

The Status of Foreign Immigrant Crime in South Korea

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One of the most prominent social phenomena in Korea is the rapid pace of change towards a multi-cultural society. Many foreigners have attempted to gain entry to Korea. There are more than 2 million foreigners residing in the country. This trend has led Korean society to embrace cultural, ethnic and racial diversity.

This Policy Brief is a short statistical analysis of the current situation regarding the number of aliens residing in Korea and their crime rate and the type of crimes they are committing. There is a tendency in Korea, as in other countries, to assume that a rise in the numbers of resident aliens will lead to a rise in the rate of crime. This assumption which arises out of a lack of understanding of foreigners and a comprehensible suspicion of those from another culture especially in a country like Korea where immigration is a relatively new phenomenon.

The current Framework Act on Treatment of Foreigners Residing in the Republic of Korea provides that “The state and local governments shall endeavour to take measures such as education, publicity, and correction of unreasonable institutions, etc. to ensure that Koreans and foreigners in Korea understand and respect each other’s history, culture and institutions (Article 18)”. The Korean government emphasizes the importance of embracing such legislation.

On the other hand, Korean people have been suspicious of the potential for an increase in crime by foreigners. “Foreigners’ crime” means

This policy brief gives a brief statistical survey of the immigration situation in South Korea and looks at the legal status of foreigners in the country. It examines the question of whether, as is commonly assumed, immigrants are responsible for the increase in criminal offences.

crime committed by a person who resides in Korea including legal residents such as foreign workers, marital immigrants and foreign students, etc. as well as illegal residents who reside without the authorization of the Korean government or overstay their visas.

The ‘mixed flow’ of foreigners in Korea, legally or illegally

According to the Korean Statistical Information Service (KOSIS)¹, in 2017, people simply entering and departing from Korea totalled 80,407,702², of whom foreigners simply entering and departing from Korea were 26,962,672³.

Local Koreans who just entered were 26,679,527 whilst foreigners who entered Korea numbered 13,569,509⁴, which is a slight decrease compared with 2016⁵. They come mainly from China (4,393,936), Japan (2,337,588), U.S. (969,277), Taiwan (957,836), and Hong Kong (659,182). As recently as 10 years ago, the number of foreigners who entered were relatively few in number There were 574,360 in 2009⁶.

Foreigners who depart Korea were 13,393,163 in 2017, whilst local Koreans who departed Korea were 26,765,503⁷.

The number of foreign residents in Korea was 2,180,498 in 2017^{8,9}. Foreign residents can be classified as legal residents who register with the Korean government or illegal. Foreign residents¹⁰ who remain legally are mainly marital immigrants, foreign workers and foreign students, etc. The number of marital immigrants¹¹ residing in Korea was 180,687 in 2017¹², of whom there were 57,644 Chinese, 42,205 Vietnamese, 13,400 Japanese, 11,783 Filipinos in 2017. Marital immigrants were 25,230 male and 155,457 female. The number of migrant women has increased by over 20% since 2002. However, for the last 3 years, the average increase rate was 0.96%. Recently the Korean Government introduced policies to tighten visa screening.

According to the Current Framework Act on Treatment of Foreigners Residing in the Republic of Korea provides, 'Foreign worker' is defined as a non-Korean citizen who provides or intends to provide his labour in return for wages in any business or place of business situated within the Republic of Korea established by the Law on Employment of Migrant Workers (Article 2). By the end of 2018, the number of foreign workers working under the Employment Permit System (EPS) was 222,374. They come from the Philippines, Thailand, Indonesia, Vietnam, Mongolia, Uzbekistan, Cambodia, Pakistan, China, Bangladesh, Kirgizstan, Nepal, Myanmar, East Timor and Laos. In addition, many foreign students come to Korea for the purpose of study. In 2017, they numbered 123,858, of whom the number of the students intending to earn academic degrees was 72,032.

According to Korean Immigration Law, people who want to stay legitimately or exceed the length of a temporary visit to Korea (90 days) have to get permission from the Minister of Justice¹³. In June of 2018, illegal residents who had not obtained permission to stay or extend their period of stay from the authorities before the expiry of their legal

residence, numbered 323,267. This figure was 183,106 in 2013, 208,778 in 2014, 214,168 in 2015, 208,971 in 2016, 251,041 in 2017. During 2017, the number of illegal foreigners decreased. However, this trend was reversed in 2018.

The Situation regarding Foreigners' Crime in Korea

The Korean Penal Code states that "This act applies to locals and foreigners who commit a crime on the territory of the Republic of Korea"(Article 2). Foreigners who commit crime in Korea must be sanctioned in accordance with the Act. In Korea, the total crime rate and arrest rate has maintained constant levels for recent years. The crime rate decreased in 2017. The total number of crimes committed was 1,857,276 in 2013, 1,778,966 in 2014, 1,861,657 in 2015 and 1,849,450 in 2016, respectively. The number of arrests was 1,420,658 in 2013, 1,778,966 in 2014, 1,861,657 in 2015, 1,552,455 in 2016 and 1,413,717 in 2017.

In 2017, 33,905 crimes were committed by foreigners. Arrests of foreigners for criminal offences has increased year on year between 2009 and 2016 (except in 2010) (21,235 in 2009, 19,445 in 2010, 25,507 in 2011, 22,914 in 2012, 24,984 in 2013, 28,456 in 2014 35,443 in 2015, and 41,044 in 2016), while arrests for the total number of crimes committed including arrests for crimes by local Koreans has not increased since 2016. Fortunately, in 2017, as noted, the number also slightly declined to 33,905. Considering the statistics of the local Korean crime rate, it would be difficult to draw the conclusion that the crimes committed by foreigners were much more prevalent than those by local Koreans in Korean society.

With regard to the number of foreigners arrested in 2017, there were 103 cases of murder, 74 of robbery, 723 of rape, 2,898 of theft, 8,952 of violence, 3,538 for white collar crime, 768 for gambling crimes, 8,404 for traffic offences and 578 for drugs. The top three crimes committed by foreigners are violence, traffic crime and white collar crime. White

collar crime is mainly concerned with forgery of documents relating to illegal immigration, voice “phishing” and so on. Violence cases such as simple assault and traffic offences such as drunk driving amounted to half of foreigners’ crime.

Some crimes by foreigners are thought to come from confusion regarding their identity and culture shock which might lead them to commit crimes, but it does not mean that they are more likely to commit a crime than local Koreans from the simple fact that they are foreigners.

What is worth noting is that the statistical data presented above shows that the crimes by foreigners have not threatened Korean society as much as is generally thought. Nevertheless, it is meaningful that the crime rate by foreigners has been increasing and the fact that violence cases account for the largest portion of crimes committed by foreigners is of considerable significance. Such violence has steadily grown year on year except in 2017.

Precautions against foreigners’ crime in Korea

The conclusion is that the Korean government should improve local Koreans’ recognition of the culture and customs of foreigners to help prevent foreigners’ crimes. Koreans should aim to create an environment in which foreigners can feel more comfortable in Korean society and thus integrate them into the life of the country and prevent crime in that way. It should also help in enabling Koreans and foreigners to live together in a more harmonious way.

Furthermore, the figures cited should not give rise to a conclusion that foreigners have contributed or are likely to contribute to any substantial rise in the crime rate. As in other countries it is all too easy to blame people from another culture for negative issues arising in the home society. Whilst it is true that the Korea Herald of October 20 2016 reported on a 44% increase in foreigners’ crime, the same article also noted that the foreign crime rate per 100.000 population was about half that of the native born. The probable reason for any increase is the rise in the foreign born population as a whole and not their propensity to commit offenses.

References

- ¹ kosis.kr
- ² http://www.index.go.kr/potal/main/EachDtlPageDetail.do?idx_cd=1756
- ³ Local Koreans were 53,455,030. http://www.index.go.kr/potal/main/EachDtlPageDetail.do?idx_cd=1756
- ⁴ http://kosis.kr/statHtml/statHtml.do?orgId=111&tblId=DT_091_111_2009_S009&vw_cd=MT_OTITLE&list_id=111_11101&scrid=&seqNo=&lang_mode=ko&obj_var_id=&itm_id=&conn_path=E1
- ⁵ It is generally argued that the decrease of foreigners entering the country was because the Chinese government prohibited the sale of package trips for travel to Korea and many Chinese did not come to the country in 2017.
- ⁶ Women were 290,219 whilst men were 284,141. http://kosis.kr/statHtml/statHtml.do?orgId=111&tblId=DT_091_111_2009_S010&vw_cd=MT_OTITLE&list_id=111_11101&scrid=&seqNo=&lang_mode=ko&obj_var_id=&itm_id=&conn_path=E1
- ⁸ http://www.index.go.kr/potal/main/EachDtlPageDetail.do?idx_cd=2756
- ⁹ It was 17,97,618 in 2014, 1,899,519 in 2015, 20,49,441 in 2016. The number of foreigners who applied for with registration in Korea and stayed has increased since the government implemented a policy under the scheme entitled “Working Experience for overseas Koreans” in March 2007. In August 2007, the number of registered foreigners exceeded 1 million for the first time, which was about 2% of the total population of Korea.
- ¹⁰ Their nationalities are classified into several groups such as Korean-Chinese, Chinese, Vietnamese, Japanese, Filipinos, Thai, Indonesians and Mongolians.
- ¹¹ The Current Framework Act on Treatment of Foreigners Residing in the Republic of Korea provides that ‘marital immigrant’ means any foreigner in a marital relationship with a Korean national in Korea (Article 2).
- ¹² It was 125,087 in 2009, 141,654 in 2010, 144,681 in 2011, 148,498 in 2012, 150,865 in 2013, 150,994 in 2014, 151,608 in 2015, 152,374 in 2016.

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