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국제학 석사 학위논문

**Refugees' Decision-making on Asylum:
The Case of Congolese Refugees in South Korea**

난민의 피난처 결정과정에 대한 연구:
한국 내 콩고민주공화국 난민들의 사례를 중심으로

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서울대학교 국제대학원
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**Refugees' Decision-making on Asylum:
The Case of Congolese Refugees in South Korea**

A thesis presented
by

Kwon, Song

To

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In Partial fulfillment of the requirements for the
Degree of Master of International Studies in Area Studies

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Seoul, Republic of Korea

February 2013

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Abstract

Refugees' Decision-making on Asylum: The Case of Congolese Refugees in South Korea

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The purpose of this thesis is to analyze refugee's decision-making on asylum. This research focuses on the case of refugees originated from Democratic Republic of the Congo who requested the recognition of refugee status to the government of South Korea. Prior researches have indicated factors which have influence on asylum migration and destination choice. However, the geographical, historical, cultural, political and economic distance between DR Congo and South Korea barely explains the asylum migration of Congolese refugees to South Korea. This research analyzes their decision-making on asylum from the initial destination choice to the ongoing consideration on asylum after their arrival to South Korea. Semi-structured interviews were conducted in order to understand the Congolese refugees' decision-making on asylum.

The result of this research shows how few options the refugees had on their asylum migration. The circumstances after persecution considerably restricted the choices the refugees could make. The exclusionary visa policies of liberal democratic countries affected the asylum destination choice as well. The amount of financial and human

resources available to them was also crucial.

This research also reveals that the refugees' consideration on asylum does not end after their arrival in the initial destination of asylum migration. The refugees have shown both the wish to stay in South Korea and the wish to find asylum in another country. These two wishes are intertwined, as countries of asylum tend to control (im)mobility of refugees. Asylum policies of South Korea and the European Union are analyzed to illustrate this point. It is difficult for refugees to be granted refugee status in South Korea. Moreover, the majority of liberal democratic countries are not willing to issue visas to refugees, preventing asylum seekers from reaching their territory. Thus, the refugees do not have choice but to remain in South Korea as long as they can, because they cannot go back to DR Congo as of now due to the persisting fear of persecution.

Along with the experiences of the refugees, this research traces their changing perceptions on potential destinations for asylum (re)migration and repatriation. It illustrates that the refugees did not have preference over specific countries, but had to escape from persecution as soon as possible. In addition, the refugees' changing perception on potential asylums reminds that the refugees are indeed human beings who try to avoid bleak future and pursue a better life.

Key words: Asylum migration, Asylum destination choice, Decision-making, Asylum policy, Congolese refugees, South Korea, European Union

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1. Introduction

Asylum policies have become tougher in Western countries, reducing the number of asylum seekers¹ arriving to the country of potential asylum (Havinga and Böcker 1999; El-Enany 2008; Hatton 2008; Karamanidou and Schuster 2011). Europe has been especially criticized for giving up its “liberal democratic tradition of asylum (Levy 2005)”, becoming “Fortress Europe.” However, despite its importance, little has been studied on the refugees who could not penetrate the border of the EU. They may have migrated to another country or been internally displaced. Otherwise, they may have been hidden in their local area or may have not been able to escape from persecution. We do not know what happened to them due to the lack of researches.

This research deals with some of the refugees who could not find refuge in Europe. I analyzed the case of Congolese refugees who found asylum in South Korea. As

¹ Following the definition of United Nations High Commission for Refugees(UNHCR), the term “refugee” in this paper basically refers to a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country or return there because there is a fear of persecution (UNHCR 1951),” although the definition is not sufficient to embrace all refugees in reality. “Asylum seeker” in this paper refers to a person who has applied for protection as a refugee and is awaiting the determination of his/her status. Following the implications of the article 2 of the Refugee Act of South Korea, the term of asylum seeker includes those whose litigations for recognition of refugee status have not been finished. In this paper, “recognized refugee” is a person who has been granted refugee status in the receiving country, whereas “rejected asylum seeker (so-called “failed asylum seeker”)” is a person whose claim for refugee status has been rejected. It should be noticed that the above definitions and even the terminologies themselves vary according to circumstances.

of the end of 2011, 103 Congolese have applied for refugee status in South Korea so far, while 3,926 asylum seekers have claimed protection to the government since 1994.

Although the sheer number is small, in terms of country of origin, Democratic Republic of the Congo (hereafter referred to as “DR Congo”) ranks the third in the number of recognized refugees in South Korea (Ministry of Justice 2012a). However, as Moore (2007) indicates, while the majority of refugees seek asylum in neighboring countries, those who seek refuge beyond neighboring countries tend to follow colonial ties. Thus, it may as well be “natural” for the Congolese refugees to seek asylum in Europe rather than in South Korea. This may be especially true, considering the geographical, historical, cultural, political and economic distance between DR Congo and South Korea.

The main objective of this research is to fully understand the asylum migration of the Congolese refugees to South Korea. Various steps were taken to understand how the asylum was decided. First, I paid attention to the agency of the refugees. With in-depth interview, the respondents were asked to share their experiences, perceptions and sentiments which encompass their life before the persecution and current life in South Korea. Second, I also concentrated on the social structure which may have influenced on the refugees’ decision on asylum migration. Not only the factors affecting asylum migration, which have been indicated by prior researches, but also asylum policies were considered to understand the asylum migration of the respondents. Third, recognizing that refugees are not passive subject, I left open the possibility that refugees might want or have wanted to leave the country of initial asylum. This enabled me to explore the desire of refugees as human beings and to better understand their asylum migration.

The following chapters provide the analysis on how asylum was decided in the case of Congolese refugees in South Korea. The first chapter introduces relevant prior researches, followed by research methods. The next chapter traces how initial asylum destination choice was made when the refugees fled DR Congo. The following chapter

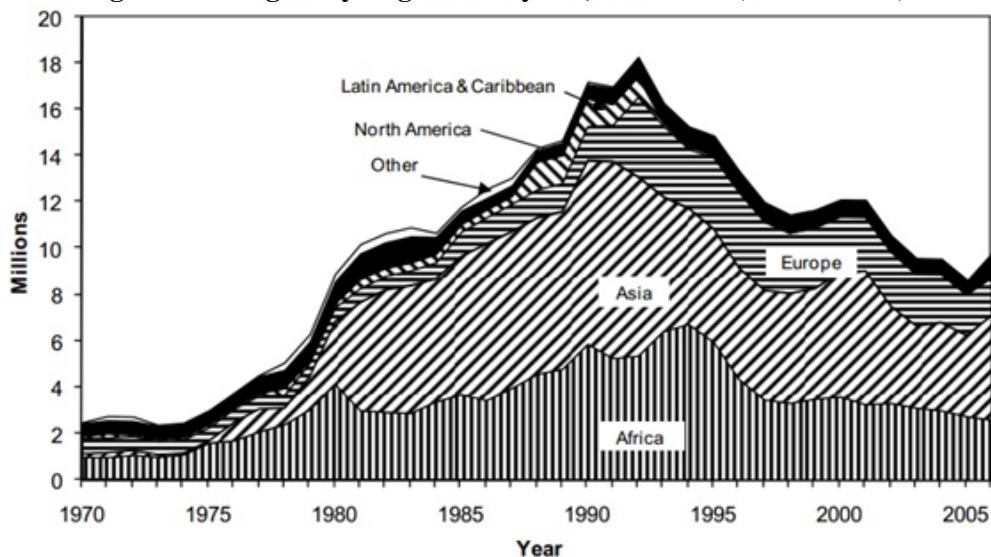
focuses on the refugees' ongoing consideration on asylum. It reveals both the wish to stay in South Korea and the wish to find asylum in another country. The last chapter sums up the overall findings.

2. Literature review

2.1. Reviews on asylum migration and destination choice

Contrary to the widespread prejudice and image of the “third world” refugees flooding to the “first world,” most refugees find asylum within their region of origin. 83% of African refugees migrate within Africa, 84% of Asian refugees within Asia, 93% of European refugees within Europe and 75% of Latin American and Caribbean refugees within their region (UNHCR 2011). Refugees are more likely to find refuge in neighboring countries. According to Moore and Shellman (2007), countries sharing borders are most likely to absorb the refugees of a given country. Other refugees are displaced to nearby countries that do not share the border or travel longer distances. This can be mainly explained by the geographical distance between refugee producing countries and the so-called “first world” where wealthy (refugee receiving) countries are spatially clustered. Contrary to the western image of “bogus refugee” seeking economic interest, the vast majority of refugees are relocated to neighboring countries, because the costs of relocation are sufficiently high to move to the country with superior wage level. While refugees cross the border of their country of origin, only minority of them could manage to find refuge in other non-bordering nearby countries or in countries further away (Moore and Shellman 2007). Hatton indicates the UNHCR’s estimates of the refugees classified by the continent in which they are located. Only a small portion of refugees become asylum seekers in Western countries and even fewer are granted recognized refugee status (Hatton 2008).

Figure 1- Refugees by Region of Asylum, 1970-2006 (Hatton 2008)



Source: 1970-1999: UNHCR (2001), *The State of the World's Refugees: Fifty Years of Humanitarian Action*, Annex 3; 2000-2006: UNHCR Statistical Yearbook, 2005, Table A5, UNHCR Statistical Yearbook, 2006, Table 20.

Several scholars have described the characteristics of asylum migration by contrasting refugees from migrants. For instance, according to Bernard (1976), the movement of refugees is characterized as involuntary or forced migration, while migrants are described to migrate voluntarily. According to Richmond (1992), asylum migration is constrained and reactive, compared to the free and proactive movement of migrants. In addition, refugees have fewer options open to them. These scholars emphasize factors which limit the choice of asylum migration and the ways in which the refugees made decisions under the restrictive situation. However, Turton (2003) reminds of the agency implied in all human migration. Despite the expressions such as “involuntary, compulsory or forced migration,” when human beings migrate, there is at least some degree of agency or independent will. He claims that refugees are indeed agents despite diverse external constraining factors, emphasizing the importance to understand the particular situation

and personal experiences of the refugees. Despite the diverse discourses on the characteristics of asylum migration, scholars agree that the motivation of asylum migration, the fear of persecution, distinguishes refugees from other migrants. The violence incurred from government and dissidents (and their interaction) are the primary determinant of asylum migration flow (Moore and Shellman 2004).

A few scholars conducted qualitative research to find the factors influencing the choices of asylum migration destination. In the majority of cases, the asylum destination decision is not conscious or rational choice. Refugees did not have enough time to plan, to compare alternatives, and to prepare the migration for the destination which they wanted the most. In addition, not having enough time to acquire information, refugees make decisions based on “unreliable or at best partial” information (Havinga and Böcker 1999). Thus, the so-called pull factors are less likely to operate on refugees, as they “are usually thrust out of their native lands in a mad rush and forced to settle down wherever circumstances dictate (Bernard 1976).” According to several studies on refugees who arrived in the U.K., for a large number of refugees, the asylum destination was chosen by agents such as personal network or commercial brokers (Havinga and Böcker, 1999; Robinson and Segrott, 2002; Healey, 2006). In addition, Havinga and Böcker argue that “the country of destination is often accidental.” The respondents of their research decided to flee from persecution and to head for Europe or North America, but the actual destination did not particularly matter to many of them. It is also observed by Robinson and Segrott (2002) that many refugees did not deliberately choose the country of asylum migration.

It may be reasonable to say that most of refugees did not have special preference on specific destination. However, their decisions on destination country are influenced by several factors. According to Havinga and Böcker (1999), first of all, the links between the country of origin and the potential country of destination are important. They include

the presence of personal acquaintances, existing communities of compatriots in the country of potential asylum, colonial bonds, political and economic linkages, mastery of the relevant language and familiarity with the culture. The close linkages also imply more transportation between the countries such as direct flights. Secondly, the image and rumors could affect the choice of asylum. For instance, the image of democratic or tolerant country seems to be attractive, as refugees could expect to be respected and treated equally in the society. There are different views on the effect of asylum policy including refugee recognition rates. In some cases, refugees are overrepresented despite the low actual recognition rates, while in other cases, refugees react quickly to the changes in recognition rates. According to the informants of Havinga and Böcker, who arrived in the U.K., the right to work is important, whereas welfare benefits such as reception facilities and right to housing are not considered to be a crucial factor regarding asylum destination choice. Thirdly, the legal accessibility of the potential destination country was important along with the geographical proximity. The asylum destination was considerably influenced by the availability of visas and other travel documents. The checks at the borders for undocumented travelers also have impact on the choice of asylum. Not only Havinga and Böcker, but also a number of scholars approve of the factors illustrated above (Robinson and Segrott 2002; Healey 2006; Moore 2007).

2.2. Reviews on (asylum) migration of Congolese people

Moore (2007) found that the refugees are likely to head for the countries where others have gone before them. Robinson and Segrott (2002) also indicate that the established traditions of migration to particular country tend to attract refugees to the country. It may lower risk and uncertainty to follow the migration traditions (Toma and Vause 2011). From this point of view, it seems important to understand overall migration patterns of Congolese people.

According to a research on residents of Kinshasa, the capital of DR Congo, conducted in 2007, 55% of international migrants from the family residing in Kinshasa headed for another African country, while other 45% of migrants headed for the North. Among the 45% of migrants headed outside Africa, 39% migrated to France, 24% to Belgium, 24% to another European country, 6% to the United States, 6% to other American countries, and 1% to Asia. Not only the colonial history but also the linguistic proximity affects the trend of international migration in DR Congo. Age, education and gender also influence the migration pattern. In the case of Congolese in Kinshasa, the more a person ages, the less likely the person is to migrate abroad. A person with higher education is 10 times more likely to migrate abroad than those who did not finish the primary education. Women tend to migrate to Europe rather than to another African country, in order to avoid the widespread gender based violence in central Africa (Flahaux, Beauchemin and Schoumaker 2010). Despite the increase in autonomous female migration, 65% of Congolese women migrate to a destination where their family networks are located. One third of female migration involves women joining their partner abroad (Toma and Vause 2011). As to the relations between migration destinations and crises of DR Congo, migration to Western countries is not considered to be the preferred destination during the economic crises of DR Congo. As the relocation to Western countries is more costly due to the far distance, Congolese people prefer to migrate to neighboring countries with better wages during their economic crisis. On the contrary, during the political crises, Western countries are perceived as a safer destination and Congolese people prefer to migrate to the West. However, the majority of migrants end in finding refuge in neighboring countries due to the high relocation cost (Schoumaker, Vause and Mangalu 2010).

In fact, DR Congo ranks the 5th worldwide in terms of the major source country of refugee, as of the end 2011 (UNHCR 2011).

Table 1- Population of Concern originating from DR Congo

Originating from Democratic Republic of the Congo	
Refugees	491,481
Asylum Seekers	52,119
Returned Refugees	21,081
Internally Displaced Persons (IDPS)	1,709,278
Returned IDPs	822,688
Various	334
Total Population of Concern	3,096,981

*As at January 2012
Source: UNHCR/Governments. Compiled by: UNHCR, FICSS.

As the prior researches indicate, the vast majority of Congolese refugees fled their homeland and find refuge in another African country. The table below also indicates that the Congolese refugees tend to find asylum in neighboring countries. Note that DR Congo shares its borders with Angola, Burundi, Central African Republic, Rwanda, Sudan, Tanzania, Republic of Congo and Uganda, Zambia.

Table 2- Congolese (DRC) refugees in Africa

Congolese (DRC) refugees in Africa	
Angola	13,364
Burundi	24,614
Central African Republic	20,899
Republic of the Congo	125,330
Rwanda	54,143
Sudan	19,709
Tanzania	63,275
Uganda	74,895
Zambia	21,965
Rest of Africa	25,860
Total	444,054

* As of May 2010
(Source: UNHCR Statistics 2010)

When Böcker and Havinga (1998) analyzed the asylum application in EU, more than 90% of Congolese refugees who arrived in the EU territory claimed refugee status in France, Belgium, the United Kingdom and Germany. Among them, the most important destination country was France. Taken together, while the vast majority of refugees migrate within Africa, the rest of refugees mainly headed for the four European countries.

In regard to the Congolese refugees in South Korea, 103 Congolese have claimed refugee status so far. Among them, 23 Congolese hold refugee status and 14 Congolese hold humanitarian status. In addition, although the sheer number may be small, the Congolese people rank the third in South Korea in the number of recognized refugees in terms of country of origin and the fourth in the number of humanitarian status holders. However, seen from geographical, economic, political, social and cultural distance between DR Congo and South Korea, it is even surprising to find “Congolese” “refugees” in South Korea. As prior researches cannot explain this phenomenon, it motivated this research: Why and how did the Congolese refugees happen to find asylum in South Korea?

2.3. Reviews on entry restrictions in countries of potential destination

While analyzing asylum migration, Healey (2006) emphasized the interaction between the structure of society and the agency of human being within the social structure. A human being exerts capabilities and self-determination, while the underlying social structures influence human actions. This implies that refugees are not free from the structural forces. In my opinion, the structural forces also include diverse institutional frameworks such as policies and laws which the refugees have to face in order to find refuge abroad. Havinga and Böcker(1999) argue that the visa policies and visa requirements could determine the destination of asylum migration, especially when the refugees are under highly restricted circumstances. The restrictive visa policy makes it far

more costly and difficult for refugees to head for a particular destination. In addition, after analyzing the data on asylum applications in 37 industrialized countries (including the EU-27) since 1980, Hatton (2008) concluded that tougher asylum policies reduce the number of asylum applications. His analysis proves that stringent asylum policies are efficient in limiting the access of refugee to the territory of host country. For these reasons, I paid attention to diverse entry restrictions in potential destination countries as well.

According to Pirjola (2009), the Western European countries have at least since the mid 1980s implemented exclusionary policies to prevent refugees “even from reaching the point of being able to present their case for asylum to the relevant authorities.” The exclusionary measures have been strengthened. The asylum policy of the European Union has been deplored for sacrificing the “liberal democratic tradition of asylum (Levy 2005).” Kernerman points out, as below, diverse measures prevent refugees from entering the territory of the potential destination of asylum migration.

All liberal democratic states employ refugee interdiction measures of one form or another, including the interception of refugees at sea, territorial excision, carrier sanctions², pre-inspection regimes at foreign airports and the selective imposition of visa requirements on people from refugee-producing countries. (Kernerman 2008)

The countries of potential asylum endeavor to block the refugees from entering their territory, as the states cannot send the refugees back to their country of origin due to the principle of non-refoulement. In addition, the relative liberality which is to be offered

² Financial or other penalties are imposed to carriers by land, sea or air, if they board undocumented passenger. For instance, the EU's Schengen regime makes airline companies responsible for boarding passengers without proper documentation and visas.

to the refugees once they reach the liberal democratic countries has led the states to elaborate the preemptive exclusions (Gibney and Hanson 2003). This may be especially true considering that the Common European Asylum System of EU emphasizes wider and equitable refugee protection in every Member State (El-Enany 2008). For these reasons, the liberal democratic states strive to pre-empt their obligation under the Convention by preventing refugees from reaching their territory. Hyndman and Mountz (2008) name the exclusionary tactics as "neo-refoulement," as it is a new pre-emptive measure which creates the result of forced return. Compared to other highly visible entry restrictions such as interception at sea, what Davidson (2003) calls "passive pre-emptive" forms of interdiction, especially stringent visa policies, is less visible but far more efficient to interdict the refugees from entering the territory (Kernerman 2008).

Many scholars (Havinga and Böcker 1999; Robinson and Segrott, 2002; Healey 2006, El-Enany 2008) indicate that the entry restrictions have distorted the identity of asylum seekers in Europe. As the access to Europe has been strictly limited, only individuals who can overcome the restrictive measures could penetrate the European border.

To enter the EU legally the correct travel documents must first be obtained. To enter illegally, a smuggler would need to be paid to facilitate the journey to Europe. The former group would have to be placed sufficiently high in terms of status and resources at their disposal in order to be able to acquire visa, while the latter group would have to be similarly situated at least in terms of resources to be able to pay a smuggler's fee that can be in the realm of the equivalent of 4000 euros. (...) Not only must a European refugee fulfil the requirements set out in the Qualifications Directive, but she must also possess certain other, implicit characteristics: financial resources, economic mobility and an element of power. Though a number of the

persecuted possess these traits, the most vulnerable do not. (El-Enany 2008, 13-22)

Likewise, prior studies on entry restrictions suggest that the exclusionary structural forces must have influenced the asylum migration, if a refugee decided to find asylum beyond Africa and especially if the refugee wanted to head for liberal democratic state. The subjects of this research, the Congolese refugees who arrived in South Korea also faced the restrictive regime as well.

3. Research method

The analysis is based on 10 semi-structured interviews collected from July and to August 2012. The interviews focused on people's experiences and perceptions regarding their asylum migration.

3.1. Research subject

Unlike other prior researches which focused on the destination country in which refugees from diverse countries arrived³, this research was designed to focus on refugees from the same country of origin. Different countries of origin have different conditions of asylum migration such as geographical, cultural, historical and political backgrounds. The interviewees for this research are Congolese people who fled from DR Congo and applied for refugee status in Republic of Korea.

In order to fully understand the asylum migration of Congolese refugees to South Korea, the informants of this research include not only recognized refugees but also asylum seekers and rejected asylum seekers. Here, asylum seeker refers to a “potential refugee” whose claim for protection is being assessed by the government (El-Enany 2008). Rejected asylum seeker refers to a person whose claim for refugee status was ultimately rejected by the government. However, this does not mean they are “bogus refugees,” as a refugee who qualifies the definition of refugee is a refugee regardless of

³ For Havinga and Böcker (1999) and Robinson and Segrott (2002), their research question is why and how the asylum seekers (of different nationalities) had chosen to migrate to a particular country in preference to other countries of potential asylum. Their research question and subjects were destination-oriented. However, both researches concluded that the asylum seekers did not have preference on particular European countries and that neither did they have much choice on their asylum destination.

the recognition of the government.⁴ Thus, the rejected asylum seekers may well be included as respondents of the research.

10 respondents were chosen from purposive and snowball sampling. First, I interviewed two respondents with whom I have good rapport, due to my volunteer experience in an NGO supporting refugees in South Korea. Second, I interviewed three respondents with whom I have acquaintance. I met them several times during the events held by the previously mentioned NGO and/or another research conducted between March and April 2012 in which I participated as a research assistant. Third, for the remaining 5 respondents, I contacted potential interviewees with the help from two refugee activists and my Congolese interviewees. All potential interviewees were provided with a flyer that described the purpose and details of this research. They were free to refuse to participate in the research and some actually refused to have the interview.

Table 3- Characteristics of respondents (N=10)

	Number
Gender	
Women	5
Men	5
Education (years of education)	
Secondary (12 years)	1
Higher (more than 12 years)	9

⁴ 'A person is a refugee within the meaning of the 1951 Conventions as soon as he fulfils the criteria contained in the definition. This would necessarily occur prior to the time at which his refugee status is formally determined. Recognition of his refugee status does not therefore make him refugee but declares him to be one. He does not become a refugee because of recognition but recognized because he is a refugee' (UNHCR 1979).

Migration network in South Korea	
None	5
Spouse	4
Korean acquaintance at workplace in DR Congo	1
Age of respondents when leaving DR Congo	
20-24	3
25-29	4
30-34	3
Length of residence in South Korea at time of interview	
1-5 years	3
6-10 years	5
Over 10 years	2
Current status regarding refugee application	
asylum seekers	3
recognized refugees	4
rejected asylum seekers	3
Number of children in South Korea	
0	2
1	2
2	6
*Those who had to leave their Children in DR Congo	2

In order to protect the identities of the respondents, I numbered them according to the order of the interview they had. Each respondent were given his/her own identification number. Their statements will be cited followed by their identification number. When detailed information of a respondent is required to understand the context of his/her statement, I'll describe the information additionally.

3.2. Semi-structured interview

Semi-structured interview was chosen for research method, as it is the actual refugee him or herself that experienced the asylum migration. The in-depth interview seemed to be the

most appropriate way to explore the decision-making on asylum migration. In addition, as the experiences of refugees had been rarely heard, I wanted to make their voices heard as well.

The respondents could choose the time and venue for the interview. 8 respondents had the interview at their home with no others present and two respondents chose a quiet café near their residence. Interviews were conducted by the researcher in French, since it is the official language in DR Congo and a maternal language for some of the Congolese respondents. Most of the interviews took about an hour to an hour and a half.

The interview was semi-structured with a series of pre-determined and open-ended questions. However, as one of the objectives of this research is to make the refugees' voices heard, the prepared questions did not prevent respondents from talking freely. For additional information and clarification, follow-up questions were made during the interview. Respondents were asked to share their experiences on asylum migration and destination choice, from the days before the persecution to the current life in South Korea. Their perceptions and emotions during their asylum migration were also considered in the interview. The followings were the topics for the interview:

- Life before the persecution: family, education, occupation, plan for migrating abroad, perceptions on refugees, etc.
- Persecution: reasons, circumstances, etc.
- Preparation to escape from DR Congo and departure: decision on asylum migration, situation and decision making on asylum destination, available resources and time, issue of passport and visa, migration network, broker/helper, etc.
- Images of potential asylum destination countries
- After the departure from DR Congo, before the arrival in South Korea: experiences in

transit countries, short term or long term stay, etc.

- Life in South Korea: problems at the airport on arrival, early days in South Korea, information, application for refugee status, role of NGO and UNHCR, advantages and disadvantages of South Korea as an asylum, attempts or desire to remigrate to alternative asylum, current life in general, etc.
- Changes in the images of potential asylum destination countries

3.3. Analysis and limitations

The interviews were translated and transcribed into Korean, then analyzed. First, the key information and experiences were coded to find the similarities and differences among the respondents. Second, common themes were inductively coded as they emerged in the interviews. The transcripts were analyzed into three main categories: experiences of asylum migration, perception on (potential) destinations, and experiences of exclusion. Third, the autonomy (agency) of refugees was descriptively coded as they emerged. Although the interviewees' choices on leaving and/or staying were discouraged by the control of states, their will to pursue a better life illustrates another feature of asylum migration.

There are several innate limitations in the research, mainly due to the nature of data collection. First, the research cannot be representative of Congolese or African refugees in South Korea. However, this study does not claim to be representative. In addition, given the complexity of asylum decision which cannot be analyzed by another method, it is worth the trade off. I would be satisfied to illustrate few features of decision-making on asylum and to point out some exclusionary structures against refugees, based on the experiences of my respondents. Second, the data collected for the research include retrospective information. The respondents' recollections and perceptions of the past may not be accurate. Moreover, autobiographical memory in the context of a severe trauma is

more vulnerable to distortions and biases (Herlihy, Jobson and Turner 2012). However, the retrospective data from respondents are the only resource to conduct this research. Considering advantages of in-depth interview, it is worthwhile to admit the limitations of autobiographical memory. Third, as French is not a native language to me and some of the respondents, there may have been some misexpression or misinterpretation. However, I clarified ambiguities during and after the interviews.

4. Initial destination choice

Havinga and Böcker (1999) found that the country of final asylum can be changed “by chance” due to events during the flight, for instance, being stopped in the country of flight transit due to the lack of required documents of visas. This refers to the possibilities that the initial destination choice and the final asylum could be different. In addition, there are possibilities that refugees might want to find asylum in another country after their arrival in the country of initial destination.

From this perspective, this chapter analyzes the initial destination choice that the refugees had made before they escaped from DR Congo. It starts by analyzing the persecution the refugees had to suffer, as their asylum migration was motivated by the persecution. The next section deals with the experiences and the process of deciding the asylum migration destination. Their experiences illustrate that they did not have preference on specific destinations, but needed to escape to a safe asylum wherever it was. To reconfirm this point, the following section illustrates the perceptions on potential destinations which the respondents had before they decided their asylum destination. However, aside from the absence of preference on potential asylums, the refugees did not have much choice on their asylum migration. For this reason, the last section of this chapter deals with the exclusions which restricted the respondents’ decision-making on asylum. The analysis on the visa policies of the European Union and the entry restrictions of South Korea is useful to understand the asylum decision of the Congolese refugees.

4.1. Persecution

The key feature of refugees is that they have fear of persecution as it is clarified in the UNHCR definition of refugee. The persecution and the will to survive were the motivation which provoked the asylum migration of the respondents.

When asked about the life before the persecution, all of the respondents said their “life was good” or their “life was better (than now).” Some respondent said they did not have problems in their personal life, even though the country as a whole had problems. Most of them described their family in DR Congo as “modest middle class,” while two respondents said they had been “grown up with money.”⁵ 6 respondents were married and two respondents had children. Two respondents worked while the others were student and/or housewife. All of the respondents were highly educated.⁶ According to two respondents, they had “promising future”, which I believe was true for all of the respondents, considering their family background and education level. Before the persecution, some of the respondents considered studying abroad for their master’s degree or travelling abroad during the vacation. Many of them had some family members living in Europe. However, before the persecution, they were not interested in refugee issue or asylum migration at all. Most of the respondents stated that they “did not even imagine [they] would become a refugee one day.”

In the east of the country, there have been many wars. I knew people there were

⁵ Note that 71% of Congolese people were estimated to be population below poverty in 2006. The GDP per capita (PPP) of DR Congo was estimated to be \$400 in 2011 (CIA 2012).

⁶ This is especially true, considering the fact that only 40% of the target population attends secondary school and the estimated national literacy rate is less than 70% in DR Congo (Open Society Initiative for Southern Africa 2009). In my research, 9 respondents received higher education. Although, among them, one respondent dropped out the college and 6 respondents could not finish their higher education due to the persecution and asylum migration. An interviewee did not attend higher education, since she specialized in fashion at secondary school. In the past when she was young, the colleges/universities in DR Congo did not provide higher education on fashion.

finding asylum in other countries... Burundi... or whichever country it is. And... in 1986? 1987? There was war in Congo-Brazzaville [Republic of the Congo]. At that time, many people from Congo-Brazzaville came and took refuge in our country. But that was not the same case. Right after the war ended, all the people returned to their home. So I didn't have exact idea on what a refugee was, whatever it was. They became refugees because of the war. But, other kind of refugee... being chased after and persecuted by the government, I really didn't think of it. I didn't know... one day... such thing would happen to me. (#2)

The persecutions which the respondents had to suffer may be classified into two categories: one as direct target of the persecution, another as indirect target. Being indirect target does not diminish the nature of the persecutions. This classification will help us to understand the two different types of asylum migration of respondents.

6 respondents suffered persecution as a direct target. Among them, two respondents were persecuted for having organized anti-authoritarian regime protests as a member of opposition party. A respondent participated in making reportage against the president. A respondent was misunderstood to be in rebel forces. A respondent was mistaken as a spy of Rwanda due to the person's workplace, while another respondent was misunderstood as a spy of Rwanda after having participated in a protest against genocide. For these reasons, the respondents were either arrested or chased after by the police and soldiers. The respondents were the victim of violence such as assault, detention and torture. They could not be protected by the government, since their persecutor was the state. They were under the threat of death. According to several respondents, their houses were plundered and their workplace became the target of arson attacks. Moreover, the persecution extended to their family as well.

4 of my respondents suffered the persecution as indirect target. They were

persecuted because their spouses were direct target.

The police and soldiers kept coming to find my[her] husband. They told me[her] that I[she] would need to undergo the punishments instead of my[her] husband, if they couldn't find him. (#1)

The persecutors committed violence such as assault and plunder to the target's family. They made it impossible for the family to continue ordinary life. In some cases, the persecutors even shot gun at home. Some family members were arrested instead of the target. For instance, two respondents lost their brothers due to the harsh assault and torture. Sisters, female friends and female spouse became the victim of beatings and rape. Likewise, the family of direct target was also persecuted as indirect target. Four of my respondents suffered as indirect targets. Being indirect target does not minimize the fear of persecution, since the gender-based definition of persecution includes retaliatory action committed against the female family members of political opponents (Kelley 2002).

4.2. Deciding asylum migration destination

As refugees decide migration in order to flee from persecution, the nature of asylum migration considerably influences asylum destination choice as well. This section will illustrate how the asylum destination was decided. The feature of asylum destination choice differs depending on whether the respondent was direct or indirect target of persecution.

4.2.1. Urgent escape to a safe country

Six of my respondents were direct target of persecution. A respondent was detained and

tortured, while others escaped before being arrested. The latter took refuge in their friend or family's place, or their university. After moving their residences in DR Congo, they hid themselves waiting for the improvement of the circumstances. However, the police and soldiers did not stop looking for them, threatening their family at home. They were still in danger.

I had to hurry off. At the time, the most important thing was to be safe. Wherever I go, I needed to be safe. (#4)

Except for a respondent who asked, by himself, his Korean acquaintance to help him to obtain visa, all of the five respondents respectively had a helper who suggested offering assistance to flee abroad. The helper was not an agent or a broker, but a person who was favorable to the respondent.⁷ In some cases, the helper was a boss in workplace or a senior member in political party which they belonged to. Knowing that the respondent was in danger, the helper suggested assisting the respondent to escape from the country. In other cases, the helper was a family member who had supported the respondent or taken care of the whole extended family. Whichever case it was, the respondent accepted the assistance. They decided to flee abroad. According to the interviewees, it was "impossible" for them to organize the escape by themselves. They had to hide in their refuge, still being chased after by the state. It was not safe at all for them to apply for passport or visa by themselves. Due to such circumstances, the

⁷ According to Havinga and Böcker (1999), the informants who took refuge in Belgium, the Netherland and the United Kingdom said that they had received the assistance of a travel agent, as it had been 'almost impossible to flee without some assistance in getting travel documents and tickets; in bribing someone at the border; or in securing an airline booking.' While Asians were assisted by commercial smugglers, Africans often relied on personal network such as kinship and friendship.

respondents had to entrust the majority of decisions to the helper.

It did not take long to prepare for the escape. The respondent needed to leave the country as fast as possible and the helper seems to have found the fastest way to protect the respondent from the persecution. In the case of a respondent who had been imprisoned, it took only a week for his helper to prepare his escape. His helper bailed him out with bribery and sent him directly to the airport. For other respondents, it took one to four months to arrange the escape from DR Congo. It is noteworthy that two of the respondents were informed that they would leave the country the following day, while another two were informed that they would leave the country on the very day of departure. This clearly explains that the helper tried to find the fastest way to protect the respondents and that the respondents fled from the country immediately after the escape plan was arranged.

While I was talking to the head of personnel at my workplace, he said he could help me. He told me to give him some money and my passport photos. (...) One morning early, he came to my friend's place [where she had taken refuge at that time] with a man. He said, "Follow him and leave. It's your last chance." I followed him. He gave me a passport and we went to the airport. I didn't even have time to let my family know I was leaving. I think I got on the airplane 10 minutes before the take-off. (...) I didn't even know I was heading for South Korea. A woman next to my seat asked me where I was going. As it was South African Airline plane, I just said "South Africa." After that, I opened my passport and found South Korean visa. That's how I came to South Korea. (#4)

Not only was the date of the departure, but also the asylum destination was decided by the helper. A respondent who asked his Korean acquaintance to facilitate his

escape was the only person who chose the asylum destination by himself. As the escape was arranged by the helpers, South Korea was given as asylum destination to three respondents, and China was given as asylum destination to two respondents.⁸

South Korea and China were decided as their asylum destination, because the respondents needed to flee as fast as possible and that it did not take long time to receive the visa from South Korea or China at that time. Some respondents said “it was easy to get the visa,” as China and DR Congo had close economic and political relations, and South Korea was not a “popular” migration destination to Congolese people.

In addition to the accessibility of the visa, obtaining Korean visa may have been a strategy for some respondents to escape safely from the country. According to a respondent, the authoritarian government would not have imagined that a person whom it is chasing after would apply for Korean visa, since Congolese people usually headed for Europe or North America. This seems to be reasonable for refugees escaping from persecutors. However, all respondents pointed out that the main reason why their helper procured them with Korean or Chinese visa was that “it was the easiest visa to get at the time.” Even in the exception case of the respondent who asked the help of his Korean acquaintance, South Korea became his asylum destination as the visa was easy to be issued.

However, it is important not to misunderstand the accessibility of Korean/Chinese visa. It was relatively easy to receive Korean or Chinese visa, compared to that of other countries. In absolute term, it was not easy to prepare their escape. They had failed to receive visa from other countries. Among the countries of which they had applied for visa, South Korea or China was the first country which permitted to issue the

⁸ Although their initial asylum destination was China, they remigrated and applied for refugee status in South Korea later on. This will be discussed further in the later part of this paper.

visa. In addition, without the assistances from their helpers, it would not have been possible for them to escape the country. What the helpers did was more than simply procuring passport and visa on behalf of the respondents. Since the authoritarian regime was chasing after the respondents, the arrangement for escape required personal connections and bribery. In many cases, the persecutors, such as agents from the authorities, were bribed not to chase after the respondents. According to the respondents, personal linkage and bribery were common and efficient ways to solve problems in DR Congo, due to the widespread corruption. The helpers made use of their human and/or financial resources to facilitate the escape of respondents. Considering the fact the respondents were in their 20s or 30s when they were persecuted, it may well be natural that they did not have enough resources to facilitate their escape by themselves. The helpers were of great help to the respondents. For instance, a respondent obtained the passport thanks to his helper's "powerful friend who was a high ranking official", while another helper succeeded in buying an official passport from a corrupted civil servant. Some respondents stated that they were able to go aboard the plane without going through customs and passport control at the airport.

This is how the refugees who had been direct target of persecution initially decided and prepared their asylum migration. In addition to the importance of helpers, it is noteworthy that the preference on specific destination or the will to arrive in certain country has not been found in their initial destination choice. The desire to survive and the wish to escape from persecution seem to have been the main motivation of their asylum destination choice. They wanted to go to a safe country where they could be protected. In a conference on refugee human rights⁹, Yiombi Thona, a refugee activist

⁹ International Conference on Refugee Rights: "Cooperation between Government and Civil Society to Protect and Promote Refugee Rights, 2012.8.21, Korea University, organized by the National Human Rights Commission of Korea, Human Asia, Graduate

who is also a Congolese refugee in South Korea, accurately illustrated this point: “Refugee is not a tourist. You don’t have time to pack up and choose the destination. If a fire breaks out, you should escape to a safe place no matter where it is. To me, South Korea was such a place.”

He [her spouse who was the direct target of persecution] didn’t have a destination. You know... for example, you want to travel. “I want to go Paris” or “I want to go London.” Next day, you’ll buy the ticket, take the plane and you leave. But when you have problem [persecution], it’s not like that... You just want to go to a place where you could be relieved... wherever it is. What is important is to be relieved. (#3)

Unintentionally, you find yourself somewhere. And that’s your country of asylum. (...) I came to Korea to be protected. That was it. They [his helpers] searched for an asylum among the countries which offered protection following the norm [the UNHCR Refugee Convention]. (#5)

As the persecuted persons were continuously under the threat of death and the escape was extremely urgent, the circumstances did not allow most of the respondents to be in the center of the decision-making process. It was impossible to make quick decisions on the spot by themselves, as they had to stay in their refuge and hide themselves from the persecutors. The possible options given to them and the choices they could make were extremely limited, which would have been even more limited without the assistance of the helper. The role of helper seems to be greater than that of the refugee himself/herself when it comes to the decision-making and preparation for their asylum migration. For some respondents, the only “choice” they could make was to grasp the

opportunity offered by their helpers to leave the country. However, I do not consider the respondents were passive in their decision-making. Although most of the respondents could not make asylum migration decisions as a principal agent of their life, all respondents struggled for their life under the restrictive circumstances. They are the one who made the final decision to leave. They took risks by themselves to survive and to escape from persecution.

4.2.2. Escape to the country where her spouse found asylum

The experiences of another four respondents, who were indirect target of persecution, illustrate different pattern of asylum migration. Their spouses were direct target of persecution. After the persecution, their spouses fled from the persecution urgently. The respondents could not hear anything about their spouses. While some of them knew their spouses were alive, because the police and soldiers kept coming home and looking for him, others thought their spouses were killed.

In Congo, for example, if your friend or family disappears for two days, you need to go to jail to find him. If you find him there, he's arrested. If you can't find him there, he's already dead. (#7)

There were several reasons why the spouses did not contact their family when they fled away. Most of them did not have time to inform their escape, as it was urgent. Some of them were in extreme situation which did not allow them to contact their family, especially when they escaped by land. Most importantly, it was a way of protecting their family as well. The family would have fallen in greater danger, if the persecutors had known that the family was contacting the escapee. It was especially more dangerous, if the escape failed. However, despite their efforts to protect the family, their family,

including my respondents who were indirect target, suffered from persecution continuously.

The respondents heard from their spouse one to five years later. At that time, their husbands were in South Korea. Three respondents stated that she decided asylum migration after hearing from her husband. We should not recognize their asylum migration as a mere family reunion, considering the fact that they underwent diverse persecutions. For instance, one of them was a victim of rape and took refuge in an American church in Kinshasa to avoid further persecution. Another respondent had been looking for safer asylum due to the ongoing threats, before she heard from her husband. In the case of a respondent, her asylum migration was decided when her uncle, who had protected her from persecution, decided to migrate to Canada for personal reason. As he could not take care of the respondent any longer, he decided to make her join her husband in South Korea.

Gender seems to be relevant to their asylum migration. It is worth noting that, despite the threat of persecution, most of them eventually did not find asylum abroad before they heard from their husbands. It may be because autonomous female migration is considered too dangerous, especially when her migration network is not present in the destination. In addition, in all four cases, the asylum destination became the country where her spouse lived. Three respondents did not consider any destination other than South Korea, while a respondent chose South Korea as an alternative.¹⁰

¹⁰ In fact, her uncle who was in high social status was about to migrate to Canada for personal reason. He tried to find a way to bring her to Canada, but she could not obtain Canadian visa. As he could not protect his niece any longer in DR Congo nor in Canada, he decided to send her to the country where her spouse was, which was South Korea.

I didn't know whether life here [in South Korea] would be good or bad. That, I didn't know. But I thought, 'My husband is there. That's good.' (#7)

Unlike their spouses who unintentionally found asylum in South Korea, the respondents wanted to head for specific destination and tried to find ways to arrive in South Korea. However, “it was not easy” to get to South Korea, despite the efforts of their helpers, such as a friend of her husband, a family member or an American pastor. It took one to two years to prepare for the asylum migration. In the case of the respondent whose helper was a socially influential person, it took about 6 months to arrange the asylum migration.

In general, several factors made it difficult to receive Korean visa. A respondent said she did not have enough money to prepare the escape. She needed expenses to purchase a round-trip ticket to make Korean embassy believe that they will come back to DR Congo before the visa expire. The geographic distance between DR Congo and South Korea increased the expenses as well. She needed help from her family and friends to raise the migration expenses. Other respondents emphasized the difficulty in obtaining Korean visa, as there was no South Korean embassy in DR Congo. The embassy was closed between December 1998 and September 2005, due to the aftermath of Asian financial crisis. Thus, in order to get Korean visa, the respondents needed to go to the Republic of South Africa where South Korean embassy was. A respondent went to South Africa by herself, whereas another respondent sent her passport by mail and received help from an “influential” friend of her family. Thirdly, in some cases, the respondent and her helpers did not know the detailed conditions to get Korean visa issued. For instance, a respondent planned to receive Korean visa after escaping to Thailand first. Her spouse asked help to a Korean and sent an invitation letter, so that she could apply for the Korean visa in Thailand. However, as she was not a resident in Thailand, Korean government did

not permit visa. She went back to South Africa and applied for the visa again.

It may be true that the refugees who were direct target had had to face the same difficulties when they applied for Korean visa, although most of them said “it was easy to get Korean visa”. However, it may not have been easy to obtain Korean visa for the respondents who were indirect target, because they wanted Korean visa only, unlike the direct targets that did not care the asylum destination as long as it was a safe country. As for the refugees who were direct targets, South Korea was the country which issued visa faster than any other country, making them think that “it was easy to get the Korean visa.” As for the refugees who were indirect target and whose spouse had found asylum in South Korea, South Korea was the only asylum destination they wanted to reach, which made it more difficult to get the visa issued.

In addition, it seems true that the more human and financial resources one has, the easier it becomes to organize asylum migration. For instance, most of respondents who were direct target had enough resources to escape the country. Some of them had some savings, while others had helpers who were socially influential and financially stable. Even in the case of respondents who were indirect target, the escape was considerably facilitated by the “influential” helper despite its complicity. This may be the reason why for some respondents “it was easy to get Korean visa”, while for others “it was not easy to get Korean visa.”

4.3. Perception on potential destinations

As illustrated above, many of the respondents stated that they wanted to go to a safe country as long as it provided protection. Does this mean they did not have any preference among potential destinations? It should be noted that they (or their helpers) applied for visa only for some particular countries, for instance, European and North American countries. South Korea and China were included in the potential destination

lists as well. What were the reasons for considering those countries to be their potential asylum destination, while other countries were not considered to be their potential asylum? In the case of respondents who decided to migrate to the country where their spouses were, didn't they prefer other destinations over South Korea? The answers for these questions could be found in the perceptions of respondents on potential destinations. They were asked to reflect on their perceptions on potential destinations which they had before leaving DR Congo or before arriving in South Korea. How they perceived and what they knew about the countries may have eventually influenced their asylum decision-making. Their perceptions on potential asylum destination illustrate the nature of their asylum migration as well.

4.3.1. Africa

Contrary to the common prejudice which is often provoked by European media, refugees do not flood to Europe. 80% of African refugees migrate within Africa (UNHCR 2011). 55% of Congolese migrants moved within Africa and 76% of them migrated to the countries sharing border with DR Congo (Flahaux, Beauchemin and Schoumaker 2010).

African countries are more accessible. It is possible to reach potential asylum by bus. People could get to the neighboring countries by foot. However, my respondents did not consider finding asylum in other African countries. According to many respondents, "Africa is still Africa." African countries were not perceived as a country safe enough. Most of African countries are under de facto authoritarian regime. In such undemocratic regime, human rights cannot be guaranteed according to my respondents.

In addition, the cooperative relations between African countries and DR Congo may cause repatriation. According to PNAN (2011), the persecuted chased after the authorities or the ruling classes tend not to feel safe in their neighboring countries. Refugees in leader position or with high level of education tend to flee farther, beyond

Africa, to ensure their safety.

Some of the respondents stayed in Kenya or South Africa for several months to obtain visa, when South Korean embassy was closed in DR Congo. However, the countries were considered to be transit country, as it was to most of respondents who transferred their plane either in South Africa or Kenya. Even the most developed countries in Africa, such as Kenya and South Africa, were considered to be essentially “in the same situation” as DR Congo, although their security was better than that of DR Congo. A female respondent who stayed in Kenya for visa stated:

It is dangerous to go out at night [in Kenya]. It's also dangerous to wear expensive earrings or carry expensive purse in the daytime. But at least, unlike Congo, you don't hear gunshots... and people are not killed mercilessly [in Kenya, while it often happens in DR Congo]. (#7)

As Schoumaker, Vause and Mangalu (2010) point out, the vast majority of refugees need to be satisfied to take refuge in Africa, especially when they do not have enough resources to migrate further. Considering this fact, my respondents seem to have resources to find asylum beyond Africa. They wanted more protection of human rights than most of undemocratic African countries could offer to them.

The research of Steinberg (2005) may add what Africa meant to my respondents who were middle class in DR Congo. Steinberg found that the middle-class Congolese took refuge in South Africa because they could not go to Western Europe or North America, due to the strict immigration policy in the countries. For the middle class Congolese refugees who had enough resources to migrate beyond Africa, even South Africa, one of the most developed countries in Africa, was only the second best asylum destination next to the Western countries.

4.3.2. Europe and North America

Except the respondent who asked the help of his Korean acquaintance, all respondents who were direct target applied for visa for European countries, such as Belgium, France and Netherland. In some cases, North America was also considered potential asylum in addition to the European countries. This, however, does not mean they were so-called cherry-pickers who wished to take advantage of favorable refugee system. As they had never thought they would become refugees one day, they did not know about the asylum system and were not interested in it at all. They had no special preference on Europe as cherry picker. However, they felt very close to Europe. For them, escaping abroad generally meant escaping to Europe.

It is important to understand how they had perceived the world before leaving for Asia. Before the persecution, respondents who had thought of living abroad imagined their destination would be Europe. In their imagination, if they were not in Europe, they would be in North America. Countries in other continent were not considered. This influenced their expectation on the asylum destination as well. When asked which country she had considered to be asylum, a respondent stated “Anywhere... Europe, America, Canada... Anywhere.” This may illustrate how the respondents perceived the world. When deciding their asylum destination, it is true that they did not have preference on specific destinations in the world. However, the world they had been thinking seems to be Europe. Thus, most of respondents who entrusted the asylum destination choice expected that their helper would make them escape to a European country, although it is still true that their priority lied on safe escape regardless of destination.

Their intimacy toward Europe is deeply rooted in the history and culture of DR Congo. DR Congo has had close relations with Belgium due to the history of colonization. From 1885 to 1908, the Congo Free State was a corporate state privately controlled by

Leopold II, King of the Belgians. From 1908, the renamed Belgian Congo was colonized by Belgium until the independence of 1960. Despite the notorious exploitation, the European culture has permeated into that of DR Congo. French is the official language in DR Congo. In addition, diverse social structures of DR Congo, such as education system and its contents, resemble that of Belgium. Moreover, DR Congo has diverse economic relations with Europe owing to its abundant resources. There have been considerable number of Congolese migrants in Europe and many of them returned home (Flahaux, Beauchemin and Schoumaker 2010). For these reasons, the respondents' way of living is similar to that of Europeans. Many of their families have lived in Europe. One of my respondents spent his youth in France. It may well be natural for Congolese to feel very close to European countries.

It is also important to note that many respondents related Europe to the image of democratic regime where human rights are protected. According to the respondents, the asylum destination did not matter at the beginning, as long as the country offered protection. As the respondents wanted to protect themselves and to find asylum in safe country, it is natural that they applied for visa for western European countries.

Some respondents emphasized geographical proximity as well. Compared to any continent other than Africa, Europe is the closest continent to the Congolese people. In general, the farther a destination is, the more expensive the migration expenses become. Considering the risk of failure, for instance, being repatriated from the airport, Europe is better destination compared to other farther and costly destinations. Likewise, the geographical factor also explains why the helpers tried to get visa from various European countries.

As illustrated above, many respondents answered that they did not prefer Europe over other countries. However, it seems that the world in their mind was, unconsciously, Europe. North America was the second to come to their mind. They took it for granted

that they would find asylum in Europe. Nevertheless, the destination actually did not matter as long as they could leave the country. Thus, it may not be proper to state that the respondents had preference on Europe. It is important to remember the nature of asylum migration is different from other types of migration which often accompany specific destination preference. The following statement would precisely support this point.

Researcher: Do you think your husband found refuge in Korea because he could not go to Europe?

#1: He didn't leave Congo to go to Europe. (...) After the problem occurred, a way to come to Korea was presented to him. That's the reason why he came here. If the choice given to him had been for Europe, he would have gone to Europe.

4.3.3. Asia

All respondents stated that they had never imagined themselves living in South Korea or even in Asia one day. As a respondent said, Congolese people “usually don’t choose Asian country” to migrate. According to statistics, less than 0.5% of Congolese migrants headed for Asia (Flahaux, Beauchemin and Schoumaker 2010). This may illustrate that the Congolese people did not have much linkage and information on Asia.

China may be an exceptional case, in that it has strong political and economic relations with DR Congo compared to other Asian countries. Since 1970s, DR Congo has built friendship with China, from which both took advantage of the balance of power under the cold war. Beijing provided Zaire with economic aid, partial relief from the massive debt burden, military equipment and training, joint development project, etc (Library of Congress 1994). In addition, China actively took part in Congolese market and resource development. Due to the favorable relations, migration occurred frequently between DR Congo and China.

Two respondents initially headed for China as their asylum destination, while another respondent went there as a way of entering South Korea. Due to the linkage between the two countries, it was not difficult to obtain Chinese visa. However, none of the respondents considered China to be a good asylum for long-term sojourn. Firstly, according to the expression of some respondents, “there are no human rights in China.” As human rights were not protected sufficiently due to the authoritarian regime, they could not apply for refugee status in China. Secondly, the close political relations between DR Congo and China made respondents worried about repatriation. They tried to avoid receiving remittance from their family in DR Congo, worrying that the Congolese government could trace where they were in China. Havinga and Böcker (1999) also pointed out such close political links make refugees afraid to ask for refugee status in the country of destination. Thirdly, there was no job in China, which made it difficult for them to make a living. Considering that even the local people were suffering from unemployment, it was hard for refugees to acquire jobs. Thus, although it was easy to arrive in China, the respondents did not feel safe and it was not sustainable to live in the country as a refugee.

Thailand and Vietnam were considered to be similar to China. According to my respondents, it was not difficult to get visa from Thailand, as many Congolese did their business in Thailand. They buy goods from Thailand and sell them in Congo. According to a respondent who stayed in Thailand for two month to find ways to reach South Korea, Thailand was a good country for travel, but there were not enough jobs either. The perception on Thailand also illustrates the importance of jobs for refugees to sustain a living in a country of potential asylum. In the case of Vietnam, I happened to ask a respondent whether Vietnam could have been his asylum destination, as he said he did not have any preference on his asylum destination. The following statement illustrates how important democracy and liberty were to a refugee looking for protection.

No. I won't go to Vietnam. (...) I can't go to a country without democracy. (...) I can't go to Vietnam. It's not a country of liberty. (#8)

In terms of South Korea, most of respondents learned about Korea during the geography class when they were students. It was mostly about the Korean War and the division of North and South Korea. However, the perceptions on South Korea could be categorized into two groups. One group had the image of a war-torn country after the Korean War in 1950s, while another group had the image of modernized country. The former responded that they did not have any specific perception on South Korea other than what they had learned at school. Their images were that of war and poverty. Some of them thought DR Congo was economically more developed than South Korea. A respondent stated that Korean cars such as Pony or Stellar¹¹ were sold in Congo when he was young and that they were considered to be low-grade products. Another respondent stated that, even in the early 2000s, Korean mobile phones were not popular to Congolese people. For these reasons, a respondent was “disappointed” at first when she came to know that her asylum destination was South Korea.

Another group of people knew South Korea as a modernized country before they arrived in South Korea. Firstly, some of them watched the 2002 Korea-Japan world cup. According to a respondent, “The world cup is held in developed country, because it is difficult to organize such a big international event.” Secondly, other respondents said they had known Yong-gi Cho, a famous Korean pastor in Yoido Full Gospel Church which is one of the biggest churches in the world. Some of my respondents watched the worship

¹¹ Both are automobiles produced by South Korean automobile company, Hyundai. Pony was produced between the year of 1975 and 1990, while Stellar was produced between 1983 and 1997.

led by pastor Cho on television. Thirdly, in the case of another respondent, he had a Korean acquaintance in his workplace. He knew that South Korea was a democratic country and that freedom of opinion was protected in South Korea. Lastly, in the case of a respondent who remigrated from China, which was his initial asylum destination, he thought South Korea would offer better opportunities to work. His helper had remitted expenses of living for several years, which, however, was a great burden to the family back at home. He heard there were jobs in South Korea. People in China told him that “You can earn 100 dollars in Korea, as long as your work is worth 100 dollars.” For him, the image of South Korea was a country where people can have job and work. However, he did not plan to stay in Korea for long time. He planned to earn enough money in South Korea to remigrate and to find asylum in other countries.

Whether the respondents knew South Korea was a modernized country or not, all of the respondents did not have detailed information about South Korea, Korea’s asylum system, and related policies before they arrived in the country. All of them had only vague image of South Korea, either an Asian country of poverty or a modernized country with economic development.

How could we explain the fact that some respondents decided to migrate to South Korea despite the negative image, such as poverty and war, especially in the case of refugees who did not have any migration network in South Korea? Despite the negative image, South Korea seems to have considered safer, at least, than DR Congo and other African counties. This may also illustrate the nature of their asylum migration. They did not have many options for asylum destination and left to be protected if possible. Another explanation may be possible when reminding of the fact that, for the vast majority of my respondents, their helpers organized the asylum migration instead of the refugees themselves. Although it cannot be verified in this research, it may be possible that their helpers may have perceived South Korea as a country safe enough to be an

asylum. The helpers did not apply for visa for all the countries in the world, but selected several countries. European and North American countries were prioritized along with other potential countries of asylum. South Korea was also included in the wish list for the potential migration destination. At least, it may be true that the helpers considered South Korea better than other numerous countries where they did not apply for visa.

4.4. Exclusions

The previous sections illustrated how the asylum destination was decided. In the case of respondents who had been direct target of persecution, South Korean government was the first to issue the visa. In the case of respondents who had been indirect target of persecution, they wanted to find asylum in South Korea where their spouses were. When asked of the fundamental reasons as to why they arrived in South Korea, most of the respondents said “I happened to arrive in Korea”, “I didn’t have choice” or “It was the will of God.”

As Robinson and Segrott points out (2002), asylum seekers are not “passive victims propelled around the world by external forces.” However, seen from the case of my respondents, I cannot fully agree to conceptualize asylum seekers “as active agents who search out both information and contacts and change, circumvent, and create institutions in order to achieve desired goals (Robinson and Segrott 2002).” Refugees are active agents. However, there are exclusionary institutions which the active agents could not avoid. The active agents cannot change certain structures. They had to make choices under the structural restrictions.

Most of my respondents did not seem to recognize explicitly the exclusionary structures which may have led them to make a certain choice. However, some of their comments and perceptions were insightful enough to lead me to analyze the exclusionary structures which had influenced the decision-making on asylum.

4.4.1. EU's restrictive visa policy

All of the respondents who had been direct target found their asylum in South Korea, because “South Korea was the first to issue the visa.” This means that other countries took longer time to issue visa, or refused to issue the visa.

They [his helpers] tried (to get visa) in other embassies. While other embassies made us keep waiting and waiting, the Korean embassy responded first. (#6)

As illustrated in the previous section, the Congolese people felt close to Europe for diverse reasons. Although they did not have any special preference on specific European countries, most of them applied for visa for various European countries. It may be natural for them to apply for visa for European countries, considering their historical, cultural, geographical, political and economic proximity to Europe. However, according to a respondent, “it has become difficult to find asylum in Europe.”

I didn't meet those people [brokers]. But if you want to go to Europe, you really need to go see those people [brokers]... because you're in Africa, for example, in Congo. (#3)

Prior researches (Gibney and Hanson 2003; El-Enany 2008; Kernerman 2008; Hyndman and Mountz 2008) revealed the widespread practice of *neo-refoulement*. The experiences and perceptions of my respondent reflect the exclusionary regime in the countries of potential asylum as well. Pirjola (2009) points out that, among several filters that asylum seekers have to pass through in order to find asylum in Europe, the first filter is to get accessed to the territory of EU. It seems that most of my respondents were not

able to pass through the first filter. Under the restrictive structural forces, the role of accessibility seems to have been crucial in actual asylum destination choice.

The more acute the situation, the less anticipated the flight, the less information on possible options, the less money available, the fewer the options – the greater the role played by accessibility. (Havinga and Böcker 1999)

While the factors suggested by prior researches to affect asylum migration (for instance, geographical distance, colonial bonds and language) did not have considerable explanatory power in the case of Congolese refugees in South Korea, the exclusions from European states and the accessibility of South Korea seem to explain the asylum migration of the respondents. It may be important to note that the refugees did not have special preference on particular country, but wanted to flee from persecution and to find asylum in safe place. The EU's restrictive visa policy exerted invisible exclusions and reduced the number of possible options that refugees could take. It was under the restrictive structures that the respondents decided their country of potential asylum.

4.4.2. South Korea's entry restrictions

Not only European countries, but also South Korea imposed exclusory restrictions to the refugees. The entry restriction is fatal to refugees, in that the article 76-2 (Recognition of Refugees) of the Immigration Control Act stipulates that “a foreigner staying in the Republic of Korea” can request recognition of refugee status. Without entering the territory of South Korea, asylum seekers cannot apply for refugee status to South Korean government.

Although my respondents eventually succeeded to avoid the restrictions, the exclusions from South Korea also need to be analyzed. It will help us to fully understand

the asylum migration of the respondents, as they could not have entered South Korea without overcoming the entry restriction.

Visa restriction occurred from South Korea as well. The restrictions mostly aim to control the number of immigrant workers. This, however, have hindered refugees from entering South Korea as well. This was especially true for the respondents who aimed to escape to South Korea where their spouses had found asylum. For instance, after explaining how difficult it was to receive visa from European country, a respondent added, “Even Korean visa was difficult to get.”

When you're looking for the visa from South Korea, they [the South Korean government] think you want to work in Korea. It was hard to get Korean visa. (#3)

Most of respondents applied for so-called tourist visa (C-3 visa for short-term sojourn) to enter South Korea. Many of them do not know exactly how they obtained the visa, as their helper prepared the procedures. There must have been ways to circumvent the restrictions. For instance, a respondent initially headed for China, enrolled a college in China, and received the visa, claiming that she would like to spend her vacation in South Korea. Although it is not clear how all the helpers found ways to make the visa issued, the respondents were able to obtain the visa. They could leave for South Korea.

However, possessing a South Korean visa did not guarantee the entry to the country. Article 7-2 (Prohibition of False Invitation, etc.) of the Immigration Control Act prohibits the invitation of a foreigner “by illegal means such as misrepresenting facts or false identity guarantee” and “the act of falsely applying for a visa.” For instance, if a person who possesses a tourist visa enters South Korea for a certain purpose other than travel, or if an invitee to South Korea does not have any acquaintance with the person who invited him/her, the issued visa is not valid any more. However, all the respondents

came to South Korea to find asylum. Thus, they risked being rejected from the airport. Many respondents worried about the possibilities of being repatriated.

I was told that I could be rejected at Incheon airport. I was afraid. People there would ask me lots of questions. After spending all those money to buy [flight] tickets, you cannot enter the country, because your visa is not valid. Even Korea, it was difficult [to enter]. (#3)

Although the immigration at the airport are to verify whether all passengers have rightfully applied for the visa, such controls seem to be especially strict to “black people from Africa,” according to my respondents. Two of the respondents actually had problems at the airport. They were asked to answer several questions in detail, such as the purpose of the visit and the relationship with the person who made the invitation. In the case of a female respondent, she had to stay in the departure waiting room¹² in the airport for several hours. The officers tried to contact the person who invited her, but the person did not answer the phone. She cried out of desperation for several hours. However she was lucky to be released from the waiting room and allowed to enter the territory of South Korea. In another case of a male respondent, his helper did not inform him of what to do at the airport. When asked about the purpose of his visit, he honestly explained the circumstances he was in. He said he would like to take asylum in South Korea. However,

¹² Although the European Court of Human Rights stated that the notion of international zone is a legal fiction, the departure waiting room have been claimed to be the international zone by the government of South Korea. For this reason, asylum seekers have not been able to apply for refugee status at the airport, especially when their entry to the territory of South Korea was rejected. The recently established Refugee Act, which would be enforced on 1 July 2013, stipulates that asylum seekers can apply for refugee status in airport (Kim 2012).

he was treated as a person who falsely applied for a visa. His entry to South Korea was rejected. He was sent back to DR Congo. A Korean officer followed him to Dubai, which was the country of transit on his way back to DR Congo. For this reason, his helper reorganized the escape from DR Congo and he was lucky to succeed in entering South Korea at his second attempt, although he risked being repatriated once again due to the record of his first attempt.

The experiences of my respondents illustrate how South Korean government restricted the entry of refugees. Both issue of visa and control at the airport could have hindered the respondents from taking asylum in South Korea. Fortunately, they succeeded in entering South Korea, which eventually gave considerable influence on their “choice” of asylum.

5. Ongoing consideration on asylum

In general, the decision-making on asylum migration has been considered to end when refugees arrive in the country of potential asylum or the asylum migration destination. However, from the perspective of refugees, it may not be true. Rejected asylum seekers have to leave the country despite their wish to remain in the country, as the government refuses to grant them refugee status. In other cases, as a human being seeking for better life, some asylum seekers and recognized refugees could want to remigrate from their initial asylum destination, especially if the country of asylum is exclusionary to them and when their prospects are dim. The wish to stay and the wish to remigrate are intertwined to one another. Most of my respondents had the wish to stay and/or the wish to remigrate, according to the situations they were in. Their wish could change into another, as time goes by and as their experiences change.

This chapter analyzes the refugees' wish to stay in South Korea and their wish to remigrate from South Korea. It illustrates that their decision-making and consideration on asylum are not over. As a human being, the refugees experience both advantages and disadvantages of their asylum. The experiences result in either the wish to stay or the wish to remigrate. However, seen from their own and others' experiences, the refugees are aware of that fact that such wishes have hardly been realized. Their wishes are barely fulfilled, as the governments of asylum control the mobility and/or immobility of refugees depending on the circumstances.

5.1. Wish to stay for survival

5.1.1. South Korea as safe asylum

As the fear of persecution motivated the asylum migration, many respondents said they felt relief when their plane took off. They expected to be protected in safe country. Many

respondents had thought democratic countries would protect human rights, including those of refugees.

All respondents highly appreciated the security and safety in South Korea. This may be especially true compared to the situation of DR Congo. Due to the autocratic regime, interventions from neighboring countries, retaliatory genocides and civil wars, innumerable people have been killed in DR Congo.

One thing I like the most in Korea... is that people are not killed. People are killed in Congo every single day. (#8)

More than 8 million Congolese were killed. People are killed every day. (#7)

In addition to the circumstances, the respondents were chased after by their government which is supposed to protect its citizens. This may have made the respondents feel safe in South Korea after their depart from DR Congo, not to mention the fact that South Korea ranks the 6th in terms of safety among the OECD countries (OECD Better Life Index 2012). A respondent also stated that Korean police detect criminals efficiently and there are many CCTVs to protect citizen, whereas in DR Congo, “Even when people are killed, the murderers are not found, thus, not punished.”

Most of respondents formed their family in South Korea, either by reunion with their spouse or by marriage with another Congolese refugee in South Korea. They gave birth to their children in South Korea. The children are stateless, as the refugees cannot take risk of going to their embassy for birth registration and as South Korea adopts the *jus sanguinis*. However, the way their children think and behave are not considerably different from other Korean children, as they were born and raised in South Korea (Park 2008). My respondents who are single also have lived in South Korea for more than 5

years. It may be proper to say the Congolese refugees have already settled down in South Korea. Thus, it may be natural that they wish to remain in South Korea.

All respondents agreed that South Korea is a safe asylum. Their survival is guaranteed in South Korea as they wished when they escaped from the persecution. In addition, regardless of refugee status, they have settled down in South Korea during the long years of protracted refugee determination process. For these reasons, they want to stay in South Korea until the day when it becomes safe for them to return to DR Congo. Seen from the current circumstances in DR Congo, neither do they want to leave South Korea as of now, nor do they want to remigrate to another country of asylum by bearing additional efforts, cost of relocation and another uncertainty which they had to undergo during their early days in South Korea.

5.1.2. Exclusion from South Korea

Despite the will and wish to stay in South Korea, all respondents had to face exclusion from South Korean government. While some were fortunate to overcome it, others were forced to leave South Korea after the government finally decided not to grant refugee status to them. Asylum system of South Korea has long been criticized for its protracted refugee determination process (Woo 2004). The protracted determination process and low recognition rates lead refugees not to find asylum in South Korea.

The asylum system in Korea is designed not to have refugees in Korea... not to have many refugees in Korea. If you observe how the government applies the system to refugees, you'll see the objective is to discourage refugees from applying for refugee status in Korea. (#5)

The situation of South Korea in regard to the refugee recognition has frustrated

most of refugees. Some of the respondents lived as undocumented immigrant when their visas had expired in their early days in South Korea, because many people (especially asylum seekers) they met in Korea gave advice that “It is of no use applying for the refugee status in South Korea.” The advice may not have been exaggerated considering the refugee recognition trends in the early 2000s which is shown in the table below.

Table 4- Refugee recognition trends in South Korea

Year \ Applications	Result of concluded examinations			
	Refugee status	Humanitarian status	Rejected	Withdrawal
Total	3,926	260	144	1,854
1994-2000	96	-	-	35
2001	37	1	-	3
2002	34	1	8	7
2003	84	12	5	5
2004	148	18	1	7
2005	410	9	13	79
2006	278	11	13	114
2007	717	13	9	86
2008	364	36	14	79
2009	324	70	22	994
2010	423	47	38	168
2011	1,011	42	21	277

* 1,022 asylum seekers are under examination
 (Source: Ministry of Justice 2012a)

Moreover, it has generally taken 1-3 years and often more than 4-5 years for an asylum seeker to get the result of refugee recognition in South Korea (Woo 2004, PNAN 2011). Despite the protracted recognition process, the refugee recognition rates are only 9% as of the end of 2011 (Ministry of Justice 2012a). If the government refuses to grant refugee status, the asylum seeker can file an administrative litigation which could go through three courts. However, even after all the procedures, only few asylum seekers are

recognized to be refugee, while others become so-called failed asylum seekers. The latter receives the exit order from the government. Despite their will to take refuge in South Korea, they cannot stay in South Korea any longer.

The determination process protracts too much. It takes far too much time. (...) It took 10 years [after his arrival in South Korea] for me to be recognized as refugee. For #10, it took 9 years and he got rejected. (#9)

According to respondents, Korean government does not directly force failed asylum seekers to leave the country. In few cases with humanitarian reasons, the government allows failed asylum seekers to remain in South Korea until they could leave for the country they want to head for (Woo 2004). However, in reality, it is difficult for the failed asylum seekers to get visas from another country, as the majority of developed countries try to avoid receiving refugees. For this reason, most of rejected asylum seekers with the exit order stay in South Korea as undocumented immigrant. They always have to bear the risk of being repatriated, especially when the police clamps down on “illegal immigrants.” One of my respondents, who became rejected asylum seeker, rarely goes out of his house, let alone work to earn a living for his family. It would be the worst situation for him to leave his family in South Korea and to be repatriated as “illegal immigrant” for he still has possibilities of being persecuted in DR Congo.

I think maybe they [the government] want to see people die here. Maybe they want to see people commit suicide here. Then, they would accept “Ok! That person said the truth [that she is a refugee].” That’s what comes into my mind. Would they admit I was telling the truth, if I commit suicide? [She burst out crying] (#2)

Despite the wish to stay in South Korea, rejected asylum-seekers are not allowed to stay in Korea. Asylum seekers interviewed for this research also feared that they might finally end up becoming rejected asylum seekers after all the recognition procedures.

Not only the protracted determination process and low recognition rates, but also the lack of right to work brings in the exclusion of refugees from South Korea. Asylum seekers do not have right to work in South Korea.¹³ However, as the government does not provide anything to asylum seekers either, they need to work in order to earn a living. Unlike immigrant workers who make remittance to their family in their homeland, asylum seekers work in order to be self-supporting in South Korea. Their family in DR Congo could not afford to remit expenses of living for several years. For these reasons, most of asylum-seekers worked in factories as manual worker, although the law prohibited them from working in South Korea.

#3: The immigration office received our application form [for recognition of refugee status] and gave us only a piece of paper [the proof of application for refugee status], saying that my husband should not work, because he does not have the right to work.

¹³ Since the 6th June 2009, an applicant may be allowed to engage in wage-earning employment, if his/her refugee status has not been determined within a year after the date on which the refugee application was received. In order to apply for the permission to work, the applicant should submit to the government the employment contract and a copy of business license in advance. In addition, the permission to work is to be renewed every 3 months (Ministry of Justice 2012b). These conditions imply that it is almost impossible for asylum seekers to be employed legally. Although the article 40 (2) of Refugee Act (proclaimed 10 February 2012, enforced 1 July 2013) states that "(...) the Minister of Justice may permit a refugee status applicant to engage in wage-earning employment six months after the date on which the refugee application was received", it may be hard to expect changes on the asylum seekers' right to work.

Researcher: So didn't he work?

#3: Despite the law, he worked. He had to pay the rent for house... we had to eat.. I was pregnant... so... all those things... he was obligated to work. Although he was prohibited to work, he was obligated to work. We had to survive.

The problem arises when they are caught during clampdown on undocumented immigrant workers. Even though they are asylum seekers who applied for refugee status, they are treated as “illegal immigrant workers.” They have to pay a huge amount of fine to be released from detention. Otherwise, they would be repatriated as undocumented immigrant workers. Consequently, as “illegal immigrant worker,” the refugees are sent back to their country of persecution, which is *de facto* violation against the principle of non-refoulement.

One of my respondents said her spouse was caught as undocumented immigrant worker, when he was an asylum seeker. He was detained and the government fined him 10 million won (approximately 100 thousand dollars). Not being able to pay the fine, he was kept detained in an Immigration Processing Center for a long time. He was to be repatriated if the government refused to grant him refugee status. Fortunately, after 6 months of detention, he was recognized as refugee and the minister of Justice decided to release him. It was very rare and lucky case.

Another respondent remembers two rejected asylum seekers who had been repatriated as undocumented immigrant workers. One was sent to prison after being repatriated to DR Congo. Another person could avoid imprisonment. However, as the persecutors were chasing after him, the person had to change residence within Congo. The person even contacted the respondent’s spouse to ask for money to escape from Congo again.

Likewise, despite the refugees’ will and wish to take asylum in South Korea,

there were considerable barriers which hindered them from staying in South Korea. Protracted refugee determination process, low refugee recognition rates and the lack of right to work along with the regulation on undocumented immigrants control the immobility of refugees. Asylum seekers and rejected asylum seekers were found to be the most vulnerable within the system of exclusion. It is also noteworthy that all recognized refugees experienced the exclusions from the government as asylum seeker.

5.1.3. Perception on destinations of potential forced remigration

The South Korean government gives the exit order to the rejected asylum seekers. However, rejected asylum seekers stated “There’s no place to go,” illustrating that none of the countries in the world are willing to welcome refugees. One of the rejected asylum seekers was looking for the ways to apply for refugee visa for Australia or Canada. According to what she had searched, Australia and Canada were the only countries issuing refugee visa to asylum seekers who had left their homeland. As she could not stay legitimately in South Korea nor head for DR Congo, these countries are the only hopes left for her. She, however, did not seem to be positive on the chances of receiving the visa.

In general, when rejected asylum seekers have to leave from South Korea, the only destination they could have to head for is DR Congo. However, as the situation of DR Congo has not changed much since their escape, it is still dangerous for them to go back to their homeland as of now. They still have the fear of persecution.

If you are rejected, you fall into very difficult... illegitimate situation. You don't have any place to go. Can you understand? You don't have place to go. When Korea says "Leave here," it means "Return home." But, because of the problems back at home, we cannot return. You have problems [in Congo], you don't have ID here, and the

government suggests the only solution is to go back to the place where you were cornered, the place where you will be harmed, the place where you will be killed. It's difficult. I don't know whether you can imagine it. You have family, you have children... and you're told to return home where they [the persecutors] chased after me, where they tried to kill me... (#9)

It fact, it seems reasonable for them to have the fear of persecution. One of my respondents who had failed to enter South Korea at his first attempt had to suffer persecution when he was sent back to DR Congo. His wife was raped in front of him as well. According to Justice First (2011) which traced the experience of 9 children and 15 adult returnees from the United Kingdom to DR Congo, “13 returnees were subjected to some degree to interrogation, arrest, imprisonment, verbal, physical and sexual abuse, rape and torture.” “6 children were imprisoned for periods between 2 day and up to three months,” “6 returnees are known to have been forced to flee the DRC and 5 have been forced to move location due to fears for the safety of the returnee or family members and friends and 7 are known to remain in hiding (...) as they fear for their safety.”

Although none of the respondents considered DR Congo as their potential asylum destination, DR Congo is suggested as the only possible option by Korean government. As South Korea signed for the Refugee Convention, even UNHCR “cannot do anything,” according to my respondents, for the refugees who are forced to leave South Korea. Thus, if refugees are forced to leave South Korea against their will to take refuge in South Korea, they do not have any other choice but to return to DR Congo. Of course, rejected asylum seekers, including my respondents, do not choose voluntarily to go back to DR Congo by themselves. They usually “choose” to stay in South Korea as “illegal immigrants” as long as possible. Some of them were looking for ways to get refugee visas from Australia or Canada, although they knew the chances are slim. Without

an abrupt and lucky change of circumstances, they would be able to stay in South Korea until they are caught as “illegal immigrant” and repatriated.

5.2. Wish to remigrate for life, if chances were given

The wish to stay and the exclusions illustrated above are deeply related to the wish to remigrate. According to most of my respondents, not to distinguish asylum seekers and recognized refugees, they partly have the wish to leave to another country. It seems that the wish to stay and the wish to remigrate coexist as two sides of a coin. Both wishes are not bipolar, but they are on a bipolar spectrum and it is hard to separate one from another. Sometimes, the wish to remigrate is greater than the wish to stay, or vice versa. The wish to remigrate grows especially bigger when their wish to stay is turned down. Having a wish to remigrate does not necessarily result in actual remigration, as most of them do not have ways to leave to countries other than DR Congo. However, it seems important to recognize their wish to remigrate, as their desire has long been neglected in refugee policies and studies.

Rejected asylum seekers with exit order also have the wish to remigrate, although they are well aware of the bare possibility very well. The majority of countries of potential asylum do not allow them to enter their territory. South Korea is the only safe asylum the rejected asylum seekers could have, even though they are legally not allowed to remain in the country any longer. For this reason, the rejected asylum seekers show stronger wish to stay in South Korea. Thus, regarding the wish to remigrate, I categorized the experiences of respondents into two groups. One is the wish to remigrate shown from asylum seekers whose claim for refugee status has not been determined, another is that shown from recognized refugees. It should be reminded once again that these people are not so-called cherry pickers who seek for the benefits offered by the government of asylum. They wish to remigrate, because they cannot find hope in South Korea. As

human being, refugees also want to pursue better life.

5.2.1. Wasted life of asylum seekers

The current and former asylum seekers expressed their wish to remigrate from South Korea. In some cases, especially in the early 2000s, respondents hesitated to apply for refugee status in South Korea and tried to find ways to take refuge in another country. They were told that South Korea barely recognized refugees. In other cases, respondents applied for refugee status, not knowing the government was exclusionary to refugees. The rest of respondents claimed refuge as soon as they arrived in South Korea, as they knew they have to apply for it in order to stay as asylum seeker. However, during the protracted determination process, they all wished to head for another country from time to time. It is important to remember that they began to have the wish to remigrate after they realized how difficult it was to be granted refugee status in South Korea.

Although the Congolese refugees in South Korea have had relatively high recognition rates (22%) compared to the average (9%) (Ministry of Justice 2012a), it may not be high in absolute term. The Congolese refugees have the total recognition rates of 61% which is the 5th highest in the world, while the global average recognition rate is 39% (UNHCR 2010). The low refugee recognition rates refer to the high possibility of rejection, which will eventually result in de facto repatriation. As it takes 1-3 years on average and more than 4-5 years in many cases to determine refugee status in South Korea (Woo 2004, PNAN 2011), refugees are constantly under instability and uncertainty for such a long time until the final determination is made. If one's claim for refugee status is rejected even after the administrative litigations, it could be said that the person have waited for such a long time eventually to be repatriated. Considering the high chances of becoming rejected asylum seekers in South Korea, it may as well be natural that asylum seekers wish to migrate to another country of asylum. According to a respondent who

chose to take refuge in South Korea and had thought that democratic country would protect his human rights:

If I had known (asylum system of South Korea) in Congo, I wouldn't have come to Korea. I learned it after I came here. If I had known it, I wouldn't have come here to waste my time for nothing. I can assure you. Living in Korea as a refugee... is wasting your time for nothing, making your time inutile. (#8)

In addition to the protracted determination process and low recognition rates, the lack of financial support on asylum seekers made their life tougher. According to some respondent, they did not receive even “100 won (10 cent) (#7)” or “a grain of rice (#5)” from Korean government. Most of respondents did not have enough money to settle in South Korea, because they had to escape from DR Congo as soon as possible without sufficient preparation and their family could not afford to send remittance continuously. However, the Korean government does not grant either right to work or assistance to the asylum seekers.

People who came to Korea as refugee... they don't receive money, food, house from the government. Nothing. The government doesn't do anything. For them, giving a visa to a person [permitting asylum seekers to stay in Korea until the procedures end], permitting sojourn does not mean giving life. They [the government] allow you to stay, but they don't give you life. (#8)

The situation forces the asylum seekers to work “illegally.” Although highly educated, male asylum seekers could find their jobs only in factories. Some female asylum seekers also worked in factories, especially when they needed more expenses for

living after their children were born. Due to their status as asylum seekers, it was not easy to find stable jobs. Many employers abused the fact that asylum seekers do not have right to work, discriminating their wages from those of other immigrant workers. The repetitive physical labor in factory was hard. The working hours in South Korea were twice as much as that of Congo. Night shift was especially tough to adapt to.

Moreover, many asylum seekers were frustrated to feel themselves “inutile” in the society. Most of them could not have opportunities to be educated. The only education they could receive was Korean language class offered by NGOs helping refugees or churches wishing to propagate the religion. They could not continue their study and had to work “illegally” in factories to earn their living. The asylum seekers did not have time or experiences to develop their lives. They had to endure the long years only to be granted the right to stay and few social benefits. Thus, it is not easy for asylum seekers to be satisfied with their lives in South Korea.

For these reasons, at some points of their lives in South Korea, the asylum seekers hoped to remigrate to another country. When they escaped from persecution, they simply wanted to survive. However, their life went on even in the asylum destination. They began to want more than a mere right to life or survival. Their life in South Korea have been tough and uncertain. Moreover, there is no guarantee that they will be granted the refugee status, even when they follow through all procedures. Meanwhile, however, they could not find ways to remigrate to another country. Asylum seekers were free to leave from South Korea, but they did not have any destination to head for. Despite their will to remigrate, other liberal democratic countries or developed countries were not willing to issue visa for asylum seekers. For this reason, the purpose of visa applications needed to be disguised. However, the countries of potential asylum were not fooled easily. Some of the respondents tried but eventually failed to get visas from other countries. Others did not even try because they knew the possibilities were low or because they did

not have sufficient financial resources to organize additional asylum migration. For various reasons, the asylum seekers did not have choice but to stay in South Korea, despite their wish to remigrate.

5.2.2. Bleak future for recognized refugee

Four of my respondents held refugee status. Before the recognition, they had all suffered from desperate and uncertain lives as asylum seekers. As asylum seekers, they sometimes wished to leave South Korea when faced with the exclusions illustrated in the previous section. However, they basically wanted to obtain refugee status and stay in South Korea, as it was the most realistic way to solve diverse problems they had. It took 2 to 7 years for my respondents to receive the refugee status. They finally obtained the right to stay in South Korea as recognized refugee. However, they still had to face difficulties and exclusions which aroused the wish to remigrate. Although they did not actively seek ways to leave South Korea after receiving refugee status, many respondents said they would like to remigrate, “if chances were given.” This aspect is worth noticing, as it has long been neglected when dealing with recognized refugees.

Thanks to the grace of God, all the complicated situations were solved. [The government granted refugee status to her.] I overcame all the things... the obstacles, the hard situations, everything. I said to myself, “Oh, my God! Now it’s over!” But, actually, it wasn’t over. Ha ha ha ha! (She laughed out.) (#3)

Becoming a recognized refugee in South Korea could be ambivalent. From one side, it means that the person is finally granted the refugee status which he/she have longed for. It is especially a great achievement considering the low refugee recognition rates in South Korea. However, from another side, it does not make many changes in their

lives. Recognized refugees receive F-2 visa (a visa for long-term residence) which should be renewed every (maximum) 3 years, whereas they had to renew their G-1 visa as asylum seekers every (maximum) 1 year (Ministry of Justice 2012b). Recognized refugees with G-1 visa are finally granted the right to work. They are eligible for National Health Insurance. Recognized refugees with economic incompetency could apply for Basic Livelihood Security. Those who have child under the age of 5 could apply for support on the expenses for nursery and preschool education. Recognized refugees who wish to travel outside of South Korea can apply for the refugee travel document at local immigration office (Hi Korea 2012). These, however, do not provide considerable benefits to the recognized refugees. Becoming a recognized refugee in South Korea does not make considerable differences in their life.

Even after becoming recognized refugee, life is hard. Most of them do not receive financial supports from the government. It should be reminded that they had to start from zero after their arrival in South Korea as refugee. Many respondents criticized the lack of governmental support for refugees. However, none of the respondents complained about the fact that they need to earn a living by themselves. They were all willing to take responsibility for their lives. However, the problem lies on the fact that the cost of living is too high and the income they could earn is too low.

According to a male respondent, his monthly wage is 1,300,000 won (1,300 dollars) when he can work full time as a blue collar worker.¹⁴ It is, however, noteworthy that the lowest 20% of households in South Korea earn 1,319,600 won and spend

¹⁴ He works alone in his household. It is also worth noticing that he often earns less than 1,300,000 won, because it is difficult to have full-time job. Most of male respondents answered that they make their living with part-time jobs. All female respondents were homemaker bringing up their children, while two of them also worked as part-time English/French teachers occasionally.

1,503,000 won (of which the consumption expenditures are 1,237,900 won and the non-living expenditures are 265,100 won) every month as of the third-quarter of 2012. In addition, note that the average household income is 4,142,000 won, while the average household expenditure in the same period was 2,467,000 won according to Statistics Korea (통계청 2012). These figures make us understand the economic difficulties which refugees may have in their lives in South Korea. The bigger problem is that it is hard to get full time job even in factories. Many respondents worked in factory as part-time worker. They sometimes did not even have the irregular jobs. Although they had the right to work in South Korea, they could not find jobs mostly due to racial discrimination. The employers had prejudice that “black people or Africans are lazy” compared to Asian immigrants workers. This prejudice made it harder for the respondents to have stable jobs. It also creates racial discrimination at workplace, such as attitude of other workers toward them or income discrimination.

If someone said “Come here,” then I would like to leave Korea. Even today... even today... although we’re recognized refugees, but... I don’t know... We don’t have jobs. My husband sometimes works part-time. I don’t work. We can’t earn a living. When we ask for help, we’re told to work. Sometimes, I look for jobs. Only Chinese are employed, or the Uzbeks. It’s because of the skin color. The blacks are marginalized. (...) We moved to find jobs. People told us there are works in this town. (#7)

The physical labors in factories are often dangerous and require much physical strength. Many respondents are worried that they could not do the physical labor when they would age more. However, according to them, the physical labor in factory is and would be the only work they can do in South Korea despite their educational level, due to racial discriminations.

The respondents were also worried about their integration into the Korean society, especially regarding the future of their children. As many Koreans consider themselves to be racially homogeneous, the recognized refugees and their children have great difficulties in being integrated in Korean society. It has been 9 years on average since my respondents holding refugee status arrived in South Korea. However, they have only few Korean friends. Even their children do not have Korean friends coming to their place to play with them. They were constantly exposed to racial discrimination. Many respondents stated they felt racial discrimination in their everyday lives. According to them, there were some people in public transportation who moved to another seat because of their “smell,” or approached them and shook hands to touch their skin. In some cases, they were told to “stop earning money in Korea and go back home.” A few respondents experienced verbal violence or mockeries such as “you look like gorilla.” One of my respondents stated that, as a grown-up, she could bear with such discriminations. However, she thinks such violence is too harsh for her children. Her children were born and raised in South Korea. Although they are stateless in terms of legal nationality, their mindset and behavior are similar to that of Korean children, as it is often the case to the 2nd generation of immigrants. Nevertheless, as long as the mindset of Koreans does not change, the respondents cannot expect bright future for their children.

Imagine my kids go to Seoul National University, major in medicine and become a doctor. If nothing changes in Korea, none of Koreans will be willing to have surgery from a doctor whose skin is black. As long as the mindset of Koreans does not change, even if my children receive high level of education, they couldn't find work elsewhere but in factories. (...) Of course, there are discriminations and people who don't like foreigners everywhere. (...) But I wouldn't refuse to leave (South Korea) for my kids (if chances were given). (#4)

In addition to the racial discrimination, the respondents feel humiliated to be “refugee” in South Korea. According to them, Koreans tend to look down on refugees. Many Koreans think of refugees as poor people who escaped from hunger and poverty. A respondent stated that people treat refugee as lower class, based on the image on “hungry refugees from poor Africa.” She also felt as if she had a label on her face telling that she is a refugee. Wherever she goes, people treat her as refugee, not as a human being. Her potential and capacity as human being were often ignored. This is another factor which makes it harder for recognized refugees to be integrated into Korean society.

It cannot be denied that the recognized refugees feel safe from persecution in South Korea. In terms of safety for survival, the respondents were satisfied with their asylum. However, the recognized refugees also have the wish to leave the country, despite their right to stay in South Korea. In terms of life beyond survival, South Korea does not seem to be a good asylum for refugees. Diverse difficulties and discrimination in their lives in South Korea led to hope for remigration. It is true that they did not actively find ways to leave South Korea. It is, however, noteworthy that they would like to remigrate if chances were given. This is against the general perception that asylum seekers would be satisfied to obtain refugee status in their asylum destination. This wish to remigrate is not to be interpreted as that of cherry pickers. As a human being, it may as well be natural to want to avoid bleak future and to pursue a better life.

5.2.3. Perception on destinations of potential remigration

Along with the wish to remigrate, the respondents’ perception on potential destinations changed after their arrival in South Korea. It is deeply related to the experience they had in their asylum. Although they did not try to leave and/or were eventually not able to leave, the changes on perception will lead us to understand their

wish to remigrate more precisely.

Although DR Congo is obviously the most feasible and the only destination they could head for, no one considered their homeland to be their remigration destination. All respondents still had deeply rooted fear of persecution. However, many respondents showed their wish to go back to DR Congo eventually. According to a respondent, “there is no place like home.” Many respondents states that they will go back to DR Congo, if the autocracy and violence are fixed in the country.

During the interview, many respondents commented on Europe. They criticized asylum system of South Korea, comparing it to that of European countries. Western European countries, such as Belgium, France and Netherland were the most referred to. As illustrated in the previous section, they had not known about asylum system of European countries when they initially chose their asylum destination. However, as time went by and as they lived as refugees, they learned it over the Internet and heard it from their acquaintances who settled in Europe. Many respondents perceived asylum systems of Europe as better, although they did not know the specific details or policies. They said that asylum seekers receive refugee status faster and more easily in Europe and that the governments provide refugees with diverse supports such as housing and settlement funds. In addition, the respondents perceived that there are less discrimination against black people and refugees in Europe. They also emphasized that Congolese cultures were influenced considerably by European culture. A respondent would like to join the country mates in Europe who were fighting against the autocratic regime of DR Congo. Some respondents stated that their family or friends lived in Europe. However, most of the respondents stated “it’s hard to go to Europe.”

Australia and Canada seem to have an image of multicultural and inclusive society. Some of the respondents stated that these countries “need people.” They think foreigners are more welcome in Australia and Canada than in South Korea and the

integration is easier as well. For these reasons, some respondents highly appreciated these countries, especially when considering the future of their children.

Asian countries were not mentioned at all as potential remigration destination. When asked about remigration to another Asian country, a recognized refugee laughed out and said, “Then it’s the same. Asia is very different from Africa. The culture matters. We have been influenced from occidental culture, not Asian culture. So we’re very different.”

Likewise, the respondents’ perception on potential destinations has changed compared to the moment they left from DR Congo. The information they get from the Internet, documentaries from television, refugees they met in South Korea, other immigrants/refugees living abroad seem to have changed their perception on potential destinations. The changed perception illustrates that their experience in South Korea has led them to wish for better life in another country.

5.2.4. Exclusion from potential remigration destinations

Despite the wish to remigrate, the respondents could not leave South Korea. The expensive cost of remigration restricted the refugees. For instance, a round-trip flight ticket from South Korea to France costs approximately 1,200,000 won (1,200 dollars) as of 2012. The cost for relocation increases even more, if the family remigrates together. However, if it were only the money which restricted the remigration, many refugees would have tried to save the travel expenses and left South Korea.

In fact, it is visa that makes the remigration almost impossible. Since the introduction of the Schengen framework, EU visa policy has aimed to prevent refugees from reaching Europe (El-Enany 2008). The exclusory visa regime indirectly forced refugees to stay immobile in their initial asylum destination. All respondents knew there was no way to find asylum in Europe or North America.

As diverse prior researches have rightly observed, the countries where refugees wish to remigrate rarely issue visa to refugees. This was illustrated several times from various respondents. An asylum seeker stated that unstable status of asylum seeker makes it difficult to get visa.

As we don't have ID here [in South Korea], it's hard to go to Europe. Even if someone living in Europe sends you an invitation, the government will refuse to issue visa. (#1)

However, some asylum seeker succeeded to remigrate to European countries. Instead of regular visas, they chose to request Airport Transit Visas. For instance, according to my respondent, an asylum seeker in South Korea bought a flight ticket heading for DR Congo. He received an Airport Transit Visas from Netherland. While he was supposed to wait in Netherland for his next plane scheduled to depart in a few days later, he claimed refugee status in Netherland. Now he is a recognized refugee in Netherland. He was lucky to get the transit visa issued, because he had transited in Netherland on his way to South Korea. As he had transited from Netherland in a way that he had been supposed to, the embassy thought he would transit and head for DR Congo. This, however, does not seem to be a valid method any longer. One of my respondents failed to go to Netherland with the same method. His experience illustrates the exclusions from potential asylum destination countries.

#9: I attempted to leave. I went to the embassy of Netherland [in South Korea], but it was very complicated to leave. It didn't work. They refused it. I asked the transit visa, because they would never give me [other type of] visa as I'm an African. (...) We're African and they know us. They know that we have too much problems in our

country... that we flee from our country...

Researcher: When the embassy refused it, what were the reasons?

#9: That I didn't have enough money to obtain the visa... and we, Africans, when we go there, that's to find refuge there, that kind of things... They knew it already. Aside from me, many Congolese who had been here [in South Korea] went to the country. So... how could I say? It was a circuit which many people passed regularly. But they recognized it and closed it.

Two things should be noted. One is that the Airport Transit Visa itself was initially designed to prevent asylum seekers from arriving in the country; another is that even the transit visa has become more difficult to obtain. According to the European Council on Refugees and Exiles, Airport Transit Visas are used to target countries which produce a number of asylum seekers. The measure prevents individuals from claiming refugee status at airports of transit country. Airport Transit Visas are often introduced in response to an increase in asylum applications by people travelling a given route (European Council on Refugees and Exiles 2012). Since 1996, DR Congo has been included in the EU's list of third countries whose nationals must be in possession of the Airport Transit Visa in the process of transiting flight (EUR-Lex 1996). In addition, it has become even more difficult to obtain the Airport Transit Visa. As many asylum seekers already had remigrated from South Korea to Europe and had claimed refugee status, the European countries seemed to close the passage to prevent additional inflow of asylum seekers. The visa regime of potential destination countries has indirectly forced immobility to refugees, not allowing them to arrive in the territory of potential asylum. Thus, the refugees did not have any choice but to suppress their wish to remigrate.

6. Conclusion

This research has explored how asylum was decided in the case of Congolese refugees in South Korea. The in-depth interview was conducted to understand their decision-making on asylum. This may be significant as the voices of refugees have rarely been heard in South Korea. In addition, while the academics in South Korea have mainly focused on policy and law related to the refugees, this research aimed to trace their decision-making on asylum sociologically in order to understand their asylum migration. The followings are the main findings of the study.

First, the refugees were either direct or indirect target of persecution. The former had to flee from persecution as soon as possible and South Korea was the first country which issued visas to them. The latter were women whose spouse was direct target of persecution. Due to continuous persecutions, they escaped to South Korea where their spouses had found asylum. In both cases, their asylum migration was deeply affected by financial and human resources they have. The more financial resource and human resource (for instance, socially influential colleague or family member) one had, the more facilitated the asylum migration was. It is also noteworthy that most of their asylum migration was organized by their helpers. In regard to the perception on the countries of potential asylum, Africa was perceived not to be safe enough. Those who were direct target of persecution thought their helper would make them head for Europe. In their mind, North America was the second potential destination. They did not imagine living in Asia. It should be reminded that they did not have particular preference on Western countries, but their colonial linkages and linguistic proximity seem to have affected their perception considerably. The restrictive visa policy of the EU (and other liberal democratic countries) and the (relative) accessibility of South Korea may explain the asylum migration of the Congolese refugees to South Korea. However, entry restrictions occurred from South Korea as well. Some stated it was not easy to obtain Korean visa,

while others mentioned the repatriation related to “false invitation.”

Second, as refugees are human beings, consideration on asylum (migration) does not end after arriving in the initial destination of asylum. However, the governments of the countries of asylum tend to control (im)mobility of refugees, treating them as passive subjects. The refugees basically wish to stay in South Korea. This is deeply related to their survival, as they fled their homeland due to the persecution. In addition, during the protracted refugee determination process, refugees have already settled in South Korea. Most of them have their family there as well. However, despite the refugees' wish to stay, South Korea exerts exclusions with its asylum policies. Protracted determination process and low recognition rates exclude refugees from taking asylum in South Korea. In addition, the lack of right to work and the regulation on “illegal immigrant workers” endanger refugees with repatriation. The only possible destination for rejected asylum seekers and deportees is DR Congo. However, they still have the fear of persecution.

Third, the refugees also have the wish to remigrate, which is intertwined with the wish to stay and the exclusions they face in South Korea. Protracted determination process with low recognition rates, lack of both financial support and right to work and feeling oneself inutile in the society make asylum seekers wish to leave South Korea. In regard to recognized refugees, they suffer from high costs of living (usually without financial assistance) and discriminations, which make them difficult to expect bright future, especially for their children. It is worthy of noticing that the refugees showed several changes in their perceptions on countries of potential asylum, which seems to be influenced from the experiences after their escape from DR Congo. In regard to Europe, they seem to have stronger image of liberal democratic asylum with benevolent support to refugees, while acknowledging the restricted access to its territory. The multicultural and inclusive image of Australia and Canada was mentioned as well. Asian countries were not considered to be their potential remigration destination. However, despite the wish to

remigrate, realistically, the respondents could not leave South Korea, because most of liberal democratic countries are not willing to issue visa to refugees. In addition to the high costs of remigration, restrictive visa policy of liberal democratic countries did not allow the refugees to enter their territory. Several respondents mentioned the airport transit visas of the EU, which was introduced to hinder the inflow of asylum seekers into EU's territory. It seems, in lucky cases, the transit visa allowed some asylum seekers to gain access to Europe, which enabled them to take refuge in Europe. However, my respondents state even the passage is now closed.

Despite the findings, the number of respondents may suggest the limitation of the research. In spite of the effort to diversify respondents, they were chosen from purposive and snowball sampling. However, the findings do not claim to be general or representative. It should be also reminded that refugees in South Korea are difficult for researchers to access. In addition, the lack of prior research on asylum migration of Congolese refugees to South Korea led me to conduct in-depth interview despite the limitations. Even though the research is not representative, I believe that making the voices of refugees heard is worth it as it is.

While reviewing the development of refugee studies, Black (2001) highlighted the importance of situating studies of particular refugees and their circumstances in order to develop refugee studies as social science. He also emphasized the impact of the studies on asylum policy. These were the goals I wanted to pursue with this research. I hope the experience of my respondents would provide various aspects of asylum migration and could be of help to the development of refugee studies, especially in South Korea where little has been done so far to study refugees. In addition, I hope this research could make the voices of refugees heard to scholars, policy-makers and citizens who live together with the refugees, so that we can make the world more inclusive to everyone.

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국문초록

이 논문의 목적은 한국 내 콩고민주공화국 출신 난민들의 피난처 결정과정을 밝히는 것이다. 선행 연구에 따르면, 난민들은 박해를 피해서 자신의 출신 국가와 지리적, 역사적, 정치적, 경제적, 사회적으로 긴밀한 관계를 지니는 국가로 난민이주를 하는 경향이 있다. 하지만 그러한 요소들로는 한국 내 콩고 출신 난민들의 피난처 결정을 이해하기가 어렵다. 이 연구는 콩고 출신 난민들이 본국에서 탈출하기 전에 내린 최초의 목적지 선택과정부터 한국에 도착하여 난민인정신청을 한 이후, 혹은 난민으로 인정되거나 불인정된 이후까지 이루어지는 피난처 결정과정을 다루고 있다. 이를 위해서 반구조화(semi-structured)된 심층면접을 통한 질적 연구가 수행되었다.

연구 결과를 통해서 피난처 결정 과정에서 난민들에게 주어진 선택의 범위가 극히 제한되어 있었음을 확인할 수 있었다. 이는 그들이 박해 이후에 처했던 상황과도 관련이 있으며, 대부분의 자유민주주의 국가에서 채택하고 있는 배타적인 난민 정책 때문이기도 하다. 또한 해당 난민이 당시에 가지고 있던 금전적 그리고 인적 자원도 피난처 결정과정에 큰 영향을 주었다.

또한, 난민들이 최초에 계획했던 난민이주 목적지에 도착한 후에도 피난처에 대해서 지속적으로 고민한다는 점을 확인할 수 있었다. 이 연구에 응한 난민들은 각자가 처해있는 상황에 따라서, 한국에 남아 있고자 하는 바람과 한국을 떠나서 다른 나라에서 난민신청을 하고자 하는 바람을 나타냈다. 이 두 가지 바람은 서로 긴밀하게 연결되어 있다. 한국에서 난민으로 인정되는 것도 어렵고, 난민으로 인정되더라도 차별과 경제적인 어려움을 겪지만, 대부분의 자유민주주의 국가가 배타적인 비자 정책을 통해 난민들의 입국을 거부하기 때문에 한국을 떠나기도 어렵기 때문이다. 이 연구는 한국과 유럽연합 회원국

에서 나타나는 난민들의 이동과 부동(不動)에 대한 통제를 지적하며, 그것이 난민들의 피난처 결정과정에 어떠한 영향을 주었는지를 분석하고 있다.

이 논문은 난민들이 피난처 결정과정에서 겪은 경험뿐만 아니라, 그들이 잠재적인 난민이주 목적지에 대해서 어떠한 인식을 가지고 있었으며 그러한 인식이 어떻게 변화했는지도 다루고 있다. 난민이주 이전에는 난민들이 특정 목적지에 대한 뚜렷한 선호가 없었고, 최초의 피난처 결정과정에서는 생존을 위한 탈출 자체가 가장 중요하게 여겨졌음을 확인할 수 있다. 한편, 난민이주 이후에 나타난 잠재적 난민이주 목적지에 대한 인식 변화는 난민들이 불행을 피하고 더 나은 삶을 추구하고자 하는 주체적인 인간이라는 점을 상기시킨다.

주요어: 난민이주, 피난처 결정, 결정과정, 난민 정책, 콩고민주공화국 출신 난민, 한국, 유럽연합

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