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Master's Thesis of International Studies

A Comparative Analysis of Government Policy Towards Defectors

- A Case Study of South Korea and West Germany-

한국과 서독의 탈북자/탈동독주민 대한 정책

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Graduate School of International Studies

Seoul National University

International Cooperation Major

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Thesis Advisor Prof. Sheen Seong-Ho

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Abstract

A Comparative Analysis of Government Policy Towards Defectors

Graduate School of International Studies

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The Federal Republic of Germany and the Republic of Korea are often compared on the matter of unification due to their seemingly similar experiences of division. While the comparability of unification scenarios has been the focus of prior studies the government policies towards the respective defectors has not received much attention. This thesis aims to bridge this gap by comparing and analyzing the governmental policies of the Federal Republic of Germany and the Republic of Koreas towards defectors from the German Democratic Republic and the Democratic People's Republic of Korea respectively. Much attention is put on displaying the policies in the socio-political situation of the time and pointing out key events leading to the policy changes. The comparison of resettlement procedures and their underlying legal basis is another focal point. By analyzing these two cases, this work aims to provide a comparative analysis of two seemingly similar cases and determine whether one is still relevant for the other and the possible lessons to be learned for the ongoing case of the Republic of Korea.

Keywords: East German Defectors, North Korean Defectors, Government Policy
Student Number: 2016-25054

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List of Abbreviations:

BVFG:	Bundesvertriebenengesetz, Federal Law on Refugees and Exiles
DMZ:	Demilitarized Zone
DPRK:	Democratic People's Republic of Korea
FRG:	Federal Republic of Germany, West Germany
GDR:	German Democratic Republic, East Germany
GG:	Grundgesetz, German Constitution called Basic Law
ICCPR:	International Covenant on Civil and Political Rights
KPD:	Communist Party of Germany, Political Party in Germany
NAG:	Notaufnahmegesetz, Law Concerning the Emergency Reception of Germans in the Federal Republic
ROK:	Republic of Korea, South Korea
SPD:	Social Democratic Party of Germany, Political Party in Germany

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I. Introduction

On the 28th April, we were able to witness a historic meeting between the current leaders on the Korean Peninsula, Kim Jong Un for the Democratic People's Republic and Moon Jae In for the Republic of Korea. The Panmunjom Declaration as well as stepping over the DMZ border by both parties was genuinely historical and made the spectators hold their breaths.

Even though there are striking similarities with the previous inter-Korean summit, the April summit has opened the way for a more peaceful and cooperating peninsula. This unexpected meeting came at a time when only a few months ago there was open speculation on the possibility of a second Korean War due to the rising tensions and the supposed success in developing nuclear weapons by the North Korean regime. It is due to this and the future planned summits that the hopes for peace on the peninsula have become more feasible again.

Whenever peace talks and agreements come into the center of attention, the German reunification case is automatically brought up. While previous studies (Rudiger Frank 2014; Wolf and Akramov 2005) have shown that the comparability between the unification scenarios is not given, I believe little attention has been paid to a different angle of this broad issue – the policy towards the defectors. The diaspora in both cases, as well as initial similarities in the timeline, are, although unique in their geopolitical setting, comparable as in both cases unification was or is the goal,

and both perceived the division as something unnatural and the people to be of one country.

I therefore believe it worthwhile to look at the situation on the Korean peninsula and Germany in more detail. My particular area of interest concerns the North Korean Defectors and the Republic of Korea’s government's policies towards them as well as West Germany's policies towards defectors from the German Democratic Republic. In order to do so, we will first take a look at the case of defectors from the former German Democratic Republic (short: GDR) and defectors from North Korea in different thematic segments and determine for one whether a comparability between the two is given, how relevant one is for the other as well the implications of this research for the current situation.

1. Research Question

Before proceeding, I would like to elaborate a bit further on the focus of this thesis, how it is outlined and which questions it aims to answer. As mentioned above, even though prior studies had shown that the German case of unification is of little relevance to the ongoing case of Korea, due to the similarities in how and when the division occurred it is still brought up as a comparison.

An aspect that has so far been overlooked in is whether the West-German government policy towards defectors from East Germany has any relevance to the Korean case. In particular, I aim to answer whether the policy could have been

comparable and relevant to begin with and whether the diverging timelines have changed the relevance and comparability of the German policies.

Regarding the results to these two questions, I will conclude on whether the German case carries any policy implications to the current case of Korean division, which would be of particular importance due to the progressing relations on the Korean peninsula.

My hypothesis on the matter is twofold. On the one side, while the German policies could have been comparable for the case of Korea in the early years of the division, the relevance decreased drastically, and the implemented policies can and should therefore not be generally transferred to the current situation on the peninsula. On the other side, there might be a marginal relevance of unique aspects of the German case.

In order to analyze whether the hypothesis above can be confirmed or rejected the cases are compared in different thematic segments closing with an interim conclusion on the question of similarities and differences between the cases, the impact the segment has on the relevance of the German experience on the ongoing Korean division and a recapulatory comparison and conclusion is going to presented at the end of this work.

As the matter of government policy is very broad and cannot be analyzed entirely due to the scope of this paper I will focus much of my attention on the primary legal

measures implemented by the West German Government as well as the material published by the Korean Ministry of Unification in English as well as the primary resettlement and registration process in the two cases. Furthermore, due to limitations and the scope of my research, I will focus much of this paper on the German case and then continue to analyze whether the findings can be reflected and are relevant to the case of the Korean peninsula. Thereby identifying whether the above analysis is transferable to begin with, the case of Korea is going to be compared, albeit in less detail.

2. Literature Review

Although I started off searching for other comparative studies between Korea and Germany I soon realized that those were focused around the matter of unification and its economic implications as done by Rüdiger (Rudiger Frank 2014) or Ulrich (Blum 2012) on the one hand or identity as done by Roland (Bleiker 2004) rather than the matter of policy on the other which in turn is my motivation to close this gap.

As this topic comprises of two cases, I started to look into the two policy scenarios separately as well as conducting a separate literature review in German. On the matter comparison between Germany and Korea, I found two German dissertations. The first by (Hur Joon Young 2010)) talks about the Integration Governance in Germany their transferability to Korea between 1945 and the second one by

(Geonwoo Kim 2007) compares the sunshine policy of Kim Dae Jung to the Ostpolitik of Willy Brandt. I could not find any comparisons between the countries in English though.

On the matter of Germany, an extensive analysis of the political and legal situation of GDR defectors between 1945 and 1961 has been written by Helge (Heidemeyer 1994). Damian (van Melis and Bispinck 2006) write about the matter of defection from the GDR in the same period but focuses more on the GDR viewpoint and how the perception around defection changed throughout the years.

The permanent exhibition at the Marienfelde refugee center as well as the accompanying book with publications by Bettina Effner, Helge Heidemeyer and others, gives comprehensive insights into the procedures at the refugee center as well as some of the difficulties GDR defectors faced (Effner and Heidemeyer 2005). These insights are complemented through the works of other authors such as Charlotte (Oesterreich 2008) and Jeanette (van Laak 2017) with the latter work on the refugee center in Gießen and the inclusion of personal experience and testimonies of defectors by the former.

On the matter of the Korean case, the report by the (International Crisis Group 2006, 2011) shows the changes in the government's perception of defectors as well as outlining their issues upon arrival. Current issues in the Korean integration policy are looked at amongst others by (Lankov 2004, 2006) as well as (Kim et al. 2017)

with proposals on how to improve the situation. My research therefore aims to bridge the divide between the German research and the current status of English papers and identify whether the lessons learned through the case of German government policy have any relevance to the ongoing case on the Korean peninsula.

3. Methodology and Limitations

Regarding methodology, this policy-oriented paper is going to focus on qualitative and comparative research aiming to identify the relevance of the German case for policymakers on the Korean peninsula. By conducting a historical analysis of German & English sources, I aim to provide a more comprehensive comparative research than currently available. As seen above, little English research is done on the government policies by former West Germany alone, and no previous papers were found comparing the two policies. Unfortunately, I cannot claim to fill this hole entirely due to the limitations I encountered throughout my research. Most dominantly, my lack of knowledge and proficiency in the Korean language proved to be a significant barrier. Much of the research on the policies towards defectors is conducted in Korean. While much of the research on North Korean refugees and defectors is done in Korean, I had to limit myself to the sources available in English, which I found to be very limiting regarding government policy. A significant part of my research on government policy therefore relies on the publications and announcements made through the Ministry of Unification in the English language.

Furthermore, the inaccessibility of the not digitalized parts of the German archives was a significant hindrance as those included the original policy decisions made by the government. I have tried to include them through indirect references from other secondary sources as far as possible though.

Due to these limitations, the analysis of the Korean case should not be regarded as complete. I believe that it is sufficient to make valid conclusions on the relevance and transferability of the German experience and thereby give current policymakers a better understanding of these two, often automatically compared cases of division.

II. Historical Contexts of Division

1. The Federal Republic of Germany

Subsequently, I would like to start with the case of the Federal Republic of Germany (FRG) which was more commonly referred to as West Germany. As we know, in the German case, the 45-year long division came to an end in 1990 after the Berlin Wall fell in November 1989. We cannot understand the policies and laws the FRG enacted unless we take a look at the historical context, the migration patterns and the socio-political environment of the time.

1-1. World War II; Germanys Defeat and the Inner-German Division

Before we talk about the actual division of Germany and the FRG Policy towards GRD Defectors, I would like to give a short historical overview of how the situation occurred in the first place. After the unconditional surrender of Germany on May 7th1945 to the Allied Forces, the second World War in the West came to an end. This was followed by the Berlin Declaration on the 5th of June 1945. Through this declaration, the Allied Forces of France, UK, US and the Soviet Union assumed supreme authority over

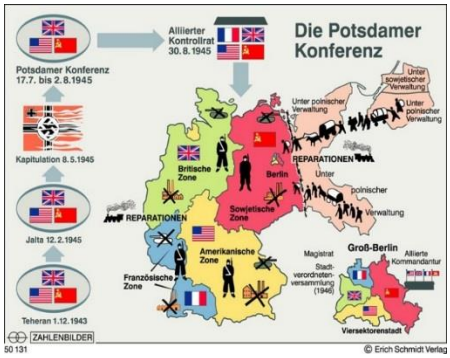

Fig.1 The Potsdam Conference

Source: Prof. Dr. Wolfgang Benz 2005

the German territory with details on administration and boundaries to be decided in the Potsdam Conference. This declaration was of utmost importance as it set the cornerstone for the German division. In the following Potsdam Conference from July to August of the same year, the discussions started on how to proceed with Post-War Germany. The American President Harry Truman, British Prime Minister Winston Churchill[1] as well as the Soviet Premier Joseph Stalin who were part of the conference agreed on various topics including reparation, the prosecution of war criminals as well as boundaries (History.com 2009). The result of the division as well as the occupied zones can be seen in Figure 1. The conference aimed to disempower Germany both politically and militarily to prevent any new aggressions from arising such as had been the case between World War I and World War II. They are commonly summarized through the 5 'D's of demilitarization, denazification, democratization, decentralization, and dismantling (Thomas Freiberger 2008). This led to the famous Nuremberg trials where the military tribunals were held. The conflicting views and interests between the Soviet Union and the United States became increasingly evident though and culminated in the Cold War. To contain the spread of Communism within Europe, the US distanced itself from the Soviet Union as can be seen through the Truman Doctrine in 1947 and the support for Western Europe through the Marshall Plan in 1948 (Office of the Historian, Bureau of Public Affairs 2018a). Berlin, being separated in 1945 into the four occupied zones

[1] Succeeded by Clement Attlee from July 28th 1945

probably shows the gradual development of the early Cold War. The American occupied zone first unified with the British zone into the Bizone in 1947 and into the Trizone with France one year later in 1948. Berlin thereby got divided into the Western and Eastern occupied zone. The division got more severe with the introduction of a currency reform by the Western Allied Forces, introducing the Deutsche Mark as currency in 1948. The Soviet-occupied zone reacted to this by introducing the Ostmark and furthermore blocked the Western Allies railway, road, and access to Western Berlin (Bundeszentrale für politische Bildung). To supply the West Berlin population with daily necessities such as food and fuel, Aircrews had to fly them in over the so-called Airlift or Airbridge. The Berlin Airlift lasted until May 1949 when the Soviets finally gave in (Office of the Historian, Bureau of Public Affairs 2018b). This crisis only intensified the differences between the West and East Germans Zones. Finally, Germany was split into two states with the Trizone under the Western Allied Forces orienting themselves with the Western political views and establishing the Federal Republic of Germany (FRG). It developed and recovered fast under the leadership of Chancellor Konrad Adenauer, so much as to be called an economic miracle in the 50s. The Soviet Occupied Zone, on the other hand, established the German Democratic Republic (GDR) following communist and socialist political views as spread by the Russian Revolution. Through a somewhat forced merge between the KPD the Communist Party and the SPD the Social Democratic Party into the Socialist Unity Party (SED – Sozialistische

Einheitspatei Deutschlands), they established a party which would stay in power until the end of the GDR in 1990. They were against the capitalism as pursued by the FRG and their policies included an economy organized through the central state and expropriation of land and companies which was not without consequences.

While the Berlin Wall is in the minds of most people when they think about the closed German borders, it was actually just the last loophole. The border between the two Germanys was closed fortified much earlier in 1952 with Berlin being the only exception, as it is located within the GDR territory. This did not stop the migration but did make it more difficult and more importantly, shifted most of the migratory path to Berlin which suddenly had to deal with a much higher number of people than its capacity would allow.

1-2. Expellees, Refugees, Migrants and more

Due to the decisions made in the Yalta and Potsdam Conference to revise Germanys borders and split Germany into four occupied zones the migratory situation turned out to be quite chaotic with the terms for entirely different migratory movements being used interchangeably and without differentiation both in the public as well as the academic discourse due to the lack of consistency.

For one, Germans who formerly lived in the territories east of the Oder-Neiße Line, the so-called former eastern territories (compare Figure 1) were expelled needed to

resettle. This first group is most commonly referred to as expellees[2]. They are not of concern for this work as a whole, and their migratory pattern differed significantly from the GDR defectors, yet in the early research periods, they were often examined together with the GDR defectors (Heidemeyer 1994).

While this first group was somewhat clear-cut, both the public as well as the academic discourse on GDR German defectors was the complete opposite. There was and is no consensus on how to refer to them which leads to confusion as to whom historical documents refer to. In the following, I would like to give a short introduction to the different terms that were most commonly used to describe GDR Germans.

On the broadest and most general level, many academic works referenced in this paper refer to them with the German version of the word immigrant[3]. Although the German word is just as broad as the English one, I am hesitant to use it in this paper. For the sake of this thesis, I will therefore either use GDR Germans or GDR Defectors as a blanket term encompassing people from the former GDR. The English word "defector" seems appropriate as it is defined as "a person who has abandoned their country or cause in favor of an opposing one" (Oxford Dictionary).

[2] German: Aussiedler, Heimatvertriebene or just Vertriebene
[3] German: Zuwanderer in German

This is true for both people leaving the GDR as well as for our later comparison with North Korea as the countries are or were directly opposing each other. Under this generic term, many others formed to differentiate on how and under which circumstances the defection took place.

The first term I would like to introduce in this context is one that is most accurately translated to resettlers[4]. This typically refers to GDR Germans who left the GDR or East-Berlin with the permission of the authorities (Hur Joon Young 2010) but was and is often used to describe the migratory movement as a whole as well (Wolfgang Seifert 2012).

The second term, which is more clearly defined is refugee[5] and therefore mainly refers to the group of GDR Germans who fled due to political or ideological reasons without the permission of the authorities (Heidemeyer 1994). I will therefore use it in cases where the defectors were recognized as refugees within the FRG.

The last term I would like to introduce literally translates to barrage breakers[6] and was mainly used after the erection of the Berlin Wall. It refers to people who fled over the border risking their life in doing so by whichever means possible (Jürgen Ritter, Peter Joachim Lapp 1997). I will elaborate on the ways of defection after the erection of the Berlin Wall in the later part of this paper.

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[4] German: Übersiedler
[5] German: Flüchtling
[6] German: Sperrbrecher

2. The Republic of Korea

The historical context for the Korean peninsula shows striking similarities to the German case, which is one of the reasons we can engage in this comparative analysis in the first place. After being colonized by Japan from 1910 until the end of World War II, the Korean peninsula got divided after Japan surrendered. The division across the 38th parallel was decided by US military officers with little knowledge about the country and agreed to by the Soviet Union to prevent a military confrontation (Oberdorfer 2013). It was only meant to be temporary and efficient means of dealing with the surrendering Japanese troops after the prior surrender (Ministry of Unification 1996).

Just as with Germany, the following plans on how to deal with the Korean peninsula were made by the US, the UDSSR, and the UK during the various conferences the Allies held including the Yalta and Potsdam Conference mentioned above. At the Moscow conference in December 1945, the Moscow protocol announced that the Korean peninsula was to be put under the trusteeship of the US, UK, China and the Soviet Union for a maximum length of five years, with the Joint-US-USSR Commission preparing the plans for the development and independence of Korea and its people. This Commission failed due to multiple conflicts between the two parties and eventually dissolved in October 1947. After that failure the matter was referred to the United Nations, yet as the Soviet forces who were in control of the northern part of the peninsula denied the UN Commission entry to their part of the

peninsula that initiative of reestablishing a unified peninsula also failed (Ministry of Unification 1996). Tragically, unlike Germany, Korea was not even the aggressor in this war, but was split up as its consequence.

The area north of the 38th parallel, which was controlled by the Soviet Union, proclaimed itself as the Democratic People's Republic of Korea (DPRK) on 9th September 1948. The southern part of the peninsula, which was under US control, held its general elections in May 1948 with Syngman Lee being pronounced as the first president and the Republic of Korea (ROK) was formally announced on August 15th, 1948. Similar to Germany, the part of the country under Soviet control, here the DPRK, adopted communist ideals while the part under US control, the ROK, developed into a democratic and capitalistic country.

Probably the most significant difference is that the tensions in divided Germany never led to actual war, while the same cannot be said for the Korean peninsula. After the two countries formed their early relationship was characterized by border skirmishes, guerilla warfare which eventually led up to the Korean War from 1950 to 1953. The North Korean forces had the upper hand due to their fighting experience in the Chinese Civil War and the South Korean forces were quickly pushed back all the way south to Busan (Andrea Rakushin Lee 2014). The turnaround came through the, for the North Koreans unexpected, intervention by the American led United Nations command under General McArthur which managed to push the North Korean troops all the way back to Pyongyang. However, the United Nations troops

made a severe miscalculation in not anticipating the Chinese support of the North Koreans. In the end, although three years of war passed, and millions of people died the division remained and no territorial gains were made by either side. Rather than leaving a unified peninsula, the Korean War resulted in an even more profound mistrust and animosity between the two governments and only ended through the Armistice Agreement of July 27th, 1953. Yet, even after the conclusion of the armistice agreement, the relationship between the two parties cannot be described as peaceful. A report by the Congressional Research Service counts over 3600 infiltrations of armed agents into South Korea in the time between 1954 to 1992. While this paper cannot serve as a detailed account, the most drastic aggressions include assassination attempts on the South Korean President Park Chung Gee in 1968 and 1974, as well as another attempt on President Chun Doo Hwan in 1983 (Congressional Research Service 2007).

3. Interim Conclusion

As the historical comparison shows, the scenarios are already starting to diverge from one another. Although it might appear obvious, the occurrence of the Korean War, as well as the following provocative actions, are of major importance in the shaping of the current situation on the peninsula. From the very beginning the level of hostility and competition between the divided parties was significantly higher, resulting in higher levels of security which, as is going to be discussed in the following section, influences the patterns of migration among other factors and also

shaped the perception and terminology of government and public towards the North Korean defectors. The Koran War can therefore be seen as a highly influential diverging factor between the case of Germany and the case of the Korean peninsula which could negatively affect the transferability of the German experience.

The second diverging factor is the existence of Berlin as a loophole to West Germany. As it was located within the territory of the GDR but divided into the four sectors, it enabled many to defect even after the border was fortified in 1952. No such thing existed on the Korean peninsula.

While this is only the first segment of this comparison the two factors above can be seen to have a detrimental influence on the comparability of the two cases. While they do not concern the government policy as of yet the difference in hostility is bound to have and indeed has a direct effect on the domestic and foreign policy as well as the perceptions on the incoming defectors. In order to have a more comprehensive understanding of the situation, the following segment will aim to analyze the migration patterns and the socio-political environment.

III. Migration Pattern and the Socio-Political Environment

The early historical divergence between the two cases has, as shortly mentioned above, direct influence on our second area of analysis – the patterns of migration and the socio-political environment. This section is therefore going to look at the factor of migration in terms of statistics as well as routes and thereby provide a more comprehensive picture of the two cases.

1. The Federal Republic of Germany

The migration in the early years after the end of World War II substantially shaped the German government policy until reunification. This is most evident as laws concerning the defectors were mainly passed in the time before the erection of the Berlin Wall. In the following section, I will therefore analyze the different phases of migration and the socio-political environment before and after the erection of the Berlin Wall.

1-1. Defection and Migration to West Germany before the Berlin Wall

As can be seen in the historical context introduced above, Germany was in a time of substantial change and unorder in the early post-war period. The western part of Germany, the FRG developed rapidly through its emphasis on economic development and policies such as the Integration in the West policy by Adenauer and the support through the Marshall Plan. Due to it being the immediate post-war

period many people were displaced or expelled, which is why there was already a considerable number of people migrating and returning to the FRG. The group of expelled and displaced people can be clearly circumscribed against our topic of interest though, the defectors from the GDR, as the timeline of their migration differs. According to Heidemeyer, the migratory movement by expellees ended by the around 1950 while the defection out of the GDR clearly carried on (Heidemeyer 1994).

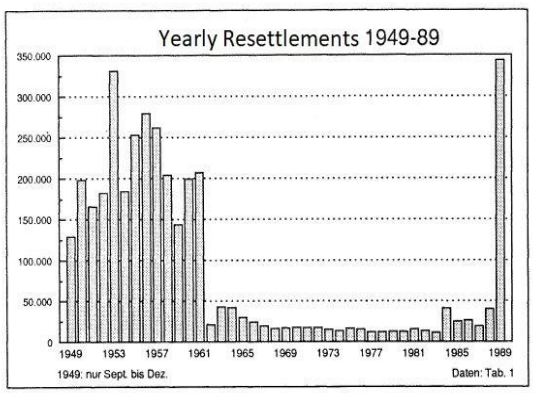


Fig. 2: Yearly Resettlements 1949 – 1989

Source: Ulrich 1990

As the graph in Figure 2 shows, all throughout the division and even after the border was completely closed, people continued to defect, albeit in much lower number. While crossing over the demarcation line between occupied zones was illegal to begin with, it was not enforced strictly at the beginning. Ironically, the East German government even conceived the early defections as a positive development which would strengthen their authority. The logic was, that if dissidents and opponents leave early on and thereby turn into a further economic liability for the FRG, it will lend to the countries stability and prosperity, which is why it was not given much attention at first (Heidemeyer 1994). Yet, after witnessing the increasing stream of

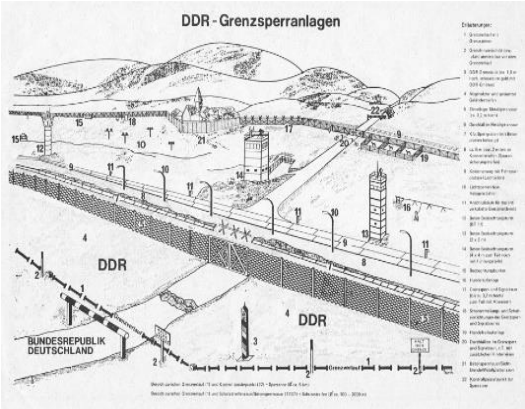


Fig. 3 Inner-German Border fortification by 1988

Source: Florian-Michael Bortfeldt

people leaving the GDR, the regime resorted to propaganda on the one hand and stricter measures on the other to counteract (van Melis and Bispinck 2006). Whatever measures were taken only had a short-term effect though, as the Socialist reforms were enacted simultaneously. With the realization, that a significant amount of people was leaving and that of those a disproportionally high percentage was young men or parts of the working population in general, the regime tried to stop the mass migration and decided to fortify the Inner-German Border in 1952 (35) as can be seen in Figure 3. This only redirected the migration to the open loophole of Berlin though where people often used false papers or sneaked into the public transport which crossed into West-Berlin to escape from the GDR (Effner and Heidemeyer 2005). Even at that time, Walter Ulbricht the Chief Secretary of the Socialist Unity Party was asking Moscow for permission to close the border to West-Berlin but was denied on the reason that it would destroy the city and lower the status of the GDR and the Soviet Union (Effner and Heidemeyer 2005). Although the total number of defectors varies by statistic, there were an estimated number of 2.7 - 3,1 Mio Germans from the GDR within the FRG by the population

census in 1961 (Heidemeyer 1994).[7] All in all, the population is to have grown by 11% from 1950 to 1960 alone, with a quarter of the population being made up of refugees by 1961 (Hur Joon Young 2010). Therefore, before we move on to the cases after the erection of the Berlin Wall, it is worthwhile to look at the situation of that time, in particular as it was the reason the FRG actively worked on their policy and measures due to the development at the time. As Figure 4 shows the yearly migration into the FRG varied considerably by year and then obviously got significantly less after the Berlin Wall was erected. The mass migration obviously did not go unnoticed in the Federal Republic of Germany. The state was struggling with the mass of people arriving. According to Bode around 25 percent of the dwellings were destroyed at the end of the war (Bode 2002). It was a time of limited living space, recovery, and shortage. The main concerns of the time were therefore to establish a system of registration as well as provide people with a place to live, a workplace and other basic necessities. As the country recovered and the economy grew in the mid-1950s, there was an increasing need for labor which in turn changed the public sentiment and made relocating the incoming GDR Germans easier (Heidemeyer 1994).

[7] [7] Compare (Heidemeyer 1994), 37 – 48 on the short-comings of the different statistics

The peaks in defection from the GDR to the FRG can quite accurately be traced to national policy decision within the GDR and the foreign policy situation within the Cold War setting (Effner and Heidemeyer 2005). The mass migration is therefore also often called "vote by feet"[8](33). For example, the GDR government started to restructure East Germany in a socialist manner by collectivization of agriculture starting from 1952 as well as conscriptions and enlistments into mining or the East German Police all of which lent to a sudden rise in defection numbers as well as the 17th June Uprising. Depending on foreign policy and cold war situation we can also witness a rise or fall in defection. For example, the start of the Korean War in 1950 or the failure of the Geneva Summit in 1955 also led to a rise in numbers. Most obviously, the sense that the border is going to close completely in combination with further collectivization in 1960/61 led to the last drastic increase before the Berlin Wall was erected.

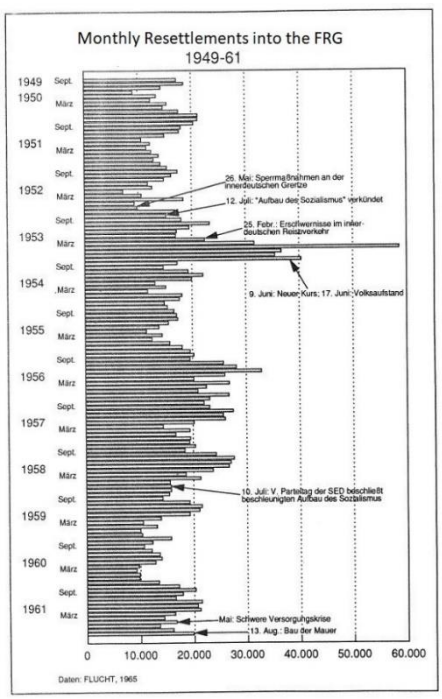


Fig.4: Monthly Resettlements into the FRG 1949 – 1961

Source: Ulrich 1990

[8] German: Abstimmung mit den Füßen

1-2. Migration after the erection of the Berlin Wall

What happened after the Berlin Wall closed the last loophole in the border fortifications and unnaturally divided the city in two as can be seen in Figure 5.

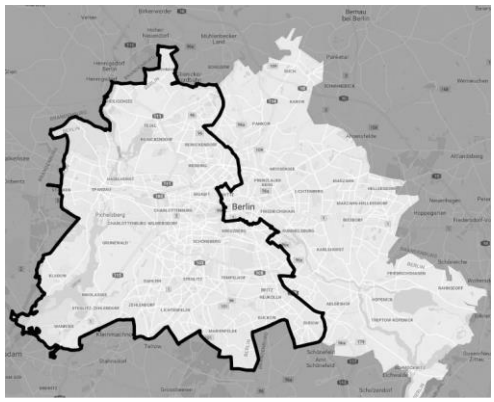


Fig. 5 The Course of the Berlin Wall

Source: Chronicle of the Berlin Wall

"Nobody has any intention of building a wall" - The party leader and thereby Head of State of the GDR, Walter Ulbricht, got infamous for these words at the press conference in June 1961 (The Press and Information Office of the Federal Government). During the night of the 13th August 1961 the East German Police started the construction with barbed wire and armed soldiers, which were then replaced by concrete, the roads ripped up in order to prevent vehicles from passing (State of Berlin). Houses were either closed with masonry, or the residents were evicted from their homes. These are often referred to as the first and second-generation wall. and fortified further over time with watchtowers, machine guns and mines. In 1962 a second fence was built, and the area in-between became what is known as the 'Death Strip'(Chronicle of the Berlin Wall). It was covered with raked sand and watchtowers with light strips were installed whose soldiers were ordered to shoot

anyone at sight. More barbed wire, watchdogs as well as nails in the sand added to the fortification. From 1965 the third-generation wall was constructed to further improve the old construction. The most notable part was that a concrete tube-like structure was put on top to make it even more difficult for people to climb over. The last construction on the wall started in 1975 and is therefore most commonly called 'Border Wall 75' (The Cold War Museum). It consisted of a 1.2 meters thick and 3.6 meters high reinforced concrete and signal and mesh fencing as well as the former fortifications as can be seen in Figure 6 (Chronicle of the Berlin Wall). In short, it was highly fortified and made any attempt to escape near impossible. All the same, it would be wrong to assume that the defections stopped after the GDR closed this loophole. Especially when compared to the number of escapes from the DPRK, there was still a was still a relatively high number of defections. In this following section, three ways of defection are going to be inspected in greater detail: escapes, official resettlements and the trade in prisoners.

1-3. Escape as a way to freedom

In the early years after the construction of the Berlin, many citizens still tried to escape over the border fortifications, by any means necessary. Although many were killed in the process, many also successfully escaped. The Chronicles of the Berlin Wall, an Online-Portal dedicated to the history of the Berlin Wall, its victims and

escapees, by the Federal Agency of Civic Education[9], the Deutschlandradio and the Centre For Contemporary History Potsdam offers a comprehensive picture of this chapter in German History.

The number of escapees over the border fortifications, the so-called ‘barrage breakers’, decreased drastically over time, which in part reflects back to the increasing sophistication of the Wall (Jürgen Ritter, Peter Joachim Lapp 1997).

For their escape to have any chance of success, people had to prepare extensively.

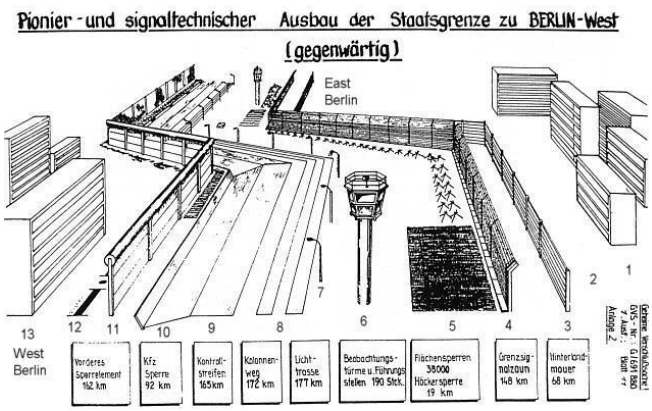


Fig. 6 The Berlin Wall in the late 70s

Source: Berlin Wall Archive of Hagen Koch as displayed on Burkhardt 2015

[9] German: Bundeszentrale für politische Bildung

Some of the most spectacular escapes included the digging of tunnels, swimming or jumping from buildings bordering the wall or using small defects in the Wall in order to improve their chances of success (Chronicle of the Berlin Wall 1985, 1961, 1965; Chronicle of the Wall 1963, 1963).

Escape agents were vital in many cases, including the ones referenced above. In cases such as the tunnel escapes, often the escape agents and helpers in West-Berlin dug them as the citizens in East Berlin were not able to do so unnoticed. Yet as the Wall got more and more difficult to pass other solutions were sought and found. Although each escape was unique and the ideas I would like to pick up on one of the more common methods – the transitways.

One important development of the time was the Transit Agreement of 1972. Under former foreign minister and later chancellor Willy Brandt the FRG started the policy of opening to the East which translated to detenté within Europe (MDR.DE 2010). After the East Treaties[10], the treaties with the countries in Eastern Europe and the Soviet Union, in 1970 had already opened the channels of diplomatic relations by ruling out the use of force and respecting current territorial borders the tensions of the time started to ease. Followed by the Quadripartite Agreement on Berlin in which the Soviet Union conceded that traffic to and from West Berlin would not be impeded in the future but gave the regulation of how access was to be secured over to the FRG

[10] German: Ostverträge

and the GDR (Solsten, Eric, and Library Of Congress 1996). This led to the Transit Agreement (MDR.DE 2012). It arranged the access to West Berlin from the FRG, but probably more importantly for our cause, it allowed West Berlin citizens to visit the GDR and allowed visits to the FRG in cases of family emergency. The granting of visas for West-Germans visiting the GDR was also significantly simplified, making it possible to receive a visa for 30 days right at the border from within ones' car. With negotiations underway the FRG and GDR also saw the necessity of a more comprehensive treaty, which led to the signing of the Basic Treaty between the two parties in December 1972 (The Press and Information Office of the Federal Government), in which they among others de-facto recognized one another, normalized their relations as well as recognizing the UN Charta and its values.

Needless to say, the possibilities these treaties yielded were recognized immediately. The Stasi, the Secret Police of the GDR, realized its threats as well and intensified its border controls on the transitways (Effner and Heidemeyer 2005). Nonetheless, it enabled many an escape. Hiding in the trunks of cars of either relatives or escape agents and helpers many passed the border into the FRG. Although many escape agents requested high payments for helping in the escapes people were willing to pay in order to finally leave. Not only the brokers profited though. The Transit Agreement was a source of significant income for the GDR as well though, which is probably why they were tolerating the need of increased countermeasures it necessitated. Until 1989 the FRG paid over two billion German Mark to keep the

transitways in the form of flat-rate payments for the issuance of Visas for citizens of the FRG (MDR.DE 2012). Nonetheless, it proved to be one of the major developments of the time, enabling more and more people to defect from East Germany.

1-3-1. Official Ways of Departure

Another option was to take a more official way. While there was no legal basis to begin with and the GDR stressed that there is no right to being released from the GDR citizenship many people demanded just that. The movement mainly took off in from 1975. While senior citizens and pensioner were able to apply to travel to the FRG since 1964, this was not the case for the rest of the population. While the laws of the GDR did include the possibility to be released from the GDR citizenship (Gesetzblatt der Deutschen Demokratischen Republik 1967), the following conditions made it de-facto impossible without the approval of the GDR administration which had turned it into a discretionary adjunction (Burghardt, Boris, Ute Hohoff and Petra Schäfter 2007).

The situation changed in 1975 with the Helsinki Declaration in 1975. Even though the Helsinki Declaration was not a binding treaty, as a signatory the GDR publicly pronounced its intention to adhere to human rights and international law as well as individual rights. In connection to joining the United Nations in 1973, it gave the GDR citizens a basis for their claims (Effner and Heidemeyer 2005).

They applied to be released from the GDR citizenship or applied for a permanent exit. While there was no form for the permanent exit application, many just wrote it onto the temporary leave forms as displayed in Figure 7. Although the administrative decision could take months or years more and more people pressed the state. The reaction of the government was to try to intimidate applicants, put them under surveillance, many lost their jobs. The applicants in turn increasingly protested in front of the permanent representation of the FRG which was established after the Basic Treaty and organized themselves into support groups, e.g. through churches and other organizations in the 1980s. The rising number of applications put pressure on the GDR administrations. Until 1989 they received over 250.000 applications for permanent leave, which intermittently resulted in a large number of applications to be granted as in 1984 when 30.000 people were suddenly allowed to leave (Effner and Heidemeyer 2005).

Antrag auf Ausreise aus der DDR
Bitte in Blockschrift ausfüllen (Rückseite beachten)
1 2 3 4
Familienname: Geburtsname: Vorname:
Personenkennzahl (PKZ)** Geburtsort: männlich weiblich*
Postleitzahl: Wohnort/Kreis: Straße/Nr.:
Erlernter Beruf: Letzte / jetzige Tätigkeit:* Familienstand:
Letzte / jetzige Arbeitsstelle und Anschrift:*
Staatsbürgerschaft: DDR / Bei Reise mit Kfz, Angabe des polizeil. Kennzeichens: Grenzübergangsstelle:
Mitreisende Kinder bis 14 Jahre (Vorname und Geburtsdatum): Nr. des Personalausweises:
Beabsichtigte Dauer der Reise: vom: bis: Wieviel Tage: einmalig / mehrmalig* dienstlich / privat
Letzte Reise nach anderen Staaten oder Westberlin: wann: wohin:
* Nichtzutreffendes streichen
** PKZ dem Personalausweis entnehmen; wenn nicht vorhanden Geburtsdatum eintragen

Fig. 7 Application to Leave the GDR

Source: Laura Wehr 2016

1-3-2. Trade in East German Prisoners

Lastly, there was the trade in East German Prisoners, which was officially called 'special humanitarian efforts'[11] by the FRG and 'special transaction'[12] by the GDR (Horster 2016). The illegal crossing of the border was more commonly called 'Desertion of the Republic'[13] within the GDR and was already outlawed and criminalized before the wall was built. A crucial legal change took place in 1957 through the amendment of the 1954 Passport Laws though. By changing §8 the mere preparation and attempt to escape rendered one liable to prosecution (Heidemeyer 1994). Although the number of political prisoners is difficult to estimate most sources reckon there to have been around 200.000 over the time from 1945 to 1989 (Schröder and Wilke 1998).

The initiative, commonly called trade of political prisoners, can be traced back to 1962 with the first official trade between the FRG and the GDR taking place in 1963 through their respective lawyer Jürgen Stange and Wolfgang Vogel with the former negotiating for West- and later for East Germany. According to Maximilian Horster, the first trade in prisoners was conducted by the evangelical church in 1962 though, who contacted the GDR lawyer Vogel and exchanged 100 prisoners for shipments of goods (Horster 2016). In the time between 1963 to 1989 the FRG was able to free

[11] German: Besondere Bemühungen im humanitären Bereich
[12] German: Sondergeschäft
[13] German: Republikflucht

33.000 prisoners for shipments amounting to 3.5 Billion Mark (Jan Philipp Wölbern 2008).

2. The Republic of Korea

Unlike the German case, the people on the Korean peninsula did not have the benefit of a Berlin loophole. The borders were closed and fortified immediately after the armistice in 1953. Yet, when we take a look at the migration patterns, we can identify some early similarities between defection in Germany and the Korean Peninsula. We will therefore take a look at the main migration periods in Korea and identify the manner in which defections from North Korea took place.

2-1. Migration before the 1990s

First off, as with Germany, there was an active cross-border migration to both to the northern as well as the southern part of the peninsula right after the end of the war. According to Lankov (2006, 108f) estimates state that 456.000 to 829.000 Koreans fled in the prewar period with another 400.000 to 650.000 leaving in the time of the Korean War which constituted to around 10 percent of the entire North Korean population.

North Koreans fleeing in the time between 1945-1950 were referred to as 'Crossers to the South'[14] while those leaving during the Korean War were called 'War Refugees'[15] (Chung 2008).

Yet, if we compare the number of defections between the ROK and the FRG the difference is striking. While the number of defections stayed comparably high in Germany even after the first years of post-war migration passed, the number of defections to South Korea dropped drastically. According to the Data from the Ministry of Unification only 607 people defected until 1990 which corresponds to around five to ten people per year (Lankov 2006).

Although there are many factors to consider, I believe the geopolitical and economic situation might be of particular interest here. For one, both systems had a similar economic strength for much of the early years after their establishment when we look at the GDP per capita for the DPRK and the ROK until the mid- 1970s (Liberty in North Korea). It was only from then onward that South Koreas GDP per capita increased drastically while the DPRK stagnated and even decreased. Bearing in mind the mass of often economical defections until the Berlin Wall was built, due to the parallel economic capabilities in their first two decades a similar kind of economic defection was therefore implausible.

[14] Korean: Wollammin - 월남민
[15] Korean: Pinanmin- 피난민

The level of aggression and competition between the two countries furthermore gave way for a highly fortified border including the demilitarized zone (DMZ) which conveniently also makes unauthorized crossings of the border next to impossible. As geopolitically Korea is a peninsula, making beaches inaccessible as well as fortifying them with barbed wire and electric fencing makes direct escape attempts increasingly difficult (Hall 1990). These two factors help us understand for one the lower number of refugees as well as the demography of the defections that did take place

The few people who were able to escape were therefore oftentimes part of the privileged part of society or military officials. They often brought valuable information, and as high-ranking system defectors they were presented to the public as patriots and heroes and treated as such, which only adds to show how politically heated the situation was (Jung 2011). Interestingly, as those early defections were seen as a source of valuable information to the ROK the country tried to encourage them further through generous offers of compensations and benefits which was reflected in the legal terminology that will be discussed in the later section.

2-2. Migration and Socio-Political Situation since the 1990s

The situation changed in the 1990s though. With the South Koreas GDP per capita being more than double that of North Koreas combined with the latter economic crisis and famine from 1994 until 1998 known as the Arduous March resulting in the death of hundreds of thousands, some estimates even speak of over a million deaths

(International Crisis Group 2011), more and more people sought to escape from North Korea, often by means of crossing over China. The onset of the famine is clearly visible in the number of the defections. In the years including 1993 the number of defections remained at about eight to nine per year, but from 1994 onward it first rose over 50. Reflecting the changing nature of defection since the 1990s the demographic composition of the refugees could not be more different. While the majority of defectors in the period before were politically motivated and consisted of higher-ranking officials or elites the refugees arriving in from the 90s were more often than not farmers or worker (Lankov 2006).

It was a time of drastic changes in internationally as well as domestically, the Soviet Union and the Berlin Wall marked the end of the Cold War Era which was one of the driving forces behind the division, yet unlike the German case no reunification took place. It was a time of both domestic and foreign policy change though. Both sides had taken steps to strengthen the Korean dialogue. While earlier efforts showed limited success the acknowledgment of North Korea as a partner of goodwill by President Roh Tae Woo in 1988 followed by the Inter-Korean Exchange and Cooperation Act which in turned evened the way for the Agreement on Reconciliation, Non-aggression and Exchange and Cooperation in 1990 (Ministry of Unification 2001). While stricken with setbacks the Inter-Korean relations started to be less hostile and competitive between each other. This changing mindset also influenced the domestic policies towards the defectors.

One of the government's policy changes was implemented under President Kim Young Sam. From 1993 to 1997 defectors received fewer subsidies than before and were seen as economic migrants rather than patriots and heroes as before. This is also reflected in the change of responsibility. While formerly the Ministry of Patriots & Veteran Affairs was in charge it changed to the Ministry of Health and Welfare from 1993 (Jung 2011). The defectors were now referred to as 'Brethren returned to the state'[16] and is a clear step away from the former terms which translated to 'Brave Person'[17] and 'Person of National Merit'[18]. The domestic laws on North Koreans changed yet again in 1997 as with the increasing number of defectors the support was conceived to be insufficient, and the Ministry of Unification took over the matter of resettlement and subsidies. The 1997 Act on the Protection and Settlement Support of Residents Escaping from North Korea is the cornerstone which the current Settlement Procedure is based on. But, as with so many things, the terminology started to matter. According to the (International Crisis Group 2011), it was at that time and that the term of 'escaping person' or 'defector'[19] started to be used, which is still used today, although legally they are referred to as 'Citizens who escaped from North Korea'[20] as of 2008.

[16] Korean: Kwisunbokhandongpo - 귀순복한동포
[17] Korean: Yongsa - 용사
[18] Korean: Kukgayukongja - 국가유공자
[19] Korean: Tarbokja - 탈북자
[20] Korean: Bokhanitarjumin - 북한이탈주민

Nevertheless, two years after the Law was passed, the Hanawon was established whose resettlement procedure is going to be examined in greater detail later on in this paper.

Politically the Kim Dae Jung Government (1998 – 2002) did not believe a reunification to be probable in the near future, despite the economic difficulties the DPRK was facing. Instead, they tried to improve the Inter-Korean relationship through interactions and economic assistance. His so-called sunshine policy is therefore often compared to Willy Brandts Ostpolitik. The 2001 White Paper on the Korean Unification stated the objective of the reconciliation and cooperation policy to be as follows:

"It envisions a state of de facto unification in which both South and North Korean people can travel freely across the border and recover national homogeneity through an expanded mutual understanding." (Ministry of Unification 2001)

This shows a clear break with the past highly competitive and disengaging stances that some of the former governments showed and emphasizes that unification by force is out question. Due to the already wide gap in the divided country both culturally as well as economically it seemed increasingly impossible to even think about reunifying suddenly. Instead a gradual approach was to be taken through cooperation such as through the Kumgang Mountain Tourism project or the Kaesong Industrial complex.

It is therefore not surprising that Kim Dae Jung's policy is compared to the German case. Yet, while North and South Korea tried to strengthen inter-Korean communication and cooperation, it did not minder the number of defections at that time. On the contrary, while 71 people arrived 1998, the numbers nearly doubled over the next few years and surpassed thousand for the first time in 2002 continuing to grow until 2009 when they reached the current maximum of 2914 people. The number of defections has drastically decreased since 2012 after Kim Il Sung's death and Kim Jong Un's rise to power. According to the non-profit organization Liberty in North Korea, the decrease is most probably due to the increase in border security measures on both the North Korean as well as the Chinese side (Ju-min Park 2015). Unfortunately, even though nearly 20 years have passed since Kim Dae Jung's sunshine policy by now, no significant liberalization in terms of free travel across the border has been made. The only way to leave North Korea is therefore to illegally cross the border and escape.

2-3. Escape as the only way to freedom

As could already be glimpsed through the migration patterns described above, the ways of defection are significantly more restricted for North Koreans. The only way to defect and leave the country is therefore through means of escape. In the following passage, I would therefore like to elaborate on the ways of escape and whether and how they changed throughout the time of division.

Trying to leave North Korea or helping others leave is seen as a crime which results in grave punishments in penal-labor colonies which are infamous for the prevalence of torture and death[21] and where prisoners have to serve between two to seven years (Tanaka 2018). The most common way of escape is to cross over the northern border into China. Yet, even if the escapees manage to cross the border, they are still in danger of repatriation as China does not recognize them as refugees, which would grant them right to protection, but only as economic migrants. Due to the bilateral treaties between North Korea and China, in particular the 1960 "Escaped Criminals Reciprocal Extradition Treaty" and the "Border Area Affairs Agreement" of 1986 the authorities furthermore violate the principle of non-refoulement which has been the cause of much criticism (International Crisis Group 2006).

The situation around the escapes from North Korea is significantly more complicated than what we could witness in the East German case. The bilateral relations between North Korea and China made for a relatively stable border region as the North Koreans were aware of the policy of repatriation and the possible repercussions. A major shift happened from the 1990s onwards which was also reflected in the migration patterns discussed above.

[21] For a detailed report on the penal labor colonies compare (Hawk 2012)

Factors such as the economic crisis in North Korea, the establishment of diplomatic relations between China and South Korea in 1992 and the reformations within China significantly influenced the border situation (Lankov 2004).

According to the International Crisis Group Asia Report (2006, 5) and the interviews they conducted in preparation for the report the border between North Korea and China was still relatively easy to cross through bribes to the border guards during the height of the famine from 1997 to 1999. Crossing the border was not done with the sole intention of defection though. Many just sought for provision and supplies to return to their families while some also decided to stay in Northeast China altogether. While there are no concrete statistics on the number of North Koreans dwelling in China current estimates range from 50.000 to 200.000 (Norwegian Refugee Council). At that time may Christian missionaries, NGOs and the local Chinese population including those ethnically Korean or Korean-Chinese helped by providing basic necessities such as food, clothes or medicine. From 2000 onwards, professional smugglers and brokers have gained more and more importance as both Chinese and North Korean authorities started to crack down on the illegal border migration (International Crisis Group 2006). Even so more and more information from the outside started to get through to the North Korean population and the interviews conducted by the International Crisis Group confirm that many are aware of the better living conditions, resulting in another push-factor. The interviews also give us valuable information about how the broker systems operated. The most common

land route even according to more recent reports leads through the Chinese mainland to South East Asia and could cost anywhere between 2000$ - 10,000$ at the time of the study (17). A more recent interview with a former North Korean defector who is now working as a broker from within South Korea reveals that the amount has risen to up to 14,000$ now, but the general process remained much the same throughout the years. Family members living in South Korea contact the brokers and give them the contact information of their relatives in the North. The brokers then contact their partner in China who locate the person and establish a way to stay in contact with them. As brokers move multiple defectors at a time they parties need to wait until there are enough people to form a group. They then proceed to smuggle the North Koreans over the border from where on the long journey to South East Asia awaits them. In order to escape attention, different parts of the journey are done by different contacts and agents (Ghani 2018). Within South East Asia the matter is complicated as most countries aren't signatories to the 1951 Refugee Convention and those who are, such as Cambodia or China do not accept the defectors as refugees (Song 2015). The route over Laos into Thailand seems to be one of the most frequented. Once they arrive, they reveal themselves to the authorities by which they are arrested for illegally entering the country with their release and de-facto deportation and transportation to South Korea being negotiated unofficially between the authorities (Panu Wongcha-um 2017).

3. Interim Conclusion

Concluding this section, there are three points of note. First is the opposite perception timeline between the two cases. In Germany, due to the high number of defectors and the chaotic state of affairs after World War II defectors were seen as a further strain on the economy, even though it was seen as the duty of the government to provide for them. It was only after the economy started to improve and there was need of workers though, that the perception shifted, and the states were even asking to be referred more defectors. Heidemeyer (1994) repeatedly points out how reluctant and even frightened the West German policymakers were of encouraging further defections with worries of complete depletion of East Germany and overpopulation of West Germany being repeatedly voiced worries.

While the timeline can already be seen to differ significantly the encouragement of further defections by the Korean government in the early period of migration is surprising in comparison to the German case. The motivation is most likely political and can be better understood in combination with the drastically different levels of competition and aggression pointed out in the historical segment as well as the smaller number of defections. Instead, the sentiment turned from a highly competitive environment conceiving defectors as symbols of anti-communism and patriots to an arguably more neutral perception.

Lastly, we can see that the situation on the Korean peninsula is much more difficult, complex and perilous than the German case. Even though North Korea is a signatory to International Treaties, including the International Covenant on Civil and Political Rights (ICCPR) it does not follow them and does not allow its population to make use of neither their civil and political rights nor their freedom of movement. While the Helsinki Declaration in 1975 had a direct effect on the GDR administration and intensified the populations demand to move freely, the highly restrictive nature of the North Korean authorities would not allow for a similar movement in North Korea. Further, even though the migration and its scope changed and fluctuated, but escape has always been and is the only option for leaving North Korea permanently, while East Germans could use the loophole through Berlin at first and even afterward were able to either escape, under significantly less dangerous circumstances, or even press the administration to let them leave in the later years of division.

If we apply the results above to our questions of comparability and relevance of the German experience we have to concede that migration patterns, the routes of migration and the socio-economic frame in which the migration takes place are all starkly different thereby diminishing the relevance and comparability between the cases. Through the factor of perception and terminology, we have furthermore started to approach the matter of government policy more directly. While we can witness a similarity in the fact how both groups encompass a degree of politicization the comparability is marginal due to the differences in the degree of politicization.

Nevertheless, the question remains on how, despite the differences we have established in this paper so far, the matter of incorporating defectors back into ones' society is approached in each case. As both cases concern people with an initially identical ethnic and cultural background a comparability between the two cases may be given on the matter of legal and resettlement policies which are therefore going to be analyzed in the following segment of this thesis.

IV. Legal Measures & Governmental Programs and Procedures

In the following are going to look into the legal sphere of government policy as well as the resettlement process. As with the sections before there is a significant divergence in terms of the timeline which is why the German part is going to look into the laws from division until reunification while the Korean part is mainly going to focus on the current laws and resettlement policy in South Korea. As the following segments will illustrate the migration patterns, here, in particular, the vast discrepancy in the number of defectors and the historical context made for a shift in the timeline two cases. The legal measures introduced in Germany therefore start significantly earlier in the context of division than in the Korean case. Another point I would like to clarify before analyzing the individual country cases concerns the target group of some of the legal measures. As mentioned in the historical context migration in the Post- World War II period of Germany diverged from the Korean peninsula in terms of scale as well as territory. As Germany was the aggressor during the war, it had to return the territories east of the Oder-Neisse Line which resulted in the migration of the ethnically German expellees. Many of the laws were therefore made with all migration group in mind and clarified on the eligibilities within the legal text and its application. As this was not the case in Korea, the Korean part refers to legal measures and resettlement support which was introduced specifically for the North Korean defectors.

1. The Federal Republic of Germany

In the case of the Federal Republic to Germany, there are several laws, which were an integral part of the government's policy towards defectors from the GDR. Those are going to be introduced in the following segments before we continue on to the refugee centers and the resettlement policy.

1-1. Law Concerning the Emergency Reception of Germans in the Federal Republic

The first governmental policy which was in effect nearly from the start until the reunification in 1990 was the Emergency Reception Procedures & Law Concerning the Emergency Reception of Germans in the Federal Republic called NAG[22] in short (Federal Law Paper 1950). The NAG, which was adopted as early as 22nd August 1950 was meant to be the first stage for any migrants and defectors were supposed to take after arriving in the FRG. It stayed in place until 1990 although its function changed with time. The reason the law was adopted was due to the large number of GDR defectors and expellees after World War II. According to the original NAG, only those who came due to "a danger to their life, their personal freedom or other coercing reasons" were to be accepted. These criteria were very restrictive at the time

[22] Hereafter referred to as NAG, Abbreviation for German: Notaufnahmegesetz

as the majority of GDR defectors came due to economic and personal reasons rather than only political ones (Heidemeyer 1994).

This practice was considered as too strict by many and led to many GDR Germans staying as so-called 'Illegals' which was used to refer to those who were declined through the NAG. There were no penalties for people who stayed despite being declined through the NAG as that would go against the constitution, the so-called Basic Law[23]. Although there were no penalties, there were legal disadvantages. In particular, they were denied the referral of housing space and job services which was highly disadvantageous in the immediate post-war period (143).

As the increasing number of these 'Illegals' started to become increasingly problematic and the criteria posed by the NAG were considered unnecessarily strict, it was loosened in 1953 with a contract of employment now being sufficient for a permanent residence permit. In the same year, the German Constitutional Court decided that while the law itself is constitutional, the current admission practice to be unconstitutional as it denied them the freedom of movement guaranteed through Art.11 GG. Art.11 GG may only be restricted though if there were no sufficient means to ensure ones' livelihood and the general public was put under a special burden due to that (87, 164-167). This resulted in the NAG being substantially broadened, as means to sustain ones' livelihood, such as but not limited to

[23] Hereafter referred to as GG, Abbreviation for German: Grundgesetz

employment, were now means of being accepted by the NAG. Considering the high demand for workers at the time, this meant the percentage of acceptance rose drastically to over 90% (Oesterreich 2008).

The NAG therefore slowly lost its purpose as a political tool to control migration and increasingly turned into a means of registering and distributing the arriving GDR Germans within the FRG. After the final hole between the GDR and FRG was closed through the building of the Berlin Wall in 1961, there was a threat to lives of GDR refugees as well as political duress and thereby the criteria of the NAG were easily met.

The high acceptance rate does not imply that the procedure wasn't extensive and exhausting for the affected people. The example of the Marienfelde Refugee Center, which remained virtually unchanged until reunification gives a glimpse into the reality of arriving in the FRG and will be examined in the latter part of this thesis.

1-2. Federal Law on Refugees and Exiles

The aim of the Federal Law on Refugees and Exiles (short: BVFG)[24] was to reintegrate refugees and exiles into society and enable them the same standard of living as someone living in the FRG from the start (Federal Law Paper 1953). The occupational integration was one of the main focuses. As with the NAG the main

[24] Abbreviation for German: Bundesvertriebenengesetz

discussions when passing the law as well as for its amendments of political nature and on how to define Soviet Zone Refugees in order to meet the needs of the affected people, while at the same time preventing a pull on the population within the GDR causing mass migration. The definition placed in the law was considered to be narrow by some of the parties, especially the SPD but was actually achieved through a compromise between the more liberal and more restricting version. Most importantly, the acknowledged GDR refugees had the same benefits as the expellees. The original law from 1953 defined a Refugee from the Soviet Occupied Zone as follows:

"A Soviet Zone Refugee is a German national or someone ethnically German, who has or had his permanent residence in the Soviet-occupied zone or the Soviet-occupied part of Berlin and had to flee, in order to escape from a special plight occurring due to the political circumstances and who has not acted against the principles of humanity and the rule of law. A special plight is given in particular in cases of immediate threat to one's life or personal freedom. Economic reasons alone do not suffice to be acknowledged as a Soviet Zone Refugee." (Federal Law Paper 1953)

After the law was passed in 1953 amendments were made multiple times, with the third amendment of June 29th 1961 (Federal Law Paper 1961), shortly before the Berlin Wall was erected, changing the scope of what is to be considered a special plight to encompass strong moral conflict as well as economic reasons if those led

to ones means of existence to be destroyed or significantly impaired, or the destruction or impairment was imminent.

They thereby acknowledged the changing situation in the GDR and adapted the law accordingly. The BVFG also was not the only source of help for the migrants as we will see in the later parts of this thesis and therefore only one tool aimed at creating an equal footing with the rest of the German population. The recipients of the BVFG received a refugee identity card C and according to the population census in 1961 out of the 2.5 Mio around 680.000 had acquired one (Heidemeyer 1994).

1-3. Social Security Measures

The matter of social security was probably one of the most important and far-reaching as it would affect the people for the rest of their lives. The pension, accident and health insurance therefore for a big concern as they usually rely upon regular contribution payments and can, e.g. in the case of pensions only be claimed and drawn on after a certain amount of time. When we apply this to GDR German defectors as well as the expellees from the former eastern territory it is obvious they would be at a clear disadvantage as their existential basis has been uprooted and it was often impossible to inquire about how much they had contributed before coming to the FRG.

The FRG therefore started discussing on a separate law as early as 1951 which resulted in the Law on Pension Rights[25] on August 7th1953, which loosely translates to Law on Pension Rights acquired by contribution abroad. While early discussion considered limiting the recipients in accordance to those *accepted* for permanent residence and evidenced personal danger those arguments were quickly struck down by pointing out that the law needs to encompass all people who de facto have their permanent residence in the FRG or West Berlin. They thereby successfully brought everyone on equal grounds and acknowledged earlier contributions in order to enable them a sustainable livelihood. Every migrant be it from the GDR, or the former Eastern Territories could therefore benefit from the social security system as if they lived in the FRG from the beginning (Heidemeyer 1994). The law had to be renewed after the general pension reform in 1957 which led to pensions being dynamically adjusted to one's wage. The renewed law broadened the benefits so that not only the actually contributed benefits were acknowledged, but instead the pension was calculated by equating it to how much someone living in the FRG would have contributed.

This was important as it reflected the actual financial situation within Germany and prevented a financial pension disparity between FRG and former GRD citizens.

[25] German: Fremdenrenten- und Auslandsrentengesetz

Furthermore, even if the recipients were not liable to insurance deductions in their place of origin, they were included nonetheless.

On the matter of unemployment insurance, there was again the by now usual discussion as to who should be included and whether it should be directly connected to being accepted through the NAG and BVFG. As it was within the scope of the federal states, there was opposition to including people not accepted through the NAG.

It was referred to the federal government level where the law on Unemployment and Unemployment Insurance[26]. As it excluded any restrictions on eligibility and thereby included all migrants in the same way according to their former work to be included in unemployment benefits. Furthermore, the law linked the claim to whether the performed work would have been or was liable to be insured within the FRG. The benefits were calculated on a comparative basis backward and thereby equaled to a person who spent their whole work life within the FRG (Heidemeyer 1994).

Needless to say, this was highly important and gave the migrants and GDR defector an equal footing in their new life in the FRG without making them start over completely, which would have had disastrous effects on the middle-aged and older

[26] German: Gesetz zur Änderung und Ergänzung des Gesetzes über Arbeitslosenvermittlung und Arbeitslosenvericherung (Short: AVAVG)

population in particular. They were therefore wholly reintegrated into the West German social system from an early time, and no distinction was made between the different population groups and their reasons for defection in this case.

1-4. Equalization of Burdens Act

The Equalization of Burdens Act[27] was first passed in 1952 as an extension of the Emergency Aid Law[28] of 1949. The first versions of this law were not applicable to the defectors though. When the law was passed, its purpose was to balance the losses from World War II. As explained above the migration into Germany was not limited to defectors from East Germany. Due to war and the territorial losses, many were left without their livelihoods. The expellees often arrived without any business, capital or household assets and had to leave fixed assets behind. These areas were therefore the ones this law aimed to recompense people for. Its primary aim can hence be seen as the equalization of losses within the German society. The reason the defectors from the GDR were not included was very much a theoretical and ideological one. In anticipation of a speedy reunification, the Federal Republic still perceived the GDR as part of the German territory. Unlike with the expellees, the

[27] German: Lastenausgleichsgesetz
[28] German: Soforthilfegesetz or Gesetz zur Milderung dringender sozialer Notstände

defectors therefore had not actually lost their assets to the war, they were just not available to them at that moment (Albers 1989).

Needless to say, this procedure put the defectors into a disadvantageous situation. Later amendments and expansions of the law decided to include the GDR defector as eligible recipients. Yet, it took until 1965 that the German Bundesrat, one of Germany's legislative bodies, passed the "Law on the Evidence Protection and Determination of Financial losses in the German Soviet Zone and the Soviet sector of Berlin" (Federal Law Paper 1965) which as the name suggests rather than recompensing only served as a means of preserving the record of possible losses. Fortunately, the legislator rectified the situation through the 21st and 22nd amendment of the Equalization of Burdens Act in 1969 and 1970 respectively (Albers 1989). From then onwards, the GDR defectors were able to receive reimbursements for their financial losses spanning all areas described above. The recipients were therefore eligible to receive monetary reimbursements for household items if they were already pensioners their pension could be supplemented, or residential constructions were supported in the form of loans as to promote fast growth of residential spaces (Wieland Lutz 1995).

Due to the broad scope of the law itself and its supplements (Federal Office for Central Services and Unresolved Property Issues (BADV) and Federal Equalisation of Burdens Office), it effectively spanned over a multitude of issues, even including funds for the reimbursements of prisoners[29].

1-5. Refugee Centers and the implementation of registration procedures

An important institution in the context of this work are the refugee centers. With the mass of both expellees, refugees and resettlers arriving in Germany after the end of World War II the FRG was in dire need of providing them with shelter, basic necessities as well as registration and distribution method. As discussed above, that is how the Emergency Reception Procedures were established.

Fig. 8 Refugee Centers for GDR Defectors across Germany

Source: Unna-Massen

The actual implementation can most clearly be looked at through the refugee center facilities. While there were many of them, the Refugee Center in Marienfeld West-

[29] Compare Prisoners Help Act 1955, German: Häftlingshilfegesetz

Berlin was often the center of attention with more than 1.35 million people being registered there until the reunification and will therefore serve as the example for this thesis. While there were some differences to other refugee centers, I believe that the sheer number of people who were processed there due to its location in West Berlin, in particular after the inner-German border as closed in 1952 as well as the international attention it received justify its choice as an example for this work. Established in 1953 in reaction to the rising number of defectors, it is today used as a museum which documents and exhibits the history of the German division. Following we will examine its functions and procedures during the time of division as well as how it changed throughout the different times and stages of migration. The following information on the reception procedures therefore mainly relies on the permanent exhibition within the (Marienfelde Refugee Center Museum).

Table: Stations of the Emergency Procedures

1st Station	Medical Services
2nd Station	Allied Screening Office
3rd Station	Determination of Jurisdiction
4th Station	Welfare Services
5th Station	Police Registration
6th Station	Intermediate Examination A
7th Station	Intermediate Examination B
8th Station	Appointment Office
9th Station	X-Ray Office
10th Station	Emergency Reception Panel
11th Station	Transfer to West Germany
12th Station	Transport Office

Although its political importance and the number of applicants changed depending on the socio-political situation, the registration procedures stayed the same throughout the years. The precise emergency registration procedures and stations were decided through the implementation regulation of 1951 to the NAG of 1950. It consisted of twelve stations which the applicant had to seek out one after another. A stamp on the processing slip, served as proof of completion. Any donations or social services the applicant received were also noted there in order to ensure a fair allocation. After arriving at the refugee center and stating their names to receive their processing slip, as well as a health card, where eventual diseases would be noted the applicants were referred to the first station – Medical Services. There the applicants were checked for any infectious or contagious diseases, and the results were written down on their health cards.

If a person was actually sick, they were either put into the center's quarantine or admitted to a hospital in Berlin.

Fig. 9: Marienfelde Refugee Center
Above: People waiting in front of the Marienfelde Refugee Center
Brinkmann Sören 2014
Below: Processing slip for the reception procedures
Marienfelde Refugee Center Museum

The second more peculiar and controversial station was the Allied Screening Office. It is also one of the main differences between the refugee center in Marienfelde and the ones on the rest of the FRG territory in Gießen or Uelzen. First on the matter of the Allied Screening Office in general. The American, British and French Intelligence questioned the applicants one after the other on the same questions and paid attention to contradictions and tried to gain information on the situation in the GDR. The intelligence agencies therefore also tried to identify applicants who were in a function of influence or knowledge in the GDR, e.g. as members of the police force.

The basis for the validity of screening by the Allied Forces was the 1949 Occupation Statute which remained valid until 1990. Although granting the majority of the governmental authority back to Germany, it still retained the supervision for some areas, including refugee matters. While the screening was not obligatory, nor did it have any consequences for the result of the emergency procedures, it was understandably a matter of concern and controversy both within the German ministries and within the refugee centers themselves (Oesterreich 2008; van Laak 2017; Effner and Heidemeyer 2005).

It was only after the screening that it was decided whether the applicant in question had to through the emergency registration procedure to begin with. As this was not the case for asylum seekers or resettlers from the former Eastern Territories, who were then referred to the correct public authorities.

At the fourth station, the applicants were provided with welfare services. The Welfare Services provided basic necessities like clothes or food, assigned refugee housings in case the Marienfelde Refugee Center was full already and distributed vouchers or train tickets as well. Furthermore, they were the first point of information as to what social benefits they were entitled to. It is also worth mentioning that many charitable and social organizations helped both in the at the time of registration as well as later on matters of social incorporation.

The fifth station was the police registration which served to make sure that regardless of the result of the application everyone who arrived was accounted for. The police also checked whether any of the applicants had a criminal record or were convicted before.

Only after they had finished these first five stations were they able to file the actual application for a residence permit in the FRG and West-Berlin. They had to provide their personal information as well as on people they had fled with, whether they had any remaining family members in the GDR and their reasons for defecting from East Germany. The extent to which they had to elaborate on their reasons understandably changed with the years. According to the exhibition the justifications and reasons for defection could span over multiple pages in the early years of division, yet in the late 80s keywords like “politico-economic situation” or “freedom of movement” would be sufficient.

It was the Intermediate Examination A that received the application and decided whether further verifications on the credibility of the statements was necessary.

The Intermediate Examination B questioned the applicants again and checked their statements to the information provided on the application and through the Allied Screening. The public organizations in charge of this second examination were therefore unsurprisingly the Federal Intelligence Agency, the Federal Office for the Protection of the Constitution and the German Unification Ministry. While the first two agencies focused on looking for persons with valuable information as well as preventing agents the German Unification Ministry sought information on the socio-cultural situation in the GDR.

With the Examinations done the applicants had nearly reached the end of the procedure after making the appointment for the Emergency Reception Panel at the Appointment Office. An X-Ray was made in the meantime to check for tuberculosis, which seemed to have been a frequent disease in the refugee centers in the 60s (Effner and Heidemeyer 2005).

The Emergency Reception Panel was the most crucial part of the whole procedure, as it was there the decision of granting or declining the application was made. The members of the panel were a committee appointed by the three largest parties, CDU, SPD, and FDP of the West German Parliament called the Bundestag. They had access to all of the information collected throughout the procedure and also

questioned the applicant throughout the meeting. The vital question they needed to resolve was whether the applicant was in a special plight occurring due to the political circumstances, whether their life was in danger or whether he was in danger of his personal freedom as defined in the NAG.

After receiving the residence permit through the Panel in the case of West Berlin the transport and distribution to one of the West German federal states was next. Remaining in Berlin was usually only allowed if the refugee had family or a workplace there. The director of the emergency procedure decided in accordance with the agreements and distributive capabilities of the respective federal states where the refugee was to be transferred to, although their wishes and preferences were taken into consideration.

The Transport Office was therefore the last station of the procedure. They allocated the refugees onto planes with empty seats. There were special accommodations in case of early morning flights as well to prevent disturbances to the other refugees.

The irregular foreign policy between the GDR and the FRG led to many sudden ups and downs in the number of applicants which complicated the situation for the refugee centers. In the case of the Marienfelde Refugee Center, its role as a refugee center ended with the enforcement of the Treaty Establishing a Monetary, Economic and Social Union between the German Democratic Republic and the Federal Republic of Germany from July 1st, 1990.

2. The Republic of Koreas

As established in the earlier sections there are already stark differences between the two cases which make a general comparability between the two countries increasingly difficult. The following part of this thesis will therefore aim to analyze the governmental resettlement as well as the legal measures for the Republic of Korea in order to provide a comparison between them and follow on the societal impact of all the areas analyzed so far as well as their implications for the comparative relevance as a whole. Although it was already pointed out at the start of this topic segment due to the language barriers the author was only able to rely on secondary and governmental sources in the English language which proved especially limiting in the analysis of this legal area.

2-1. Legal Beginnings of Government Support

We can already witness a difference in how the diaspora was handled early on. After the Korean peninsula was divided and the armistice was concluded in 1953, it would put us into a similar timeline as divided Germany. It is the Korean War experience as well as South Koreas domestic political struggles which influence the legislation and have an understandably long-lasting effect on the foreign and domestic policy between the two parties.

As mentioned in the segments on historical context and migration patterns there was a significant number of cross-border movement after the end of World War II as well

as during the Korean War. Unlike the German case, the post-war migration did not trigger any legislation in specific support the War Refugees[30] or Crossers to the South[31] in South Korean though. The number of defectors also drastically dropped after the Korean War until the 1990s, but the few defectors who did succeed were openly welcomed, not least of which due to their propagandistic value and knowledge.

The first legal initiative was taken in 1962 was taken with the Special Relief Act for Patriots and Veterans and North Korean Defectors[32] under President Park Chung-Hee (International Crisis Group 2011). Risen to power through a coup the former military general's administration gave rewards and special treatments to defectors bringing military secrets or weapons. The amount of the reward money was dependent on the value of the information (Chung 2008).

Special Relief Act for Patriots and Veterans and North Korean Defectors was later on abolished in 1985 and was followed by the Act on Special Compensation Act for Heroes Returned to South Korea[33] in 1978. One of the main changes through this second law was that even if the defectors did not bring any significant intelligence

[30] Korean Pinanmin (피난민)
[31] Korean: Wolnamin (월남인), referred to North Koreans defectors leaving in the period between 1945 - 1950
[32] Korean: Gukgayugongja Wollamgwisun Teukbyeorwonhobeop -國家有功者 및 越南歸順者 特別援護法 (국가유공자 월남귀순 특별원호법)
[33] Korean: Wollamgwisunyongsa Teukbyeolbosangbeop - 越南歸順勇士 特別補償法 (월남귀순용사 특별보상법)

or weapons they were rewarded as the name of the law suggests as patriots and heroes. It therefore enabled the inclusion of civilian defectors into the circle of eligibility. In terms of rewards, this is the first instance where the defectors not only received a one-time monetary reward but were also given resettlement money and housing as well as employment and living aid including medical service. As Chung (2008) points out though, the small number of defectors mostly consisted of former officers and diplomats, which apart from being rich sources of information also served as means of propaganda and proof of the superiority of the South Korean system (Chung 2008). The defectors at that time were therefore considered as patriots and people of national merit which makes sense considering how few of them there were and the highly politicized situation of that time (Jung 2011). As with the migration patterns, the perceptions change significantly with the rise in defectors and the end of the Cold War period in the 1990s.

During the Kim Young Nam administration, the 1993 Act on the Protection of North Korean Brethren Returned to the State[34] introduced. With the authority shifting from the Ministry of Defense to the Ministry of Health and Welfare it simultaneous shows a shift in perception from heroes to economic refugees. For those defectors, the reduction in support made their resettlement more difficult. Chung points out that a survey conducted in 1998 by the Ministry of Unification showed that while only

[34] Korean: Gwisunbukandongpobohobeop (귀순북한동포보호법)

13.6% of the defectors under the new 1993 Act earned more than one million Won per month over 47% of the former "Heroes" generation did and were also nearly half as likely to be employed (Chung 2008). This author would like to add that while the lessened support undoubtedly impacted this discrepancy, as the migration from the 1990s onward did not include as many high-level defections as before their prior level of education and work is likely to have an influenced these results as well. It does not change the fact though that they were obviously faced with a range of socio-economic problems and in need of adequate support. As we will see, the support system was re-established through the law we will be focusing most of our attention on – the 1997 Protection of Defecting North Korean Residents and Support of Their Settlement Act and its revisions so far and yet many of the defectors continue to struggle economically (United Nations High Commissioner for Refugees 1997).

2-2. 1997 Protection of Defecting North Korean Residents and Support of Their Settlement Act

The Protection of Defecting North Korean Residents and Support of Their Settlement Act[35] is the basis for sett the current resettlement support and procedures for North Korean Defectors.

As Art. 1 of the Law points out, it was adapted to the purpose of protecting and supporting North Korean defectors to adapt quickly and settle down in life politically,

[35] Hereafter, Settlement Act

economically, socially and culturally. It therefore aims to encompass a wide range of social spheres. The policies to be provided are actually pointed out clearly in the articles. Following the law, settlement support facilities are to be set up and operated (Art.10) to provide care to the persons protected under the law until they move into an accommodation (Art.11) as defined under Article 20 and other accommodation related articles. It also calls for a wide range of education-related policies including Social Adaption Education and Vocational Training (Art.13-16, 24). On the matter of economic support, arrangements for employment (Art.17) are to be provided and at least a minimum living standard supported (Art.26). The initial settlement support described in Art. 10 is called Hanawon and will be examined in the next section. It is already visible though that the law aims to give a highly comprehensive support system for the arriving defectors in order to avoid the maladjustment issues which arose through the previous legislation and at the same time not fall back on the politically oriented reward system of the early post-war period.

2-3. Resettlement Support for North Korean Refugees

The resettlement support provided through on the basis of the settlement is significantly more complicated than what the very registration and distribution-focused support analyzed in our German case. The first resettlement training was opened in 1999 in accordance with the Settlement Act described above. In the meantime, has been expanded twice before in 2003 and 2008 as well as building a new second resettlement center in 2012 (The Korea Herald 2012).

The Ministry of Unification outlines the Resettlement Support to be a cooperative process between the central government, the local governments as well as private institutions as visible in the graphic on the right side (Ministry of Unification 2013).

Especially the sphere between the local government and private institutions shows that many private institutions like volunteers and counselors support the regional adaption centers where four weeks of social orientation education take place.

The settlement support can be divided into three broad stages. The first part is the period before the social adaption program in Hanawon, followed by the resettlement preparation in the Hanawon centers. It is actually only after these first to stages that the actual resettlement takes place (Ministry of Unification 2014).

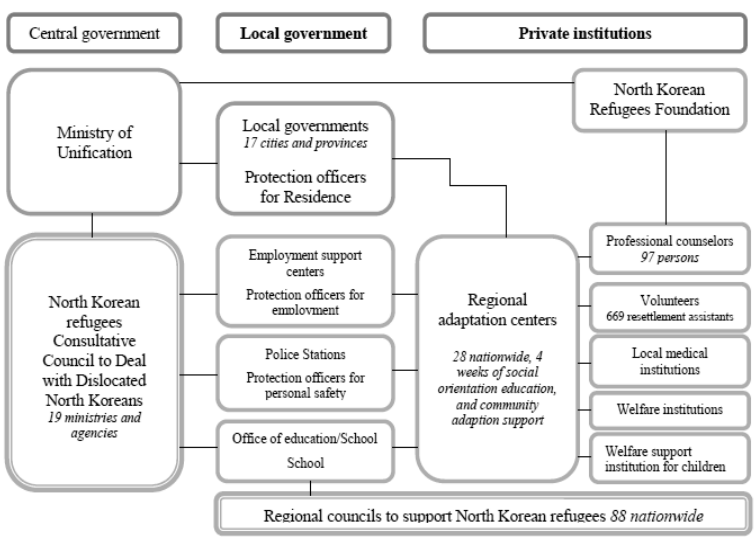


Fig. 10: Resettlement Support Organizational Chart

2-3-1. Hanawon Center

The first stage of the process is similar to the German refugee centers. One difference is though that most North Korean defectors are not able to defect to South Korea directly, but instead take the long journey through Northern and Mainland China to reach, e.g. Thailand or Mongolia in order to request protection at the local embassy

Fig. 11: Social Orientation Program at Hanawon

or representation which is unique to the situation on the peninsula. Upon entering South Korea, the defectors are then interrogated by the respective government agencies. After the interrogation, the decision on whether the defector falls under the protection of the resettlement process is made by the Consultative Council to Deal with Dislocated North Koreans which consists of 19 ministries and agencies (Ministry of Unification 2016). After the defectors are decided to be eligible of protection under the Settlement Act they enter the second stage of the resettlement process – the social adaption education at the Hanawon Center.

As the figure from the most recent 2016 White Paper on the Korean Unification shows, the Social Orientation Program in Hanawon spans 392 hours over a time span of 12 weeks. Under the objective of giving the defectors emotional stability, helping them overcome the cultural shock and give them support in achieving socio-economic independence the focus' are clearly on nurturing a better understanding of South Korean society, democracy, and a free market economy on the one side and career guidance and vocational training on the other side. In addition to that other voluntary programs are offered in which defectors can take part if they wish (Ministry of Unification 2016).

Especially in contrast to the German refugee centers, this might seem very reeducation oriented, yet it is direly necessary. As surveys conducted by the Korean Hana Foundation as well as the demographic and educational background of the incoming defectors shows, any attempt at socio-economic inclusion would be impossible otherwise. In order to put matters into context, the most recent settlement survey conducted by the Korea Hana Foundation the majority of the defectors are young female adults in their 20s to 40s. Over 70% of the survey participants had only higher middle school education or lower in North Korea which responds to a below upper secondary level of education[36] (Korea Hana Foundation 2016). In

[36] Compare Defintion in OECD Statistics

contrast, according to the 2017 OECD Education at Glance Report, 70% of the 25-34-year-old South Korean population has attained tertiary education, resulting in a significant gap between the defectors and the local South Koreans (OECD 2017, 44).

It is therefore understandable for the Hanawon Centers to put such emphasis on the initial social adaption, but also on providing career advice and vocational training. Through the second Hanawon, intensive programs for the acquisition of work certificates and qualifications are offered including areas such as care work, hairdressing, cooking, and others. School education is further provided to North Korean defector children at Hanawons Handul School.

Due to the various mental and health-related strains, there is a so-called Hana Clinic within the Hanawon facilities where doctors and medical specialists are available to the defectors. They take care of the primary care, vaccination, cancer screenings, dental care and health education with other treatments being provided at nearby hospitals. Further programs for emotional and psychological stability and an extension in areas gynecology and urology have been introduced since 2015 (Ministry of Unification 2016, 192). With the conclusion of the Social Orientation Program at Hanawon, the actual resettlement of the defectors begins.

2-3-2. Settlement Services and Support after Hanawon

The settlement benefits include housing, basic settlement and additional benefits for vulnerable groups as well as education and can extend to include incentive payments

if certain criteria are met. For example, additional financial Incentives are given when defectors finish over 500 hours of vocational training, for their first certificate of qualifications as well as in the form of employment benefits depending on how long and where they are employed, and housing can be further subsidized for defectors choosing rural over metropolitan areas (Ministry of Unification 2016, 200-202). In order to give business owners an incentive to hire defectors the Korean government also subsidizes half of the worker's monthly salary or 500,000 Won, depending on whichever is higher.

On the matter of education, North Koreas defector students in elementary, middle and high schools are exempt from any admission, tuition, school operation and boarding fees. If they meet certain conditions, they are also eligible for admission and tuition fee exemption at national or public university. In the case of private universities, the government subsidizes half of their tuition over a time span of four to six years (203). There are coordinators from the Ministry of Unification and the government supporting young defectors at their new homes, communities and at school. The Hana Foundation and the government also provide them with study workbooks or distance learning programs to close their gap in English language education. They furthermore provide scholarships to the students and support specialized schools for North Koreans which are to prepare the youths for education at regular South Korean schools.

The government has and is still expanding a mentorship program ranging from elementary school up to college and university. Through a Korea-U.S. joint work and study programs, defectors are even able to study and work as interns in the U.S for up to 18 months. A College Student Future Leadership Contest which started in 2011 enabled high school and college students who won the contest to receive training abroad and aims to nurture a future generation of leaders on the issue of unification on the Korean peninsula (213-215).

The support system is not limited to financial measures though. After the defectors resettle into their new places of residence the multifaceted network described at the beginning of this section comes into place. Through the inclusion of regional organizations, local governments, volunteer groups and communities including welfare organizations or NGOs into regional councils they aim to provide support to the new citizens in their respective areas.

As a follow up to the Hanawon Center, regional adaption centers – called Hana Centers – provide intensive training to the newly resettled defectors and offer them personalized programs in employment, education, healthcare, and livelihood. There were 29 regional adaption centers throughout South Korea by 2015 with four of them being located in Seoul and six in the Gyeonggi area (206f).

Particularly in the light of the next section of this work, it is also important to mention the series of economic and employment-related programs the government and the Korea Hana Foundation have introduced in recent years.

Employment Center Ministry of Employment and Labor	Employment Support Center Korea Hana Foundation	Central and Local Governments
Tomorrow Learning Card System Vocational training development account system 2 Million KRW in virtual account to be used at vocational training institutes **Successful Employment Package Program** Individual counseling to determine employability and refer to fitting training programs 3 Million KRW subsidy If participant gets job eligible for training allowance and bonus	**Direct Job Creation through support of social enterprises hiring NK Defectors** By 2015 28 social enterprises were supported **Support Defectors open SMEs or become farmers** Financial startup, personalized consulting for SMEs Agricultural education for prospective farmers, help renting farmland and greenhouses, consultancy services	**Employment of Defectors in the government** Started in 2013 By Dec 2015: 133 defectors employed by central and local governments, Ministry of Unification hired 8 defectors into public office Law on Appointment of Public Officials & State Public Officials Act had to be revised in order enable Ministry plans to extend hiring defectors into public office

Data: Ministry of Unification, White Paper 2016

As we can see from the table, much of the employment programs are aimed at providing the defectors with vocational training and enabling to find a job in sectors which mainly translate to manual labor. It has only been five years since the legislation was changed which could give the defectors access to employment in the government. When we look at the current status of socio-economic integration and the implications of this whole study, this proves to be a point of particular importance.

3. Interim Conclusion

This segment on the legal measures and governmental settlement policies provides us with an array of similarities but also many differences. In comparing the two cases,

three points encompassing both differences and similarities can be addressed: The target group of the measures, their scope, and their policy emphasis.

Starting with the target group of these policies, there is a difference occurring arising due to the historical context and the migration groups addresses in the segments above. The German law was introduced to include and apply to more than one target group. In fact, in the legislative process, the inclusion of GDR defectors was put to the question more than once. Due to the incoming migration of multiple ethnically Germans, such as the expellees, the legal measures were shaped accordingly and are therefore not recognizable as measures targeting GDR defectors as well as other ethnic-German migrants at a glance. In contrast, the legal measures in the case of the Korean peninsula are specifically for the North Korean defectors exclusively. It is due to that that the analysis above is much more scattered and spread over multiple laws in the case of Germany, while the case of Korea is more centralized.

Secondly, the focus of the measures and resettlement support needs to be addressed. On this second point, there are not only differences but also similarities between the two cases. Of course, both countries aim to support the defectors, take care of administrative issues such as registration, resettlement into their new place of residence and the provision of employment and educational opportunities. Yet, there is a difference in how much focus is put on what measure, which is most likely a result of the different timeframes of the policies as well as the discrepancy in defector numbers. While most of the policies in Germany started right after the division the

comprehensive support in South Korea started in the 1990s when the German division had already ended. It is therefore relatable that while Germany had to focus on registering and distributing and providing housing to a large number of defectors. South Korea on the other hand only started to witness a rise in defections from the 1990s. And it is from this point onwards that focus of the measures connects with the third point of interest, the scope of the measures. The defectors South Korea was confronted with were not "only" displaced and had to rebuild their livelihoods, which was the primary challenge in Germany, in addition to the economic needs the South Korean government also has to address the social and health-related discrepancy between the defectors and the local Koreans. While Germany started to witness a social discrepancy in the last years of the division, there was only a need for comparably small adaption support. The difference in socio-economic development between North- and South Korea calls for a significantly broader scope in the legal measures and resettlement support than was ever necessary in Germany. It is likely that Germany would have been confronted with similar challenges in reintegration had the division lasted longer, but due to the reunification, it never reached the scope of diaspora we are witnessing in South Korea.

While these three points reduce the comparability, they do carry important implications for the relevance one case has for the other. The possibility is high that the issues Germany has in integrating defectors from the GDR are going to existing in an even more severe manner for the case of Korea as the discrepancy between the

defectors and the local population is higher in one case than the other. We will therefore examine the matter of socio-economic integration the difficulties each case is facing in the following segment and continue to draw the final conclusion of this analysis.

V. Socio-Economic Integration and It's Difficulties

Although the matter of Integration is another expansive issue on its own, I would like to touch on it shortly as it can be seen as an exemplified case of the cumulative effect of the differences outlined above. At this point of this paper, it has been established that there are significant differences between the case of the Federal Republic of Germany and the ongoing case on the Korean peninsula, which make a general transferability of the German case impossible and thereby affect its relevance. On the other hand, any difficulty Germany has in the integration is likely to be exponentially more difficult for South Korea. The remaining question is whether there is something Korea can gain from the German experience. The following segment aims to answer this question. In order to do so, we need to look into the timeframe closest to reunification as well as the current situation for Germany and the current situation within South Korea.

1. The Federal Republic of Germany

As has been outlined above, the legal measures implemented by the German government as well as the procedures in the refugee centers were largely a matter of registration, redistribution throughout Germany and economic or more precisely work integration. The existing West-German social welfare system was applicable to the defectors and took them into consideration as if there was no division and they had contributed to it from the beginning. Germany is well known for having an

extensive social security system which is reflected in how much the government spends on social welfare, labor markets or family benefits.[37] With progressing time though, in contrast to the rather economic approach taken before, the necessity for social integration arose. West-German citizens knew too little about the situation and the circumstances within East Germany; some would argue they still don't, thereby also lacking in understanding about the many defectors and refugees escaping it. In turn, for those who had left behind their existence to escape to West-Germany were often overcome by the reality of bureaucracy, a consumption overload and were on top of that confronted with the prejudices of their fellow citizens. Due to these developments and difficulties special programs were introduced in the 1970/80s. The challenge they faced though was that the former GDR citizens had a high aversion to any kind of governmentally organized program due to their prevalence in East Germany. The newly introduced support programs were therefore overwhelmingly led through civil societies and on an individualized basis, e.g. through therapists or sociologist. The adult evening education centers for example also tried to provide interesting seminars targeting both former defectors as well as West Germans in order to bridge the knowledge gap and promote a better understanding (Effner and Heidemeyer 2005, 93f). All-in-all though, we can witness that the social alienation

[37] Compare OECD Data (2018), Germany has been spending over 20% of ist GDP on Social Spending even before reunification with the ratio rising drastically in the decade after. According to the most recent data from 2016 Germany is spending 25.3% of GDP. In contrast, the OECD average in 2016 for social spending is 21.0% with South Korea unfortunately lagging behind at 10.4%

seems to have become increasingly problematic in the last decade before reunification. Unlike the Korean case though, there is, unfortunately, no survey material on the economic activity or satisfaction of GDR defectors during the time of division or after reunification. While the studies on the refugee centers mention the difficulties mentioned above, there is no representative survey data on the matter. There is plenty of data on the situation and population of the new federal states of Germany, which is how the former East German territory is referred as. Especially in the context of the 25th anniversary of the German reunification, the topic of continuing disparities or successful reunification became the center of attention again. Furthermore, the Federal Government publishes an annual report on the status of German Unity which will also be referenced for this purpose. While this cannot be seen as a directly comparable to the data presented in the context of the Korean peninsula, I believe it does illustrate possible difficulties. One of the biggest challenges since the reunification has been to establish social and economic unity between the New and Old Federal States. If we take a look at the current economic situation in the New Federal States, the population is still lagging somewhat lagging behind, as the unemployment level is higher while the income is on average lower than in Eastern Germany. While the annual income ratio saw improvement in the 90s, the income disparity has grown again and is somewhat stagnant ever since (compare Fig.11).

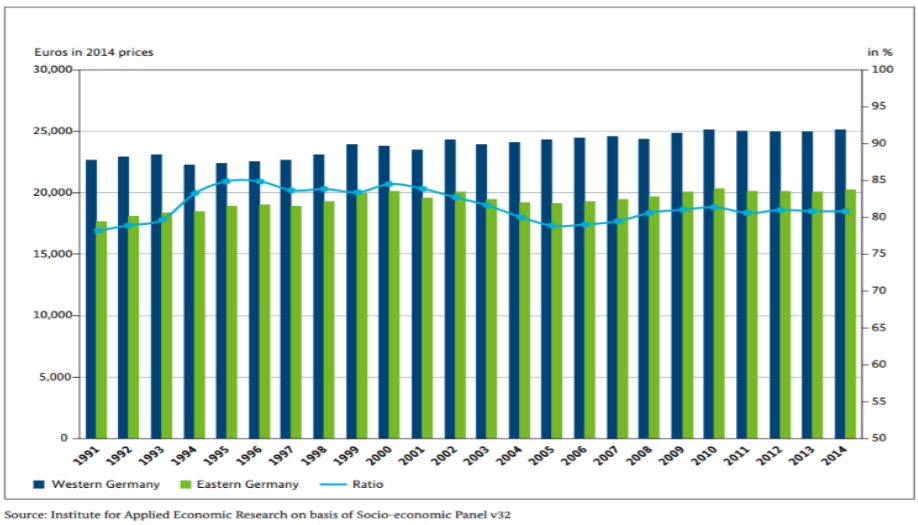


Fig. 12: Equivalence-weighted net annual income

Source: Federal Government Commissioner for the New Federal States 2017, 44

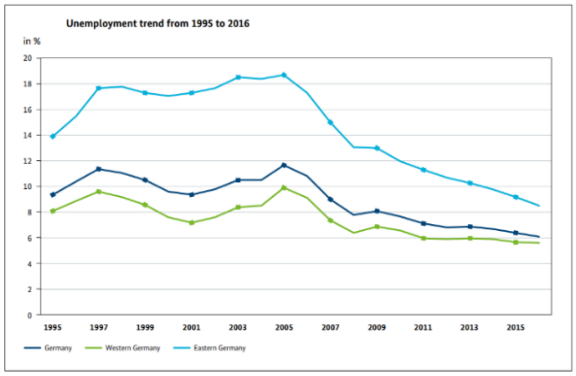
The unemployment ratio, though still higher in East Germany has improved drastically since the reunification. As many lost their jobs or had to reorient themselves with the fall of the communist GDR decreasing the unemployment rate and this gap in the population has been an ongoing concern in Germany (MDR.DE 2017). Nonetheless, surveys also show that both in the New and the Old Federal States the majority are proud to be German. There are some persisting differences in the perception of social issues though. Asked about their stance on socialism over 72% of the people in Eastern Germany agree that it is a good concept that has only been executed badly, while the approval in Western Germany amounts to little under 46% (ZEIT ONLINE 2014). The demographic structure also increasingly differs

between Western and Eastern Germany as many young people have left the region over the years. A significantly higher percentage of Eastern Germany is sparsely populated and of older demographic. While West Germany turned into an increasingly multicultural place even before the reunification even now the ratio of migrant population is much lower in Eastern Germany with the exception of hubs such as Berlin, than in West Germany (Federal Government Commissioner for the New Federal States 2017, 50). In Eastern Germany, there is furthermore a lower degree of trust in governmental and legal institutions (Roland Legal Protection 2015). These mental and societal discrepancies became especially evident in the last German election in 2017.

Unemployment rate as a percentage of the civilian labour force

	2015	2016
Total	6.4	6.1
Western Germany	5.7	5.6
Eastern Germany	9.2	8.5
Men		
Total	6.6	6.4
Western Germany	5.8	5.8
Eastern Germany	9.6	9.0
Women		
Total	6.2	5.8
Western Germany	5.6	5.3
Eastern Germany	8.7	7.9
Younger people (from 15 to 25)		
Total	5.3	5.3
Western Germany	4.8	4.8
Eastern Germany	8.2	8.6
Older people (from 55 to 65)		
Total	7.3	6.8
Western Germany	6.5	6.1
Eastern Germany	10.6	9.4

Source: Federal Employment Agency



Source: In-house diagram based on statistics from the Federal Employment Agency

Fig. 13: Unemployment in Germany

Source: Federal Government Commissioner for the New Federal States

While there has been a worrisome rise in populism globally, within Germany, the right-wing populist party Alternative for Germany (AfD) received surprisingly high support in the New Federal States (Stuttgarter Zeitung 2017).

It is evident, that even though the majority agrees that the German reunification was a success, even nearly 30 years afterward clear differences, both in social perceptions as well as economic status are evident. Being aware that the German unification is no model for the unification on the Korean peninsula this author believes that the discrepancies we can witness in East Germany and their mindsets have serious implications for the ongoing case in Korean. The following segment will therefore look at the current situation in South Korea and resume to draw the final conclusion on this work.

2. The Republic of Korea

The ongoing case of Korea is of particular interest at this point. As we have established throughout the analysis of the individual aspects influencing government policy and migration the discrepancy between the German and Korean case seems to make the formers relevance for the latter ever smaller. One would expect this to be especially poignant in the matter of socio-economic incorporation of the defectors. I will therefore focus my attention on this point for the purpose of this thesis. As we could see in the prior section on the resettlement procedures, their focus seems to differ with much attention being put on re-education and the restoration of their

physical and mental wellbeing in Hanawon. In the recent years, many employment promotion initiatives have been introduced. The Hana Foundation has conducted research and surveys with the defectors residing in South Korea which can give us a better understanding of the socio-economic difficulties they are facing. Yet, as their most recent English surveys referenced in this section are from 2015 and 2016 the impact of the newly introduced measures may not be evident in the Data yet.

The surveys in question are the 2015 Economic Activity Survey of North Korean Refugees in South Korea and the 2016 Settlement Survey of North Korean Refugees in South Korea.

While a majority of 67% of the surveyed defectors stated that they are satisfied or very satisfied with their life in South Korea the reason for their satisfaction can be seen to be rooted in factors concerning their individual freedom as well as that they have a better standard of living compared to North Korea (Korea Hana Foundation 2016, 15). The reasons for their dissatisfaction though are overwhelmingly economic though. While the percentage of refugees stating economic difficulties as decreased throughout the years from over 70% to 58% in the last survey of 2016 it is apparently an important factor. Other factors named in the latest survey were prejudice and discrimination against them at 31.7%, a severe gap between their capabilities and what they want to do at 25.3% or difficulties in adjusting to South Korean Culture at 24.0%. Furthermore, the following question on which kind of support they desire in the future over 30% of the respondents answered for either financial, medical or

educational support and over 24% wished for more job and housing-related support (16).

These survey answers show that while the array of difficulties the defectors encounter upon their arrival in South Korea include many facets such as psychological and health related issues the socio-economic difficulties are the most prevalent. One explanation might be found in the demographic structure. The majority of survey participants for the 2016 survey have been residing in South Korea for five years or longer. With the help of the medical providers and counselors, the resettlement support offers the initial period of mental hardship and adjustment might be overshadowed by the more immediate issue that the protection period for many of the resettlement services is limited to five years (10).

Interestingly though, while we could identify problems of social adaption in the later part of the German division, there was no mention of significant financial difficulties. Those are more prevalent since the unification, and equalization and unity between the two regions became the aim. It seems to be a matter of importance in the case of Korea though. In order to understand this divergence and its implications, we need to look at the surrounding situation in more detail though. Yet again, the data provided in the 2016 Settlement Survey gives us the first indicators to do so. In comparing the standard of living in South and North Korea, the survey shows the percentage of High and Middle Class decreasing upon their defection to South Korea while the percentage of Lower socioeconomic status increases (17). This

development is also reflected in the employment situation of the defectors. While the employment ratio is already slightly under that of South Koreans, their types of employment, as well as their role in that job, differ significantly (10). Considerably more refugees work in the manufacturing or lodging and restaurants sector (36). Furthermore, the job types the majority of the respondents occupy is either as a service provider or laborer whereas South Koreans are spread more evenly throughout the job types and overwhelmingly occupy specialist or related personnel or jobs as clerks, which of course has a direct effect on the average monthly income of respondents (37). It is therefore unsurprising that the 2015 Economic Activity Survey shows a pay gap of over 30% between the average South Korean and the North Korean refugees while they also have a higher tendency to work longer hours per week (Korea Hana Foundation 2015, 18f). The survey furthermore indicates, how the economic difficulties can perpetuate other issues, e.g. concerning whether they are able to seek out medical help ranging even to suicidal thoughts or be a reason for absence and drop-out from school (20, 50, 55).

The reasons for the gap between South Koreans and the refugees is undoubtedly multifaceted. For one, the hardships they endured while fleeing as well as in their relative lack of education and skills in comparison to their fellow South Koreans results in a significant gap. As described above the governmental support already offers educational and employment support programs. Why is it then that the

refugees are still struggling in these areas and how come there weren't similar issues in the German case. The answer to this question seems clear.

The cases started in a similar manner, but as this study has shown throughout the different segment analysis' they diverged quickly with the discrepancy in development between North Korea and South Korea being significantly larger than the one between West Germany and East Germany ever was (The Economist 2010). North Korean refugees not only had to deal with much harsher living conditions and more hardships than the ones from the GDR, resulting in ongoing health issues, but the cultural and educational gap is also larger as well leading in turn to them lagging behind in the current highly competitive South Korean society. Furthermore, while there was a certain skill gap within the East German defectors, due to the fast-growing German economy of the time, there was an even bigger need for workers which is why not only the defectors and refugees but basically any kind of immigrant was able to find a workplace eager to have them fast (Bundeszentrale für politische Bildung).

One notable difference can be found in the general support net of the two cases. As mentioned in our section on Germany, a significant amount of its' GDP is spent on social spending has been famous for its comprehensive social security measures and invests more than 20% of its GDP on social spending[38], which of course was

[38] Compare OECD Data (2018), The OECD defines Social Spending as expenditure comprising cash benefits, direct in-kind provision of goods and services, and tax breaks

accessible to the defectors from the start as well. In comparison, South Korea spent 10.4% of its 2016 GDP on Social Spending which is far below the OECD average of 21.0% in the same year. There have been recent initiatives, such as the rise in the minimum wage and the decrease in working hours (Kim Dasol 2017), which although not targeted at defectors directly may benefit them. Many of the issues the defectors are facing, such as difficulties in finding employment, lack of education and assets and the thereby resulting dependency on government support, but also their feeling of alienation within the Korean society might be issues that cannot be solved by targeting the defectors only and might need to be looked at as a bigger structural issue within South Korea.

3. Interim Conclusion

The segments above deal with two very different situations and can therefore not be directly compared. One situation, the current situation in Germany, can be seen as a window of possible difficulties for the South Korean case though and its implications would be severe. Even though the differences between divided Germany both socially and economically were not as severe as what we are facing on the Korean peninsula, the division is tangible and statistically visible even after over 25 years of an undoubtedly successful case of unification The Korean division, on the other hand,

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with social purposes. Benefits may be targeted at low-income households, the elderly, disabled, sick, unemployed, or young persons. To be considered "social", programmes have to involve either redistribution of resources across households or compulsory participation.

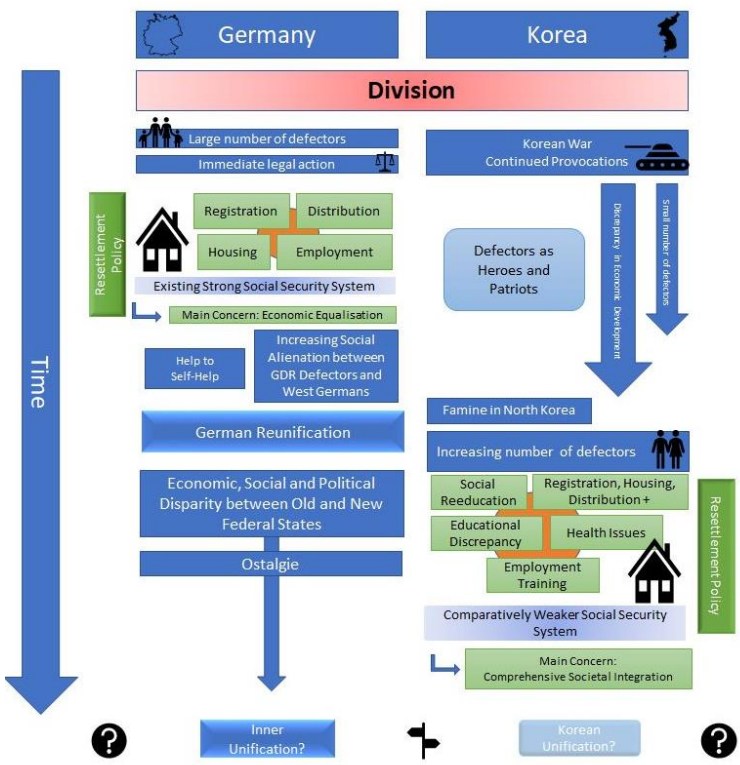
has not ended yet. Although South Korea is confronted with a situation many times as complicated and dire as Germany, it actually has one benefit – the comparably small number of defectors. This can and should be seen as a chance. The socio-economic disparity between the relatively small number of defectors and the South Koreans is startling though. The gap in education and job types has led to defectors being mainly employed in what would be categorized as manual labor and receive a significantly lower income.

Although their effects are not included in the surveys above, the implemented employment projects such as the asset building project, are unlikely to have a far-reaching impact in the current situation. The defectors are only going to be able to save some of their monthly income if they are able to sustain themselves with it to begin with. A more general approach might therefore be needed. Two significant differences between Germany and Korea are the extent of the general social security system and social spending on the one hand and on the homogeneous and competition oriented Korean society on the other hand. A broad societal approach in combination with the support system which is already in place might therefore be necessary in the long-term. By making the society more heterogeneous and accepting, by implementing more social security measures and providing a more comprehensive support, by tackling issues such as poverty among the elderly and the high suicide rate in South Korea and in general creating an equal footing within society may result in a long-term approach of equalization between defectors and the

South Korean society by decreasing comparably big discrepancies existing in South Korea as a whole. In the short-term, adults should be encouraged to seek out job-types translating to more than minimal income. This might make it necessary for the protection and support period of the resettlement policies to be significantly expanded though, as currently much of the support system is limited to roughly five years. By raising the incentives and chances for a long-term and stable socio-economic situation, defectors should be able to pursue their goals on an equal footing with the rest of the population. Lastly and maybe most pressingly, the general society has only been included in the discourse on reintegrating the defectors in recent years. Nurturing interest for their lives, their situations and their stories without politicizing them and including the South Korean society in a dialogue of mutual learning and understanding are going to be vital for any kind of future development on the peninsula though. This is a mistake which was made within Germany, during the time of division and after and is even now the cause of differing perceptions. In order for a reintegration and reincorporation into society to be successful both parts need to be interested and actively participating in the efforts.

VI. Conclusion: Differences and Similarities between the Case of Germany and the Case of Korea at a Glance

Through the prior analysis, this work aimed to answer the question of comparability between two often compared cases of division and diaspora, Germany and Korea with a focus on the respective countries government policy. Through the analysis of similarities and differences in the thematic segments of history, migration patterns, and socio-political environment, legal measures and governmental programs, as well as lastly the socio-economic integration the relevance of the German case, was to be determined, and possible lessons for the ongoing division in Korea pointed out.



In this following conclusion, the multifaceted results gained from this research are summarized and visualized in a simplified manner.

As the graphic visualization shows, the cases started to diverge from an early stage. The main differences between the cases can actually be easily recognized. The first obvious factor spanning the entire case study is the shift in time spans. While Germany had to deal with a large number of defectors immediately after the division occurred the Korean case was characterized by the Korean War experience and its subsequent hostility. As Germany continues to witness large numbers of defection as well as other inward migration it is forced to implement resettlement procedures almost immediately. In the same timeframe, the Korean peninsula is still in an environment of hostility and competition with the public opinion being clearly divided along the opposing ideologies. The small number of defections does not call for immediate legal action. The principal legal initiatives and the introduction of a comprehensive resettlement policy happen at a time when the German case of division has already ended. Germany therefore did not have to address many of the issues the Korean resettlement system is faced with.

The resettlement policies in South Korea therefore have a starkly different purpose, emphasis, and scope than the German ones. While Germany had to focus on quickly registering and distributing the defectors to adequate housing, with employment being nearly self-fulfilling due to the high demand in a time of drastic economic development the situation could not be more different in South Korea. In addition to

those needs, the South Korean resettlement policy has to provide social re-education, reduce the educational discrepancy between defectors arriving in a society infamous for its emphasis on education and examination as well as resolve prevalent bodily and mental health issues. In short, while Germany's primary concern was economic equalization of the defectors South Korea needs to provide a comprehensive societal integration while having a comparatively weaker social security net to fall back on.

These difference result in low comparability between the two cases and a diminishing relevance of the German experience. Yet, the current issues the German society is facing can act as a lesson and implication to the Korean case. The probability that the issues Germany is still facing up to this day and its efforts and hurdles towards inner unification within the German population are highly probable to be faced by Korea exponentially if any sort of development resulting in a freer movement between the borders is made. The comparably small number of defectors should be seen as a chance and a warning. If the Korean society and government are unable to successfully integrate and resettle little over 30.000 defectors over such an extended period of time any development towards a unified peninsula id going to be difficult. South Korea is lagging behind within the OECD in social security spending and other social welfare related issues such as the poverty rate which is unusually high for the elderly. While it is highly competitive as an economy and in educational achievement, it also has one of the highest working hours and suicide rates. While the effect of the most recent employment programs is yet to be seen, South Korea

might do well by looking at the deficits in resettlement and integration from a broader perspective. If the society as a whole offers more security measures to anyone in need and starts reducing the barriers defectors are faced when they try to integrate into society not only from their side but also from the point of the society it could result in a more long-term approach on the matter of integration and maybe one day unification. Prejudices in public opinion are difficult to break and societal change difficult, yet they are just as integral to a successful reintegration as the efforts made by the defectors themselves. If there is one lesson that South Korea can learn from Germany, it is that unless there is a mutual rather than one-sided understanding, a real unification may be hard if not impossible to achieve.

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국문초록

한국과 서독의 탈북자/탈동독주민 대한 정책

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독일연방공화국과 대한민국은 분단이라는 비슷한 상황에 의해 통일이라는 주제로 종종 비교되어왔다. 기존 연구들이 두 국가의 통일 시나리오 비교에 집중한 반면, 탈주자들에 대한 정부 정책은 많은 관심을 받지 못해왔다. 이에 본 논문은 독일연방공화국과 대한민국이 각각 독일민주공화국과 조선민주주의인민공화국의 탈주자들에 대해 수립한 정책들을 비교, 분석한다. 현 시대 사회-정치적 정책들을 설명하고, 정책 변화를 이끄는 주요 사건들을 자세히 서술하였다. 탈주자들의 정착과정에 대한 비교와 그 바탕에 깔린 법적 근거도 주요한 내용 중 하나이다. 본 논문은 비슷해보이는 두 국가의 상황을 비교, 분석하고, 독일의 사례가 대한민국의 상황과도 관련이 있는지 밝히며, 대한민국의 분단상황에서 고려할만한 교훈을 탐구한다.

주제어: 동독난민, 탈북자, 정부 정책

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