

Supplementary Material 1.

I. Laws and regulations mentioned in the study from the Refugee Act and the National Health Insurance Act of South Korea

NHI Act Art. 109 (Special Cases concerning Foreigners) (8) The insurance contributions for the self-employed insured who fall under foreigners, etc. residing in Korea (limited to those subject to the proviso of paragraph (9)) shall be paid by the 25th day of the immediately preceding month, notwithstanding the main clause of Article 78 (1): Provided, That in any of the following cases, the insurance contributions shall be paid as determined by the NHIS: <Newly Inserted on Mar. 22, 2016; Jan. 15, 2019>

1. Where the insurance contributions for the month in which the date the eligibility is acquired falls are collected;
2. Where the eligibility is acquired during the period from the 26th day to the end of any month.

(10) Where a foreigner, etc. residing in Korea (limited to those subject to the proviso of paragraph (9)) who is the self-employed insured fails to pay insurance contributions, the NHIS shall not provide insurance benefits until the delinquent insurance contributions are paid in full, beginning with the date the foreigner, etc. falls into arrears, notwithstanding Article 53 (3). In such cases, the proviso, with the exception of the subparagraphs, of Article 53 (3) and paragraphs (5) and (6) of that Article shall not apply. <Newly Inserted on Jan. 15, 2019>

II. Proposed changes in laws and regulations that influence humanitarian sojourners from the Announcement of partial amendment to the Refugee Act (2023)

Refugee Act Article 19 (Restriction on Recognition of Refugee Status) Where the Minister of Justice has sufficient grounds to recognize that a refugee applicant falls under any of the following cases even in recognition that the refugee applicant constitutes a refugee, he/she may make a decision of non-recognition of refugee status, notwithstanding Article 18 (1):

1. Where a refugee applicant is currently provided with protection or aid by organizations or agencies of the United Nations other than the United Nations Refugee Agency: Provided, That cases where the provision of such protection or aids is suspended for some reason without the final resolution of the status of the person who currently receives such protection or aids in accordance with the relevant resolution adopted at a general assembly of the United Nations shall be excluded;
2. Where a refugee applicant has committed a crime against world peace, war crime, or crime against humanity prescribed by international treaties or generally-approved international regulations;
3. Where a refugee applicant has committed a grave non-political crime outside the Republic of Korea before entering the Republic of Korea;
4. Where a refugee applicant has committed an act against the objectives and principles of the United Nations.
5. “If national security, maintenance of order, or public welfare has been harmed or is likely to be harmed” then follow Article 22 (1). <In Progress>

Refugee Act Article 22 (Cancellation, etc. of Decision to Recognize Refugee Status) (1) Where a decision to recognize refugee status is found to have been made by submitting false documents, delivering false statements, or concealing facts, the Minister of Justice may cancel refugee status.

<In Progress>

1. Where it is found that the decision to recognize refugee status was based on the submission of false documents, false statements, or concealment of facts; <In Progress>

2. Where it is found that the individual was subject to a decision of non-recognition of refugee status under Article 19. <In Progress>

(2) Where a recognized refugee falls within any of the following cases, the Minister of Justice may withdraw the decision to recognize refugee status:

1. Where a refugee applicant receives protection from a nation of his/her nationality again;

2. Where a refugee applicant reinstates his/her nationality voluntarily after losing his/her nationality;

3. Where a refugee applicant is under the protection of a nation of the nationality he/she has newly acquired;

4. Where a refugee applicant resettles in the nation in which he/she resides of his/her free will after leaving such nation or staying outside such nation in fear of persecution;

5. Where a refugee applicant becomes unable to refuse protection from a nation of his/her nationality any more due to cessation of the causes which were the major grounds for the decision to recognize refugee status;

6. Where a refugee applicant is able to return to the former nation of his/her permanent settlement due to cessation of the cause of stateless person by which he/she became an eligible refugee.

7. Where the individual becomes subject to a decision of non-recognition of refugee status under Article 19. <In Progress>

(3) Where the Minister of Justice cancels or withdraws a decision to recognize refugee status under paragraph (1) or (2), he/she shall prepare a notice of cancellation of refugee status or a notice of withdrawal of refugee status including the grounds therefor and a message that an objection may be raised within 30 days therein. In such cases, Article 18 (6) shall apply mutatis mutandis to methods of notification.