



Highlights of [GAO-10-691](#), a report to congressional requesters

Why GAO Did This Study

Famine killed hundreds of thousands of North Koreans in the 1990s and compelled a large number of others to leave in search of food, economic opportunities, and escape from a repressive regime. This migration continues. Some North Koreans seek resettlement in other countries, such as South Korea and the United States. To promote a more durable humanitarian solution to the plight of North Korean refugees, Congress passed the North Korean Human Rights Act in 2004. In reauthorizing the Act in 2008, Congress found that delays in processing North Korean refugees have led refugees to abandon their quest for U.S. resettlement. GAO was asked to (1) assess the U.S. government’s efforts to facilitate the processing of North Korean refugees who request resettlement in the United States from overseas, and (2) determine the number of North Koreans who have sought asylum to remain in the United States and the process by which they may do so. GAO is issuing a separate classified annex to this report. GAO analyzed data on North Korean refugees and asylees, interviewed agency officials, and conducted fieldwork in Asia.

This report does not contain recommendations. The Departments of State (State), Homeland Security, and Justice provided technical comments and GAO incorporated these comments, as appropriate.

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HUMANITARIAN ASSISTANCE

Status of North Korean Refugee Resettlement and Asylum in the United States

What GAO Found

The U.S. government has taken actions to facilitate the U.S. resettlement of North Korean refugees from overseas, but processing times did not improve from fiscal years 2006 to 2008 due in part to some host countries’ policies. The United States opened cases for 238 North Korean refugee applicants from October 2004 through March 2010, and 94 of these North Koreans arrived in the United States. As part of its recent actions to facilitate the processing of North Korean refugees, State has placed a high priority on these cases and provided additional staff time and resources to process these cases. However, according to U.S. officials, some U.S. requirements, such as conducting and clearing security checks, can delay U.S. processing. According to officials from the U.S. government and international organizations, the policies of some host countries also can affect U.S. processing of North Korean refugees. For example, some host countries delay granting North Korean refugees permission to leave their countries. Average processing times for North Koreans did not improve from fiscal years 2006 to 2008, the most recent year for which complete data were available (see below). State officials said that one host country limited U.S. government access to North Koreans in fiscal years 2007 and 2008, resulting in longer average processing times for cases created in those years. While processing times for North Koreans were lower in fiscal year 2006 than those of some other refugee populations, the processing times were generally comparable in fiscal year 2008.

Average Time to Process North Korean Refugees, Fiscal Years 2006 to 2008			
Case creation to U.S. arrival	FY 2006	FY 2007	FY 2008
Number of North Koreans who arrived in the United States (by year of case creation)	27	48	10
Average (number of days)	133	399	314

Source: GAO analysis of data from the Department of State, Refugee Processing Center.

From October 1, 2004, through March 2, 2010, at least 33 North Koreans have sought asylum protection to remain in the United States, but the actual number is likely higher. Of the 33 North Koreans, 9 individuals have been granted asylum, 15 are still pending, and 9 are categorized as “other decisions,” meaning their cases have been denied, dismissed, or withdrawn, according to U.S. Citizenship and Immigration Services (USCIS) data. The actual number of individuals is likely higher for several reasons including agencies’ difficulties in compiling information. North Koreans can seek asylum protection through two processes—the affirmative or the defensive. In the affirmative process, individuals who are physically in the United States may present an asylum application to USCIS and undergo a non-adversarial interview to determine their eligibility for asylum. In the defensive process, applicants request that the Department of Justice grant them asylum as a defense against removal from the United States. USCIS data do not include information on North Koreans who first claimed asylum before an Immigration Judge in the defensive process.