and perspective does not leave any room for reflections on and care for North Korean refugee women's human rights.

In this chapter, we examine the human rights situation that North Korean refugee women face once they have arrived in South Korea, which means during the screening and training process and, subsequently, throughout their daily lives in South Korea.

Upon their settlement in South Korea, there are hardly any cases of North Korean refugee women being denied their basic civil and political rights or their right to existence or right to food. Nevertheless, with regard to economic, social, and cultural rights, as well as women's rights to motherhood protection and to non-discrimination on grounds of sex as a minority group, it is difficult to claim that the human rights of North Korean refugee women as members of the Republic of South Korea are fully guaranteed. In the following sections, we will further examine this situation.

1. North Korean refugee women and South Korean society

In this subchapter, we inquire into the characteristics of the social conditions and spaces of everyday life that become the fundamental basis for North Korean refugee women's life within South Korean society. The "Protection of North Korean Residents and Support of their Settlement Act" (hereafter – the Protection and Settlement Support Act), the screening and education procedures established by the South Korean government on a national level, and the organizations that implement these investigations and education constitute the primary social conditions and life spaces for North Korean refugee women.

Considering that South Korean society itself presents an everyday life space in which social discrimination against minorities qualified by differences between various strata and groups (ethnicity, nationality, sexual orientation, socio-cultural background, etc.) exists to a considerable degree, North Korean refugee women who have to newly settle into and live in South Korean society are also confronted with the challenge of overcoming daily discrimination against minorities.

1) The current situation of North Korean refugee women's entry and social adaptation education

Among the North Korean refugee women who crossed the North Korean border and lived in China and third countries as illegal residents, the total number of women who chose to come to and eventually entered South Korea currently (Feb. 2009) stands at

10,000. Among these, persons who moved to South Korea in the first decade of the 21st century make up the absolute majority.

<Table 6-1> Current situation of entries (Feb. 2009)

Classification	1989	1993	1998	2001	2002	2003	2004	2005	2006	2007	2008	2009 (Aug)	Sum
Male	562	32	235	563	506	469	626	423	509	570	612	486	5,593
Female	45	2	71	480	632	812	1,268	960	1,509	1,974	2,197	1,591	11,541
Sum	607	34	306	1,043	1,138	1,281	1,894	1,383	2,018	2,544	2,809	2,077	17,134
Percentage of women	7%	6%	23%	46%	55%	63%	67%	69%	75%	78%	78%	75%	67%

※Source: Ministry of Unification, Unification Policy Office, Resettlement Support Division (Ministry of Unification Homepage)

More specifically, from 2002 onwards the ratio of women among all North Korean refugees entering South Korea has exceeded that of men, reaching a level of more than 70% in recent years. When looking at the age distribution of North Korean refugees based on time of entry, persons in their 20s and 30s make up 60% of the whole number, followed by those in their 40s and between the age of 10 and 19.

North Korean refugee women who wish to enter South Korea usually apply for protection at diplomatic missions or other relevant organizations in third countries; at this point, they have to undergo a basic identity screening. Once women have passed the prescribed procedures and entered South Korea, they are, first of all, subjected to a full-scale investigation into their identity, their life experiences in North Korea, etc. by the National Intelligence Service and other state authorities at the Joint Investigation Centre in a 4-week procedure. Women who pass the screening process then undergo a social adaptation education of 12 weeks at Hanawon; afterwards, they are granted legal status as citizens of the Republic of Korea. Simultaneously, they are allocated to rental accommodations according to the North Korean Residents' Settlement Support Scheme and are settled in different areas all over South Korea.

<Table 6-2> Stages of North Korean refugee women's screening and adaptation education process

Stages	Organization concerned	Content	Period	Responsible department
Stage 1	Diplomatic missions and other relevant organizations	Application for protection and investigation	Prescribed period	Ministry of Foreign Affairs
Stage 2	Joint Investigation Centre	Identity and life screening	4 weeks	6 state authorities, including the National Intelligence Service
Stage 3	Hanawon	Social adaptation education	12 weeks	Ministry of Unification

In other words, before North Korean refugee women who have arrived in South Korea go out into South Korean society, they are made to live for one month at the Investigation Centre, where joint investigations take place, and for another three months at Hanawon, which carries out the social adaptation education. As the Joint Investigation Centre and Hanawon represent the first state authorities that these women come across subsequent to their entry to South Korea, for North Korean refugee women these bodies constitute an everyday life space and, simultaneously, ‘organizations of power’ characterized by an unconditionally superior position.

First of all, with regard to the Joint Investigation Centre, the National Intelligence Service examines the identities of newly arrived women and is responsible for investigating their entire lives in North Korea and third countries. Bearing in mind that the contents of these screenings and assessments form the absolute basis for applicants’ acquisition of the legal status of South Korean citizenship, these authorities wield great decision-making power with regard to North Korean refugee women’s future. Usually, North Korean refugee women understand this place as a South Korean state organization corresponding to the North Korean ‘National Security Department’. The daily life in the Joint Investigation Centre takes place in line with systematic restrictions.

Next, the organization Hanawon, where North Korean refugee women receive the so-called ‘adaptation education’, was established in 1999 in accordance with the Protection and Settlement Support Act which came into force in 1997, and is currently (Aug. 2009) equipped with facilities that can accommodate around 5,000 persons per year. Generally, education is carried out in separate age-based course groups: infant

groups, preschool groups, primary school groups, young adult groups, and adult groups. Adult groups are, furthermore, differentiated on the basis of sex in order to provide occupational education for men and women separately; this part of the education programme is also carried out in different facilities for men and women. Each term around 200 persons are admitted to the education programme, and across the three terms a total of around 600 persons receive education at the same time.³⁸ Hanawon as an educational governmental organization differs from the Joint Investigation Centre in that it is responsible for supporting women to establish themselves well in South Korean society. However, when taking into account that this education is carried out according to contents and life rules predetermined by the relevant organization and that life in the space called Hanawon is subjected to control, as women are not allowed to leave the facilities, both places share certain common features. As North Korean refugee women have usually experienced life in refugee centres in third countries for shorter periods of three to four weeks or longer periods of up to several months, they tend to accept their lives at the investigation and education organizations as a continuation of their 'camp life'. Although it is a fact that women's lives at the South Korean investigation and education authorities are far better than their lives in the camps in third countries with regard to living conditions and treatment, they still experience their time at the facilities as part of the 'process of flight', as they are not free to live as they wish.

The education programme at Hanawon is implemented over a 12-week period (a total of 420 hours), Mondays to Fridays from 8am to 4pm; at the weekends, visits to external organizations and institutions are organized, as well as other programmes. The contents of the education received comprise support for the first stages of North Korean refugee women's settlement, support for their adaptation to South Korean society, and basic job adaptation training.

<Table 6-3> Content and hours of Hanawon education

Total of 420 hours	Education on health and emotions	50hours
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³⁸ At the time of the research visit to Hanawon on the 4th of August 2009, there were approximately 500 adults, 30 children, 100 youths, and 30 elderly persons among the total number of around 600 accommodated persons.

Support for the early stages of settlement	58 hours
Understanding South Korean society	135 hours
Career advice and basic vocational training	177hours
<hr/>	
Of which are commissioned to external education providers	181hours
<hr/>	
Basic vocational training	85hours
Computer training	54hours
Experiencing South Korean families	28hours
Experiencing urban culture	7hours
Experiencing historical sites	7hours
<hr/>	

With regard to support for the first stages of settlement, the educational content concentrates on enabling women to find public rental accommodation or to set up a family registry data record via the Seoul Family Court. Social adaptation support includes educational contents relating to North Korean refugee women's health and personality, as well as introductions to democracy, capitalism and market competition, practical life issues, etc. in order to further their understanding of South Korean society. Career advice and basic vocational training is commissioned to the Korea Polytechnic University which delivers 108 hours of educational programmes mainly focussing on basic job adaptation training as well as computer training.

2) Support for North Korean refugee women

When North Korean refugee women obtain South Korean citizenship, they are, at the same time, granted the right to receive various forms of support according to the Protection and Settlement Support Act. As this support system specifically addresses North Korean refugees, it can be said to form the material basis for women's lives in South Korea. In fact, the adaptation education at Hanawon is also implemented as part of this support system, and once women have finished the training at Hanawon they have recourse to support in form of resettlement funds, educational support, career and employment support, etc. in their everyday social lives.

Following the passing of the Protection and Settlement Support Act on the 13th of January 1997 and up to 2003, the fundamental direction of policies regarding North

Korean residents in South Korea was characterized by the notion of “benefits-based protection and settlement support”. After 2004, the orientation of support was altered to focus on independence and self-support, improving the system by putting an emphasis on incentives. Accordingly, the Protection and Settlement Support Act of 1997 was amended by the “North Korean Residents Support Act” on the 26th of January 2007, its enforcement ordinance being passed on the 28th of June 2007.

Furthermore, in 2008 the basic organization of the North Korean residents’ support system was rearranged so that the “central government [is responsible for] establishing the basic plan and managing Hanawon” while local governments are responsible for “fulfilling support tasks such as paying out settlement funds and providing employment support”; however, local self-governing bodies currently have difficulties in effectively fulfilling their support function as they were entirely unprepared for these duties (Yu Uk, 2008).

In the following, we explicate the concrete contents of support as stipulated by the “North Korean Residents Support Act” of 2007, as they are important for an understanding of the cases of this research introduced in the following subchapters.

(1) The settlement support system

North Korean refugee women who settle in South Korean society directly receive initial resettlement payments consisting of basic settlement payments, settlement encouragement payments, and additional settlement payments in order to meet their basic living costs.

<Table 6-4> Basic settlement payments

(Unit: 1,000 Won)

Number of family members	Initial payment	Divided payments	Housing support payment	Sum
1	3,000	3,000	13,000	19,000
2	4,000	7,000	17,000	28,000
3	5,000	10,000	17,000	32,000
4	6,000	13,000	17,000	36,000
5	7,000	16,000	20,000	43,000
6	8,000	19,000	20,000	47,000
more than 7	9,000	22,000	20,000	51,000

As shown in the above table, every North Korean refugee receives initial resettlement funds consisting of a housing support payment of 13 million Won for a rental property (based on 1 Person), an initial payment of 3 million Won (based on 1 Person) on completion of the Hanawon education, as well as 3 million Won (based on 1 Person) in quarterly instalments over the course of one year. Compared to the 35.9 million Won that were paid out to each North Korean resident prior to 2004, these basic resettlement payments currently totalling 19 million Won (based on 1 Person) represent a significant reduction.

Additional settlement payments are provided to vulnerable groups such as the elderly who face greater difficulties to find employment, the chronically ill, or persons with disabilities; for example, elderly persons above the age of 60 are given a 7.2 million Won additional old-age payment (based on 1 Person), and children growing up in single-parent households receive an additional single-parent-family child protection payment of 3.6 million Won (based on 1 Person). Additional disability payments are provided in accordance with different disability grades amounting to payments between 15.4 million (grade 1) and 3.6 million Won (grades 4-5). Furthermore, when persons suffering from severe diseases are treated in hospital for more than three months, they are supported by additional long-term treatment funds of 800,000 Won per month.

<Table 6-5> Additional settlement payments

Classification	Criteria for payments	Rate of payments (Unit:1,000Won)
Additional old-age payment	Older than 60 years	7,200
Additional disability payment	Disability grade	15,400 (grade 1), 10,800 (grades 2-3), 3,600 (grades 4-5)
Additional long-term treatment payment	Hospitalisation of more than 3 months because of severe illness	Month x 800
Additional single-parent-family child protection payment	Single-parent family child	3,600 (per household)

Settlement encouragement payments which were newly established in the amended support system in order to accelerate and promote North Korean refugees' social adaptation and employment provide payments in the form of incentives as shown in the table below.

<Table 6-6> Settlement encouragement payments

Classification	Criteria	Amount (Unit: 1,000 Won)	Note
Vocational training encouragement payment	under 5 months	-	No payments
	6 months – 12 months	Months × 200 Won	
	1 year course, vocational college, selected priority occupations	2,000	Additional
Payment encouraging the acquisition of qualifications	Beneficiaries of vocational training encouragement payments	2,000	
Employment encouragement payment	First year	4,500	
	Second year	5,000	
	Third year	5,500	
Total amount (maximum) 21,4 million Won			

A person who undergoes long-term vocational training, obtains a qualification certificate or starts employment and remains working in the same workplace for more than one year receives settlement encouragement payments. In 2007, for example, 338 persons were paid vocational training encouragement payments, 217 persons received payments promoting the acquisition of qualifications, and 28 persons were granted employment encouragement payments; these payments altogether amounted to slightly over 1 billion Won. Compared to the total amount of settlement encouragement funds of 200 million Won paid out to 117 beneficiaries in 2006, the 2007 figures show a large quantitative increase.

In order to promote North Korean refugees' settlement with regard to housing, public rental accommodations built by the Korea National Housing Cooperation or local self-governing bodies are made available to them; furthermore, they receive the above mentioned housing support payment to enable them to really move into these properties. The allocation of North Korean refugees to respective areas of residence

follows as much as possible the wishes of North Korean refugees while also considering the varying supply of rental accommodations.

Furthermore, North Korean refugees whose relevant income does not meet their minimum costs of living are assisted by livelihood security payments of 3.7 million Won per month (based on 1 person) according to the “National Basic Livelihood Security Act”, and North Korean refugees on low incomes and their families are defined as grade 1 medical assistance beneficiaries according to the “Medical Care Act” and receive income-based health benefits including assistance towards examinations and treatments.

(2) The education support system

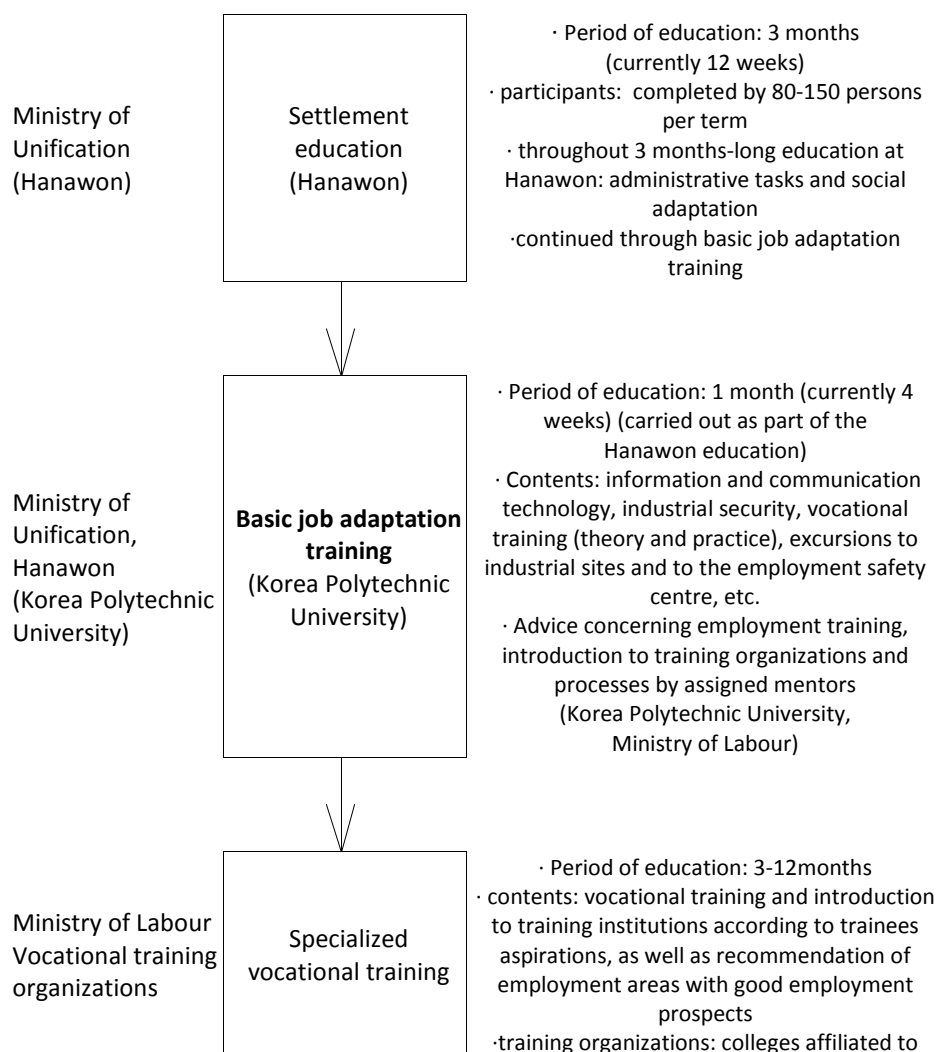
Pursuant to article 13 of the “North Korean Residents Support Act”, North Korean refugees who underwent and completed schooling or educational courses in North Korea or third countries can obtain recognition of the former corresponding to the South Korean education system. In line with the enforcement ordinance to the “Elementary and Secondary School Act 2008”, education review commissions affiliated to superintendents of education deliberate on the level of recognition of North Korean refugees’ education considering the completed diploma, mathematical competency, and age of applicants. This way, the recognition process of North Korean refugees’ education has been institutionalized; where possible, it aims at assigning North Korean refugee youths to school grades based on their age in accordance with the mainly age-based allocation principle in South Korean schools.

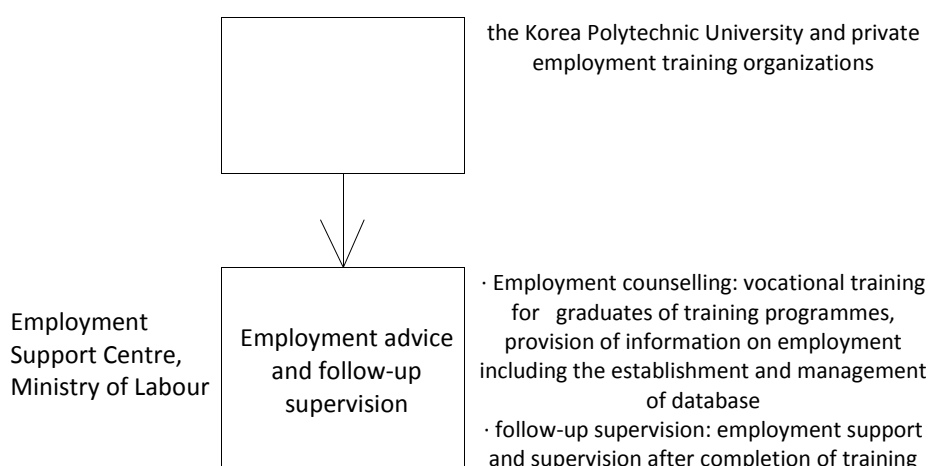
In cases of North Korean refugees entering or transferring to higher educational institutions above the level of vocational colleges, state universities fully exempt North Koreans from tuition fees while private universities support these students by sharing the tuition fees with the state, each side paying half of the total amount. However, North Korean refugees who want to apply to the above educational institutions face an age limit granting only those below the age of 35 assisted access to higher education; furthermore, with regard to assistance towards tuition fees, support is only made

available for persons applying within a protected settlement period of five years and within a period of five years of obtaining a university transfer qualification. In cases of North Korean refugees applying to other higher education institutions such as industrial colleges, vocational colleges, technical colleges, open universities, correspondence universities, specialized colleges, and officially acknowledged lifelong-learning and continued education institutions, tuition fees are waived for North Korean refugees without any age restrictions as long as they apply within a protected settlement period of five years.

In addition to the above, with regard to North Korean refugee youth support is provided by establishing schools for all grades and state bodies responsible for safeguarding education, as well as by developing educational programmes.

<Illustration 6-1> Map of the vocational training system





※ Source: Si Minseok, 2009. *Measures to Improve the North Korean Residents' Settlement Support System – Discussion Forum Report*, pp. 105-106.

(3) The employment support system

In order to help North Korean refugees into work, the North Korean Residents Support Act requires the provision of vocational training opportunities, and stipulates that they should be offered occupational guidance enabling them to find employment and receive vocational training that suits their respective aptitudes. In addition, they are given access to work placements, and businesses which employ North Korean refugees are supported over a period of three years by employment support payments covering 50% of the respective North Korean resident's wage.

The current vocational training system for North Korean refugees was set into full-scale operation in 2004. The training process carried out by the Korea Polytechnic University within the educational course at Hanawon is part of this employment support system. Once North Korean refugees go out into society, they are guaranteed comprehensive vocational training; the entire vocational training system is shown in <Illustration 6-1> above.

The payment criteria and conditions of vocational training encouragement payments, funds encouraging the acquisition of qualifications, and employment encouragement payments mentioned above are set out in <Table 6-7> below.

<Table 6-7> Contents of vocational training encouragement payments, payments encouraging the acquisition of qualifications, and employment encouragement payments

Basic principles of encouragement payments provision		
<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ If grounds for providing encouragement payments arise during the protected settlement period (5 years upon completion of Hanawon education), encouragement payments are furnished in a lump sump○ The total amount of encouragement payments provided to the same household must not exceed fifty times the amount of the minimum wage (39,324,000 Won in 2007).</div>		
Encouragement payment	Conditions of provision and eligibility	Amount (Unit: 1,000 Won) Required papers at application (documents)
1. vocational training encouragement payments	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ Pursuant to the Workers’ Vocational Skills Development Act, persons who have completed a training course of more than 6 months in a vocational skills development institution are eligible for vocational training encouragement payments; even if training courses take longer than 1 year, payments are made for the first 12 months only, furnished in a one-off payment○ For persons who completed a basic job adaptation training at Hanawon, 1 month is additionally counted towards the required length of training</div>	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ Under 5 months: no payment○ Completed period of 6-12 months: months x 200* Payment only upon successful completion<div><div>①</div><div>Encouragement payment application form (provided by employment centre)</div></div><div><div>②</div><div>Certificate of completion (issued by vocational training organization)</div></div></div>
	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ Persons who completed a degree course at the Korea Polytechnic University or training for selected types of occupations given priority by the Ministry of Labour (at training businesses commissioned by the government) or a vocational training course of more than 1 year are eligible for the additional encouragement payment.</div>	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ Additional encouragement payment: 2,000<div><div>①</div><div>Encouragement payment application form (provided by employment centre)</div></div><div><div>②</div><div>Certificate of completion (issued by vocational training organization)</div></div></div>
2. Qualification encouragement payment	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ persons who obtained a national qualification according to the National Technical Qualifications Act and the Vocational Skills Development Act as well as persons who acquired an officially recognized qualification pursuant to the Framework Act on Qualifications in the area of their completed training are eligible for the qualification encouragement payment, furnished in a one-off payment, if<div><div>①</div><div>they completed a vocational training course of more than 6 months in a vocational skills development institution in accordance with the Workers’ Vocational Skills Development Act</div></div><div><div>②</div><div>they completed a degree course at the Korea Polytechnic University or a training course of more than 6 months</div></div></div>	<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ upon successful completion of vocational training and issue of qualification certificate for the respective area: 2,000<div><div>①</div><div>Encouragement payment application form (provided by employment centre)</div></div><div><div>②</div><div>Certificate of completion (issued by vocational training organization)</div></div><div><div>③</div><div>Certificate of qualification (issued by organization implementing the qualification)</div></div></div>
		<div><div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><ul style="list-style-type: none">○ Persons who were employed in the same workplace for more than 1 year are eligible for employment encouragement payments, paid for up to three years in separate instalments for each year○ Applicants must be enrolled in 4 insurance systems (National pension, health insurance, unemployment insurance, occupational health and safety insurance)* Provisions relating to employment encouragement payments apply only to persons who have entered South Korea after Jan. 2005 (starting with Hanawon graduates of term 70), no retrospective application to persons having entered South Korea prior to 2005.* In the event that grounds for providing employment encouragement payments arise during the protected settlement period, they are furnished in a one-off payment regardless of the expiry of the period.</div>
Applications for encouragement payments are directed to the Ministry of Labour, Employment Support		

Centre, Employment Protection Officer

※ Source: Kim, Imtae, 2007. *Saeteomins' Process of Adaptation to South Korean Society – Current Situation and Prospects*, Seminar Publication of the Association of Non-Governmental North Korean Refugees Support Organizations, p. 27.

Under the above conditions, the requirement that applicants for employment encouragement payments must be enrolled in four insurances at their workplace currently constitutes a great problem as medical aid beneficiaries are not admitted to these four insurances; these persons are thus not eligible for employment encouragement payments.

If we look at the figures provided by the Ministry of Labour's database on North Korean job-seekers which was established in 2006, the latter's situation from 2006 until September 2007 is as shown in <Table 6-8>.

<Table 6-8> Current employment situation of North Korean job-seekers

(Units: number of persons, %)

	North Korean refugees				General job-seekers			
	Job openings	Job-seeking	Employed	Employment rate	Job openings	Job-seeking	Employed	Employment rate
2006	280	1,743	222	12.7	769,796	1,607,454	398,033	24.8
Jan. – Sept. 2007	353	1,809	169	9.3	730,149	1,474,451	373,104	25.3

※ Source: Ministry of Labour Database.

According to the above table, as the number of job openings for North Korean refugees has increased from 280 in 2006 to 363 in 2007, and as the number of job-seeking North Koreans has also grown from 1,743 persons in 2006 to 1,809 persons as of September 2009, there is an increasing trend among employers and job-seekers to use the Employment Support Centre. However, the employment rate has greatly declined from 12.7% in 2006 to 9.3% in 2007. Simultaneously, as the total labour demand ratio (ratio of employed persons to job openings) also greatly decreased from 79% in 2006 to 48% in 2007, it seems that the attraction for employers to hire North Korean refugees has now greatly decreased.

Furthermore, the employment ratio of North Korean refugees stands at almost half the level of the general employment ratio, and despite a slight increase in the general employment ratio from 24.8% in 2006 to 25.3% in 2007, the employment ratio of North Korean refugees has somewhat declined (from 12.7% to 9.3%).

<Table 6-9> Current employment situation of North Korean refugees by level of monthly wages

(Units: Number of persons, %)

	employed	Less than 1m Won	1m - 1.2m Won	1.2m – 1.5m Won	1.5m – 2m Won	More than 2m Won
2006	222	44 (19.8)	92 (41.4)	48 (21.6)	32 (14.4)	6 (2.7)
Jan. – Sept. 2007	169	36 (21.3)	57 (33.7)	47 (27.8)	23 (13.6)	6 (3.6)

※ Source: Ministry of Labour Database.

When we look at the employment situation of North Korean refugees by company size, there were 82 North Korean refugees in 2006 and 68 persons in 2007 who could be classified accordingly. In 2006, 62.2% of North Korean refugees were employed in businesses with less than 30 employees, and 14.9% in businesses with more than 100 employees. In 2007, 64.4% worked in businesses with less than 30 employees, while 13.3% were employed in businesses with more than 100 staff members. Thus, with regard to company size, businesses which employ North Korean refugees are becoming smaller in comparison with 2006.

North Korean refugees' employment situation described by type of work presents the following picture: in 2006, 54.6% of the total population of employed North Korean refugees worked in three job families; that is, in accounting/financial office jobs (23.9%), simple production jobs (20.3%), and jobs in electronics/electrics (10.4%); the remaining persons were evenly distributed across other types of occupations. In 2007, 62.1% of all employed North Korean residents were engaged in the above mentioned job categories, namely 28.4% in simple production jobs, 18.9% in accounting/financial office jobs, and 14.8% in jobs related to electrics/electronics. Furthermore, with regard

to the wage level of North Korean refugees, 20% received less than 1 million Won, 63% between 1 million to 1.5 million Won, and 17% more than 1.5 million Won a month.

Summarizing all the above aspects of North Korean refugees' employment situation, we can say that the yearly employment ratio of all North Korean refugees amounts to around 10%, and that 60% of employed North Koreans are involved in simple production, finance/accounting office work, and in the electronics/electrics sector. Furthermore, more than 80% of all employed North Korean refugees earn less than 1.5 million Won, while more than 60% work in small businesses with less than 30 employees.

3) South Korean society as an everyday life space

(1) The 'North Korean refugee woman' as a minority in South Korean society

As illustrated above, North Korean refugee women who have entered South Korea acquire legal status as citizens of the Republic of Korea when they undergo the Hanawon education process. This gives them entitlement to legal protection by the Republic of Korea. More specifically, they obtain the right to be free from social discrimination with regard to cultural, social, sexual, class or strata differences.

However, these provisions of written law do not safeguard North Korean refugee women's social rights in all spheres of life. As human rights, in particular, are socio-culturally and historically specific phenomena, the practical realization of human rights depends on the sensitivity to human rights shared by the members of a given society, i.e. by the persons living in that society. The question of to what extent North Korean refugee women's human rights are protected in the everyday space of South Korean society cannot be answered merely on the basis of their entitlements to legal rights. Moving beyond problems related to the interpretation and application of law which arise in the process of implementing the law, what matters is the respect for and practice of rights produced by the material and immaterial mutual interactions between different members of society in the everyday life space.

As various research conducted until now has shown, South Korean society displays, to a considerable extent, a discriminatory attitude towards social minorities based on social, cultural, and political differences, as well as with regard to differences in nationality, sexual orientation, etc. (Bak Kyeongtae, 2008; Yun Sujong, 2002). Typical minority groups in South Korea of recent years are migrant workers, 'marriage migrant' women, homosexuals, transsexuals, and North Korean refugees. Minorities are not determined by the size or the number of persons belonging to a group; rather they must be understood in relation to social 'power'. In other words, minorities are social groups whose basic social rights are curtailed on the grounds of various differences. Classically, although women numerically constitute a group of similar size to that of men or often even exceed the number of men in a society, social inequality based on a person being a 'woman' exists in most societies. Considering this perspective, it is highly probable that North Korean refugee women as a social minority in South Korean society face various forms of social discrimination.

First of all, the birth origin of North Korean residents, that is, their social and political background, can become an important ground for social discrimination in South Korean society. The common prejudice of South Koreans perceiving North Korean refugees as people who have come from a 'poor country', from a 'society which is a political enemy of South Korea' can operate as a 'hierarchy' in their mutual interactions. According to the premises of this research, South Korean society represents a life space in which North Korean refugee women are to live but in which various norms and values are at work; it is a space in which social and cultural discrimination exists.

To give one example, considering the fact that North Korean refugee women who have settled in South Korea hold the same citizenship as the majority of members of South Korean society but have a different political and cultural background, they share certain attributes with migrant groups who have come to South Korea on various grounds. The advertisement below shows in a symbolic way that North Korean refugee women are placed in a similar position as women from Vietnam, China, etc. who migrated to South Korea in order to get married.

<Illustration 6-2> Print advertisement

Marriage with North Koreans (women)
Strong daily life abilities, good looks and identity assured
Call 010-3476-XXXX for advice
China (Chinese) 2.5 million Won
Internet online meeting with prospective marriage partner. KT Marriage Information

※ Source: 2009 Advertisement in Seoul subway train

The above advertisement promotes marriages with North Korean women. One can assume that the intermediary organizations which have been arranging marriages between ‘Chosun-jok’ women from Yanbian and South Korean men since the 1990s are currently expanding their area of business into organising marriages with Chinese women and women born in North Korea. More specifically, ‘good looks’ and ‘daily life abilities’, as well as a status protected by the South Korean government are presented as ‘unique selling points’ of North Korean women. In such marriage arrangement processes, it is South Korean men who pay the money, and it is women born in North Korea or China who are rendered as a ‘human commodity’ in a trade disguised as marriage. Among persons in South Korea whose socio-cultural background is rooted in North Korea and China and who thus belong to a social group which differs from the dominant group in society, it is ‘women’ who are turned into ‘men’s’ objects of purchase; this point shows that the ‘gendered power relations’ existing in South Korean society operate rather explicitly when it comes to minorities.

Comparing this current situation with the experiences of human trafficking, sexual violence, purchased marriages, etc. that North Korean women lived through once they had crossed the Chinese border and become illegal residents in China shows on the one hand that, as these women have acquired a legal status in South Korea, the deals based on ‘coercion and violence’ in the former have been transformed into a legal transaction, namely a ‘marriage arrangement’, in the latter. On the other hand, however, it strongly hints at the fact that the gendered power relations which openly

revealed themselves throughout women's long process of flight are not brought to an end in the country of their resettlement, i.e. within South Korean society.

(2) A life in which psychological and physical wounds are continued

In another respect, there is an important characteristic that sets North Korean refugee women apart from migrant women in general. As has already been emphasized in many research reports,³⁹ the majority of North Korean refugee women have experienced unimaginable human rights violations in North Korea and third countries which remain with them as physical and psychological wounds (traumas).

Experiencing one's own or one's family's disappearance, violence, death, hunger, human trafficking etc. leaves deep psychological and physical traces on these women. The majority of North Korean refugee women have a history of multiple illnesses. These illnesses are traces left on the body by situations of various human rights violations and are a reflection of psychological injuries sustained. The important point is that these bodily and mental wounds do not disappear just because women have arrived in South Korea. The human rights violations against North Korean refugee women resulting from the unprecedented famines and the socio-political situation in North Korea at the end of the last century are not limited to the spaces of North Korea and third countries but persist as inscriptions on their bodies and minds.

This condition, in contrast to women from other minority groups living in South Korean society, is grounded in the life-historical background shared only by North Korean refugee women. More than that, it is also an aspect which must definitely be taken into account when considering North Korean refugee women's human rights within South Korean society. Thus, in order to accurately approach North Korean refugee women's human rights problems, we must start from the awareness that in South Korean society 'human rights problems' with regard to North Korean refugee women

³⁹ Cf. various sources which can be categorized as follows: research on the current situation of North Korean defectors such as that of the NGO Good Friends (1999) or Gim Inseong (2005); autobiographical reports written by North Koreans such as Yi Yeongsim (2006) and Choe Jini (2005); or academic dissertations such as those by Paek Youngok (2002), Lee Mikyeong (2006) or Im Sunhui (2005).

who settle here do exist, and go further by considering, first of all, that their human rights issues are not resolved by the fact that they obtain South Korean citizenship and receive the prescribed material support and education, and that it is important to grasp their human rights in the context of their long, continuing life.

In the following sections we introduce from our case analysis of North Korean refugee women's everyday lives those contents of North Korean refugee women's experiences (classified by themes) which are significant in gaining an in-depth understanding of their human rights situation.

2. The human rights situation in the process of 'making citizens'

According to this research, the government's education and support policy regarding North Korean refugee women is strongly orientated towards 'adaptation'. This perspective of 'adaptation' connotes that North Korean refugee women as objects of adaptation are not regarded as partners of mutual interactions in South Korean society, but as passive beings who have to adapt to the dominant culture in South Korean society. While in the past the main labour importing countries pursued policies of 'integration and assimilation' with regard to minority groups from various cultural backgrounds which existed in the respective countries, these policies have recently been exchanged for policies that 'recognize differences'. These changes are grounded in the realization that policies of integration and assimilation, as was mentioned above, involve a hierarchical point of view centring on 'one's own' residents. However, the laws on North Korean residents' support in South Korea are still greatly influenced by this standpoint of integration and assimilation. Thus, a distinction is produced between 'outstanding North Korean refugee women' and 'inferior North Korean refugee women' on the basis of North Korean refugee women's individual ability to adjust to the 'absolute standard', that is, to the dominant culture in South Korea; and this distinction leads to the differential provision of material support.

1) 'Stigma' and wounds in the screening process: North Korean refugee women, latent prostitutes?

The majority of North Korean refugee women live through difficult times in third countries and come to South Korea via Incheon Airport. Kim Jinsun (2009, 1-4), for example, who was born in 1960 in Jilin, China, and moved to North Korea together with her parents at the age of three, worked as a labourer in a pottery factory until 1992. When life in North Korea became increasingly difficult in the mid-1990s, she engaged in various kinds of trading businesses together with her husband but eventually set off for China in 2002. Kim Jinsun (2009, 1-4), who made a living in China by trading and other activities with the help of her relatives there, could not, for various reasons, return to North Korea where her husband and her daughter were still living. In 2007 she eventually entered South Korea via Mongolia with the help of brokers.

The South Korea that Kim Jinsun (2009, 1-4) first experienced when she arrived at Incheon Airport was "so wonderful", just like what she had seen in Korean soap operas, and she narrated that "the mere idea that one half of our country is so well off made my heart swell". This narrator described her first impression of South Korea as she saw it from the bus taking her to the National Intelligence Service as a place of abundant wealth, as if 'a housewife had filled her household leaving no empty cracks'.

To say it with an example, I got the feeling that a housewife had filled my household leaving no empty cracks, chock-full with possessions, full to the brim. The country, all along the way, there was no empty space whatsoever. Even places with a slight hill, there were trees planted, and if there was some space, then it was all cars, and isn't a car itself a possession? It was full of cars, and, here, no empty wilderness like in North Korea, not a single empty place. Everywhere there were cars, and if there wasn't a children's playground, if there wasn't a rest facility, if there wasn't a building, if there wasn't a parking lot, there was not a single empty space, everything was completely full. There were apartment blocks, everywhere trees and flowers planted; as I saw this, I thought that just as if a housewife has run her household very well, the people of this country had really put a lot of work into it, that is what I felt, I had these kind of thoughts. Well, if there's nothing but empty spaces and it's dirty, and [you also have] a dirty face-, it's just like what you feel when you enter a house in some country, it's the same with countries. So it made me think, 'Wow, really, the South Korean people have done a lot of work, we said it is difficult but they've done even more', I had this kind of thoughts. (Kim Jinsun, 2009, 1-4)

In the above text, Kim Jinsun (2009, 1-4), who lived in North Korea for 40 years, compares North and South Korea as 'an entirely empty household' and a 'completely full household'. It seems that when she saw that this place was not all about walking around with a 'dirty face' in search for 'necessary food' in order to survive, but saw cars, playgrounds, flowers and rest facilities all being well maintained, it made her envy South Korea, a country she had chosen for her future, but also gave her a sense of pride.

It appears that these feelings and attitude persisted also in the investigation process carried out by the National Intelligence Service and other organizations. More specifically, this attitude becomes a factor which silences North Korean refugee women with regard to the investigation process in which prejudices conceiving these women as 'prostitutes in China' are also produced. For example, Kim Jinsun (2009, 1-4) avoided a clear expression of her opinion about press reports or stereotypes in South Korean society that assume that the majority of North Korean refugee women in China were victims of 'human trafficking' and were married to Chinese men, or that they lived as prostitutes.

Just, for these people, there were things we said that are hard to believe in the beginning, you know, things that sound like a lie, you could think it's a lie even if it's the truth. That is, you know, concerning these things..., I am telling the truth but this person doesn't believe me, that made me feel a little bad inside. Apart from this, in the beginning, they came out very harshly. Because they want to know. But in the end, they weren't like that. They want things to go well for us, want us to go out and have a good life; I don't take it amiss. (Kim Jinsun, 2009, 1-4)

According to the case analysis, Kim Jinsun (2009, 1-4) had relatively preferable living conditions in China, mostly working as a care mother, because her relatives in China helped her to get by. However, the National Intelligence Service and other persons in charge of the screening process displayed an attitude of not accepting as the truth her story that she had lived in China without facing human trafficking, sexual violence, etc., and it seems that she faced some difficulties when she was interrogated 'very harshly'. In spite of this, in the above extract the narrator empathizes with the attitude of her interrogators, describing it as 'something understandable'. Rather than narrating from her own position, right from the first paragraph, she tells her experience of the

investigation carried out by the National Intelligence Service and other organizations from the perspective of “these people”. In the end, the narrator clears away the investigators’ prejudices by saying that she ‘didn’t take it amiss’. This kind of stance also expresses the narrator’s wish to identify herself with the ‘household completely filled with possessions’ that is the South Korea where she is going to live from now on.

The important point that we can take from this case analysis is that during the investigations conducted by the National Intelligence Service and other organizations North Korean refugee women have no room to consider what kind of ‘rights’ they have. Most North Korean refugee women develop a situational stance of ‘gratitude’ towards the South Korean government for accepting them although they were illegal residents. This leads most of them to assume that they are not in a social position vis-à-vis the South Korean government or state agencies to protest against violations of the human rights that they are undoubtedly entitled to. In this way, North Korean refugee women are placed into an emotional and social position which does not allow them to insist on the lawful rights of human beings with regard to the investigating organizations that will decide on their political life. Nevertheless, according to our case study, the South Korean investigation organizations do not meet their duty and responsibility to inform North Korean refugee women about their rights either directly or through lawyers or other persons.

When we look at another case, Hyeon Changhui (2009, 2-6) escaped from North Korea to China together with her family and later settled in South Korea. Throughout this process, this interviewee was able to avoid the experiences of purchased marriages or sexual abuse, etc. that many other women encounter.

When I was at the National Intelligence Service, in the beginning, when I was screened (...) do you know what this mister said to me? ‘You have to be interrogated.’ Saying that he sits down opposite me, looks at me slowly and starts talking. ‘How did you live in China?’ - ‘With my kids.’ - ‘Did you live in China with another man?’, he went. ‘What are you talking about?’ I said, ‘We, me and my family came [to China] to really earn some money as a family, we came without a single penny for the next day, with nothing but our naked bodies, we came in order to really work like mad and live. - ‘Really? And who was the first person with whom you matched belly buttons?’, that’s what he said. (Hyeon Changhui, 2009, 2-6)

In the above interview extract, the male interrogator in charge of the investigation exercised 'gendered power' vis-à-vis the narrator. This male investigator, an actor wielding the political power of the patriarchal, capitalist state that is the Republic of Korea presumes that this female victim who left the protection of the socialist, patriarchal state that is North Korea is a 'prostituted woman'. He acts as someone who has the power to naturally ask the narrator an extremely private question such as 'Who was the first person with whom you matched belly buttons?' (Matching belly buttons is an idiomatic expression meaning 'having sexual intercourse'.) In other words, the above situation demonstrates very clearly that the South Korean male who possesses patriarchal power has a preconception that the common North Korean refugee woman has experienced prostitution in China.⁴⁰ In this situation, the narrator becomes defined by the male interrogator as just one specimen of 'North Korean refugee women in general'; she ends up being regarded as an actor who does not have the right to remain silent about her private life.

As the above interview extract indicates, Hyeon Changhui (2009, 2-6) is one of the few women who courageously protested against the human rights violations and sexist actions in the course of the National Intelligence Agency's investigations. Considering the background that enabled this narrator to confidently problematize the investigator's attitude and discourse which violated her self-esteem, it seems that it was not only her sensitive problem awareness but also the fact that she had not experienced sexual violence etc. which strongly played out in this situation. We can see that her life background along the lines of 'Maybe others, but not me' became a background which empowered her to contest the state authorities of the Republic of Korea which she had encountered in the screening process for the first time. On the other hand, however, many North Korean refugee women are subjected to experiences of human trafficking, sexual abuse, etc. in the context of complex socio-political conditions and their life histories. When this situation of human rights violations became known inside and outside South Korea, in some cases it led to a perception that all North Korean refugee women are tacit prostitutes. This refers to

⁴⁰ This situation also displays the distorted sexual awareness that is common to South Korean men as wielders of patriarchal power.

the paradoxical situation that case studies of human rights violations are published with the aim of protecting women's human rights, but then rather operate as data that construct social prejudices and preconceptions.

The National Intelligence Service's screening process, in particular, constitutes a situation in which descriptions of such experiences become inevitable. In the course of the investigation, the investigators' attitude which conceives North Korean refugee women as 'latent prostitutes' or 'pities' them for their circumstances is linked to the stigma through which South Korean society views women who are related to prostitution as 'self-depraved women' or as 'women who discarded their bodies', resulting in a condition that aggravates these women's psychological injuries. Moreover, when the 'authority' held by the investigation organizations is exerted in combination with social prejudices, there is a great danger that this exercise of power acts as a 'second-time sexual violence'.⁴¹

Another rights infringement that North Korean refugee women face during the screening process is the investigators' tacit stance perceiving these women as 'persons coming from socialist North Korea, a country starving because of a lack of food'. This presupposition regarding North Korean refugee women as persons coming from 'socialist North Korea, whose people are starving' in some cases plays out as ignorance towards these women or even deception. During the screening process, the expenses for North Korean refugee's daily necessities are paid onto a card held by the investigators in charge; our case study hints at instances in which persons in charge restricted women's choice of goods or misappropriated parts of these funds.⁴² What is of concern here is not only the 'misappropriation of money' but the investigators' attitude which presumes that these women do not know anything about how capitalist South Korean society works because they are women from North Korea, an attitude which denies these women existence and rights as such.

⁴¹ 'Second-time sexual violence' refers to the exercise of power in the process of investigations or court trials on a case of sexual violence which forces victims of sexual abuse to relive their past experience of abuse.

⁴² This is described in detail, for example, in the accounts of Mun Kyeonghui (2009, 2-7) and Hyeon Changhui (2009, 2-6).

Mun Gyeongsun (2009, 2-7) dedicated a lot of time in her interview to explaining to what extent the investigators in charge who took her and her daughters to buy goods 'treated them as idiots'. An important point that emerges in the analysis of cases like Mun Gyeongsun's (2009, 2-7) is the 'indignation' that these women feel about the fact that they were subjected to 'unjust treatment' by the South Korean investigators, thus damaging their self-esteem.

State organizations which possess the power to decide on the individual's right to a worthy existence have to consider and take action to ensure that the individual's human rights are fully respected in their own exercise of power. In particular, state bodies as the main actors wielding power have to employ a self-reflexive attitude with regard to their own 'actions that may involve sexist bias and exclusion'. Beyond that, state authorities have to actively inform North Korean refugee women of the fact that they have the right to defy such acts and to preserve their pride, and they must support and empower these women so that the latter can, in practice, protect their self-esteem. With a view to these rights, the attitude and position of the investigation and interrogation organizations denote a considerable tendency to violate the human rights of North Korean refugee women as a minority.

Then again, North Korean refugee women who, after a prolonged process of flight, enter South Korea where they are confronted with interrogations by the investigation organizations, are, as was mentioned above, placed in a position which makes it difficult for them to become aware of the 'human rights' they are entitled to and to raise related issues. For example, Han Junhui (2009, 2-1) explained in an interview held in 2009 that she had never heard or thought about a concept of 'human rights' before, and repeatedly expressed her astonishment about being able to consider her various experiences from a human rights perspective.

Human rights ... , when I came to South Korea human rights were talked about a lot and because in international organizations, in NGOs, in research they were referred to, I thought, 'human beings should live in this kind of places'; in the beginning, when I lived there I thought that North Korea is really the best, and that only North Korea, well, that there is no society where human beings really live caring for human beings except in North Korea. But from what I learned now, [I ask myself] whether what is really at the very bottom might be North Korea. One has to see that there you can't think at all about respect for human rights. At that time, well, I couldn't even recall

the real meaning of war, and it was always for Kim Il-sung, always for Kim Jong-il, I was educated like this, and because ways of life in such a system, because all conditions of life followed only these limited [perspectives], I didn't know, but when I heard and learned about the word human rights [I thought], 'coming here was good, I did really well to come here', although I have a sense of being late, you know, I am not the youngest anymore since I am now past my 40s. (Han Junhui, 2009, 2-1)

What is called human rights is not accomplished and realized through the written laws of a given society. Human rights alter significantly depending on the cultural sensitivity of the members of a society towards human rights, accumulated over the history of a society (Cho Hyoje, 2007). As the narrator mentions in the above interview extract, North Korean refugee women have lived in an environment that greatly differs from South Korean society with regard to political and social systems, as well as culture. Thus, they have a very different understanding of and perspective on 'human rights' as referred to by South Korean society and international organizations. This point is not only made by the above narrator but is a fact pointed out by various studies and practitioners in the field. From this angle, a middle and long-term human rights education which enables North Korean refugee women to understand and appropriate the contents of their human rights entitlements and critically assess the attitudes of South Korean society is of utmost importance.

2) Lack of trauma treatment and support

The majority of North Korean refugee women experience violence and death or the disappearance of family members, etc. which cannot be erased from their lives. These experiences have an impact on their everyday lives in the middle and long-term. North Korean refugee women who moved through third countries in order to settle in South Korea repeatedly suffer the injuries their bodies and minds have sustained for several years or months. Yi Myeongsun (2009, 1-3), as a typical case, was born in the early 1960s in Pyongyang and later worked in a propaganda unit; in the 1980s, however, she was subjected to a 'forced removal measure' to North Hamgyeong Province. In the mid-1990s, she was involved in smuggling activities, travelling back and forth between North Korea and China; in 2002 she escaped a crackdown by the police and went to China. While she was moving to another region in China in order to come to South

Korea in 2004, her daughter was arrested by the Chinese security police and forcibly deported.

My daughter, what she told me, when she was approaching she saw how much they were firing guns at people, gunning down people who had crossed [the border], shooting people dead in front of the school, one person was shot 9 times, his flesh was falling off in large pieces, and my child was just throwing up when she thought of it. Yes, because they want people to see it, they seem to order them to execute people at the school, and they shoot people at the market. (Yi Myeongsun 2009, 1-3)

In the above interview extract, Yi Myeongsun's (2009, 1-3) daughter tells her about an execution carried out by a firing squad which she witnessed when she was deported from China to North Korea. According to the case analysis, the narrator's daughter later crossed the Chinese border one more time and entered South Korea in 2005 via Thailand together with the interviewee. The above text presents what the narrator's daughter told her mother only after some time had passed following her repeated escape, recalling what she had experienced during her time in detention in North Korea. At the time of her narration, she expresses the psychologically intractable shock and the wounds she sustained several months earlier through her 'body'. Her body's memory of these past experiences is communicated by 'throwing up'. The human body constitutes an enormous storage of memories (Abraham, 2002). Memories that are inscribed in the body reveal past experiences and related wounds in a non-verbalized form.

In another case, Kim Jaeok (2009, 1-2) was born in the mid-1960s in Gaeseong and later worked as a labourer in a textile factory. When she crossed the Chinese border in 1998 in order to earn money, she was subjected to a purchased marriage etc. In 2005 she eventually left while pregnant; in the course of her journey to South Korea via Mongolia she experienced her child's as well as her friend's death.

It was at 1 o'clock in the afternoon of the 27th, on that morning the day was bright, so we set off, but when it got 1.30, my belly started hurting. I was walking holding my belly when I suddenly had to pee, so I peed but when I looked down because it was hot down there, the child had come out. When I took, without thinking, the umbilical cord and pulled, the placenta came out completely. (...)The child had come out but what to do, it was difficult for me to handle it. So I got a towel from my friend next to me and wrapped it around the child, put it into my handbag and started walking again. Really, since I had pulled the child out like that, the bleeding was so bad, so I clutched my child in my arms and walked on crying. Then, it was 1.30 on the 28th,

whether it's day or night, this time, 1.30, is so frightening and terrible for me. At that 1.30 I sat down because I was so exhausted from walking, I didn't sit down but lay down and put my completely frozen child down, and when I was lying there, my friend said to me I should give her steamed bread. But there wasn't any steamed bread. At that point in time, she was hallucinating. You know, I had just given birth, but when she was pulling my hair, crying that I should give her bread that wasn't even there, my heart broke. She had been my friend for 8 years in China, seeing this friend of mine die, and there was nothing I could do, it was so sad. (Kim Jaeok, 2009, 1-2)

In January 2005, a group of 8 persons including this narrator could not find the right way along the Mongolian border that a broker had directed them to and went through experiences between life and death amid cold and hunger. In this situation, Kim Jaeok (2009, 1-2) had to cope by herself with the death of both her unborn child and her friend. Holding her prematurely born child in her arms, surrounded by the cold, roaming along the Mongolian border, this narrator watched, in a state of helplessness, over her dying friend who was 'hallucinating' because of the frostbite that had spread from the tip of her nose through her whole body and because of walking without food for several days.

In the above interview text, the tense of the narration changes into the present tense with regard to the situation at 1.30pm on the 27th of January when the narrator's child died and the situation at 1.30pm on the 28th of January when her friend passed away. For Kim Jaeok (2009, 1-2), who was rescued by Mongolian guards just before her own death, this past experience continues to exist through the recurring time of '1.30', "whether it's day or night".

This way, North Korean refugee women who enter Hanawon are still bearing physical and psychological wounds in various forms. With regard to these wounds, however, the South Korean support system offers assistance only on a very insignificant level. To give a direct example, currently, in August 2009, a total of 600 North Korean refugee women are receiving education at Hanawon, supported by only one psychological counsellor employed on a contract basis. This assessment is shared by employees at Hanawon who have indicated that the psychological traumatization of North Korean refugee women constitutes a serious problem.⁴³ However, the educational institution

⁴³ Cf. Report on the research team's visit to Hanawon on the 4th of Aug. 2009.

that is Hanawon where these women have to stay for several months once they arrive in South Korea shows hardly any consideration or support in this respect. We can assume that this is grounded in the fact that the education and support authorities lack an in-depth understanding of North Korean refugee women's psychological trauma.

In the field of mental health, trauma refers to a severe psychological shock triggered by a situation of excessive danger and terror or stress. In other words, it denotes situations in which intense fear, helplessness and terror are experienced as one actually undergoes a serious danger of death or of sustaining bodily harm, or encounters such threats, or as one witnesses someone else being placed in a situation of danger of death or sustaining bodily harm.⁴⁴ When a person undergoes these experiences, various forms of defence mechanisms such as denial, suppression, dissociation, etc. are activated. However, painful recollections, images, thoughts, sensations, dreams, or flashbacks which refer to the traumatic incident can arise repeatedly, and when a person meets a similar situation or various situations which symbolize the traumatic incident, serious psychological pain or physiological reactions can occur. Nevertheless, the South Korean educational organization that North Korean refugee women encounter right after they have lived through a prolonged process of flight does not offer active support with regard to these women's psychological traumas; their education and support is limited only to visible bodily wounds and material support.

The above narrator Kim Jaeok (2009, 1-2) arrived in South Korea on the 10th of April 2005; immediately after being admitted to the National Intelligence Service, she was transferred to the Korean Armed Forces Capital Hospital where she underwent more than 20 surgical operations up until the 5th of September. After leaving the hospital without having fully recovered from the operations on the 19th of September in order to complete the procedure for receiving the Citizens' Registration Card (ID card), she was allocated to a rental apartment which she moved into on the 12th of October. In other words, this woman did not receive any educational support at Hanawon after

⁴⁴ Herman, Judith, 1997. *Trauma and Recovery*. New York: Basic Books.

she went through the initial investigation at the National Intelligence Service, and was eventually left to herself in a flat as a 'disabled person'. Although one could argue that she missed the initial education period because she needed to be treated for her physical illnesses, this educational procedure, which prepares these refugees for their settlement in a strange society, is not something that can just be skipped and forgotten about. However, as this case indicates, the government's settlement education is not concerned with 'whether or not the education is in fact carried out', but rather operates with a focus on whether the prescribed period of time has formally passed. Thus, in Kim Jaeok's (2009, 1-2) case, this led to a situation where she was not given the opportunity to receive the educational support intended to assist her in adjusting to life in South Korean society, but where she was directly transferred to the next level of measures in the 'support programme' in accordance with the passing of the initial 3-4 months since her entry into South Korea.

3) Reproducing discrimination through adaptation education: North

Korean refugee women, a group subordinate to South Korean women?

Pursuant to the research conducted by this research team by visiting and holding round-table talks at Hanawon in August 2009, the vocational training for North Korean refugee women is implemented within the confines of 'occupational groups suitable for women'. The training focuses, for example, on the areas of cooking, sewing, handicrafts, assembly work, confectionary and bakery, care and nursing, meaning that it is centred on occupations that are traditionally gendered in South Korean society. Regarding this tendency, the instructors in charge at Hanawon revealed the stance that 'although this problem has been pointed out by women's organizations many times, this practice takes the real situation into account'. In other words, despite the repeated criticism that implementing vocational education for North Korean refugee women with regard only to specific occupations listed by the authorities involves a sexist bias, the instructors are of the opinion that it is an appropriate measure when considering the 'concrete reality' of North Korean refugee women. What the Hanawon instructors call the concrete reality refers to the assumption that places where North

Korean refugee women can actually find work, having a comparatively low educational background and no work experience in South Korea, are the so-called female labour-intensive industrial sectors, places with comparatively low income levels. Furthermore, it is a stance which considers only those industrial areas where North Korean refugee women can find employment in a short period of time subsequent to their completion of the social adaptation education.

What is commonly referred to as the 'female sex' and the 'male sex' does not derive from biological conditions, including genetic factors. Rather, both male and female sex are social constructs, produced over the long history of the patriarchal system. There is no continuity whatsoever between the biological differences in the structure of sexual organs (sex) and the 'social sex' (gender) (Butler, 1990). The differentiation between occupational groups suitable for women and occupational groups suitable for men is based on biological differences and represents a perception and attitude which draws a 'distinction' (Bourdieu, 1979/2005) between women and men in the field of occupation in which this discrimination has become institutionalized. In the South Korean educational system, the fact that the past practice which made female pupils take family classes and male pupils technology classes was substituted by a practice which aims at educating both boys and girls in both these subjects constitutes one example of a changed attitude in society, orientated towards rectifying the long-standing discrimination between men and women. It is in the same context that the Equal Employment Opportunity Act is implemented with regard to all occupational sectors in South Korean society.

Bearing these points in mind, we can see that the vocational training which is currently being carried out at Hanawon for North Korean refugee women differs considerably from the usual career aspirations of South Korean women and, thus, shows a discrimination against North Korean refugee women. This education principle is premised on the implicit stance that 'because it is sufficient to preserve the survival of North Korean refugee women, there is no need to apply women's policies at the same level as for South Korean women'. This position does not recognize North Korean refugee women as equal citizens in South Korean society and discriminates them as a

group subordinate to South Korean women. This constitutes a social policy which violates, with regard to two aspects, namely on grounds of gender and political/cultural background, the civil rights of North Korean refugee women who, as 'South Korean citizens', are entitled to freely choose employment in any of the various areas of South Korean society.

4) The government support system as 'taming': We'll give you money if you go and work

At the heart of the revisions of the North Korean residents support system in 2005 and 2007 was the stipulation that 'the level of support provided to an individual differs depending on his or her self-reliance and self-support'. According to this principle, persons who pass a qualification exam or who are able to successfully complete a vocational training course and manage to remain in regular employment are selectively awarded settlement encouragement payments (cf. subchapter 1-2-1).

What proves problematic here is that the amended system of settlement support payments distinguishes only between a basic settlement payment for the elderly/the disabled and additional settlement payments for persons of working age, but does not consider differences between generations/individuals. For example, it is extremely difficult for North Korean refugee women in their 40s and 50s who have not yet reached the required age to receive the basic settlement funds to fulfil the requirements to be granted the additional settlement payment. Yi Myeongsun (2009, 1-3), for instance, entered South Korea in 2005 and received a settlement payment pursuant to the newly amended system of support payments.

If I was just a little younger. No, actually, it would be enough if got a regular job making 1 million Won a month, but that doesn't work out. Well, I have some kind of opinion because when we got out the settlement funds were not paid but cut. The settlement payment was cut, and only if I came out into society and settled and worked, [I'd get] that settlement payment, 'only if you have worked for one year, we'll give you 5 million Won'. 'If you have worked for 2 years, we'll give you 5 million Won', this is how they did it, but they'd better cut it all if they want to make cuts, this is all nothing but words. Just think about it, to get onto 4 different insurances for 1 year, for 3 years in a row, and [to get into employment] on the spot, this already doesn't make any sense. So when someone from the Ministry of

Unification came and talked to us I stood up and said: 'Listen, we, people our age, we have all become patients so that we do not get into regular employment with 4 insurances, and [to expect me] to get into a regular employment for three years [without any breaks in between], that is nonsense.' (Yi Myeongsun, 2009, 1-3)

As a matter of fact, it is extremely difficult for North Korean refugee women past their 40s settling in South Korea to get into regular employment even if they have received some occupational re-training. This equally applies to South Korean women in their 40s in general. When considering this fact, North Korean refugee women in their 40s and 50s constitute a group that is left out by the support system due to the latter's focus on short-term efficiency, implying that 'it is acceptable to exclude persons lacking the ability to pass qualification assessments or find employment from the group of beneficiaries'. Therefore, since in a considerable number of cases women, for example, enrol in educational institutions for the stipulated period of time, independently of their own career aspirations, just in order to receive additional settlement payments that do not respond to their actual circumstances, certain conditions are developing that are not in line with the original aims of the Support Act. With regard to the latter, North Korean refugee women are expressing great hope that payments for the first phase after their enter South Korea and subsequent settlement support funds are not oriented towards "ability and efficiency" but are improved from a "human rights" perspective providing them with a basis for a secure life.

Furthermore, an important issue that is not considered in the revised settlement support payments system are the physical and psychological wounds that these women have suffered. The current support system is premised on adults in their 20s and 30s with a 'normal' body and mind. However, the North Korean refugee women who enter South Korea constitute a group which has experienced 'wounds' of various forms as was emphasized above. Moreover, as individuals who grew up within the North Korean socialist system, entirely different from South Korea, it is impossible for them – based on a mere 2-3 month educational course – to engage in social life in the same way as the average adult born and bred in South Korean society. Therefore, it is necessary to provide a new basis for the current settlement support payments system; instead of grounding it on the aspect of efficiency which aims at settling North Korean refugees into South Korean society as quickly as possible, it should be based on North

Korean refugee women's human rights. To do so, it is of utmost importance to consider, as a minimum, the time and conditions necessary for treating women's psychological and physical wounds and for their recovery.

Another problematic issue that the case analyses revealed is the fact that when North Korean refugees find regular employment in a sector that provides the required four types of insurance, their status is disclosed against their wishes in the course of processing the employment encouragement payments.

When my daughter now finishes her 1 year she will move on, after 1 year she will move on, that means when she finishes the college course after 1 year she will get 3.5 million Won. When you successfully complete a college course [they pay you] for getting a qualification, and if you work afterwards for one year, they give you 5.5 million Won. If you then work for another year, they give you around 4 million Won, and if you work for 3 years, they give you another 5 million plus something. That means only if we don't get fired we get 13 million Won together but, in reality, you don't get that money. In order to receive these payments you have to apply to the labour department. If you tell them, 'I have worked for 1 year', the labour department inquires at your company. 'This person is a North Korean refugee, she has been working for you for 1 year, can you confirm this?' In that second you get knocked down; you are having hard times every day living among South Koreans, so you deceive them by insisting that you aren't North Korean, but when this fact is revealed in that second (...) that's why you can't carry on working for a company. That's why you move from company to company, and when you complete one year you get that money, but you then have to leave the company again. (...) This is all because they put up laws that do not make any sense. (Yi Myeongsun, 2009, 1-3)

Every individual has the right to be free from discrimination based on one's socio-cultural background. Moreover, everyone has the right not to disclose his or her individual life background. However, the current system and practice fail to consider the sensitive factors that apply to North Korean refugees as a minority and thus contradict the objectives of the Support Act.

The support offered to North Korean refugees in South Korean society is premised on their 'coming out' by way of stating "I am a North Korean refugee". However, given the fact that the social 'stigma' attributed to North Korean refugees is present in all areas of everyday life, declaring oneself a North Korean refugee involves high risks as the persons concerned face both open and latent social discrimination once this fact is revealed. Therefore, North Korean refugees experience a reality in which they either have to bear the risks implied by their required 'coming out', i.e. the risks of human

rights violations, in order to receive social support, or to give up on social support altogether in order to protect themselves. Regarding these implications, the current system operates in a way that makes social welfare and human rights considerations incompatible with each other.

3. Discrimination and exclusion in everyday life: 'Here it's not much different from there'

The aforementioned experiences of 'injustice' that North Korean refugee women undergo at South Korean interrogation and educational institutions as well as their immediate experiences relating to the settlement support system have important implications for their everyday lives in South Korea, as North Korean refugee women do not only live in the spaces created by these special organizations and support systems but in the space of everyday life. In the following, we will analyze the everyday experiences of North Korean refugee women and examine some important topics.

1) 'There are too many things we don't know': North Korean refugee women and everyday life 'risks'

The majority of North Korean refugee women become concerned about finding employment once they have left Hanawon and moved into rental accommodation. Following the reduction of the lump sum settlement payments in 2004, many North Korean refugee women have been taking up informal jobs in easily accessible workplaces such as restaurants in order to earn money they owe to brokers. After Kim Jinsun (2009, 1-4) left Hanawon in 2007, her life consisted of work from 8 o'clock in the morning until 12 o'clock at night. In order to pay her broker she worked at a school cafeteria from morning until afternoon, then would buy herself a slice of bread for 1,000 Won at the subway station for lunch, and continue working in another restaurant from 6 o'clock in the evening until midnight. This routine was interrupted when she had to quit her job at the school cafeteria due to an accident at work.

I worked. But when I think about it there were too many things I didn't know when I was working. Working in the school cafeteria was hard. Working during the day, working in the evening, I worked in two jobs at the same time. My body was getting all tired, so I kept taking some medicines and worked but I got injured while I was working at the school. I left that place without getting compensation because I didn't know about it. When I worked at the school, you have to push the food-trolley in front of the classroom door. While I was pushing the trolley together with a Korean work colleague she suddenly pushed the trolley from behind and my hand got stuck. It got swollen like this and turned blue. But since I couldn't stay without working I went back to work the next day. (...) Other people told me later that I should have reported that, that I should have gotten compensation for the medical expenses, but I didn't know, so I went to the chemist and bought some medicine, had acupuncture and carried on. But then something strange happened, one woman left after 2 or 3 days. And all of a sudden there was a phone call from the head chef [telling me] that they had found someone else. That's why I couldn't go back to work, there must have been quite a lot of talk going round. [They were afraid] that I would raise the issue. (...) There was so much I didn't know. (Kim Jinsun, 2009, 1-4)

According to the analysis of this case, Kim Jinsun (2009, 1-4) sustained an injury at her workplace. In cases of work accidents, employees are entitled to receive treatment and support via occupational compensation insurance. This narrator, however, not knowing about the various kinds of social compensation schemes in South Korea, treated her injury by herself and resolved this matter on her own. This point notwithstanding, what needs to be emphasized here is the fact that her work managers who should have known the procedures concerning the narrator's situation did not come forward to safeguard the narrator's right to protection. In other words, although the school as an employer was obliged to apply for occupational accident compensation insurance on the narrator's behalf and to make every effort for their employee's treatment and recovery, the persons in charge knew that this woman, being a 'North Korean refugee, was uninformed about the South Korean social systems and not only ignored the incident but blanketed the issue by dismissing her.

In the long run, the systems in place within South Korean society for the protection of the rights of the individual lose their meaning if they are not actively put into practice by members of society and organizations. North Korean refugee women, in particular, are often intentionally victimized by unfair labour practices due to their position as a 'minority', especially since they lack information about the existence and role of social welfare systems. This situation is described by Kim Jinsun (2009, 1-4) as the 'greatest inconvenience' that she experiences in South Korean society.

There is too much that I don't know. Being uninformed is really inconvenient. Although two years have passed, there are still so many things I don't know and that I don't understand. I get pieces of information but I still don't understand quite a lot of things. Lacking knowledge of so many things causes the greatest inconvenience. Even though they teach you at Hanawon, that's just the basics. You just don't know things. Because even if it's something they taught you, you don't understand. (...) If there is something you do not know you should go and ask, but when you want to ask South Koreans your pride [hinders you] because they look at you weirdly, so when there's something you don't know you just let it pass unresolved. So when you're out there and something is said that you don't understand, you let it pass again. (...) [People say] in South Korea you suffer when you don't know things, and it's true! Because you suffer when you don't know things you have to find out but how do you find things out? We just think 'Yeah, if you don't know things, you suffer.' (Kim Jinsun, 2009, 1-4)

In the above interview text, the narrator describes her life in South Korea in terms of 'lacking knowledge'. In other words, the numerously recurring 'situation of lacking knowledge' reveals, in a condensed form, life in South Korea as it is experienced by the narrator. Everyday South Korean society constitutes a life space which is difficult for the narrator to comprehend. She is aware of the fact that she lacks the expertise and knowledge necessary for living in South Korea and that people are easily made to bear 'disadvantages' if they are not equipped with various forms of everyday knowledge⁴⁵. However, she does not seek help from South Koreans who would know the many systems and norms of South Korean society very well because of her indirect experiences or assumption that her background as a 'North Korean refugee' might be revealed and that she might then be looked down on due to peoples' discriminatory attitude towards 'North Koreans'. Eventually, the attitude that Kim Jinsun (2009, 1-4) displays in the above text speaks of a kind of 'resignation'; in order to avoid facing social disrespect or discrimination when attempting to acquire information about issues that are in fact of great necessity for her life she renounces her rights. This can be seen as an 'alienation' that the narrator experiences in South Korean society and, simultaneously, as a 'distance' that she deliberately seeks herself.

In another example, Hwang Sunjeong (2009, 1-1) was born in the early 1940s in Hamkyeong Province and worked in the trade sector after finishing university. Having

⁴⁵ The North Korean refugee women that this research team interviewed referred to manifold difficulties in their daily lives: they experience difficulties especially with regard to the use of banks, in understanding the various types of insurance and stock market products (Yi Myeongsun, 2009, 1-3), the use of cards and customer points, ways to approach online customer service systems, etc.

experienced the famines in North Korea in her mid-50s, she crossed the borders to China in 1999 together with her son and daughter. Following her entry to South Korea in 2002 she currently lives and works as a writer. In the interview, this narrator specified the situation of North Korean refugees in a logical and coherent way from the perspective of a university graduate and academic and even suggested various alternatives with regard to their treatment. However, at the very end of the interview she suddenly brought up an experience of injustice which she had previously not revealed.

I was cheated out of 100 million Won. (...) At that time I had just come out of Hanawon and didn't know anything about the world. I wanted to learn writing [i.e. authorship] and went to meet a professor, and this professor introduced me to another lady. And I trusted her because the professor introduced me to her. And he said that he was very familiar with her company. That's why I trusted the professor and why I trusted the company. This female company director, she introduced me to a Buddhist monk, well, at that time I didn't know at all that he was a con man (...) He was already in his 80s. Even today, I can't forget what happened. [He said that] there was a temple, a temple with 3.8 million Pyeong [around 12.5 million m²] of land and that they were building a big welfare centre there. (...) That things needed to be done as soon as possible, and that in this early phase I would need only around 10 million Won to get a membership and that I should work for him recruiting another 100 members while receiving a regular wage of 1.5 million Won. He told me that regular membership fees were 130,000 Won per person. That means when I recruited 100 people, well, I should put in 13 million Won now, then they would employ 100 North Korean people there, everyone getting 1.5 million Won per month right from the first month, that's what he said. (...) A person who doesn't know anything, well, that's what happens. 'Ah, there are helpful people. We came here with less than nothing but there are really people who offer their help', that's what I thought. So I discussed this with a woman that I had met at the embassy. 'Hey, there is this really good place and they want to do this thing', and she said 'Alright, then take half of your money in your bank account and I'll take half of my money in the bank, let's put the 13 million Won together.' So we both emptied our bank accounts and paid together 13 million Won in advance as a membership fee. (Hwang Sunjeong, 2009, 1-1)

As the analysis of this case shows, Hwang Sunjeong's (2009, 1-1) above experience involves organized fraud. Taking into account the investment dividend promised in return for membership recruitment, this is an instance of pyramid fraud. In the case of Hwang Sunjeong (2009, 1-1) who entered South Korea before 2004 and thus received a considerably large amount as an initial settlement payment, the investment asked of her amounted to several million Won in the beginning, eventually adding up to a total of 100 million Won. What is important to remember here, however, is that the scam organization presented itself as a 'welfare enterprise for North Korean refugees'.

Contrary to the aforementioned case of Kim Jinsun (2009, 1-4) who abandoned her attempts to acquire the various knowledges necessary for her everyday life in South Korean society and thus gave up on the realization of her social rights, Hwang Sunjeong (2009, 1-1) endeavoured to actively participate in society but fell victim to fraudsters who knew of her socio-cultural background as a 'North Korean refugee' and capitalized on it.

The designation 'North Korean refugee' has become a reference to persons coming from North Korea and who thus do not know the world of South Korean capitalist society very well; and it seems that there are more than only a few individuals and organizations which take advantage of North Koreans' specific life historical background and circumstances. The interview accounts also report of cases in which North Korean refugee women visit employment agencies in order to find work and are then talked into or sent to work in adult entertainment establishments in Japan, the UK or USA. Hwang Sunjeong (2009, 1-1), for example, showed great indignation when narrating the story of a close friend who was 'sold off' by an employment agency to such an establishment abroad. The various forms of fraud and activities of agencies vis-à-vis North Korean refugee women can be considered criminal acts in the form of capitalistic economic activities. It can be assumed that North Korean refugee women, being surrounded by the unpredictable reality of South Korean society, remain unable to express themselves and continue to live strained lives.

We can consider cases like these as instances of dishonesty and fraud that can be found in all parts of South Korean society. They should be viewed as general social problems of South Korean society rather than as violations of North Korean refugee women's specific rights. However, our research reconfirmed the point that the discrimination and exclusion which are experienced by a minority group operate through the general practices of the society in question, and that simultaneously, the attitude and practices of society intensify and unfold through and in the socio-cultural conditions that minority groups encounter. In other words, situations of rights violations against North Korean refugee women in South Korea do not exist as a 'special reality' in a 'distinctive and separate domain'. As was shown in the above cases,

members of organizations with special authorities or other individuals whose various actions violate the rights of others can take advantage of persons who experience social discrimination based on ethnicity, nationality, disabilities, etc. more easily and in more cruel ways than they could vis-à-vis individuals who possess equal civil rights. This implies that the socio-cultural background of North Korean refugees does not merely result in the 'fact that North Koreans lack knowledge' about the conditions of South Korean society, but that this specific background may develop into processes involving serious human rights violations. Women in particular are faced with a high risk of human rights violations in the process of labour migration or marriage match-making etc. based on patriarchal practices.

2) Persons who become a burden to society

North Korean refugee women experience discrimination and exclusion on a daily basis in their lives. The public authority personnel in charge of the various stages of North Korean refugees' settlement support in particular often view them as unsatisfied social welfare beneficiaries. In order to evade the humiliation and discrimination that North Korean refugees have to put up with when inquiring about support funds or social welfare benefits as stipulated by the support system, many North Korean refugee women try to circumvent contacts with officials altogether or to minimize them. As was expressed in the interviews, these women cannot help but feel discriminated by people treating them as 'third-class citizens' in South Korean society.

One day, it was already the 28th or so, so I knew that the next day or the day after I had to send some payments from of my account, so I went to print a bank statement. But when I saw that the living allowance had not come in and that I had only 20,000 Won, things went black before my eyes. (...) I asked at the local administration office. I was told, 'The living allowance has been cut'. I said, 'Alright, I understand, I will drop in on the way', and went there without finishing my chores. When I entered the office that woman was there. She said to me, 'Mrs. OOO, it's been three years since you received payments. So haven't you received too much already?' I thought, no matter whether I received too much or not, I haven't received anything and I didn't ask for anything that I wasn't supposed to get, but when she said that to me I felt sad. So I said, 'Ah, so if the living allowance is now cut altogether and there's nothing etc. could you not have informed me about this? (...) Right now I don't have any money, what shall I do? You could have considered that.' She said, 'Don't you know how many people in the Republic of Korea are in a much more difficult situation than you,

Mrs. OOO?’ ‘Yes, I know that there are many people like that, I am aware of that. And if I had lived in South Korea all along, I wouldn’t make a fuss and ask for these little sums.’ Do you know what this woman then said to me? ‘Haven’t you received too much already? Ah, you’ve received far too much, we gave you too much money.’ - ‘Have I asked for it?’ She said, ‘What I mean is that now it’s being cut, why are you making such a fuss!’ (Mun Gyeongsun, 2009, 2-7)

The narrator of the above interview extract, Mun Gyeongsun (2009, 2-7), entered South Korea in 2003 in her late 50s. Equipped with outstanding leadership and social skills, she currently works as a full-time staff member at an organization supporting North Korean refugees. In the above text, the narrator introduces her experience in 2006 when the monthly support payment which was provided according to the Support Act was terminated. The narrator who had come to South Korea together with her three daughters had previously worked as a housekeeper, in a restaurant, and as an insurance saleswoman in order to earn the family’s living costs that were not covered by the monthly support payment of 300,000 Won. The above situation took place when she went to inquire about the unexpected termination of the monthly payments.

In the above text, the official working at the local authority calls the fact that the narrator received support payments for three years ‘immoderate behaviour’. The settlement support payments pursuant to the “North Korean Residents’ Support Act” are distributed with the objective of providing at least a minimal material basis for North Korean refugees’ settlement in South Korean society, and the persons addressed by the act are entitled to such support. From the viewpoint of this official, however, the narrator is judged as a shameless person ‘receiving far too much’ help from others. Furthermore, in the subsequent paragraph, the official compares the narrator with ‘people in a much more difficult situation’ living in ‘the Republic of Korea’. This kind of talk is tacitly grounded on the position that, quite naturally, persons in need born in South Korea are to be given preference over the needy born in North Korea with regard to social welfare benefits. Despite the fact that the narrator was currently a South Korean citizen, the official excludes her from the category of ‘the disadvantaged in South Korea’ on the basis of the narrator’s background as a North Korean national. Moreover, the official’s expression ‘people in a much more difficult situation’ connotes

the suggestion that the narrator receives social support without actually meeting the social welfare requirements. Finally, with her statement “it’s now being cut, there’s nothing you can do about it”, she declares that the narrator does not have any right to make claims to public services with regard to the termination of the support.

When we summarize the attitude of the official detailed above, the fact that North Korean refugees like this narrator receive more social support than disadvantaged persons born in the Republic of Korea is regarded as a ‘special measure of benevolence’, so that North Korean refugees are not entitled to raise any concerns or complaints with regard to public services offered by South Korean society. In short, she holds the view that the social support for North Korean refugees is not furnished as a public service to guarantee the civil rights of members of society who have a special socio-political background but constitutes a ‘charitable favour’. According to this opinion, receivers of social welfare are not entitled to problematize the social welfare system. Such a perspective does not conceive public services relating to the social welfare system in terms of equal entitlements granted to all members of society but indicates a ‘hierarchically organized attitude’ assuming that social welfare is an expression of the socially superior strata ‘taking pity’ on the inferior strata of society. According to this view, the narrator is considered an individual who cannot truly acquire civil rights for two reasons: firstly, for being born in North Korea and, secondly, for receiving social welfare support.

This kind of social prejudice is not limited to state institutions implementing social welfare, as can be seen in the following instance referred to by the narrator.

I worked in part-time jobs and earned little by little, I worked for Korea Life [an insurance company], went to college, worked as a housekeeper, I did everything. I came out with a lot of enthusiasm and started working before the first month was over, but before I started work at Korea Life I worked as a housekeeper. Even though this is our Korea, when I worked as a housekeeper, in that house I couldn’t use the vacuum cleaner at all, so I had to clean the linoleum on my knees and my cartilages hurt, so that my knees got all swollen. So I went to see the orthopaedist for treatment, but one day when I went to the orthopaedist the director there said to me when I asked for a medical certificate, ‘Here, even the poor go to work but you don’t think of working but only come for medical certificates.’ I went there because I was in pain, because I got arthritis, I had a sore arm and couldn’t lift it because of the arthritis, but that’s what he said. I got so irritated that I didn’t go back to this hospital any more. (Mun Gyeongsun, 2009, 2-7)

In this paragraph, too, the narrator is excluded from the category of the disadvantaged 'here'. The doctor who features in the above text contrasts two groups of people: on the one hand persons born in the Republic of Korea who are economically disadvantaged but work diligently, and on the other hand North Koreans who want to avoid working through 'tricks' like using medical certificates, despite their livelihood difficulties. Through this kind of talk the interviewee encountered the 'prejudice' conceiving her as a 'North Korean refugee unwilling to work who plays cheap tricks by using medical certificates'.

The above examples suggest that a prejudice exists in South Korean society which views 'North Koreans as a group which receives excessive social welfare benefits but is unwilling to work'. Furthermore, there is a widespread understanding and attitude which considers North Korean refugees as a group which does not have the right to equally raise concerns about the social order of the Republic of Korea.

3) Untrustworthy North Koreans: Chinese 'Gyopo' are okay, but not North Koreans

One experience shared by North Korean refugee women is being rejected by employers as soon as their identity as 'North Korean refugees' is disclosed. What is worse, many are even told to their faces that 'we would rather employ an illegal Chinese Gyopo than a North Korean'. At the present time, the 'social distance' between South Korean society and 'North Korean residents' is considerably large. According to a national study on the attitudes of primary, middle, and high school students analyzing experience-based material, the social distance with regard to minority groups increases from bi-national families, international labour migrants, ethnic Koreans from China, to North Korean refugees (Yang Kyemin/ Jeong Jinkyong, 2008: 147-148). The greater the social distance is, the more likely it is that the majority of people are reluctant to accept a specific group as neighbours or to develop close and intimate relationships, for example through intermarriage.

The social distance to North Korean refugees who belong to the same people but have acquired the citizenship of the Republic of South Korea only recently shows itself forcefully in the present, a present in which the hostility and aversion against North Korea which built up in South Korean society due to the division of the Korean peninsula in the mid-20th century and the following Cold War system still prevail. In this kind of patent and latent social atmosphere, North Korean refugees experience direct and indirect discrimination in the spaces of everyday life, including the workplace. Let us take another look at the experience of Kim Jinsun (2009, 1-4).

At work I never told people that I am a North Korean, not a single time. [I told people that] I'm a Chinese Gyopo. I thought, if I told people that I was North Korean it would be a little... . Well, there are quite a lot of Gyopos here, so the way Gyopos are perceived is rather different from the way North Koreans are seen, you know, South Koreans don't know much about us. And when I go to these places, when I go and work in places where people don't know, I always fear that they might look at me with weird eyes, so I say I'm a Chinese Gyopo because I don't want to be stressed out, but sometimes at work someone says my accent sounds North Korean, that it shines through, then I insist that it's not true, that I don't know anything about North Korea, and that usually works, but sometimes, you know what people say, 'North Korean bastards', 'these North Koreans have again fired their artillery' or something like that, when people say things like that, that pierces me. Surely, they say these things in front of me because they know me as a Gyopo, but if I told them I was North Korean I guess they wouldn't be able to say these things openly but talk in whispers. That's why I don't tell people that I'm North Korean. Because it's too hard for me to work when I'm under stress. That's why I want to tell people that I came from North Korea only once they have really got to know me, when they think, 'Ah, she is sincere and really works hard, she looks after our home or our shop as if it was her own home', I want to tell them only once they really know me well. (Kim Jinsun, 2009, 1-4)

In the above text, the narrator explains the reasons for her keeping her origin as a 'North Korean' hidden. One of the social attitudes that she would face if she revealed her being a North Korean instead of a 'Korean from China' is the societal denouncement of 'these North Korean bastards firing their artillery again'. This social attitude perceives North Korean refugees as people closely related to North Korea, a country which 'carries out irrational, hostile activities' against the Republic of Korea where this narrator currently lives. The narrator thus becomes an object of South Korean society's political hostility, irrespective of her own opinion or attitude. This objectification resembles the enmity experienced by Muslims all over the world after 9/11, or the political hostility felt by Jewish people worldwide whenever Israel carries out military acts of aggression. And it hints at the latent threat and unease felt by

persons who have directly and indirectly experienced the possibility of war on the Korean peninsula due to political tensions throughout the long era of the Cold War system, especially once they have started to live their lives in the 'society of the political enemy'.

Another social attitude the narrator mentions in the above interview extract refers to the mistrust in interpersonal relations. The interviewee differentiates between 'how people know me' and 'how North Korean refugees are seen in society'. In other words, when she refers to the possibility of revealing being North Korean, she distinguishes her 'self' from the North Korean as imagined by social prejudice as persons who are not to be trusted because they 'lie' or act in other suspicious ways; this way, she attempts to circumvent the prejudices existing in South Korean society and discriminatory behaviour against North Koreans. This differentiation, furthermore, is an expression of her efforts to receive recognition of her 'self' in spite of social prejudice and discrimination.

North Korean refugee women are 'courageous' women who have crossed the line between life and death many times as they assumed responsibility, from their time in North Korea onwards, for their children's, their husband's and their friends' survival and livelihood. In most cases, they face difficulties to 'adapt' to South Korean society not because they lack the will to live or are unwilling to work but because they are likely to lose their sense of self-worth due to invisible forms of discrimination and exclusion or marginalization in society. Amid such an atmosphere in South Korean society, the majority of North Korean refugee women are unable to disclose their birth origin and exhibit a 'strategy of circuitous action'.

4) Women with multiple illnesses: bodily wounds and psychological trauma

As we emphasized in the previous chapters, the experiences of life and death such as political terror, hunger, the break-up of their families, death, human trafficking, sexual violence, imprisonment, and detention that North Korean refugee women went

through on their passage from North to South Korea still persist in the present. The majority of the narrators complain of continued nightmares and physical reactions. The various illnesses that they are affected by are not mere failures of physical functions but must be understood as related to middle- and long-term psychological traumas. It is not only experiences such as that of Yi Myeongsun (2009, 1-3) that we examined above when she directly witnessed the death of her unborn child and her close friend; rather, North Korean refugee women suffer from various forms of mental and bodily wounds and pain.

Han Junhui (2009, 2-1) was born in 1967 in North Hamkyeong Province as the last among six siblings. Due to an arranged marriage she moved to Cheongjin in 1992 where she led an exemplary life as a people's leader. When the food situation worsened she first managed with the help of her family but then set off for China in 2001 in order to earn money. In China she worked in restaurants, as a domestic worker for an elderly couple and a South Korean family, and eventually came to South Korea in 2006 via Mongolia. According to the analysis of her case, the narrator has sustained a serious psychological wound from being exposed to great anxieties and discrimination while living in China as an 'illegal resident'.

When I was in China, do you know where I wanted to go most of all places? The hospital. I thought when I get to South Korea the first place I should visit is the hospital, especially the psychiatry clinic. My mind, well, how can I say this, since I kept worrying about my health... and you feel the humiliation that you are submitted to by other people. But because you don't speak the language, you can't even argue with those people. You have to swallow everything. Because you have to swallow and suppress everything and because there's no place you can go to release all this stress, there is nobody to talk to. Who would listen to all this? You have to digest everything by yourself, and all this later turns up as a psychological problem. (Han Junhui, 2009, 1-2)

In the above text, the narrator herself raises her 'psychological problem'. It seems that she felt pain to such an extent that she realized herself that she needed professional hospital treatment. We can sense that her pain was caused by the continuation of an insecure life in which she never knew when, where, and by whom she would be reported or arrested. For example, there was an instance when a 'man' in the restaurant where this narrator worked demanded sexual relations with her and threatened her; in the end he reported her to the Chinese police and thus forced her

to flee (Han Junhui 2009, 2-1). Since she was not only unable to get a legal residence permit but also could not speak Chinese properly she could not obtain the 'rights and language' needed to protect herself against unfair situations and was forced to bear her pain on her own. In this process the narrator appears to have felt mentally confused to such a degree that she herself became aware of her unstable state of mind.

Furthermore, the narrator lived through extreme psychological agony when she was introduced to a South Korean businessman in 2003 whom she started a relationship with.

Naturally, when I was young I was quite funny, you know. I was for example really good at impressions of other people. I was like that but when I came to China and my living environment fell over a cliff in a sinister way and all of a sudden, there were days when I really cried the whole day and lost myself in this kind of thoughts, there were even times when I wanted to die. There is gas, propane gas, you know, there was a time when I stayed up all night trying to kill myself, leaving the gas open. After living such a life, your facial expressions change and I realized that this is not me, not my previous me but I had turned into a weird version of me. In the beginning, because I had become a weird me I didn't know how to laugh anymore, I had changed so much. Before, when there was something funny, I laughed so much, couldn't even stop laughing, I was really good in imitating people, I was like that but one day suddenly I saw myself drinking alcohol in rice bowls, not just drinking one bowl or one bowl a time but all at once, and although I was drinking like that there were times when I went out hugging trees and crying. Then, when I met this weird man and in the course of being with him I turned into a real femme fatale, I thought I might really kill him. I wanted to kill him, really kill him. Or leave the gas open and die together, I was even considering that, really, when people looked into my eyes people said my eyes looked like knives. (...) After a while when I looked at myself my facial expressions were like that and all my thoughts had started to change. Now my eyes have gotten much better but before I had to examine everything very closely and always thought whenever that person did something whether he wasn't up to something weird. It was so extreme that I got mentally deranged. (Han Junhui, 2009, 2-1)

In this extract, the narrator contrasts the 'woman who laughed a lot and was good in impressions' with the 'femme fatale who dreams of suicide and murder' as two different descriptions of herself. The South Korean man the narrator was introduced to and lived together with behaved in "a weird way", especially having sexual relationships with many other women as if he was "changing women every day". As a result, the psychological agony that this narrator felt expressed itself as an 'impulse to kill' and as a 'mental derangement'. Having previously been an exemplary 'community

woman' promoting Juche ideas as a people's leader in North Korea, the narrator experienced her life in China as having 'fallen over a cliff in a sinister way and all of a sudden'; this sudden and dramatic deterioration of her life resulted in experiences oscillating between reality and derangement. Furthermore, she reported that due to her worries, sorrow and longing for the young son she had left behind in North Korea there were times when she roamed the streets out of her mind (Han Junhui, 2009, 2-1).

The 'weird man' who features in the above text, on the one hand, became a support for the narrator's insecure life in China but, on the other hand, was one of the actors who made her life 'fall over a cliff'. Even though the narrator felt the intent to kill the man who insulted her and ignored her existence, she was unable to leave this relationship for three years because of her fear of being arrested by the Chinese security police. At the time of the interview in 2009, the interviewer could see the lasting anxiety in the eyes and expression of the narrator even before the narrator openly talked about her pain as in the above interview extract. We can assume, just as the narrator suggested herself, that her body and mind, which drastically changed during her life in China, are still in a worrying state.

Another narrator, Ha Gyeongjin (2009, 2-8), was born in 1957 in North Hamkyeong Province as a family's eldest daughter. She started work in 1982 as a carer and catering staff at a hospital, and continued to work at this place until her escape from North Korea in 2005. What emerged as the central experience in the life history of this narrator was the story of her husband, who was arrested without even knowing the reason by the Integrity Department in 1994 and politically 'disposed of' within a month. The narrator was later informed about her husband's death and grieved, but she carried on with her life without telling anyone around her about this fact. Han Kyeongjin (2009, 2-8), who made her living by distributing flyers and other related work after she came to South Korea with her son, presented her current life in South Korea in a positive way by contrasting it with her life in North Korea where she had lived as the 'wife of a political criminal'.

People in North Korea are sick in so many parts of the body. Although they have so many illnesses, you can get treatment only to a certain extent. Things like dental treatment are almost impossible. You can't get more than really basic treatment,

when I wanted to get a false tooth implanted, you have to pay money, it's too expensive, and there are almost no people with good teeth. Me, too, since I came to the National Intelligence Service and started [treatment] I had more than 10 teeth pulled out. (Ha Gyeongjin, 2009, 2-8)

As the case analysis indicates, many North Koreans do not receive even minimal medical treatment because of the poor conditions of medical facilities in North Korea. Because women in North Korea assumed responsibility for their families' livelihoods and had to travel between areas in order to trade despite being malnourished, and as they were involved in hard physical labour without the opportunity to receive treatment for their diseases, they now suffer from various aggravated conditions such as muscular pain, joint inflammation, back pain, disc problems, gynaecological infections, etc. In the above case of Ha Gyeongjin (2009, 2-8), her teeth constitute a severe problem. The narrator who is currently in her early 50s had more than half of her teeth taken out. Although she needs dentures and other aid devices to have normal meals, for financial reasons she cannot afford these at the moment.

As was detailed at the beginning of this chapter, North Korean refugee women receive medical support as grade 1 medical care beneficiaries as long as their economic situation does not exceed a certain fixed threshold. According to the current support system, however, a North Korean refugee woman's medical assistance as well as that of her family members is cancelled if she or one person in her family is employed in a company which comprehensively offers all four types of insurance. As a consequence, many North Korean refugee women who have lost their entitlement to grade 1 medical assistance are effectively excluded from medical care, as they cannot afford treatment by themselves. Furthermore, there are also many cases in which women hesitate to take up regular employment because of this link between employment and medical care. With a view to such difficulties, we must call for the correction of the medical support system in order to fully respect the human rights of North Korean refugee women.

5) Women whose bodies are 'here' but whose hearts are 'there': Bringing their families to South Korea

One of the many painful experiences of North Korean refugee women relates to the separation of their families. It is difficult to imagine the distress caused by parting from all or some of their family members or relatives remaining in North Korea or third countries. In cases where North Korean refugee women do not know whether their families or relatives are still alive or dead their pain is even greater. Because the state of their 'bodies being here but their hearts being there' persists, not only is their psychological suffering continued but – in cases where they want to bring their families from North Korea or third countries to South Korea – also the circumstances in which they have to entrust the matter of their families' life and death to the information and activities of internationally operating broker organizations remain unchanged.

U Wonjae (2009, 4-4) was born in the mid-1960s in North Hamkyeong Province and once she finished secondary school she worked as a labourer in a clothes factory. Subsequently, she traded at markets until the mid-1990s but then went to China in order to escape the difficulties of her life in North Korea. Afterwards she found herself unable to return to North Korea where she had left her husband and son.

My son is still in North Korea right now. Well, if he is still alive he is 19 or 20 years old, as he was born in 1991. But I do not know whether he is still alive or dead. In my dreams he appears as being in someone else's house or as dead, and he's always in my mind no matter how well I eat and whether I wear nice clothes and have a good life here in South Korea, this is stuck in my throat and I can't swallow it down, I am so concerned whether he has been starving to death or not. Right now I am trying everything to find out about whether he is still alive or dead but it doesn't work out, really. (U Wonjae, 2009, 4-4)

U Wonjae (2009, 4-4), who parted from her son when he was 5 or 6 years old, has not been able to meet him until today. Sadly, she does not even know whether he is still alive. After she went to China ten years ago in order to trade, she could not ascertain her son's whereabouts despite several attempts to contact him. The narrator's feelings about her son are expressed in her sadness about his death or him wandering aimlessly in someone else's house as she sees him in her dreams. In the above interview extract, the narrator reveals her feeling of guilt towards her son by

comparing 'herself eating well, wearing nice clothes and having a good life here in South Korea' to her 'son who might have starved to death'.

For similar reasons, Han Junhui (2009, 2-1) expressed her fervent wish to bring her son who remained in North Korea to South Korea.

A couple of days ago I got a phone call that my child had suddenly become sick. The moment I heard the news, you know, as I am his mother I live with this guilt. Because I am guilty of having left and abandoned my child I am always crestfallen about my kid, you know, you live as a sinner. (...) Before, when I was working at a company I didn't know left from right, this area here on my head still hurts when I touch it. I am also losing a lot of hair in this area, you know? While working I couldn't get a grip on my work at all, my mind was somewhere up in the air, so I couldn't concentrate, and inside, my insides felt as if burning, I got so stressed that my body hurt everywhere, I had terrible headache, I couldn't digest, when I ate something my stomach got upset, all this kind of things happened. Whenever I don't hear any news like this for a little while, I think about him by myself, and sometimes I can't sleep but then fall asleep again, but whenever I get this kind of news I really feel like my blood is boiling. (Han Junhui, 2009, 2-1)

Han Junhui (2009, 2-1), who suffers from a strong feeling of guilt at the thought of her son left behind in North Korea, experiences severe psychological pain whenever she hears from her relatives that her son is sick. The narrator expresses this situation as marked by 'headache, bodily pain, her mind being up in the air, feelings of her blood burning'. Han Junhui (2009, 2-1) regularly sends money to her relatives in North Korea for her son and every now and then she buys and sends shoes for him. Although she wants to bring her son to South Korea eventually, she is in a state of waiting until she can be sure that her son is grown up and capable of surviving the difficult journey that escaping from North Korea entails.

On the other hand, Hyeon Changhui (2009, 2-6) who fled North Korea together with her oldest son and currently lives in an apartment in north central Seoul that they were allocated in April 2003, worked in a bar kitchen and, with the money she had saved up, tried her utmost to bring her husband and daughter who lived separately in North Korea and China over to South Korea. The only way to do so was via the activities of internationally linked organizations of brokers operating in North Korea, China and third countries, as well as in South Korea. Several years ago, this narrator had lost one of her sons and money to a broker. But again, the narrator was in a

position in which she could only rely on the words and actions of brokers in order to get her remaining family members from North Korea to China and from China to South Korea. The narrator once again entrusted her family to the hands of brokers because of the fact that there was plainly no alternative way to reunite her family.

And then when I tried to bring my husband here, after I came here I got my husband here within a year. My husband, it was August, in August I wanted to bring my husband from China, and my husband tried really hard to get our child from North Korea, so we arranged things for her to come from North Korea to China, and then my husband said that he would go first on the line, that he would come first. (...) 'Because people get caught all the time, and because I'm a man it's difficult to stay, it is difficult to stay in someone else's house for more than one or two days, so I will depart first'. So I made him leave first. (Hyeon Changhui, 2009, 2-6)

Following the narrator's plan, her husband who went first 'on the line' heading to South Korea left Yanji with a group of 8 persons but was arrested and detained by the Chinese security police within just 30 minutes of their departure. After he was held in the international prison in the Chinese city of Tumen, he was repatriated to North Korea and detained in the National Security Department prison. Afterwards, while he was transferred to Hoeryeong in North Korea he jumped off the train and escaped as he knew of the dangers repatriated North Koreans faced in North Korean society. In the above text, the narrator is placing her family's life once again into the hands of untrustworthy brokers, while the risks of arrest, imprisonment, and potential death involved in this process continue to be borne only by her and her family.

That is, my daughter had already come in [to South Korea]. My husband was caught at the same time as my daughter arrived [in China], so I put her on the line to South Korea as soon as she arrived in China. I put her on the line to South Korea and made her depart but around two months after her departure I got a phone call. On the same day I contacted the line again, 'I will give you this amount of money, my husband will call you on this phone number, please take my husband to China, I will pay this amount of money.' So I promised to pay 2 million in Chinese money at that time. And he was then taken over the border that very evening. I paid 2 million for my husband, and as soon as he arrived in China I organized things for him to set off to South Korea within the next two days. That way my daughter came and my husband came, but during all this, you can't imagine the scale of my debts. (...) So I borrowed the money in order to pay for him coming here, for my husband coming here, I paid 3.5 million for bringing him to South Korea, 2 million for bringing him to China, and when my daughter came from North Korea to China and from China to South Korea that cost me 6 million Won. The so-called charges added up to more than 10 million Won. I had to borrow money from people, 2 million Won, 3 million Won, then I borrowed another 3 million Won, that's how I got them here. So right now I am paying off the debt little by little from what I earn. (Hyeon Changhui, 2009, 2-6)

The above text suggests that the international broker organizations which have a direct impact on North Korean refugee women's family reunions are connected in a chain running from North Korea - China - third countries – to South Korea. In contrast to the situation in 1990 when this narrator crossed the Tumen River, in recent years an international network has been established which arranges North Koreans' flight from North Korea and their journey to South Korea warranted by the settlement payments that North Korean refugees receive in South Korea. In contrast to the first years of the 21st century when routes to South Korea were mainly channelled through various kinds of South Korean governmental organizations or educational institutions abroad, in the past four or five years an 'express' route has developed which takes people from North Korea to China where they take a direct plane to South Korea. All too naturally, what these trafficking organizations demand are considerable amounts of money for their 'services'.

This narrator started work as a kitchen helper in a bar as soon as she moved into the provided rental accommodation. As mentioned in the above interview extract, she works in order to repay the brokers charges for facilitating her family's escape from North Korea and their entry to South Korea. These broker organizations arrange the migration of North Korean refugees' family members who are often dispersed in North Korea or third countries while using the 'North Korean residents' settlement payments' provided by the South Korean state as security. While these dealings constitute the only way to enable North Korean refugees to reunite with their families, the majority of North Korean refugees who had to use their settlement payments to settle 'brokers' charges' are forced to take up hard work with many extra hours. Due to the imperative of paying brokers immediately, they cannot take time to rest, to receive treatment, or to seek further education for their future but have to live by working day by day and even commit themselves to precarious work.

Meanwhile, in the case of women who have fled North Korea in order to survive and who have – due to various situational circumstances in China – lived together with or were married to Chinese or Korean men, there is a generation of children born into these relationships. As these women had an illegal status, in most cases their children

were entered on their fathers' family registry or were placed in an equally insecure position as their mothers'. Although many women wish to be reunited with their children once they have entered South Korea, the South Korean government does not recognize this second generation born in China or third countries as 'North Korean refugees' and does not permit their entry to South Korea. Thus, when the women concerned want to meet their children, they encounter not only the difficulty of raising the required brokers' charges, but are also faced with legal problems vis-à-vis the South Korean government. Because of this situation, many women visit China every couple of months or seek illegal ways in order to reunite with their children.

Thus, family reunion constitutes a pressing life historical task for North Korean refugee women, while the "North Korean Residents' Support Act", however, focuses on North Korean refugee women's individual adaptation to South Korean society. The South Korean government tries to encourage North Korean refugee women to become economically independent as soon as possible after receiving education for a fixed period of time. When the objectives of the governmental support for North Korean residents in South Korea began to successively be altered in 2004 from providing comprehensive support to providing incentives for self-support and self-reliance, this change was strongly grounded in the view that North Koreans would 'not work hard' if they were not given an external stimulus. But in the case of North Korean refugee women who left behind all or some of their family members, efforts to reunite their families are of far greater importance to them than their individual adjustment to South Korean society. In order to do so, women start worrying about finding employment as soon as they leave Hanawon, and they try their utmost to bring their families over to South Korea with the money they earn in irregular jobs with long hours. In short, among North Korean refugee women's daily experiences, attempts and efforts to get their families to South Korea acquire a central meaning. But the "North Korean Residents' Support Act" stipulates their 'rapid' adaptation to society as the only important task, altogether ignoring their 'right to found a family and their right to a family life'.

6) Patriarchal gender roles and the restructuring of marriage relations

As was examined in the earlier discussion of women's human rights in North Korea (cf. Chapter IV), North Korean women as 'second class people' experience discrimination in a patriarchal political structure and socio-cultural setting. This means that North Korean refugee women are not only discriminated against in the process of distributing socio-political power and material goods but, with regard to relationships within the family, they also live with the status of 'dependants' of male heads of household. In this situation, violence by male heads of household against women has become one regular aspect of family culture. In the case of North Koreans who have made their way to South Korea, experiences of a structure and culture of discriminatory gender roles are continued in their lives in South Korea. Especially when North Korean refugee women have come to South Korea with their families, the discriminatory attitude and violence of men become an important reason for tensions within the family.

North Korea claims equality between men and women, but men are the sky and women are the earth, it's still like that. What I came to understand after I got married and lived [as a married woman] was that you have to show absolute obedience to men, absolute obedience to husbands, and you have to do whatever men tell you to do, in North Korea there are no laws like here, here domestic violence is a really big issue, not so in North Korea. Whenever he feels like beating me, he beats me and whenever he feels like putting me down, he puts me down. Just as he pleases. What they call the law, it doesn't control this kind of thing. When I lived in North Korea I was busy making ends meet, I gave birth and so on but we also had a lot of arguments. He said that there was no food but too many children, that our family was too big, that he got annoyed and had nothing but worries, so we had a lot of fights and I got beaten up a lot. The people there think beating women is something like the rule, around 70-80% of them have been beaten. (...) North Korean men beat you even without any reason. Exactly like they used to beat up North Korean women, it's like a habit. So even when we came here I got beaten, leaving no part of my body unharmed, so the attorney in charge looked at me and said, 'What happened to your face?' I told him that this man likes to beat me when he is bored. (...) That I can't live like this any more. In North Korea, I lived with being beaten up but here in South Korea I cannot live like this anymore; if I have to live alone, I'll live alone but I cannot go on like this. I went to court. I went to the court behind Gyeongju station and said I want to get divorced. (Hyeon Changhui, 2009, 2-6)

In the above text, Hyeon Changhui (2009, 2-6) compares North Korean society where violence against women is considered a normal practice and South Korean society where 'domestic violence' is prohibited by law. After entering South Korea in 2003, this narrator came to understand through her daily life experiences that a difference exists

between North and South Korea with regard to the structures and cultures of gender roles between men and women. These experiences enabled her to object to her husband's violence and patriarchal attitude and to demand her rights and equal relations within the family. According to various studies, North Korean refugee women come to understand and evaluate the cultural differences between North and South Korea much faster than their male counterparts, and based on this understanding they develop a greater problem awareness. As a consequence, they attempt to alter the patriarchal relations which arise within their own families.

However, the other cases show us that there are still many North Korean refugee women who continue to endure domestic violence on a daily basis. In some cases, it is South Korean men married to or living with North Korean refugee women who have 'acquired a rental apartment' who regularly commit acts of violence against these women. And there are also cases in which North Korean refugee women 'who do not know' the South Korean system very well are unable to receive societal support and live in violent relationships. The important point to be made here is that the social position of the 'North Korean refugee woman' lacking societal support becomes one of the several conditions that lead to the tacit acceptance and aggravation of human rights violations emerging within the family and marriage relations.

6. Policy implications

North Korean refugee women who enter South Korea and undergo the prescribed screening and education processes acquire legal status as citizens of the Republic of Korea. That means that they are entitled to protection according to the laws of South Korea. However, the formal citizenship alone does not guarantee their active participation in the community and their self-realization as members of South Korean society. According to this research, there is a great risk that North Korean refugee women live a life marked by experiences of daily discrimination and exclusion as a minority and 'third class citizens' in South Korean society. It is of great importance to

support and further their equal participation in South Korean civil society by giving special consideration to their different political and socio-cultural experiences.

A perspective which merely 'takes pity' on women from North Korea involves the risk of reducing their human rights to a minimum of material support. The human rights of North Korean refugee women must be conceived and conceptualized from the perspective of the civil rights which they are entitled to as equal partners in a dialogue with South Korean society. To realize this point of view, on the level of the state, policies and systems must be reviewed and amended, accompanied by efforts of South Korean civil society to develop a greater awareness and sensitivity towards minorities.

Based on the above problem awareness, we will set out policy suggestions for improving the human rights situations of North Korean refugee women below.

Firstly, according to our case study, immediately after their entry to South Korea North Korean refugee women experience behaviours and attitudes at investigation and educational organizations which are inconsiderate of women's human rights. In other words, the state investigation and education bodies display a lack of sensitivity towards North Korean refugee women's human rights. Simultaneously, throughout North Korean refugee women's long process of flight, they are placed in a situation which does not allow them to become aware of and actively demand the human rights they are entitled to; nevertheless, no efforts are made by the support organizations in this regard. Therefore, it is of great necessity that the investigation and educational organizations which deal with North Korean refugee women self-reflexively increase their own awareness of human rights; in addition, an in-depth human rights education must be provided to North Korean refugee women in order to enable them to develop their sense of self-worth and acquire an awareness of human rights.

Secondly, regarding the lives of North Korean refugee women living in South Korean society, the most important point that was made here relates to the fact that their past experiences in North Korea and third countries are inseparably connected to their life in the present. The findings of our case study showed that traumas caused by hunger, human trafficking, sexual violence, the disappearance or death of family

members etc. experienced in the past continue to affect North Korean refugee women's current lives as citizens of South Korea. Various kinds of illnesses, lethargy, and pain, the reasons of which are unknown to the women concerned, must be understood as physical and psychological expressions which are related to traumas sustained in the past. However, the current support system which enforces women's rapid adaptation to South Korean social order and culture leaves no room for comprehending North Korean refugee women's psychological and physical pain and wounds and for measures to support their recovery. Rather, women who complain of various illnesses and pain are perceived as 'retarded North Korean defectors who do not adapt because they are incompetent and lazy'. Our research suggests that it is of fundamental importance to amend the existing support policies which are currently focused on short-term social adaptation and efficiency by newly grounding them on human rights. Furthermore, middle- and long-term treatment and systematic support with regard to women's psychological and physical wounds is urgently needed. Especially, the system must be changed to the effect that North Korean refugees can receive medical care as grade 1 medical care beneficiaries independently of their own or their family members' employment, in contrast to the restrictive application of medical assistance currently in place.

Thirdly, one of the most important tasks in North Korean refugee women's lives is the reunion with their families, whose members are often dispersed over North Korea, China and third countries, as well as South Korea. Supporting and meeting their families constitutes a more urgent project for them than adapting to South Korean society. North Korean refugee women's 'right to found a family and to family life' is in sharp conflict with the current support system aiming at their 'rapid adaptation to South Korean society'. The support laws currently in force have been established within the territorial boundaries of the Republic of Korea and the confines of the norms and values of South Korean society as expressed in mainstream discourse; the horizon of these laws must be expanded to include North Korean refugee women's right to family life and civil rights.

Fourthly, the current system of employment encouragement payments, which, at prescribed intervals, forces individuals to reveal their origin as 'North Koreans' in their workplaces, violates North Korean refugee's right not to disclose their socio-cultural background. This obligation must be systematically changed.

Fifthly and lastly, societal support must be provided in the middle or long term in order to enable North Korean refugee women who have only a weak social support basis to deal confidently with problems such as various kinds of crimes and irregularities committed against them, as well as violence arising within patriarchal family relations. In order to do so, efforts led by the South Korean government or civil society are certainly important; however, supporting independent organizations in which North Korean refugee women themselves can make their own experiences public and share their solidarity with each other seems to be a more promising and effective way. In other words, we must search for ways to support and enable North Korean refugee women who know their circumstances and experiences better than anyone else to educate and support themselves and each other.

VII. Conclusion: Patterns of human rights violations against North Korean refugee women and policy implications

1. Violations of North Korean refugee women's human rights according to space

Although the contents of human rights violations against North Korean refugee women as understood in this fact-finding study differed between the spaces examined, within each space the human rights infringements found were characteristic of the respective structures. The human rights violations that North Korean refugee women encounter are not separate incidents based on individually specific conditions but tend to emerge continuously within the political, economic, social, and cultural structures of each space we examined. Human rights violations involve repeated and concrete instances that may arise generally for all North Korean refugee women due to the characteristics of the respective social structures.

Furthermore, although from a societal perspective the separate human rights violations that North Korean refugee women face in each of the examined spaces might be classed and reported as one type of repeatedly occurring but otherwise unconnected instances, for the individual North Korean refugee woman they operate as elements of a continuous process which gradually destroys her 'self' through the accumulation of experiences of harm. The human rights violations experienced by North Korean refugee women in the past become deeply ingrained in their bodies and minds, turning them into weak, passive subjects and easily-targeted victims of further human rights violations, even though the surrounding laws and systems, as well as their life spaces, changed in the course of their migrations.

In North Korea, women constitute the weakest group with regard to human rights due to the ruling male-centred system and the chronic economic crisis. North Korean women as North Korean residents are exposed to repression based on the political structure of domination in the form of the socialist one-ruler-system and are simultaneously forced to live their lives being treated as 'second class people' or

'second class citizens due to the androcentric discourse of power and the dominant ideology of North Korean society. Within the family, North Korean women are often unfairly treated by men or endure violence. Once a market economy started to develop due to the persisting economic crisis in North Korea, North Korean women, the 'second class citizens' of the Democratic People's Republic of Korea, were pushed into the 'unsocialist' space of the market and assumed responsibility for their families' livelihoods. Finally, women banished into the space of the markets have to face human rights violations at the hands of bureaucrats and men.

Women who escape from North Korea are degraded into a position of illegal residents in China and third countries. Being denied legal recognition as refugees they suffer from two kinds of pain: on the one hand, North Korean refugee women become victims of unjust private relationships, and what is worse, are turned into 'objects' of capitalistic business transactions because they are forced to live as 'beings without a citizenship' having no recourse to protection by the public power of the state and as 'natural persons outside the law'. On the other hand, as North Korean refugee women can be tracked down and imprisoned by the state authorities any time, they suffer under this insecurity, are placed in the position of the weak in interpersonal relations, and become victims of sexual exploitation and violence by men. This kind of living environment turns North Korean refugee women into beings who are unable to develop self-awareness and who negate themselves.

The unequal treatment that North Korean refugee women experienced as 'second class citizens' in North Korea and the human rights violations that they encountered throughout their flight from North Korea as objects of sexual exploitation and violence due to their 'existence without a citizenship' in China and third countries transforms them into beings who cannot perceive themselves as main actors with regard to human rights. Furthermore, facing inhumane treatment when captured or imprisoned during the process of flight or being subjected to sexual violence, and being unable to receive respect in their everyday human relations, North Korean refugee women sustain deep wounds on their bodies and minds; this leads them to conceive of

themselves as ‘worthless bodies’. Thus, North Korean refugee women become beings which have lost their self-awareness and beings which negate their ‘selves’.

Although North Korean refugee women start a new life once they have entered South Korea, the unhealed wounds inflicted by human rights violations continue to distress them, and the dignity which they lost in the process of these human rights violations is not easily restored. The South Korean government considers North Korean refugee women as fellow nationals and provides legal and systematic support aimed at allowing them to begin a new life in South Korean society, yet fails to provide the support needed to treat the deep wounds on these women’s bodies and minds as well as for them to regain their self-respect. Instead, the South Korean government gives priority to women’s social adaptation, and by linking women’s individual efforts for such adaptation to the level of state support it conveys a specific image to North Korean refugee women so that they perceive themselves as incapable beings or as a burden to South Korean society. Under these circumstances, North Korean refugee women gradually descend into a position of ‘minority women excluded from protection’ within South Korean society. Because South Korean society is characterized by a strong tendency of discrimination against minorities, North Korean refugee women, lacking self-regard and deeply wounded, are put in a position where they easily become victims of human rights violations in everyday life.

<Table 7-1> shows the human rights violations against North Korean refugee women organized by space as found by this fact-finding study.

<Table 7-1> List of human rights violations against North Korean refugee women by space

Space	Characteristics of space	Human rights situation and patterns of human rights violation
North Korea	<ul style="list-style-type: none"> aggravated by the ‘routinization of the economic crisis’ since the 1990s the type, scale, and means of human rights violations diversify, expand, and become structural Women treated as ‘second class people’ due to a combination of the dominant political structure and sex-based hierarchical structure Depreciation of women’s position due to an androcentric distribution system and 	<ul style="list-style-type: none"> Following the economic crisis of the 1990s North Korean women are exposed to discrimination and violence, mobilization and exploitation by the state and men Unequal opportunities and class-based transmission in the areas of education and labour Men and bureaucrats living off women’s

	<p>women's exclusive responsibility for families' livelihoods</p> <ul style="list-style-type: none"> Increasing subordination of women due to androcentric ideology and family-based concept of state 	<p>market-based livelihood activities and sexual exploitation</p> <ul style="list-style-type: none"> Further weakened inadequate motherhood protection measures and domestic violence following the economic crisis
China and third countries	<ul style="list-style-type: none"> As refugee status is not recognized: illegal entry and residence Continuing risks of crackdowns, arrest, forced repatriations Inadequate livelihood strategies due to unprepared illegal migration 	<ul style="list-style-type: none"> Life without citizenship: living without the chance of acquiring identity documents, being chased by the security police and being vigilant towards strangers, deprivation of the right to work, human rights violations by brokers who capitalize on women's status as illegal residents Denial of one's identity and deprivation of human rights with regard to everyday life interpersonal relationships and economic activities: inhumane treatment, denial of self-identity, deprivation of necessities of life and other fundamental rights to existence, verbal abuse Gender and trauma: deprivation of right to motherhood, sexual violence, purchased marriages, human trafficking
South Korea	<ul style="list-style-type: none"> Settlement/education/employment support system of the South Korean government and 'making citizens' Subordination of minorities lacking 'human capital' Minority which 'came from a poor enemy country' Living with bodily and mental wounds 	<ul style="list-style-type: none"> Human rights situation during the process of 'making citizens': stigma and wounds in the screening process, lack of treatment and support regarding traumas, adaptation training reproducing discrimination, governmental support system by way of 'taming' North Korean refugees turning them into passive beings Discrimination and exclusion in everyday life: persons lacking knowledge, persons becoming a burden to South Korean society, untrustworthy persons, persons with multiple illnesses, situation in which one's heart is always with dispersed members of family, continuation of patriarchal gender roles

2. Policy implications for the improvement of North Korean refugee women's human rights situation

Although the human rights violations that North Korean refugee women encounter during their escape from North Korea and in the process of resettlement turn North Korean refugee women into half-hearted and passive beings, they nevertheless do not abandon their efforts to overcome their situation, but show a strong will to live. From this perspective, North Korean refugee women who have come to South Korea via

China and third countries after their flight from North Korea are, on the one hand, beings with a wounded self, but, on the other hand, they are also persons characterized by a strong inner will not to give up on their lives. In the in-depth interviews they frequently showed that they had not abandoned their dreams concerning their future and that they dream of a new life once settled in South Korea. Furthermore, they expressed the wish that North Korean refugee women like them as well as women living in North Korea will acquire the rights to live a life worth of human dignity.

In order to enable North Korean refugee women who have not abandoned their hope of a life worthy of human beings to restore their self-dignity and to live as social subjects furnished with human rights, not only are North Korean refugee women's willpower and efforts needed but, more importantly, appropriate support programmes on the level of the state and society are also of great necessity. Here, we wish to systematize and suggest policy implications that were considered in the research process of this fact-finding study to be meaningful for the improvement of North Korean refugee women's human rights situation.

Of primary importance for the improvement of North Korean refugee women's human rights situation is the finding of ways and means to minimize human rights violations that North Korean refugee women are very likely to encounter due to their position as 'illegal border-crossers' and 'illegal refugees'. We must consider not only the fact that the human rights violations encountered by North Korean refugee women who are arrested in China and deported to North Korea and the human rights infringements that they face as illegal residents in China and other third countries involve the most atrocious forms of rights violations, but we must also bear in mind that these infringements leave deep wounds on the bodies and minds of North Korean refugee women; thus, the South Korean government and the international community should use all possible diplomatic means to ensure that North Korean refugee women are recognized as 'international refugees' who had no alternative but to escape from North Korea in order to flee oppression and to survive. If attempts to guarantee North Korean refugee women the legal status of 'international refugees' should prove futile,

the international community must at least watch over the conduct of states to the effect that human rights violations do not arise based on the use of state power, and that North Korea, China, and third countries do not practice or tolerate inhumane treatment vis-à-vis North Korean refugee women under conditions of arrest, deportation or detention. Considering the fact that the Korean peninsula is still divided and that military and diplomatic tensions continue to exist on the Korean peninsula and in Northeast Asia due to the problem of the North Korean nuclear weapons programme, highly systematic and strategic diplomatic efforts are needed to improve the human rights situation of North Korean refugee women. Furthermore, the South Korean government should provide the maximum amount of support to North Korean refugee women living in China and third countries who want to come to South Korea.

The South Korean government should examine the entire process by which North Korean refugee women obtain South Korean citizenship and adjust to society after their entry to South Korea. The institutions responsible for the screening and education of North Korean refugee women must establish systematic measures which consider in more detail the human rights of North Korean refugee women, and the professionals working at these state organizations should periodically receive human rights education in order to cultivate a greater sensitivity towards human rights. Beginning with the employment encouragement payments system which forces North Korean refugee women to disclose the fact that they were born in North Korea, all support systems which cause emotional and psychological pressure on North Korean refugee women must be reviewed and amended. Moreover, it is necessary to carefully modify the relevant systems to the effect that the support and treatment North Korean refugee women receive do not harm their self-respect. Attention must be paid to the fact that in the process of receiving support or benefits many North Korean refugee women sometimes come to perceive themselves as beings which become a burden to society, and sometimes as inferior beings unable to adapt because of their own incompetence or laziness.

What is currently the least provided but at the same time the most urgently needed form of support is the establishment and consolidation of programmes that aim to

heal the physical and psychological wounds North Korean refugee women have sustained in the course of their escape from North Korea and their entry to South Korea, as well as programmes that support North Korean refugee women in restoring their self-respect and strengthening their capabilities. Certainly, North Korean refugee women are still in a state in which they lack knowledge of how South Korean society works; however, this problem cannot be resolved by equipping them with the ability to socially adapt and with occupational skills alone. Rather, a diversified educational programme which, in addition to providing them with the necessary vocational skills, supports North Korean refugee women in acquiring a human rights awareness so that they can live a life in dignity must be implemented in the early stages after their entry. Furthermore, when considering the fact that a considerable number of North Korean refugee women suffer from strong feelings of guilt about having left their families or children behind and having come to South Korea by themselves where they live good lives, there is great need for a psychological counselling programme for North Korean refugee women; simultaneously, they must be supported in their search for their lost or dispersed family members.

In the course of escaping from North Korea and resettling in South Korea, the majority of North Korean refugee women lose the most fundamental life community - the family. Being in possession of a weakened self due to the experience of multiple human rights violations, North Korean refugee women who lack the community and support of their families have nobody to rely on in South Korean society; in this sense, they are a 'minority within a minority'. Although the number of North Korean refugee women has increased recently, most North Korean refugee women are still in need of groups or communities in which they can not only feel mutual trust and a sense of solidarity by openly sharing their life experiences with each other but in which they can also receive help to regain their self-dignity and self. Especially with a view to the fact that South Korean society has yet been unable to sufficiently develop a societal culture of protecting minorities, the difficulties North Korean refugee women face are severe. Therefore, it is important for North Korean refugee women to discover and develop a 'communal consciousness' and a 'consciousness of kind' in their relationships with other North Korean refugee women and North Korean refugees in

general which can substitute for the family community or local community they have lost, and to build communities which will become the basis for mutual social support. In terms of resolving problems that North Korean refugee women may face during their lives in South Korean society, such as various forms of crimes or irregularities, as well as violence arising within patriarchal family relations, such communities will be of great use and assistance. Without a doubt, the South Korean government must systematically support efforts by North Korean refugee women in this direction.

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