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## THE NATIONAL COMMITTEE ON NORTH KOREA



### ISSUE BRIEF

## U.S.-North Korea Divided Families

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## Introduction

The 1945 partition of the Korean Peninsula along the 38<sup>th</sup> Parallel and the outbreak of the Korean War five years later led to the displacement and separation of up to 10 million family units.<sup>1</sup> The continued division of these families is an enduring and painful legacy of the human costs of these events and their aftermath. Seven decades after the start of the war, these families remain the victims of geopolitical confrontation and entrenched borders. Despite being in the twilight of their lives, most of these families remain unable to see or communicate with each other.

Communications and travel between North Korea and the rest of the world, particularly South Korea and the United States, remain highly restricted. Since 1985, there have been 21 state-organized family reunion meetings for citizens of North and South Korea, bringing together more than 44,000 families. However, these reunions consist of brief, often tearful meetings before the families return to a state of separation. Korean-Americans and others in the Korean diaspora have not had similar opportunities, due to a relative dearth of official assistance or channels of engagement for facilitating reunions with their loved ones in North Korea.

In recent years, there have been increasing levels of grassroots activism in support of reuniting divided Korean-American families, leading to statements of U.S. government support for this issue and passage of bipartisan Congressional legislation addressing it. However, reunions for Korean-American families remain an elusive goal due to many external factors. Legal barriers to free travel and communication between the U.S. and North Korea, as well as a lack of institutional memory and political will to identify and match separated family members, make the logistics of such reunions highly challenging. The entanglement of the issue with broader political and security issues in U.S.-DPRK negotiations adds a further set of obstacles.

The North Korean government has refused to include U.S. citizens in inter-Korean reunions and has insisted that Washington and Pyongyang deal with the Korean-American divided families issue bilaterally. Meanwhile, Seoul has prioritized giving limited reunion spots to its own citizens. Korean-Americans without dual citizenship have only been able to participate in inter-Korean family reunions vicariously through immediate family members in South Korea or have had to resort to privately organized reunions through often-unreliable third-party brokers.

## Memories of War and Separation

*When the Korean War broke out, boys who were 12 years old or older and young men in North Korea left for the South so that they wouldn't be conscripted into the North Korean army. They left their grandparents, parents, and siblings, and some left their wives and children, too. Married women left their family members in North Korea when they came south with their husbands. Some people came south without their married sons and daughters, some left their young children in their parents' care, and some left their grown-up daughters to take care of their grandparents who were too old to walk to the South. They all left in a hurry, and some of them didn't even have time to say goodbye to each other. They all believed the conflict would be over in a few months, and they would go back home soon. Nobody ever thought it would be the last time they would see each other.*

*Some were separated on their way to the South. Adults had to carry luggage containing clothes, pots and pans, rice and some dry food. Some women carried their babies on their backs besides carrying their luggage. Young children were supposed to hang on to their mothers' skirts or to the hands of their elder siblings. But in the stream of refugees and in the chaotic situation being pushed and pulled or running for shelter when they were attacked, or rushing to the boats or climbing up onto the ships, they let go of each other's hands.*

- **Chahee Lee Stanfield**, a 79-year old Korean-American divided family member in Chicago and long-time grassroots advocate for family reunions

### **Historical context: The separation of families during the Korean War and Korean immigration to the U.S.**

The majority of divided family members were separated as refugees fleeing the Korean War. Because there was no expectation that the peninsula would be divided indefinitely, families pursued different strategies to escape the dangers of military conflict as the fighting approached and later escalated. Some Korean families were divided when individuals fled to Manchuria or across the 38th Parallel before the outbreak of the Korean War. At the time of the UN Command's retreat from North Korea following China's entry into the war, a large number of Korean refugees also relocated southward. Others became separated when family members were taken as prisoners of war and never repatriated, or were abducted as civilian hostages and forcibly taken to North Korea.

Accounting for Korean-American divided families is an important first step in potentially facilitating their reunions with relatives in North Korea. The number of Korean-Americans who have relatives in North Korea is most frequently estimated to be 100,000, a figure that experts and advocates have derived from 2000 U.S. Census data and the ratio of divided families in South Korea. Though Congressional legislation, media articles, and advocacy efforts widely cite this number, without an official nationwide program to identify and register Korean divided families, this figure remains tentative.<sup>2</sup>

Notwithstanding such need, it is difficult to quantify the number of Korean-American divided families due to the reluctance of many Korean-Americans to self-identify or speak out as divided family members. The perceived shame – carried over from Cold War times – of being associated with relatives in North Korea, as well as language and cultural barriers for many first-generation immigrants, tempers self-identification and self-advocacy to the point where they do not share their stories with their children or grandchildren, much less unfamiliar organizations.<sup>3</sup> The desire to protect their relatives in North Korea from political exploitation may also be a contributing factor to the lack of vocalization and awareness among the Korean-American community. According to a survey conducted by James Foley, an expert on Korean divided families, while over 80 percent of South Korean divided families did not know the status of their relatives in North Korea and wanted to contact them, two-thirds of respondents stated that they made no attempt to do so due to “fear of incurring problems” for their relatives in North Korea.<sup>4</sup>

Though the overwhelming majority of the nearly two million Korean-Americans in the United States arrived as South Korean citizens,<sup>5</sup> it is likely that many of them can trace their family roots to North Korea. Many people with North Korean roots faced discrimination in post-war South Korean society, and refugees from the North generally had fewer deeply rooted social, family, or property ties in the South than their non-displaced neighbors. It is therefore very plausible that a relatively high number of Koreans originally from the North decided to immigrate to start new lives in the United States, and that the proportion of Korean-Americans from divided families is consequently higher than that of the general South Korean population. According to scholar Ji-Yeon Yuh, the majority of Korean immigrants who settled in the United States before the early 1980’s traced their hometown to North Korea.<sup>6</sup>

### **Inter-Korean family reunions**

As of November 2019, the average age of South Korean divided family members was 81.<sup>7</sup> Thousands in South Korea pass away every year without ever having the chance to meet their families. According to data from South Korea’s Ministry of Unification, more than 60% of the 133,370 applicants who applied for the lottery for inter-Korean family reunions since 1988 have already passed away, while over 85% of the remaining 53,000 people are over the age of 70.<sup>8</sup> A 2018 survey shows that 92% of divided family members in South Korea expressed a desire to know what happened to their relatives in North Korea, while 75% expressed interest in participating in a reunion program in North Korea.<sup>9</sup>

Though the origins of Korean family divisions are the same, the paths for reunions diverge over citizenship issues. The inter-Korean exchange program, operated on the South Korean side by the ROK Red Cross in coordination with the Ministry of Unification, allows people to register for the inter-Korean reunion lottery, as well as for the opportunity to submit a video message to family in the North or to obtain information on the status of their relatives.<sup>10</sup> The Ministry of Unification also has a program to support its citizens who attempt family reunions via private brokers in third countries such as China.<sup>11</sup> Only South Korean citizens are eligible to apply for these programs; members of the Korean diaspora, including Korean-Americans, are not.<sup>12</sup> However, organizations of first-generation divided family members based in South Korea – such as the Committee for the Five Northern Korean Provinces, the Association for Reuniting the Ten Million Divided Families, and the National Unification Advisory Council – maintain chapters in the United States, where they manage a network of Korean-American divided families through local programming.<sup>13</sup>

After the Korean War, there were unofficial attempts at reuniting families that had been separated within South Korea, including a popular live televised program of “finding dispersed families” in 1983 run by the Korean Broadcasting Service that lasted 138 days and reunited 10,189 families. However, it was only in 1985, following over a decade of negotiations between the North and South Korean branches of the Red Cross, that the two governments agreed on a formal inter-Korean family reunion program. A pair of reunion events soon took place in Seoul and Pyongyang, but the occurrence would not be repeated for another 15 years.

South Korean President Kim Dae-jung’s Sunshine Policy of prioritizing cooperation and engagement with North Korea, which began in the late 1990s, rekindled hopes that divided families could reunite. In the June 15, 2000 North-South Joint Declaration between the leaders of the two Koreas, Kim Dae-jung and Kim Jong Il explicitly agreed to “exchange visits by separated family members and relatives,” opening the floodgates for reunion programs to take place on a regular basis.<sup>14</sup> The pace of inter-Korean family reunions increased in the subsequent administration of Roh Moo-hyun, who continued his predecessor’s engagement policies. However, the frequency of reunions dropped under the more conservative governments led by Lee Myung-bak and Park Geun-hye, reflecting the deteriorating state of inter-Korean relations during their tenure.

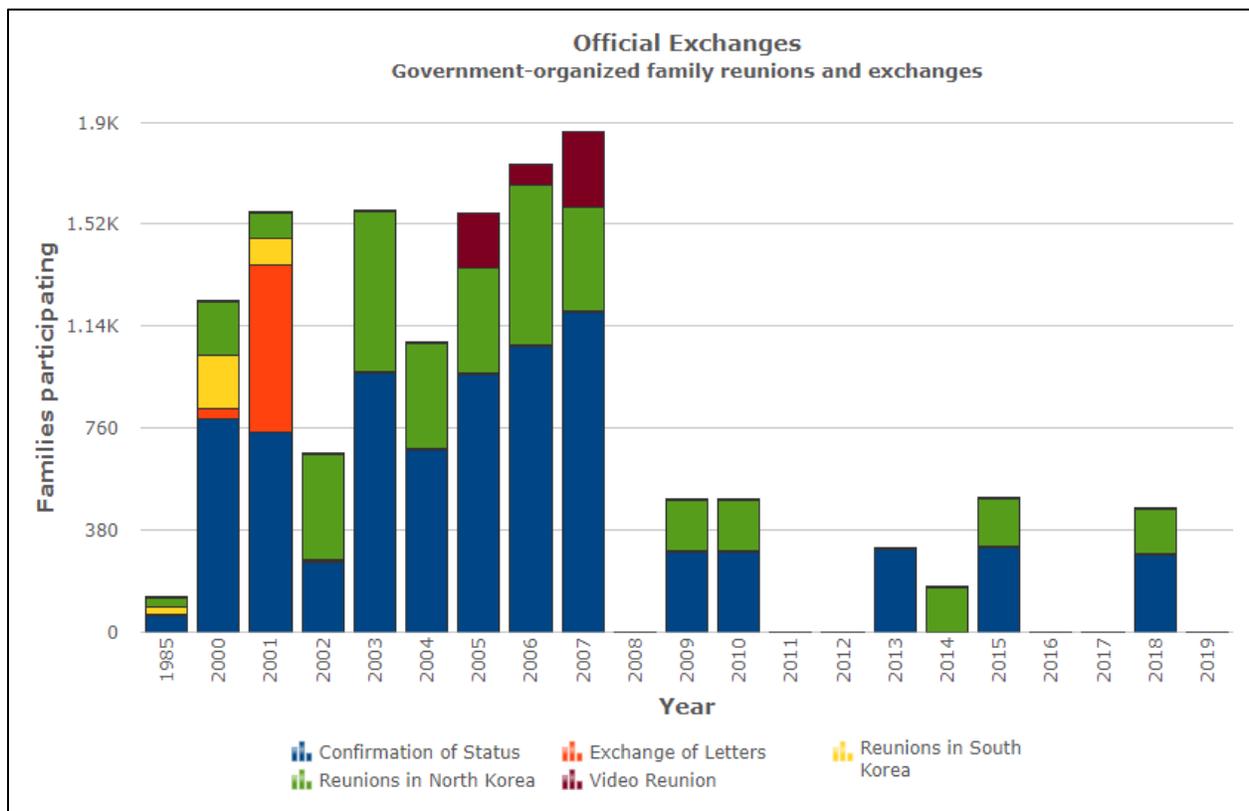
South Korean President Moon Jae-in has attempted to prioritize the issue of divided families, highlighting the importance and urgency of reunions in several speeches and policy statements and even suggesting the inclusion of Korean-Americans in inter-Korean family reunions.<sup>15</sup> Furthermore, the South Korean government has reaffirmed its support for privately organized reunions by supporting South Korean citizens attempting to reunite with their relatives through Chinese brokers, and received a sanctions waiver from the United Nations Security Council for updating video conferencing equipment for family reunions.<sup>16</sup> However, the North Korean government has largely rebuffed or ignored these overtures, putting inter-Korean family reunions on hold since 2018. North Korea has instead announced that it would demolish South

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Korean-built buildings at the Kungang mountain resort, the site of most inter-Korean reunions.<sup>17</sup>

Since the June 15 Joint Declaration, 4,290 families (20,604 individuals) have been able to participate in in-person inter-Korean government sponsored reunion programs, in addition to 7,970 families who obtained information on the status of their relatives in North Korea and 679 letter exchanges.<sup>18</sup> Since 2005, there have also been seven rounds of video reunions between 557 families (3,748 individuals), in which divided family members speak to each other remotely at facilities designated by the two governments, as well as 22,062 recorded video messages.<sup>19</sup>

Though family reunion participants from the South are chosen randomly via lottery, the selection process for North Korean divided family members is less clear, with some surmising that they are chosen based on their loyalty to the North Korean government. Furthermore, participants from North Korea are accompanied by government minders who monitor the conversations as well as the gifts that South Korean family members bring. While generating news headlines and considerable attention worldwide, inter-Korean reunions have also been criticized as media spectacles that prioritize presentation over privacy for the participants.<sup>20</sup>



Source: *NorthKoreanintheWorld.org*, via ROK Ministry of Unification

Family separation has been described as a traumatic experience for all divided family members, with prolonged psychosocial consequences and a high likelihood of damage to mental health; the brief and infrequent nature of inter-Korean reunions may, in many cases, only compound this psychological burden.<sup>21</sup> Participants of the inter-Korean reunion in 2000 received clinical treatment for PTSD symptoms, possibly due to the shock of reuniting and then saying farewell to their families in such a short period of time.<sup>22</sup> Some, including the American Red Cross and the International Committee of the Red Cross, note that family reunions are a temporary quick fix, pointing out the risk of “double trauma” of individuals being separated from their family members again and highlighting the need for a more permanent mechanism for family reunions. One scholar in particular has recommended that reunion programs should take these factors into consideration and provide support services to minimize mental and emotional trauma while maximizing privacy and sustainability.<sup>23</sup>

Additionally, inter-Korean reunion programs have not included measures for American citizens to participate; Pyongyang has preferred to negotiate directly with Washington on this issue. However, despite the North Korean government’s resistance to including American citizens, the South Korean government allowed a handful of immediate family members residing overseas – regardless of their citizenship – to participate in inter-Korean reunions if their South Korean relatives were selected in the lottery. During his tenure, Special Envoy for North Korean Human Rights Ambassador Robert King also raised this issue several times with officials from the South Korean Ministry of Unification and the Foreign Ministry, urging them to include Americans in their meetings on a more sustained basis. South Korea’s success in organizing inter-Korean reunions after 2000 gave hope to Korean-American divided family members, and motivated some Korean-Americans to try to find out about the whereabouts and status of their family members in North Korea.

### **Efforts by Korean-American divided family members to reunite with North Korean relatives**

The absence of formal U.S.-DPRK diplomatic relations compounds the difficulty of establishing a government-to-government mechanism of family reunions, particularly given the sustained communication and political will needed to implement such a program. Largely excluded from participating in inter-Korean reunions, most elderly Korean-Americans seeking to reconnect with their families in North Korea have largely been left with two alternatives: liaising with the North Korean government or relying on third-party brokers.

The admission of the DPRK as an observer state to the UN in 1973 and establishment of a diplomatic office – or Permanent Mission – to the UN in New York enabled the North Korean government to have a physical presence in the U.S. for the first time and to access Korean-Americans more directly.<sup>24</sup> As a result, some Korean-Americans attempted to contact and reunite with their family members through organizations linked to the North Korean government. The primary channel for such contact has been the Korean-American National Coordinating Council (KANCC), a U.S.-based NGO that works as a liaison for the Association

for Overseas Compatriots, a North Korean Workers' Party agency responsible for engaging with the Korean-American community, particularly on family reunion or letter exchange operations.<sup>25</sup>

Given the distrust of the North Korean government among elderly Korean-Americans, the potential risk of identification and monitoring of family members by North Korean authorities, as well as the unpredictable success rate of matches through the KANCC, many elderly Korean-Americans are reluctant to engage further with the organization or unofficially with the North Korean government. According to one KANCC organizer, some Korean-American participants' criticism of the North Korean government also contributed to a suspension of KANCC-facilitated visits to North Korea for almost a decade, from 1994 to 2004.<sup>26</sup>

One anecdotal case of privately facilitated family reunions came through Heang Ki Paik, the secretary of the Northern California chapter of the Council of People from the Northern Provinces. Leveraging his longstanding personal relationship with diplomats at the DPRK Mission to the UN, Mr. Paik successfully facilitated visits to North Korea for four Korean-Americans, who were able to meet with their relatives, and found matches for eight other divided families.<sup>27</sup> Many Korean-American divided families, however, have proven reluctant to engage with the North Korean government on these kinds of private program.

American divided family members also have attempted to pursue family reunions through unofficial channels facilitated by Chosonjok (ethnic Korean Chinese) brokers in China or Canada. These networks have enabled some successful family reunions, and have even led to a few instances of Korean-Americans smuggling family members out of North Korea through China. However, there have also been several cases that either turned out to be scams or that resulted in a failure to locate the correct family members, despite the exorbitant costs that divided family members paid up front in cash.

Reliance on these unofficial channels has often led to dangerous and exploitative situations that put multiple parties at risk. Some divided family members who used brokers reportedly paid upwards of \$90,000 in an attempt to simply learn about their family members' whereabouts or for an opportunity for reunion. The fees were subjective and brokers did not provide any documents proving their credentials or receipts for their business transactions.<sup>28</sup>

## **Advocacy efforts by NGOs to raise the issue and open official channels**

Advocates for divided Korean-American families have argued that reunions are a fundamentally humanitarian issue that ought to be pursued for its own sake, and should not be tied to concerns over North Korea's nuclear program or U.S. sanctions policy. As grassroots organizations have worked to raise awareness of this issue over the last two decades, they have found wide support across multiple branches of the U.S. government, including the State Department and a bipartisan array of Congressional offices. It would be difficult to find explicit opposition to the idea of U.S.-DPRK family reunions among U.S. policymakers, even though it

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has been necessary for advocacy groups to engage in persistent grassroots lobbying on this issue to keep it from falling on the priority list.

In 2001, a grassroots advocacy campaign led by Chahee Lee Stanfield and the Korean-American community in Chicago caught the attention of Representative Mark Kirk (R-IL), who subsequently pushed Secretary of State Colin Powell to make family reunions a priority issue in the event that the United States and North Korea normalized relations.<sup>29</sup> In 2007, Representative Kirk and Representative Jim Matheson (D-UT) established the bipartisan 10-member Congressional Commission on Divided Families, the first official U.S. government mechanism dedicated to the issue of U.S.-DPRK family reunions. These efforts eventually led to the passage of House Concurrent Resolution 77 (sponsored by Rep. Xavier Becerra and Rep. Ed Royce) and Senate Concurrent Resolution 90 (sponsored by Sen. Barbara Boxer and Sen. Charles Hagel).<sup>30</sup> These resolutions called on the President to “support efforts to reunite people of the United States of Korean ancestry with their families in North Korea.”

The issue of divided families was also included in the North Korean Human Rights Act of 2004, which states that “United States non-humanitarian assistance to North Korea shall be contingent on North Korea’s substantial progress toward...providing for family reunification between North Koreans and their descendants and relatives in the United States.”<sup>31</sup> However, North Korea has criticized the U.S. for linking calls for family reunions with criticism of the country’s human rights record, as the DPRK government sees raising human rights as a tool of U.S. “hostile policy.”<sup>32</sup>

From 2006 until 2013, the Saemsoori Project, an initiative of the Eugene Bell Foundation (a non-government organization focused on providing medical humanitarian assistance to North Korea), spearheaded the grassroots advocacy effort among Korean-American communities. Saemsoori worked to promote awareness about the divided families issue across the country, create an informal registry of divided family members, and push for legislation. The initiative’s advocacy efforts led to the inclusion of a provision in the National Defense Authorization Act of 2008 (H.R. 4986, Section 1265) that directed the President to report to Congress on family reunions between U.S. citizens and their relatives in North Korea.<sup>33</sup> Saemsoori also worked to include a provision in the Continuing Appropriations Act of 2011 (Public Law 111-242), which urged “the Special Representative on North Korea policy to prioritize the issues involving Korean divided families, and to, if necessary, appoint a coordinator for such families.”<sup>34</sup>

There appeared to be a ripe opportunity for a pilot program of U.S.-DPRK family reunions in 2011 when, at the urging of Senator Mark Kirk (R-IL),<sup>35</sup> Secretary Hillary Clinton proposed including this subject in U.S. talks with North Korea. In a subsequent visit to Pyongyang to secure the release of a U.S. detainee and discuss the possibility of U.S. food aid to North Korea, Special Envoy for North Korean Human Rights Robert King also raised the subject of divided families, and received a positive response from the North Korean side. Discussions to identify divided family members who could participate in a reunion meeting continued throughout the year, but the sudden death of Kim Jong Il in December 2011 disrupted these negotiations. The

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subsequent failure of the short-lived “Leap Day Deal,” under which North Korea would curb its nuclear activities and the U.S. would provide nutritional assistance, dashed any hopes for a completion of the pilot program for family reunions.<sup>36</sup>

Advocacy for these reunions has continued despite the setback. On November 29, 2016, the U.S. House of Representatives passed joint resolution H.Con.Res. 40, encouraging North Korea to allow Korean-Americans to meet with their families in North Korea. In a press release on the resolution’s passage, Representative Charles Rangel (D-NY), who introduced the resolution, noted that it “lays the foundation for divided family members to meet their loved ones whom they have not been able to see for over six decades... These Americans have every right to see their loved ones and it is our duty to help them by encouraging reunions.”<sup>37</sup> However, North Korean state media sharply criticized H.Con.Res. 40, calling it a “a trick to cover up the criminal nature of the U.S. which spawned the issue of divided families” through its role in the division of the Korean Peninsula and its “illegal occupation of south Korea.”<sup>38</sup>

Some efforts to build momentum on the issue have been unsuccessful. For example, the version of the North Korean Human Rights Reauthorization Act of 2017-18 introduced in the House of Representatives (H.R. 2061) included a clause on “reuniting Korean-Americans with their relatives in North Korea,” but the Senate counterpart bill and the ultimate version of the legislation did not.

In the past few years, Divided Families USA, a grassroots coalition of Korean-Americans, has carried on the work of Saemsoni by advocating for a formal mechanism of U.S.-DPRK family reunions, managing its own informal Korean-American divided family registry and liaising with the U.S. government. A handful of other Korean-American organizations, such as the Korean American Grassroots Conference, the Korean American Public Action Committee, and the Council of Korean Americans, as well as NGOs doing humanitarian work in North Korea such as the American Friends Service Committee, have worked to elevate this issue to a national level.

Today, there is renewed interest and hope for this issue, including the first-ever congressional forum featuring testimonies from Korean-American divided family members in June 2019, hosted by the Congressional Asian Pacific American Caucus.<sup>39</sup> In March 2019, Congresswoman Grace Meng (D-NY) introduced the Divided Families Reunification Act (H.R. 1771), which directs the U.S. Department of State to consult with South Korean officials on potential family reunion opportunities for American families and their relatives in North Korea. The bill would also require the U.S. Special Envoy on North Korea Human Rights Issues to consult bi-annually with representatives of Americans with family members in North Korea about its efforts to support family reunions, and to report to Congress on opportunities to utilize video conference technology to encourage virtual reunions.<sup>40</sup>

Congresswoman Karen Bass (D-CA) also introduced a resolution on “Encouraging reunions of divided Korean-American families,”(H.Res. 410) in May 2019. Her bill “calls on the United

States and North Korea to begin the process of reuniting Korean-American divided family members with their immediate relatives” through ways such as exchanging family information, finding matches, and working with the South Korean government to include American citizens in inter-Korean video reunions.<sup>41</sup> In March 2020, both H.R. 1771 and H.Res. 410 passed unanimously in the House of Representatives.<sup>42</sup>

## **Contemporary challenges and outlook for Korean-American divided families**

Though the United States has continued to raise the issue of family reunions during negotiations with North Korea, including at the Hanoi Summit between President Trump and Kim Jong Un in February 2019, the North Korean government has shown little interest in reciprocating these efforts.

The issue of family reunions has been seen by some as a bargaining chip for the North Korean government for political and economic concessions, and the political machinations of Pyongyang remain a significant obstacle to a system of regular, timely, and inclusive reunions. On the other hand, as former North Korean diplomat (and recently elected ROK National Assemblyman) Thae Yong Ho notes, financial support for modernizing and building additional reunion facilities could help regularize reunions and reduce the burden on the North Korean government, as long as it does not violate UN sanctions.<sup>43</sup>

Despite the urgency of the issue and widespread recognition of the humanitarian value of family reunions, major political and logistical challenges stand in the way of making reunions a reality. Above all, U.S.-DPRK negotiations (and in a different way, inter-Korean relations) remain deadlocked over fundamental disagreements on Pyongyang’s nuclear and ballistic missile program. Furthermore, since September 2017, the State Department has barred U.S. citizens from using U.S. passports to travel to North Korea, a decision issued in the wake of the death of American college student Otto Warmbier.<sup>44</sup> It is unclear under what circumstances the State Department might be willing to grant exceptions to this passport restriction for American citizens seeking to visit family members in North Korea; humanitarian NGOs and Korean-American organizations have therefore spoken out against the potential impact such passport restrictions could have on Korean-American divided families.<sup>45</sup>

Furthermore, the issue of family reunions remains on the State Department’s agenda, yet has been stymied by a lack of bandwidth to organize a reunion program on its own or even report on the issue to Congress. Thus, the State Department has largely relied on the initiative of external actors, expressing the need for financial support from private donors, information from the Korean-American community about potential participants, and most importantly, a “green light” at the presidential level.

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There is also the practical difficulty of identifying and locating divided families in North Korea given the North Korean government and Red Cross' limited capacity and infrastructure, especially after more than seventy years of separation. Additionally, there is the question of sustainability of such efforts when some divided families meet and realize that they have become such different people due to the passage of time and living in such different political systems.

Analysts have pointed out that a formal agreement on family reunions could be part of the process of normalizing diplomatic relations between the United States and North Korea, or a peace treaty to officially end the Korean War.<sup>46</sup> Barring a major breakthrough in U.S.-DPRK relations, however, the two governments in the meantime can work on identifying divided family members who are still willing and able to participate in a reunion program. While NGOs have been attempting to fill this role on a grassroots level for several years, a government-led initiative could provide the necessary resources, access to information for a comprehensive divided family database, and credibility among the elderly Korean-American community necessary to make reunions a reality.

Korean-American divided families are a living reminder of the unresolved nature of the Korean War and its lingering human costs. Given the seven decades that have passed since this conflict began, the window of opportunity for Korean-Americans with memories of their North Korean relatives to see them one last time is closing quickly. These divided families are a rare human link between the United States and North Korea. Their reunions would be deeply meaningful on a personal level, and could perhaps build trust and contribute to dialogue between the two countries as well.

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