
Support for Russian conscientious objectors in South Korea

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Overview

- February 24, 2022 Russia's invasion of Ukraine
- September 21, 2022 Russia declares partial mobilization of military reservists
- 27 Russians attempted to enter South Korea sailing down the North Pacific coast in yachts between October 1-10
 - 6 were granted entry, the rest were denied entry
 - "Suspected of entering the country for the purpose of evading conscription in their home country," according to a Coast Guard report.

Overview

- October 4, 2022 Three Russian conscientious objector arrive at Incheon International Airport to seek asylum
- October 11, 12 South Korea's Justice Ministry refused their applications for refugee status
- October 27 Files appeal challenging the Justice Ministry's refusal
- February 14, 2023 Wins right to apply for refugee status at Incheon District Court
- February 28 Immigration appeals, Conditional entry permit with residence restricted to the Immigration Reception Center.
- April 1 Lawsuits filed to revoke restrictions and groundings

South Korean government response

- Does not meet qualifications for a review for refugee status quote, "not being worthy of evaluation," – Ministry of Justice
- Stranded asylum-seekers at the airport departure lounge has been a strategy adopted by South Korea (e.g. Afghanistan and Congolese refugees)
- South Korea boasts a 3% refugee acceptance rate, second lowest in the OCED

Civil society response

Legal assistance

- Public defender group called APIL provides legal aid
- Use of national laws and systems
 - Complain about airport detention to the National Human Rights Commission
 - Administrative procedure for failure to grant refugee status
- Use of international human rights mechanisms
 - Appealed to the "Special procedures" of the UN human rights commission.
 - Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status (2012), Legal precedents in the United States, Europe and other refugee convention countries, UN report CONSCIENTIOUS OBJECTION TO MILITARY SERVICE (1985)

Civil society response
Political
assistance

- Making visible: organising media interviews to inform Korean society about the presence of Russian refugees and the human rights violations they face.
- Letter writing: Encourage citizens to get involved. Collect messages of support online and handwrite letters at face-to-face events.
- Fundraising: Raise money from citizens for living expenses of the CO refugees during the refugee screening process.

Current situation

- Only 5 of the estimated 200 refugees remain to continue their administrative process.
- One lost an administrative case as a dual national, one won but moved to a third country and three are currently waiting for their asylum case to start.
- On the other hand, some Russians who entered South Korea before the war started refused to serve in the military after the mobilisation decree and applied for refugee status. They are currently in administrative proceedings after being rejected as refugees.
- Refugee applications from Russians living in the country are on the rise. 1,038 in 2022, 4,037 by September 2023.

Challenges

- How do we get them through refugee screening?
- How can conscientious objection refugees be organised?
- How can World Without War support conscientious objector refugees?
- There are many other conscientious objection refugees who have come to South Korea besides Russia, how can we develop a campaign with them?