

**CSPS-Korea Symposium on**

**Human Security in the Gray Zone:  
North Korean Defectors and Their Children**

**Co-organized by**

**Center for Security Policy Studies-Korea at George Mason University**  
**The Human Rights in North Korea (THINK)**

Date: May 26, 2021 (Wednesday), 10:00 – 15:00

Venue: Incheon Global Campus Auditorium, Songdo, Incheon

**Concept Note**

The Center for Security Policy Studies-Korea (CSPS-Korea) is a satellite branch of CSPS of Schar School of Policy Government at George Mason University located in Arlington, Virginia, U.S. One of the missions of the center is to link government, think tanks, private sector, and non-governmental organizations situated in Seoul and Washington that deal with today's security challenges. Its thematic focus varies from "traditional security issues" including interstate conflict, regional security relations, nuclear proliferation to "non-traditional security issues" of refugee crises, gender, poverty, and climate change.

This year, CSPS-Korea organizes its annual Symposium on "Human Security in the Gray Zone: North Korean Defectors and Their Children" in collaboration with The Human Rights in North Korea (THINK), an NGO advocating basic rights for the children of the North Korean defectors.

The Symposium will address the challenging situations of the North Korean defectors and their children born in the third country, mainly China, in which they have to constantly struggle to find their rights, identity, reconciliation, and hope. This Symposium invites North Korean defectors and their children to be engaged in the process of identifying their problems and seeking solutions within the human security framework, thus raising the audience's awareness of the existence of a blind spot in human security.

The Symposium is comprised of three sessions. The first session, "The Gray Zone", presents a documentary film on North Korean defectors, *Phantoms of the Border*, to raise awareness on our thematic problem. In the second session, "the Story", THINK offers a talk concert with relevant stakeholders including the defectors, their children, as well as individuals from agencies that help to rescue the defectors, not only to exchange their experiences and lessons learned but to facilitate problem identification. The final session "The Rights to a Better Life: Human Security for North Korean Defectors" invites a panel discussion with experts and officials from international organizations including the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office of the High Commissioner for Human Rights (UN OHCHR). The discussion intends to bring the problems under the international framework and to approach them from a human security perspective. Highlighting the universal human rights and human security needs, the session will attempt to find ways to improve the lives of those in the gray zone and those who are still in exodus and searching for the basic rights they deserve as human beings.

## I. Background

It has been recorded that the second generation of North Korean defectors born in the third country including China takes up over 60 percent of the total population of young North Korean defectors in South Korea. Moreover, the total number of third country-born North Korean defectors in South Korea has been on the constant increase since 2013. Despite the steady increase, the population is still situated in a “gray zone” of human security, as they are highly marginalized due to their ambiguous identity.

Female North Korean defectors cross the border to China in search of human rights and freedom. Nonetheless, what they face after the escape are numerous threats to human security, namely human trafficking, sexual abuse, and extreme poverty, which force them to end up marrying a Chinese man. They have to live with a constant fear of repatriation since the Chinese government has been refusing to recognize the population either as refugees or migrants, which is an apparent violation of the 1951 Refugee Convention signed by 145 state parties including China.

Their children in the same sense confront citizenship issues in China, as they cannot apply for birth registration due to their mothers' illegal status. Consequently, their access to education level equivalent to middle school or higher is denied while also being situated in the blind spot of the national welfare system such as medical treatment.

The challenges third country-born North Korean defectors face includes the lack of adequate policies to advocate their social inclusion and empowerment. These indeed are issues that deserves a spotlight. With South Korea being the ultimate destination for North Korean women, their children would be eventually brought into South Korea and raised in an environment that impedes social inclusion and capacity development.

Despite South Korea being the first country in the Northeast Asia region to create an independent refugee law (Refugee Act of 2013), the relevant policies target only North Korean defectors. That said, children born in the third country are not beneficiaries of the policies. South Korean Enforcement Decree of the Higher Education Act, for example, prohibits North Korean defectors born in a third country to be benefitted from college admissions protocol only designed for North Korean refugees.<sup>1</sup> Moreover, Article 64 Clause 2 of the Military Service Act of South Korea states that “A person who has immigrated from the north of the Military Demarcation Line” is exempt from the military service in South Korea, implying that the third country-born North Korean defectors must serve in South Korean military.<sup>2</sup> Likewise, headless policy support for the third country-born North Korean defectors would further marginalize the population and impede their social inclusion.

The humanitarian crises faced by the North Korean defectors and their children have been left unattended by the international community. In March of 2021, EU member states have agreed to impose new sanctions on China, North Korea, and 6 other states that are alleged to have abused human rights. The catalyst that triggered such a decision is known to be the mistreatment of the Uyghurs by the Chinese government at detention camps in Xinjiang province. The EU's decision only underscores the insufficient global attention on the human security challenges that North Korean defectors and their children face. Moreover, the North Korean Human Rights Acts that was signed by President George W. Bush in 2004 and reauthorized in 2008, 2012, and 2018 has not been practiced and enforced accordingly to support the North Korean defectors in the United States. As of 2020, the United States received only 218 North Korean defectors while granting only 40 of them political asylum.<sup>3</sup> The North Korean defectors, who left their home country in fear and for survival, have been largely

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<sup>1</sup> Enforcement Decree of The Higher Education Act 2019 (Republic of Korea).

<sup>2</sup> Military Service Act 2019 (Republic of Korea).

<sup>3</sup> Lee, Won Ju. “No N. Korean Defectors Admitted to U.S. Last Year: State Department Data.” *Yonhap News Agency*, Yonhap News Agency, 7 Jan. 2020, en.yna.co.kr/view/AEN20200107007600325.

neglected from the protection of the international community and left it as Korea's problem. A change of perspective is required to raise awareness on the issue and encourage relevant states as well as agencies to come up with innovative and hands-on solutions that could contribute to the inclusion and empowerment of the North Korean defectors and their children so that they can live with dignity and security.

## II. Objective

The main objective of the Symposium is to raise awareness on the challenges faced by the North Korean defectors and their children born in the third country as a serious threat to human security and thereby posits that it is an issue worthy of global attention. The Symposium aims to look at the issue from diversified perspectives including international framework on refugees, human rights, and social inclusion of the North Korean defectors as well as youth empowerment of their children born in China.

The Symposium will address the previously established UN conventions concerning the 1951 Refugee Convention and the Convention on the Rights of the Child to discuss the responsibilities that relevant stakeholders in the region – China, North Korea, and South Korea – possess, and identifies the gray zone of such international conventions on human rights and refugees. The Panel Discussion offers a platform for the exchange of thoughts with officers and professionals affiliated with international organizations in relation to human rights, refugees and youth empowerment.

The Symposium also aims to inform and educate the North Korean defectors and their third country-born children about their basic rights to human security and the mechanisms that can protect them. This experience can, in return, inspire the young defector's generation to understand and promote their rights for a better life and to be the leaders in advocating for others in similar challenges.

## III. Thematic Focus: Linking human security, international conventions on refugee and human rights and threats faced the North Korean defectors and their children.

United Nations Development Programme (UNDP) introduces the concept of human security in its monumental work of *the 1994 Human Development Report*, indicating that human security requires a people-centered approach. That said, the concept is “concerned with how people live and breathe in a society, how freely they exercise their many choices, and how much access they have to market and social opportunities.”<sup>4</sup> Resting upon the conceptualization of human security done by UNDP, it could be inferred that economic, personal, and political security violations are being witnessed in the case of North Korean defectors and their children. Poverty, unethical practice of human trafficking, and limited access to freedom and policy benefits in China are all threats to economic, personal, and political security for the North Korean defectors and their third country-born children.

The definition of the term “refugee” is well-established in the 1951 Refugee Convention. Article 7 of the Convention and the Protocol Relating to the Status of Refugees read “the granting of a right to a refugee should not be subject to the granting of similar treatment by the refugee's country of nationality because refugees do not enjoy the protection of their home state.”<sup>5</sup> The 1989 Convention on the Rights of the Child specifically deals with the basic rights that a child rightfully deserves. Article 28 of the Convention aims to “make educational and vocational

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<sup>4</sup> UNDP. *1994 Human Development Report: New Dimensions of Human Security*. 1994. Retrieved from: <http://hdr.undp.org/en/content/human-development-report-1994>

<sup>5</sup> UNHCR. (1951). The 1951 Convention Relating to the Status of Refugees. *The 1951 Convention Relating to the Status of Refugees*. <https://doi.org/10.1093/actrade/9780199542512.003.0040>

information and guidance available and accessible to all children.”<sup>6</sup>

Whole-of-society support is crucial in eliminating the human security threats that the North Korean defectors and their third country-born children face while further advocating the social inclusion and empowerment of the population. We believe this Symposium can be a meaningful initiative to hold a dialogue among responsible parties and to encourage continued long-term efforts of transforming the mindsets and alerting the international community about the blind spot of their attention.

#### **IV. The Way Forward**

The securitization of humanitarian values set forth by the United Nations through its *1994 Human Development Report*, 1951 Refugee Convention, and the 1989 Convention of the Rights of the Child has not been well-practiced by the signatory states, as the rhetoric of North Korean defectors and their third country-born children illustrates. It is important to address any issue that they face and encourage relevant organizations and agencies to intervene. When the human security threats that those individuals face are accordingly addressed and if the environment that prioritizes the youth empowerment of the population is fomented, peace and prosperity of the region would possibly be enlarged.

The North Korean defector children born in China possess great potential to serve as a bridge that could strengthen solidarity between South Korea, North Korea, and China, as they have a profound understanding of the cultural values of all three countries. Therefore, efforts at all levels to prevent the marginalization of the North Korean defector children and empowering them to play a bigger role in the region would be of paramount importance.

Former UN Secretary-General Ban Ki-moon acknowledged the importance of youth engagement and empowerment that when the youth are consistently supported, “they can create a safer, more sustainable future for generations to come.”<sup>7</sup> Therefore, the Symposium on Human Security could serve as a steppingstone for making a more inclusive and equal society where no one is left behind as well as sowing seeds for regional stability.

This Symposium co-organized by CSPS-Korea and THINK limits its focus on raising awareness on the human security threats that North Korean defector children confront, however, it calls for further policy discussions and actions on capacity building and empowerment of the defector’s children as well as institutional efforts to bring positive change.

#### **V. Format and Program Schedule**

The Symposium will consist of three sessions – documentary film, talk concert, and security discussion. These diverse formats invite North Korean defectors and their children, stakeholders, faculty and students of the Incheon Global Campus, and experts on human security and human rights issues. The final session includes a Q&A session for participants to ask questions and exchange thoughts.

The event is planned to be held in a hybrid format with limited number of guests, however, there still is the potential to be conducted entirely online.

The Symposium will be operated bilingually with English to Korean and Korean to English translation provided on-site. English subtitles will be given during the documentary screening.

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<sup>6</sup> Convention on the Rights of the Child. *OHCHR*. (n.d.). <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

<sup>7</sup> Ban, Ki-moon. “A Call to Empower Youth.” United Nations Office of Secretary-General’s Envoy on Youth. NY: New York. Retrieved from: <https://www.un.org/youthenvoy/2016/08/call-empower-youth/>

Time (KST)	Program
09:30 – 10:00	<b>Registration</b>
10:00 – 10:25	<b>Opening Ceremony</b> <ul style="list-style-type: none"> <li>- <b>Opening Remarks: Dr. Robert Matz</b>, Campus Dean, George Mason University Korea</li> <li>- <b>Welcoming Remarks: Ms. Kelly Chung</b>, Associate Dean for Admissions and Enrollment, George Mason University Korea</li> <li>- <b>Welcoming Remarks: Mr. Thae Yong-ho</b>, Member of the National Assembly of the Republic of Korea</li> <li>- <b>Concept Note Speech: Dr. Soyoung Kwon</b>, Director, Center for Security Policy Studies-Korea</li> </ul> <p style="text-align: center;"><b>*Photo Time</b></p>
10:30 – 11:20	<b>Session I: The Gray Zone</b> <b>The Life of Female North Korean Defectors and Third Country-Born North Korean Defectors</b> <ul style="list-style-type: none"> <li>- Documentary Screening: <i>Phantoms of the Border</i></li> </ul>
11:20 – 11:30	<b>Break</b>
11:30 – 12:30	<b>Session II: The Story</b> <b>Mother’s experience and Child’s experience</b> <ul style="list-style-type: none"> <li>- Talk Concert</li> <li>- Q&amp;A Session</li> </ul>
12:30 – 13:30	<b>Lunch</b>
13:30 – 14:50	<b>Session III: The Rights for a Better Life</b> <b>Human Security for North Korean Defectors</b> <b>Panel Discussion</b> <ul style="list-style-type: none"> <li>- <b>Moderator: Dr. Soyoung Kwon</b>, Director, Center for Security Policy Studies – Korea</li> <li>- <b>Panels:</b> <ul style="list-style-type: none"> <li>• <b>Mr. Joon Oh</b>, Former South Korean Ambassador to the United Nations and Current Chairperson of the Save the Children Korea</li> <li>• <b>Mr. Imesh Pokharel</b>, Representative Ad Interim, United Nations Office of the High Commissioner for Human Rights (UNOHCHR) Seoul</li> </ul> </li> </ul>
14:50 – 15:00	<b>Closing Remarks</b> <ul style="list-style-type: none"> <li>- <b>Ms. Moonkyung Son</b>, Representative, The Human Rights in North Korea (THINK)</li> </ul>
15:00 – 15:40	<b>Introduction to George Mason University Programs &amp; Campus Tour</b>