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## Survey on Undocumented Migrants in Detention Facilities

Greetings to migrants in Korea,

The National Human Rights Commission is an organization established to contribute to the embodiment of human dignity and worth as well as to the safeguard of the basic order of democracy by ensuring that in violable fundamental human rights of all individuals are protected and the standards of human rights are improved.

The National Human Rights Commission in cooperation with Chonbuk National University (Dong-Hoon Seol, Sociology Professor), IOM Seoul Office (Hyung Ung Goh, Head of Office), Public Interest Lawyers' Group, Gong Gam (Pil Gyoo Hwang, Lawyer) and Network for Migrants' Rights (Hae Woo Yang, Head of Organization) wishes to do an in-depth study on arrest and detention status of unregistered migrants. This research is to access the level of migrant's human right protected during the arrest, detent and removal process. It is to provide recommendation on improving immigration control. The result of the research will serve to come up with a preventative measures to protect human right in the future. To this effect, we wish to ask you few questions about your experience.

Please do not discuss when you answer the questions. Your responses will be processed only as statistical data, so your privacy and secrecy is completely safe. You don't need to worry about it at all. Please answer as much as you can from the beginning to the end. While questions may look many, but it actually takes only approximately 20 minutes to answer all the questions. We sincerely appreciate that you decided to spend your precious time for our research. Thank you.

**July 2005**

The National Human Rights Commission of the Republic of Korea

<http://www.humanrights.go.kr>

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Please mark  $\sqrt{\quad}$  in '\_\_\_', write numbers in '□', write letters/words in '( )'. If it is difficult for you to answer, please write anything that comes up first in you mind.

If there is any question regarding this research, please contact us via:

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A. Personal Information
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1. What is your nationality?

- |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>__ (1) Bangladesh</p> <p>__ (3) India</p> <p>__ (5) Iran</p> <p>__ (7) Japan</p> <p>__ (9) Kyrgyzstan</p> <p>__ (11) Myanmar</p> <p>__ (13) Nigeria</p> <p>__ (15) Philippines</p> <p>__ (17) Sri Lanka</p> <p>__ (19) Uzbekistan</p> <p>__ (21) Other (                    )</p> | <p>__ (2) China</p> <p>__ (4) Indonesia</p> <p>__ (6) Ghana</p> <p>__ (8) Kazakhstan</p> <p>__ (10) Mongolia</p> <p>__ (12) Nepal</p> <p>__ (14) Pakistan</p> <p>__ (16) Russia</p> <p>__ (18) Thailand</p> <p>__ (20) Vietnam</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

2. What is your sex?

- |             |               |
|-------------|---------------|
| __ (1) Male | __ (2) Female |
|-------------|---------------|

3. Which year were you born?

Year: 19

4. When was the most recent year you came to Korea?

Year:

5. What is your religion?

- |                                                                                                                          |                                                                        |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <p>__ (1) No religion</p> <p>__ (3) Roman Catholic</p> <p>__ (5) Hinduism</p> <p>__ (7) Other (                    )</p> | <p>__ (2) Protestantism</p> <p>__ (4) Buddhism</p> <p>__ (6) Islam</p> |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|

6. How is your Korean?

	Very good	Good	So so	Not good	Bad
A. Speaking	(1)	(2)	(3)	(4)	(5)
B. Listening	(1)	(2)	(3)	(4)	(5)
C. Reading	(1)	(2)	(3)	(4)	(5)
D. Writing	(1)	(2)	(3)	(4)	(5)

7. What was your job (what did you do) before you came here?

- (1) Worked at a factory
- (2) Worked at a construction site (for buildings)
- (3) Fishing (Fishing boat)
- (4) Farming
- (5) Restaurant, Cleaning, Serving
- (6) Nursing (Helping sick people)
- (7) Maid (Housekeeping)
- (8) Hostess at bars
- (9) Other ( )

**B. Arresting and Questioning Process**

8. When did you get arrested (caught)?

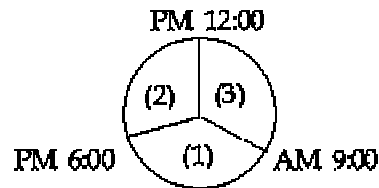
Year: 200  Month:  Date

9. Where did you get arrested (caught)?

- (1) Home, Dormitory
- (2) Where I work (Working Place)
- (3) Street
- (4) Other ( )

10. When were you arrested (caught)?

- (1) 09:00 18:00 ( 9 AM 6 PM )
- (2) 18:00 00:00 ( 6 PM 12 AM )
- (3) 00:00 09:00 ( 12 AM 9 AM )



**The following questions are to ask whether or not immigration officer kept the law.**

11. Did immigration officer show you his/her ID and tell you who he/she is?

- (1) Yes
- (2) No

12. Please indicate how immigration officer acted among the following categories.

- (1) He/She showed me 'Protection Order', 'Emergency Protection Order' or 'Temporary Protection Order' and he/she explained me why I am getting arrested (reason for arrest), where I am going (location of shelter), and how long I will be there.
- (2) He/She showed me a paper and explained about it, but I could not understand it.
- (3) He/She showed me a paper, but did not give any explanation on it.
- (4) I was arrested/caught without any explanation or paper.

13. Did immigration officer tell you that you have a right to get help from a lawyer, a legal representative, or that you have a right to defend yourself?

- (1) Yes
- (2) No

14. What did immigration officer use when you were arrested? Please mark  $\checkmark$  to anything that was used.

- (1) Police equipment like handcuffs, a rope and a club (stick)
- (2) Gas spray
- (3) Weapons like gun or knife
- (4) Electric shock gun, net, leather bit (rope around mouth), net gun
- (5) Other ( )
- (6) There was no equipment used because I did not resist.

15. Were you hurt because the immigration officer used the equipment mentioned above?

- (1) Yes
- (2) No
- (3) Not Applicable (did not use an equipment)

**The following questions ask whether or not you were treated badly when you got arrested by immigration officer.**

16. Did immigration officer hit or kick you when you got arrested?

- (1) Yes
- (2) No

17. When you got arrested, did immigration officer swear, insult or say anything discriminatory (unfair) because you were a foreigner?

- (1) Yes
- (2) No

18. Since when did you stay here?

Year: 200  Month:  Date

19. Have you ever been placed on any other places (shelter) before the current one? Please mark  $\checkmark$  on any place where you stayed.

- (1) Immigration Office's Protection Room
- (2) Protection Center
- (3) Police Station
- (4) Detention House (Confinement Prison)
- (5) Jail/Prison
- (6) Other ( )

20. How long did you stay in previous (last) shelter?

From Year: 200  Month:  Date:

To Year: 200  Month:  Date:

**The following questions ask about investigation process where you got questioned by immigration officer after you got arrested.**

21. How well did you communicate with immigration officer during investigation?

- (1) There was no problem communicating in Korean.
- (2) There was a help from interpreter, so there was no problem.
- (3) There was a translator, but it was difficult to communicate.
- (4) It was impossible to communicate because there was no interpreter.

22. Have you got any help from lawyer or anyone who can assist you on legal matters during the investigation?

- (1) Yes
- (2) No

23. Did immigration officer read or show you the report (on what you have said) to you?

- (1) Yes
- (2) No

24. Has immigration officer ever asked you to sign a document that you did not know what it was about?

- (1) Yes
- (2) No

<b>C. Admission to Migrant Processing Center</b>
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25. Your family, lawyer or friend has been notified of your arrest in letter?

- (1) Yes
- (2) No
- (3) Don't know

26. When you came here, have you ever heard about your rights from immigration officer?  
Please mark  $\checkmark$  on anything you heard from officer.

- (1) Right to have family, friends, or relative to visit you.
- (2) Right to have a visit and a help from lawyer or consul of your country.
- (3) Right to make a petition about being held in shelter.
- (4) Right to make a petition about humanitarian abuse in shelter.
- (5) Right to write letter or to make a phone call to outside of shelter.

27. Did you make a petition your detainment (being held) here?

- (1) I made a petition and received a written decision (verdict).
- (2) I made a petition, but did not receive response yet.
- (3) I wanted to make a petition, but the immigration officer stopped me saying that it would be useless.
- (4) I never knew that I could make a petition.
- (5) I knew that I could make a petition, but I did not do it.

28. How was the body search when you entered here? Please mark  $\sqrt$  on anything applicable.
- (1) I was strip-searched while many people watching me.
- (2) Immigration officer touched my stripped body while he/she searched.
- (3) Immigration officer made sexually explicit jokes and insulted me while I was searched.
- (4) I got a private search inside the dressing room.

29. Was the immigration officer, who searched your body, a male? Or a female?
- (1) Male  (2) Female

30. When you entered shelter, was anything taken away by immigration officer that you need to use? Please mark  $\sqrt$  on anything applicable.
- (1) Clothing  (2) Paper and Pen
- (3) Book (Bible, Koran etc.)  (4) Picture
- (5) Basic cleaning material, cosmetics  (6) Material related to religion (i.e. Necklace etc.)
- (7) Other ( )

**D. Living Condition such as Food and Clothing / Health Care and Sanitary Condition**

31. Among the followings, which material(s) have you received here? Please mark  $\sqrt$  on everything you have received.
- (1) Towel  (2) Toothbrush
- (3) Toothpaste  (4) Soap
- (5) Toilet paper  (6) Sanitation Material
- (7) Indoor Shoes  (8) Hair brush
- (9) Nail Clipper  (10) Cleaning Equipment
- (11) Exercising Equipment  (12) Entertaining Equipment
- (13) Other ( )

32. Are you satisfied with equipment provided from shelter such as clothing (uniform), blanket and pillow?

	Very Bad	Not Satisfied	So so	Satisfied	Very Satisfied
A. Clothing (Uniform)	(1)	(2)	(3)	(4)	(5)
B. Blanket	(1)	(2)	(3)	(4)	(5)
C. Pillow (Bedding)	(1)	(2)	(3)	(4)	(5)

33. If you have any complaint about clothing, what would it be? Please mark  $\sqrt$  on everything applicable.
- (1) It is cold because clothes are too thin  (2) It's too hot because clothes are too thick.
- (3) I received dirty clothes  (4) I received torn off clothes
- (5) I cannot get changed even if the clothes get dirty.
- (6) Other ( )



40. How long is given for exercise hours here?

None	1~2 times a week	30 minutes or less everyday	30 minutes or more everyday
(1)	(2)	(3)	(4)

41. Do you get enough time to take a shower?

(1) Yes  (2) No

42. Do you get enough time to go to the bathroom?

(1) Yes  (2) No

43. How is your health now compared to before you were caught?

	Got much better	Got better	Same	Got worse	Got very bad
A. Physical Condition	(1)	(2)	(3)	(4)	(5)
B. Psychological Condition	(1)	(2)	(3)	(4)	(5)

44. Were there any physical symptoms you had after you came here? Please mark  on everything applicable.

- (1) Headache  (2) Cannot sleep well (Insomnia)  
 (3) Cannot see well  (4) Cannot hear well  
 (5) Have problem in breathing  (6) Felt pain in heart  
 (7) Cannot digest well  (8) Cannot go to the bathroom  
 (9) Pain on joints such as waist, shoulder or knee (Arthritis)  
 (10) Pain on muscles such as arm or leg (Muscle ache)  
 (11) Other ( )

45. Have you ever seen a doctor in shelter because you were sick?

(1) Yes  (2) No (Please proceed to Question number 49)

46. How often could you see doctor?

Once a day	Once in 2~3 days	Once a week	Once a month	Once in 2~3 months
(1)	(2)	(3)	(4)	(5)

47. Did you get completely better after you got treatment from doctor?

- (1) Completely got better  
 (2) Was not healed fast because I did not get treatment fast enough  
 (3) My condition got worse because the doctor could not treat me well

48. Have you ever got medical treatment outside (of shelter)?

(1) Yes  (2) No

49. Is there any time allowed for religious group activities such as reading, mass or gathering inside of shelter?

(1) Yes  (2) No

50. Have you ever harassed by other foreigners here? Please mark  $\checkmark$  on everything applicable.

(1) Never been harassed (Jump to Question Number 52)

(2) Hitting, Violence

(3) Swearing, Insulting

(4) Got robbed money, food, personal items etc.

(5) Sexual violence, sexual harassment

(6) Group harassment (Bullying)

(7) Other ( )

51. Have you ever asked for help to immigration officer about such harassment (above)?

(1) Yes  (2) No (Go to Q#53)

52. What was the result from asking for help to the immigration officer?

(1) The immigration officer made sure there would not be any more harassment.

(2) The immigration officer helped, but nothing changed.

(3) I asked for help, but nothing was done.

(4) Other ( )

53. Have you ever given or been asked for bribes from immigration officer, such as money, here?

(1) Yes  (2) No

54. Have you ever been sexually harassed or felt sexually shamed here?

(1) Yes  (2) No

55. Have you ever been forced to follow rules such as below in the shelter? Please mark  $\checkmark$  on everything applicable.

(1) Not to talk with other foreigners  (2) Not to lie down

(3) Not to watch TV  (4) Not to write letters, or read books

56. How do you usually spend your time in shelter?

(1) Plan the future - how I will live from now on.

(2) Read newspapers, magazines or books.

(3) Exercise

(4) Talk with others

(5) Nothing special - watch TV

(6) Sleep all day

E. Related to Visits and Communication etc.
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57. Have you ever had a visitor while you were here?

(1) Yes  (2) No (Jump to Question Number 62)

58. If you have a visitor, how long is usually given for the visit?

Under 5 minutes	5~10 minutes	10~30 minutes	30 minutes ~ 1 hour	Over 1 hour
(1)	(2)	(3)	(4)	(5)

59. Has there been any occasion when the immigration officer forced to stop the visit?

(1) Yes  (2) No

60. Has there been anyone who could not meet you when he/she came for a visit here?

(1) Yes  (2) No

61. Do you have any complaint about visit? Please mark  $\checkmark$  on everything applicable.

- (1) It's too short.  
 (2) I cannot say what I really want to because the immigration officer is there with me.  
 (3) I cannot understand much because the glass wall is blocking us in the middle.  
 (4) It's too dark, so I cannot see my visitor clearly.  
 (5) Neighbors are too loud, so I cannot hear my visitor.

62. Has there been any occasion where your letter was edited or read (inspected) by immigration officer here?

(1) Yes  (2) No

63. Has there been any occasion where an immigration officer recorded or overheard your phone calls here?

(1) Yes  (2) No

64. Has there been any occasion where you wanted to make a phone call, but was unable to do so because the immigration officer stopped you?

(1) Yes  (2) No

65. Do you have any complaint about letter or phone calls? Please mark  $\checkmark$  on everything applicable.

- (1) I heard that a letter had been sent, but it takes too long for me to receive.  
 (2) The immigration officer tells me not to sent a letter.  
 (3) There are not enough public telephones, so I have to wait a long time to make a call.  
 (4) The phone connection is bad, so I cannot understand what the other is saying.  
 (5) Time is too short for a phone call.  (6) Other ( )

F. Related to Petition/Appeal, Arrest Equipment and Shelter's Security

66. When there was a violation of human rights by immigration officer on arrest and detent, were you notified by immigration officer that you have a right to make a petition or an appeal regarding such matter?

(1) Yes  (2) No

67. Have you ever made a petition or appeal because of incidents happened at the shelter?

(1) Yes  (2) No

68. When you wished to get help from someone about legal issue or human rights violation, whose help could you get? Please mark  $\checkmark$  for everyone you got help from.

- (1) Immigration officer
- (2) Other public service worker (Ministry of Labor, National Human Rights Commission etc.)
- (3) Other foreigner at the center.
- (4) Legal migrant worker from the same country
- (5) Embassy personnel from my country
- (6) Personnel from International Organizations (UNHCR, IOM, etc)
- (7) Personnel from related migration worker's supporting groups
- (8) Lawyer
- (9) Religious personnel (Father, priest, monk, etc)
- (10) Other ( )
- (11) No one

69. Have you ever been confined in a solidarity cell (one small room for one person) here?

(1) Yes  (2) No

70. If you have ever worn handcuffs, rope, bit etc? Please mark  $\checkmark$  everything applicable.

- (1) Never wore one (Jump to Question Number 74)
- (2) Handcuffs
- (3) Body was bounded by ropes
- (4) Mouth was bounded by leather bit (rope)
- (5) Feet were bounded by fetters (shackles - feet cuffs)
- (6) Other ( )

71. When you wore any of the above, did immigration officer tell you why?

(1) Yes  (2) No

72. What was the reason for wearing them (Q#69)? Please mark  $\sqrt$  on everything applicable.

- (1) I tried to run away.
- (2) I tried to hit someone.
- (3) I tried to kill or hurt myself.
- (4) Because I was loud (talked too much)
- (5) When I was moved outside of the shelter.
- (6) When I was moved inside of the shelter.
- (7) Other ( )
- (8) There was no reason

73. Have you ever been hurt (physical injury) by wearing such items?

- (1) Yes
- (2) No

74. Has immigration officer ever used weapon or police equipment (gun, gas spray, electric shock gun, etc) on you here?

- (1) Yes
- (2) No

75. Has immigration officer recorded you on a video tape or taken your picture even after you said that you don't want to be recorded?

- (1) Yes
- (2) No

76. Has a male immigration officer ever been placed as a guard at female rooms (cells)?

- (1) Yes
- (2) No

<b>G. Process of Deportation</b>
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77. Have you ever received (or read) a letter such as 'Departure Recommendation', 'Departure Order', 'Deportation Order' that says you must leave Korea?

- (1) Yes
- (2) No (Jump to Question Number 80)

78. (If you have received or read such letter) How did the immigration officer act?

- (1) Immigration officer showed me a letter that said 'Departure Recommendation', 'Departure Order' or 'Deportation Order' and explained what it was about and the reason why I got the letter.
- (2) Immigration officer showed me a letter and explained something, but I could not understand.
- (3) Immigration officer showed me a letter, but there was no explanation.

79. When did you receive/read that letter? (Year/Month/Date)

Year: 200  Month:  Date



86. The following questions ask your level of satisfaction on life in Korea. How much are you satisfied or not satisfied in each questions?

	Not Satisfied At All	Not Satisfied	It's Okay	Satisfied	Very Satisfied
A. Life in Korea	(1)	(2)	(3)	(4)	(5)
B. Relationship with neighbor	(1)	(2)	(3)	(4)	(5)
C. Relationship with employer	(1)	(2)	(3)	(4)	(5)
D. Relationship with Korean co-workers	(1)	(2)	(3)	(4)	(5)

87. Is there any 'family member, relative or friend' of yours who has a job (or similar job) stated below in Korea? Please mark  $\checkmark$  on everything applicable.

- |                                                                |                                                                           |
|----------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> (1) Lawyer                            | <input type="checkbox"/> (2) Engineer                                     |
| <input type="checkbox"/> (3) Business men (CEO)                | <input type="checkbox"/> (4) Head of department                           |
| <input type="checkbox"/> (5) Small business owner)             | <input type="checkbox"/> (6) Executive member (official) of labor union   |
| <input type="checkbox"/> (7) Teacher                           | <input type="checkbox"/> (8) Insurance Consultant (Agent)                 |
| <input type="checkbox"/> (9) Secretary                         | <input type="checkbox"/> (10) Sales Clerk                                 |
| <input type="checkbox"/> (11) Office Machine Operator (Typist) | <input type="checkbox"/> (12) Low-level Officer Worker (Assistant)        |
| <input type="checkbox"/> (13) Foreman (Manager at a factory)   | <input type="checkbox"/> (14) Skilled worker                              |
| <input type="checkbox"/> (15) Mechanic (Cars etc)              | <input type="checkbox"/> (16) Factory worker (Machinery Operator etc)     |
| <input type="checkbox"/> (17) Guard/Patroller                  | <input type="checkbox"/> (18) Restaurant Employee (Waiter, Bartender etc) |
| <input type="checkbox"/> (19) Door-keeper, Porter (Carrier)    | <input type="checkbox"/> (20) Construction Site Laborer                   |
| <input type="checkbox"/> (21) Fisherman, Farmer                |                                                                           |

Thank you for your help. Your response will contribute a great deal into our research. We will try out best to solve your difficulties as much as we can.